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STATUTORY INSTRUMENTS

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**2020 No. 1388**

**The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020**

**PART 5**

Amendments to domestic EU Exit legislation

CHAPTER 7

Animal breeding

**The Animal Breeding (Amendment) (EU Exit) Regulations 2019**

**28.**—(1) The Animal Breeding (Amendment) (EU Exit) Regulations 2019<sup>(1)</sup> are amended as follows.

(2) In regulation 3(2)—

(a) for sub-paragraph (b) substitute—

“(b) in points (5) and (6), in both places where it occurs, for “a Member State” substitute “a constituent territory of the United Kingdom”;;”;

(b) for sub-paragraph (d) substitute—

“(d) in point (8)—

(i) in the words before point (a), for “a Member State” substitute “a constituent territory of the United Kingdom”;

(ii) in point (c), for “Member States” substitute “competent authorities in the United Kingdom”;;”;

(c) in sub-paragraph (e), for point (8B) in the inserted text substitute—

“(8B) ‘third country’ means any country or territory other than—

(a) the United Kingdom;

(b) the Bailiwick of Jersey;

(c) the Bailiwick of Guernsey;

(d) the Isle of Man;”;

(d) after sub-paragraph (f) insert—

“(fa) after point (21), insert—

“(21A) ‘entering Great Britain’ means the action of bringing breeding animals or their germinal products into Great Britain;”;

(3) In regulation 4—

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(1) [S.I. 2019/117](#).

- (a) for paragraph (5) substitute—
  - “(5) In Article 8—
    - (a) in paragraph 1, after “breeding operation”, in the first place where it occurs, insert “recognised under Article 4(3)”;
- (b) for paragraph (6)(b)(ii) substitute—
  - “(ii) in point (c), omit “in other Member States or”.”.
- (c) in paragraph (7), in the substituted text—
  - (i) for paragraph 1 substitute—
    - “1. Where a breed society or breeding operation (within the meaning of Article 2 of the EU Regulation) approved either in accordance with Article 8(3) of the EU Regulation by a competent authority in a member State or by a competent authority in a third country in respect of which the appropriate authority has made regulations under Article 35, or a breeding body entered into the list under Article 34(1), intends to carry out a breeding programme on animals kept in the United Kingdom, that breed society, breeding operation or breeding body must notify the competent authority of the constituent territory of the United Kingdom where the animals are to be kept.”;
  - (ii) in paragraph 2(b), after “English” insert “and other languages may also appear”;
  - (iii) in paragraph 4, for “or breeding operation in accordance with Article 4(3) of the EU Regulation” substitute “, breeding operation or breeding body”;
  - (iv) in paragraph 6, for “breed society or breeding operation” substitute “breed society, breeding operation or breeding body”.
- (4) In regulation 6—
  - (a) in paragraph (1)(a)—
    - (i) for paragraph (i) substitute—
      - “(i) for “Member State” substitute “constituent territory of the United Kingdom”;
    - (ii) omit paragraph (ii);
  - (b) in paragraph (2)—
    - (i) in sub-paragraph (a)—
      - (aa) omit paragraph (i);
      - (bb) in paragraph (ii), in the substituted text, omit “or in a member State”;
    - (ii) for sub-paragraph (b) substitute—
      - “(b) in paragraph 5, for the words from “for intra-Union trade” to the end substitute “by the competent authority in accordance with animal health law in force in the constituent territory of the United Kingdom”;
  - (c) for paragraph (3) substitute—
    - “(3) In Article 23(2), for “same or in another Member State” substitute “United Kingdom or by a breeding body in a third country included in the list provided for in Article 34”.
  - (d) in paragraph (4)—
    - (i) in sub-paragraph (a), in the inserted text, omit “or in a Member State”;
    - (ii) for sub-paragraph (b) substitute—

- “(b) in paragraph 3, for the words from “for intra-Union trade” to the end substitute “by the competent authority in accordance with animal health law in force in the constituent territory of the United Kingdom”.”.
- (5) In regulation 8—
- (a) in paragraph (1)—
- (i) omit sub-paragraphs (a), (b), (c)(i) and (d)(i);
- (ii) in sub-paragraph (d)(ii), in the inserted text, omit from the words “or in implementing acts” to the end;
- (b) for paragraph (2) substitute—
- “(2) In Article 31(1), for the words from “for intra-Union trade” to the end substitute “by the competent authority in accordance with animal health law in force in the constituent territory of the United Kingdom”.”;
- (c) for paragraph (3)(b) substitute—
- “(b) in paragraph 1, for the words from “Union of those” to the end substitute “United Kingdom by a competent authority in the United Kingdom in accordance with animal health law in force in the constituent territory of the United Kingdom”.”.
- (6) In regulation 9—
- (a) in paragraph (2)(c), in the inserted text, at the end insert—
- “5. Notwithstanding paragraph 2 and 4, until 30 June 2021, any breed society or breeding operation (within the meaning of Article 2 of the EU Regulation) which as at IP completion day is approved by the competent authority of a Member State under Article 4(3) of the EU Regulation must be included in the list provided for in paragraph 1.”;
- (b) in paragraph (3)(b), in the inserted text, omit “or Article 34 of the EU Regulation”;
- (c) for paragraph (4) substitute—
- “(4) In the heading to Article 37, for “the Union” substitute “Great Britain from a third country”.”;
- (d) in paragraph (5)(b), in the substituted text, for “the United Kingdom” substitute “Great Britain”.
- (7) For regulation 10(b) substitute—
- “(b) in paragraph 4(e), for “Union animal health law” substitute “animal health law in the constituent territory of the United Kingdom”.”.
- (8) Regulation 11 is amended in accordance with paragraphs (9) to (12).
- (9) Omit paragraph (2)(b)(ii).
- (10) In paragraph (5), in the substituted text, omit “from a member State or”.
- (11) In paragraph (7)—
- (a) in sub-paragraph (a), in the substituted text—
- (i) in point (a), omit “member States and”;
- (ii) in the text after point (b), omit “or in the EU Regulation”;
- (b) in sub-paragraph (b)—
- (i) for paragraph (i) substitute—
- “(i) in point (a) for “Member State” in both places where it occurs, substitute “constituent territory of the United Kingdom”.”;

- (ii) in paragraph (ii), in the substituted text—
  - (aa) omit “or for member States”;
  - (bb) omit “or of member States”;
- (iii) omit paragraph (iii);
- (iv) in paragraph (iv), in the substituted text, omit “or of a member State” in both places where it occurs;
- (c) for sub-paragraph (c) substitute—
  - “(c) omit paragraph 3.”.
- (12) In paragraph (8)—
  - (a) for sub-paragraph (a) substitute—
    - “(a) in the heading, for “the Commission and Member States” substitute “other competent authorities in the United Kingdom”;
  - (b) in sub-paragraph (b)—
    - (i) omit paragraph (i);
    - (ii) in paragraph (ii), in the substituted text, omit “and of member States”;
    - (iii) after paragraph (ii) insert—
      - “(iii) omit point (b),”;
  - (c) omit sub-paragraph (c)(i).
- (13) For regulation 12(2) substitute—
  - “(2) Omit Article 53.”.
- (14) In regulation 15—
  - (a) in paragraph (2), after sub-paragraph (a) insert—
    - “(ba) in point 2, omit “, and, where applicable, Article 12”;
  - (b) in paragraph (4)—
    - (i) for sub-paragraph (b) substitute—
      - “(b) in point 3(a)(ii) for “same or another Member State” substitute “United Kingdom”;
    - (ii) in sub-paragraph (c)(ii)(aa), in the substituted text omit “, a member State”.
- (15) In regulation 16—
  - (a) in paragraph (2)—
    - (i) in sub-paragraph (a)—
      - (aa) for paragraph (i)(aa) substitute—
        - “(aa) in point (c), for “Union animal health law” substitute “animal health law in force in the constituent territory of the United Kingdom”;
      - (bb) in paragraph (ii), in the substituted text, omit “Regulation (EU) 2016/429, as it has effect in EU law, as amended from time to time, or under”;
    - (ii) for sub-paragraph (b) substitute—
      - “(b) in Chapter 2, in point 1(a), for “Union” substitute “United Kingdom”;

(16) In regulation 17(a), in the substituted text, omit “or the relevant European Union reference centres provided for in Article 29(1) of the EU Regulation”.

(17) In regulation 18—

(a) in paragraph (5)(b), in the inserted text, omit “and of member States”;

(b) in paragraph (6), in the inserted text—

(i) in the words before point (a), omit “and member States”;

(ii) in point (b), omit “, member States”.

(18) In regulation 19(3)(a)(ii) and (4)(a)(ii), in the substituted text, omit “or Union”.

(19) In regulation 26—

(a) in paragraph (2)—

(i) before sub-paragraph (a), insert—

“(aa) in the table, in the first row, omit “All EU official languages of the zootechnical certificates, including footnotes and notes, are available in EUR-Lex”.”;

(ii) in sub-paragraph (a), in the substituted text omit “or Union”;

(iii) for sub-paragraph (b) substitute—

“(b) in footnote (5), for “Union” substitute “United Kingdom”;

(c) in the notes, in the first bullet point for the words from “at least one” to the end substitute “English, and other languages may also appear.”;

(b) for paragraph (3) substitute—

“(3) In Sections B, C and D—

(a) in the table, in the first row, omit “All EU official languages of the zootechnical certificates, including footnotes and notes, are available in EUR-Lex”;

(b) in footnotes (7) and (8), for “Union” in each place where it occurs substitute “United Kingdom”;

(c) in the notes, in the first bullet, for the words from “at least one” to the end substitute “English, and other languages may also appear.”;

(c) omit paragraphs (4) and (5).

(20) For regulation 27 substitute—

## **“Amendments to Annex 2**

**27.**—(1) Annex 2 is amended as follows.

(2) In Section A—

(a) in the table, in the first row, omit “All EU official languages of the zootechnical certificates, including footnotes and notes, are available in EUR-Lex”;

(b) in footnote (4), for “Union” substitute “United Kingdom”;

(c) in the notes, in the first bullet, for the words from “at least one” to the end substitute “English, and other languages may also appear.”

(3) In Sections B, C, and D—

(a) in the table, in the first row, omit “All EU official languages of the zootechnical certificates, including footnotes and notes, are available in EUR-Lex”;

(b) in footnote (5), for “Union” substitute “United Kingdom”;

- (c) in the notes, in the first bullet, for the words from “at least one” to the end substitute “English, and other languages may also appear.”.
- (21) For regulation 28(3) and (4) substitute—
  - “(3) In Sections A, B, C and D, in the table, in the first row, omit “All EU official languages of the zootechnical certificates, including footnotes and notes, are available in EUR-Lex”.”.
- (22) In regulation 29, after paragraph (2), insert—
  - “(3) In Sections A, B, C and D, in the table, in the first row, omit “All EU official languages of the zootechnical certificates, including footnotes and notes, are available in EUR-Lex”.”.