
STATUTORY INSTRUMENTS

2020 No. 1481

The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020

PART 2

Amendments to Regulation (EU) 2017/625

Amendments to Title 2, Chapter 5, Section 2

11.—(1) In Article 47—

(a) in paragraph 1—

(i) in the opening words—

(aa) for “the Union”, in the first place where it occurs, substitute “Great Britain from a third country”;

(bb) for “the Union”, in the second place where it occurs, substitute “Great Britain”;

(ii) in point (d)—

(aa) for the words from “Commission” to “for in” substitute “appropriate authority has decided, by making regulations under”;

(bb) for “the Union” substitute “Great Britain”;

(iii) in point (e)—

(aa) for “Combined Nomenclature” substitute “classification system applicable in the United Kingdom, as amended from time to time, whether established and maintained pursuant to section 8(1) of the Taxation (Cross-border Trade) Act 2018(1) or under any other enactment”;

(bb) for “the Union” substitute “Great Britain”;

(iv) in point (f), for “the Union” in both places where it occurs, substitute “Great Britain”;

(b) in paragraph 2—

(i) in the opening words, for the words from “Commission” to “acts” substitute “appropriate authority may make regulations which”;

(ii) in points (a) and (b), for “Combined Nomenclature”, in both places where it occurs, substitute “classification system applicable in the United Kingdom, as amended from time to time, whether established and maintained pursuant to section 8(1) of the Taxation (Cross-border Trade) Act 2018 or under any other enactment”;

(iii) in the final subparagraph, for the words from “Those” to the end, substitute—

“Those regulations may also make provision for the appropriate authority from time to time to specify and publish online either or both of the lists referred to in this paragraph.”

- (c) in paragraph 3, for the words from “Commission” to “amend” substitute “appropriate authority may make regulations amending”.
- (2) In Article 48, for the words from “Commission” to “Article 144” substitute “appropriate authority may make regulations”.
- (3) In Article 49—
 - (a) in paragraph 1, after “arrival” insert “from a third country”;
 - (b) in paragraph 4—
 - (i) for the words from “Commission” to “lay” substitute “appropriate authority may make regulations laying”;
 - (ii) omit the words from “Those” to the end;
 - (c) in paragraph 5, for the words from “Commission” to “Article 144” substitute “appropriate authority may make regulations”.
- (4) In Article 50(4), for the words from “Commission” to “Article 144” substitute “appropriate authority may make regulations”.
- (5) In Article 51—
 - (a) in paragraphs 1 and 2, for the words from “Commission” to “Article 144”, in both places where they occur, substitute “appropriate authority may make regulations”;
 - (b) in paragraph 1—
 - (i) in point (b), for “the Union” substitute “Great Britain”;
 - (ii) in point (c), for “into the Union” substitute “in Great Britain”.
- (6) In Article 52—
 - (a) for the words from “Commission” to “lay” substitute “appropriate authority may make regulations laying”;
 - (b) omit the words from “Those implementing acts” to the end.
- (7) In Article 53(1)—
 - (a) in the opening words, for the words from “Commission” to “Article 144” substitute “appropriate authority may make regulations”;
 - (b) in point (a), after “Article 64(4)” insert, “which take effect as retained direct EU legislation, or, as the case may be, regulations made under that Article ”;
 - (c) in points (b) and (c)—
 - (i) in both places where the words occur—
 - (aa) for “Union” substitute “United Kingdom”;
 - (bb) for “Member State” substitute “constituent territory of Great Britain”.
- (8) In Article 54—
 - (a) in paragraph 3—
 - (i) in the opening words—
 - (aa) for the words from “Commission” to “lay” substitute “appropriate authority may make regulations laying”;

- (bb) after “paragraph 2” insert “, which may also include provision for the appropriate authority to set the appropriate frequency rates by publication of those rates online, as amended from time to time,”;
- (ii) in point (a)—
 - (aa) in point (i), for “Commission” substitute “appropriate authority”;
 - (bb) in point (ii), omit “by Commission experts” and at the end insert “by experts appointed by the appropriate authority”;
 - (cc) in point (iv), for “the information management system for official controls (IMSOC)” substitute “the appropriate computerised information management system”;
- (iii) in point (b), for “Member States” substitute “competent authorities”;
- (iv) omit the final subparagraph;
- (b) in paragraph 4—
 - (i) for the words from “Commission” to “lay” substitute “appropriate authority may make regulations laying”;
 - (ii) for the final subparagraph, substitute—

“Regulations under this paragraph may also make provision for the competent authority from time to time to specify and publish online the minimum frequency of the performance of official controls.”.
- (9) In Article 56—
 - (a) in paragraph 3(a), after “those consignments”, insert “from a third country”;
 - (b) in paragraphs 3(b)(ii) and 4, in both places where it occurs, for “IMSOC” substitute “appropriate computerised information management system”;
 - (c) in paragraph 4, for “into the Union” substitute “in Great Britain”.
- (10) In Article 57(1), for “IMSOC” substitute “appropriate computerised information management system”.
- (11) In Article 58—
 - (a) for the words from “Commission” to “lay” substitute “appropriate authority may make regulations laying”;
 - (b) omit the final subparagraph.
- (12) In Article 59—
 - (a) in paragraph 1, for “Member States” substitute “Competent authorities”;
 - (b) for paragraph 2, substitute—

“2. The competent authority must notify the other competent authorities of the constituent territories of the British Islands before designating a border control post.”.
 - (c) omit paragraphs 3 to 5.
- (13) In Article 60—
 - (a) in paragraph 1, for “Each Member State” substitute “The competent authority”;
 - (b) omit paragraph 2.
- (14) Omit Article 61.
- (15) In Article 62—
 - (a) in paragraph 1, for “Member States” substitute “competent authorities”;

- (b) in paragraph 2, for the words from “Member States shall” to “other Member States” substitute “The competent authority must inform the other competent authorities of the constituent territories of the British Islands”;
 - (c) omit paragraph 3;
 - (d) in paragraph 4, for “Member States” substitute “competent authorities”.
- (16) In Article 63—
- (a) in paragraph 1, for “A Member State” substitute “A competent authority”;
 - (b) in paragraph 2; for the words from “Member States shall” to “other Member States” substitute “The competent authority must immediately inform the other competent authorities of the constituent territories of the British Islands”;
 - (c) in paragraph 3, for “Member States” substitute “The competent authority”;
 - (d) in paragraph 4—
 - (i) for “Member States”, in the first place where it occurs, substitute “Competent authorities”;
 - (ii) in point (a), for “the competent authorities” substitute “they”;
 - (iii) in point (b), for “Commission and to the other Member States” substitute “other competent authorities of the constituent territories of the British Islands”;
 - (e) in paragraph 5, for “Member States” substitute “competent authorities”.
- (17) In Article 64—
- (a) for “the Union”, in each place where it occurs, substitute “Great Britain”;
 - (b) in paragraph 2, for the words from “Commission” to “Article 144”, substitute “appropriate authority may make regulations”;
 - (c) in paragraph 3—
 - (i) in point (f), omit the words from “IMSOC” to “other”;
 - (ii) in point (g), for “IMSOC” substitute “computerised information management system”;
 - (d) in paragraph 4—
 - (i) for the words from “Commission” to “lay” substitute “appropriate authority may make regulations laying”;
 - (ii) omit the words from “Those” to the end;
 - (e) in paragraph 5, for the words from “Commission” to “Article 144” substitute “appropriate authority may make regulations”.