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STATUTORY INSTRUMENTS

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**2020 No. 1631**

**The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020**

**PART 3**

Amendment of retained direct EU legislation

**Commission Delegated Regulation (EU) 2019/624 concerning specific rules for the performance of official controls on the production of meat and for production and relaying areas of live bivalve molluscs in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council**

**13.**—(1) Commission Delegated Regulation (EU) 2019/624 concerning specific rules for the performance of official controls on the production of meat and for production and relaying areas of live bivalve molluscs in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council<sup>(1)</sup> is amended as follows.

(2) In Article 2, after point (27) insert—

“(28) “appropriate authority” means—

- (a) in relation to England, the Secretary of State;
- (b) in relation to Wales, the Welsh Ministers;
- (c) in relation to Scotland, the Scottish Ministers.”.

(3) After Article 2 insert—

*“Article 2A*

**References to Directive 64/432/EEC**

For the purpose of Articles 3(3)(e) and 8(e) of this Regulation, references to Article 2 and Article 2(2)(p) of [Directive 64/432/EEC](#) are to be read as if, in Article 2(2)(p) of that Directive—

- (a) for “Member State’s territory” there were substituted “constituent territory of Great Britain”;
- (b) in the table, in the row for United Kingdom, for “, Wales and Northern Ireland” there were substituted “and Wales”.

(4) In Article 3(3)(e), for “Union legislation” substitute “legislation in force in the relevant constituent territory of Great Britain”.

(5) In Article 5(2)(c)(iii), for “Union legislation” substitute “legislation in force in the relevant constituent territory of Great Britain”.

(6) In Article 6(5), for “Member States” substitute “competent authorities”.

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(1) EUR 2019/624.

- (7) In Article 7(1)(b)—
- (a) for “a Member State” substitute “Great Britain”;
  - (b) omit the words from “in such case” to the end.
- (8) In Article 8(e), for “Union legislation” substitute “legislation in force in the relevant constituent territory of Great Britain”.
- (9) Omit Article 12.
- (10) In Article 13, in paragraph 1, for “Member States may lay down” substitute “the appropriate authority may make regulations prescribing”.
- (11) After Article 14 insert—

*“Article 14A*

**Procedure**

1. Regulations made by the Secretary of State or the Welsh Ministers under this Regulation are to be made by statutory instrument.
  2. For regulations made by the Scottish Ministers under this Regulation, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010(2).
  3. A statutory instrument containing regulations made by the Secretary of State under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.
  4. A statutory instrument containing regulations made by the Welsh Ministers under this Regulation is subject to annulment in pursuance of a resolution of Senedd Cymru.
  5. Regulations made by the Scottish Ministers under these Regulations are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).
  6. Regulations made under this Regulation may—
    - (a) contain consequential, incidental, supplementary, transitional or saving provision;
    - (b) make different provision for different purposes.”.
- (12) After Article 15, omit the words from “This Regulation” to “Member States.”.
- (13) Omit Annex 1.
- (14) In Annex 2—
- (a) in Chapter 1—
    - (i) in the opening words of paragraph 3, omit the words from “in accordance with” to “of the Council”;
    - (ii) in paragraph 3(a), for “national and Union” substitute “relevant”;
    - (iii) omit paragraph 7;
  - (b) in Chapter 2, omit paragraph 10;
  - (c) in Chapter 3, omit paragraph 9.