
STATUTORY INSTRUMENTS

2022 No. 735

**The Import of Animals and Animal Products and
Approved Countries (Amendment) Regulations 2022**

Amendment of Commission Implementing Regulation (EU) 2018/659

16.—(1) Commission Implementing Regulation (EU) 2018/659 on the conditions for the entry into the Union of live equidae and of semen, ova and embryos of equidae⁽¹⁾ is amended as follows.

(2) In Article 1 (subject matter and scope) omit “list of”.

(3) After Article 2, but within Section 1, insert—

“Article 2a

Publication of code representing third country or territory

The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article a system of words, letters or numbers representing, for the purposes of an animal health or veterinary certificate under this Regulation, a third country, listed in Annex 1 or, where regionalisation is applied, any part of the territory of such third countries.”

(4) In Article 3 (list of third countries and parts of the territory of third countries from which the entry of equidae into Great Britain is authorised)—

(a) in the heading, omit “List of”;

(b) in paragraph 1, in the words before point (a)—

(i) for “the third countries” substitute “such of the third countries”;

(ii) omit “, or, where regionalisation is applied, parts of the territory of third countries,”;

(iii) for “columns 2 and 4” substitute “column 2”;

(iv) after “Annex 1” insert “or, where regionalisation is applied, such parts of the territory of those third countries, as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this paragraph”;

(v) omit “in accordance with the indications set out in that Annex”;

(c) in paragraph 1(a), for “in column 6 of the table set out in Annex 1” substitute “by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), in a document published for the purposes of this point”;

(d) in paragraph 1(b), for “in column 15 of the table set out in Annex 1” substitute “by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), in a document published for the purposes of this point”;

- (e) in paragraph 1(c), for “in column 7 of the table set out in Annex 1” substitute “by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), in a document published for the purposes of this point”;
 - (f) in paragraph 1(d), for “in column 8 of the table set out in Annex 1” substitute “by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), in a document published for the purposes of this point”;
 - (g) in paragraph 1(e), for “in column 9 of the table set out in Annex 1” substitute “by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), in a document published for the purposes of this point”;
 - (h) in paragraph 1(f), for “in column 10 of the table set out in Annex 1” substitute “by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales) in a document published for the purposes of this point”;
 - (i) in paragraph 2, for “in column 16 of the table in Annex 1” substitute “by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), in a document published for the purposes of this paragraph”.
- (5) In Article 4 (third countries and parts of the territory of third countries from which the entry into Great Britain of semen of equidae is authorised), in the words before point (a)—
- (a) for “the third countries” substitute “such of the third countries”;
 - (b) omit “, or, where regionalisation is applied, parts of the territory of third countries,”;
 - (c) for “columns 2 and 4” substitute “column 2”;
 - (d) after “Annex 1” insert “or, where regionalisation is applied, parts of the territory of those third countries, as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article”;
 - (e) omit “as indicated in columns 11, 12 and 13 of that table”.
- (6) In Article 5 (third countries and parts of the territory of third countries from which the entry into Great Britain of ova and embryos of equidae is authorised), in the words before point (a)—
- (a) for “the third countries” substitute “such of the third countries”;
 - (b) omit “, or, where regionalisation is applied, parts of the territory of third countries,”;
 - (c) for “columns 2 and 4” substitute “column 2”;
 - (d) after “Annex 1” insert “or, where regionalisation is applied, parts of the territory of those third countries as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article”;
 - (e) omit “as indicated in column 14 of that table”.
- (7) In Article 6 (certification), for paragraph 1(a) substitute—
- “(a) any applicable supplementary guarantees or conditions that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article;”.

(8) In Article 19 (conversion of temporary admission into permanent entry and death or loss of registered horse), in paragraph 1(a), for “Annex 1” substitute “Article 3”.

(9) After Article 19 insert—

“Article 19a

Sanitary groups

1. The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may assign a third country listed in Annex 1 or, as the case may be, part of the territory of any such third country, to a sanitary group, in accordance with column 1 of the table headed “sanitary groups” in Annex 1.

2. Where the Secretary of State assigns a third country, or part of the territory of a third country, to a sanitary group under paragraph 1, the Secretary of State must specify the third country, or part of the third country, and the sanitary group to which it is assigned, in a document published for the purposes of this Article.

3. Imports of equidae from a third country or part of a third country assigned to a sanitary group are subject to the specific animal health guarantees required for entry into Great Britain for that sanitary group in accordance with column 2 of the table headed “sanitary groups” in Annex 1.”.

(10) After Article 21 but within Section 8 insert—

“Article 21a

Matters relating to the exercise of powers under this Regulation

1. The powers exercisable by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under the provisions listed in paragraph 2 may be exercised only where it is necessary or appropriate to do so in the light of an assessment of the risk to animal or public health in the United Kingdom, taking into account the matters specified in this Article.

2. The provisions are—

(a) in Article 3 (specification of third country or part thereof from which consignments of equidae may be imported into Great Britain)—

(i) paragraph 1, the words before point (a) (specification of third countries or parts of third countries in relation to which the appropriate authority may authorise consignments of equidae);

(ii) paragraph 1(a) (temporary admission of registered horses);

(iii) paragraph 1(b) (transit of equidae);

(iv) paragraph 1(c) (re-entry of registered horses for racing, competition and cultural events);

(v) paragraph 1(d) (import of registered horses);

(vi) paragraph 1(e) (import of consignments of equidae for slaughter);

(vii) paragraph 1(f) (importation of registered equidae and equidae for breeding and production);

(viii) paragraph 2 (specification of specific conditions with which the competent authority of the third country must comply);

- (b) Article 4 (specification of third countries and parts of the territory of third countries from which the entry into Great Britain of semen of equidae is authorised);
- (c) Article 5 (specification of third countries and parts of the territory of third countries from which the entry into Great Britain of ova and embryos of equidae is authorised);
- (d) Article 6 (specification of applicable supplementary guarantees or conditions).

3. Any assessment which is relied on for the purposes of paragraph 1 with regard to imports of live equidae must be appropriate to the circumstances and have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), taking into account—

- (a) how the third country applies and implements international animal health standards, in particular the principle of regionalisation, within its own territory and in relation to its sanitary requirements for importation from other third countries and from the United Kingdom;
- (b) the health status of the equidae, other domestic animals and wildlife and the environmental situation in the third country, with particular regard to exotic, notifiable and reportable animal diseases and any aspects of the general situation as regards health in the third country which may pose a risk to the health and environmental situation of the United Kingdom;
- (c) the legislation of the third country in relation to animal health and welfare;
- (d) the organisation of the competent veterinary authority and its inspection services, the powers of those services, the supervision to which they are subject, and the means at their disposal, including staff and laboratory capacity, to apply national legislation effectively;
- (e) the assurances which the competent veterinary authority of the third country can give regarding compliance or equivalence with the relevant animal health conditions applicable in the United Kingdom;
- (f) whether the third country is a member of the OIE, and the regularity and rapidity of its provision of information relating to the existence of infectious or contagious diseases of equidae in its territory, in particular those diseases listed by the OIE and in Annex 1 to Council [Directive 2009/156/EC](#)(2);
- (g) the assurances given by the third country to inform the United Kingdom—
 - (i) within 24 hours, of the confirmation of the occurrence of infectious diseases of equidae listed in Annex 1 to Council [Directive 2009/156/EC](#), and of any change in the vaccination policy concerning such diseases;
 - (ii) within an appropriate period, of any proposed changes in the national sanitary rules concerning equidae, in particular regarding the importation of equidae; and
 - (iii) at regular intervals, of the animal health status of its territory concerning equidae;
- (h) any experience of previous imports of live equidae from the third country and the results of any import controls carried out;
- (i) the results of inspections or audits carried out in the third country, in particular the results of the assessment of the competent authorities of the third country of those inspections or audits;

(2) EUDN 2009/156, relevant amending instrument is [S.I. 2019/591](#).

- (j) the rules on the prevention and control of infectious or contagious animal diseases in force in the third country and their implementation, including rules on importation from other third countries;
 - (k) any special import conditions that may be required by the United Kingdom having regard to the situation as regards the health of equidae in the third country.
4. Any assessment which is relied upon for the purposes of paragraph 1 with regard to the imports of equine semen, ova or embryos must be appropriate to the circumstances and must have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), taking into account—
- (a) whether there are any diseases referred to in Annex A to Council [Directive 92/65/EC](#) or any other disease exotic to the United Kingdom present in the third country;
 - (b) whether the third country is capable of guaranteeing the implementation of its legislation, and whether the organisation of its veterinary and inspection services enables the country effectively to undertake or supervise such services;
 - (c) whether the veterinary services of the third country are able to guarantee that health requirements at least equivalent to those laid down in Chapter 2 of Council [Directive 92/65/EC](#) are being complied with;
 - (d) any on-the-spot inspections by experts from the United Kingdom undertaken to verify whether the assurances given by the third country regarding the conditions of production and placing on the market can be considered equivalent to those applied in the United Kingdom.
5. Where the Scottish Ministers or the Welsh Ministers request that the Secretary of State exercise a power under a provision listed in paragraph 2 the Secretary of State must have regard to that request.
6. In this Article “the OIE” means the World Organisation for Animal Health.”.
- (11) In Annex 1 (list of third countries and parts of the territory of third countries from which the entry into Great Britain of consignments of equidae and of semen, ova and embryos of equidae is authorised)—
- (a) in the heading, omit “and parts of the territory of third countries”;
 - (b) omit the table except for columns 1 and 2 (ISO Code and third country);
 - (c) in the footnotes to the table—
 - (i) omit the footnote relating to Switzerland;
 - (ii) omit the footnote relating to EU Member States, Liechtenstein and Norway;
 - (d) omit the legend to Annex 1 except for the table headed “Sanitary Groups”.