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WELSH STATUTORY INSTRUMENTS

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**2022 No. 1348**

**The Trade in Animals and Related Products (Amendment and Legislative Functions) and Animal Health (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2022**

**PART 5**

**Modifications to EU Directives**

**Modifications to Directive 92/65**

- 14.**—(1) Directive 92/65 is modified as follows.
- (2) Article 1 is to be read as if—
- (a) in the first paragraph—
    - (i) “trade in and” were omitted;
    - (ii) for “the Community” there were substituted “Wales from third countries”;
    - (iii) for “specific Community acts” there were substituted “legislation”;
  - (b) in the second paragraph, for “Regulation (EEC) No 3626/82” there were substituted “Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein<sup>(1)</sup>”;
  - (c) in the third paragraph, for the words from “the national rules” to the end there were substituted “legislation in force in Wales that applies in relation to pet animals”.
- (3) Article 2 is to be read as if—
- (a) paragraph 1(a) were omitted;
  - (b) in paragraph 1(b), in the definition of “animals”, for “Directives 64/432/EEC, 90/426/EEC, 90/539/EEC, 91/67/EEC, 91/68/EEC, 91/492/EEC and 91/493/EEC” there were substituted “Directives 64/432, 91/68, 2009/156 and 2009/158, and the Aquatic Animal Health (England and Wales) Regulations 2009”;
  - (c) after paragraph 1(d), there were inserted—
    - “(e) ‘pet animal’ has the meaning given in Article 3 of Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12 June 2013 on the non-commercial movement of pet animals<sup>(2)</sup>.”;
  - (d) in paragraph 2, for “Article 2 of Directives 64/432/EEC, 91/67/EEC and 90/529/EEC” there were substituted “Article 2 of Directive 64/432, regulation 3 of the Aquatic Animal Health (England and Wales) Regulations 2009 and Article 2 of Directive 2009/158”.
- (4) The title of Chapter 2 is to be read as if for that title there were substituted “General requirements applicable to imports for the purposes of Articles 16, 17 and 18”.

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(1) EUR 1997/338, amended by S.I. 2020/1395, 2021/54 and 645.

(2) EUR 2013/576, amended by S.I. 2020/1388 and 1463, 2021/1229, 2022/45 (W. 108) and 958 (W. 204).

- (5) Article 3 is to be read as if—
- (a) in the first paragraph—
    - (i) for “The Member States shall ensure that the trade referred to in Article 1, first paragraph, is not” there were substituted “The importation of animals referred to in Article 16 into Wales must not be”;
    - (ii) for “Community legislation” there were substituted “legislation in force in Wales”;
  - (b) the second paragraph were omitted.
- (6) Article 4 is to be read as if—
- (a) for the words from the beginning to “Article 12(1) and (3) of this Directive” there were substituted, “For the purposes of applying Article 9 of the Official Controls Regulation, the animals referred to in Articles 5 to 10 of this Directive may, without prejudice to Article 13 and Article 24, only be imported into Wales if they satisfy conditions at least equivalent to those laid down in Articles 5 to 10 and come from holdings or businesses subject to the Official Controls Regulation”;
  - (b) in the first indent, for “Article 3(3) of Directive [90/425/EEC](#)” there were substituted “Articles 9 and 10 of the Official Controls Regulation”;
  - (c) in the second indent—
    - (i) for “competent authority” there were substituted “appropriate authority”;
    - (ii) for “Member State” there were substituted “third country”;
  - (d) in the third indent—
    - (i) after “national measures” there were inserted “in Wales”;
    - (ii) for “a given Member State” there were substituted “Wales”;
    - (iii) for “a decision under Articles 15(2)” there were substituted “a guarantee under Article 15(1)”;
  - (e) in the fourth indent—
    - (i) for “trade” there were substituted “importation into Wales”;
    - (ii) “or a commercial document provided for in Articles 5 to 11” were omitted.
- (7) Article 5 is to be read as if—
- (a) in paragraph 1—
    - (i) for “Member States shall ensure that trade in” there were substituted “The importation into Wales of”;
    - (ii) for “competent authorities of the Member States” there were substituted “relevant competent authorities”;
    - (iii) for “veterinary certificate corresponding to the specimen in Annex E,” there were substituted “health certificate, as provided for in Article 18,”;
  - (b) for paragraph 2 there were substituted—

“(2) An approved body, institute or centre may acquire, by way of derogation from paragraph 1, apes belonging to an individual if the acquisition is authorised by the appropriate authority.”
- (8) Article 6 is to be read as if—
- (a) in paragraph A—
    - (i) in the first paragraph—
      - (aa) “Member States shall ensure that” were omitted;

- (bb) for “Directives [64/432/EEC](#), [90/426/EEC](#) and [91/68/EEC](#)” there were substituted “Directives 64/432, 91/68 and 2009/156”;
- (cc) for “be the subject of trade only” there were substituted “only be imported into Wales”;
- (ii) in point (1)(a), for “in accordance with Article 3(1)(c) of Directive [90/425/EEC](#)” there were substituted “appropriately for the species concerned in such a way that the original or transit holding can be traced”;
- (iii) after point (1)(a), there were inserted—
  - “(aa) must be subject to—
    - (i) an identity check; and
    - (ii) a clinical inspection before departure, within the period of time specified in the health certificate, by an official veterinarian and show no clinical signs of disease;”;
  - (iv) in point (1)(c), for “Directive [85/511/EEC](#) and Article 4a of Directive [64/432/EEC](#)” there were substituted “the Foot-and-Mouth Disease Orders and the Diseases of Swine Regulations 2014”;
  - (v) for point (1)(d) there were substituted—
    - “(d) must not come from a holding, or have been in contact with animals from a holding, which is for animal health reasons subject to a prohibition or other animal health measures affecting the species involved, or is situated in an area subject to such measures or prohibitions, and the holding must be free of any such measures or prohibitions for the period of time before dispatch that is specified in the health certificate;”;
  - (vi) after point (1)(d), there were inserted—
    - “(da) must have been kept at that holding permanently since birth or have remained on the holding for the period of time before dispatch that is specified in the health certificate;
    - (db) must not, at any time between leaving the holding of origin and arriving at destination, have come into contact with cloven-hoofed animals other than animals that have the same health status;”;
  - (vii) for point (1)(e) there were substituted—
    - “(e) must be accompanied by a health certificate as provided for in Article 18, certifying that the following requirements are met—
      - (i) that at the time of examination, the animals do not show any clinical sign of any disease to which they are susceptible, and
      - (ii) the animals come from an officially tuberculosis-free, officially brucellosis-free or brucellosis-free herd or holding not subject to swine fever restrictions or from a holding where the animals were subjected with negative results to one or more of the tests laid down in Article 6(2)(b) of Directive 92/65.”;
- (b) in paragraph A, in point (2)—
  - (i) in point (a)—
    - (aa) for “Directive [64/432/EEC](#) or Directive [91/68/EEC](#)” there were substituted “Directive 64/432 or Directive 91/68”;

- (bb) for “Article 3(2)(c), (d), (f), (g) and (h) of Directive [64/432/EEC](#) or Article 3 of Directive [91/68/EEC](#)” there were substituted “Annex A to Directive [64/432](#) and Annex A to Directive [91/68](#)”;
- (ii) in point (c)—
  - (aa) “in accordance with the procedure laid down in Article 26,” were omitted;
  - (bb) after “may be adopted” there were inserted “by the appropriate authority, by regulations”;
- (iii) after point (c), there were inserted—
  - “(d) animals must—
    - (i) be continuously resident on the holding of origin for at least 30 days, or since birth if the animals are younger than 30 days of age;
    - (ii) not come from a holding into which ungulates have been introduced during at least 21 days prior to dispatch;
    - (iii) not come from a holding into which ungulates imported from a third country have been introduced during at least 30 days prior to dispatch;
    - (iv) not be animals that cannot be marketed in the third country of export for public and animal health reasons;
    - (v) after leaving the holding of origin, be consigned directly to the destination in Wales;
  - (e) by way of derogation from points (d)(ii) and (iii), the animals referred to in those points may be authorised by the appropriate authority for importation into Wales, if they have been completely isolated from all other animals on the holding;
  - (f) by way of derogation from point (d)(v), animals may, after leaving the holding of origin and before arrival at destination in Wales, transit through only one approved assembly centre situated in the third country of origin;
  - (g) without prejudice to any additional guarantees that may be required in accordance with Articles 7 and 8 of Directive [91/68](#), animals must meet the requirements in—
    - (i) Article 6 of Directive [91/68](#), and either
    - (ii) Chapter 1.D of Annex A to Directive [91/68](#), in order to be introduced on to an officially brucellosis-free holding; or
    - (iii) Chapter 2.D of Annex A to Directive [91/68](#), in order to be introduced on to a brucellosis-free holding.”;
- (c) in paragraph A, in point (3)—
  - (i) in point (a)—
    - (aa) for “prohibition measures” there were substituted “animal health prohibition or restriction measures”;
    - (bb) “in accordance with Article 9a of Directive [64/432/EEC](#)” were omitted;
  - (ii) in point (b), for “any of the restrictions laid down in Directive [80/217/EEC](#)” there were substituted “animal health prohibition or restriction measures”;
  - (iii) in point (c)—

- (aa) for “Directive [64/432/EEC](#)”, in the first place where it occurs, there were substituted “the Chapter on porcine brucellosis of the WOAH Terrestrial Animal Health Code of the World Organisation, 2021 edition(3)”;
- (bb) for “Directive [64/432/EEC](#)”, in the second place where it occurs, there were substituted “Directive 2004/68”;
- (d) in paragraph A, in point (4)—
  - (i) for “in accordance with the procedure laid down in Article 26” there were substituted “by the appropriate authority by regulations”;
  - (ii) the words from “These decisions” to the end were omitted;
- (e) paragraph B were omitted.
- (9) Article 7 is to be read as if—
  - (a) in paragraph A—
    - (i) for the words before point (1) there were substituted “The appropriate authority must ensure that birds other than those referred to in Directive 2009/158, Commission Implementing Regulation (EU) No 139/2013 laying down animal health conditions for imports of certain birds into the Union and the quarantine conditions thereof(4) and Commission Decision 2007/25 as regards certain protection measures in relation to highly pathogenic avian influenza and movements of pet birds accompanying their owners into the Community(5) may be imported into Wales only if they meet the following requirements—”;
    - (ii) the second paragraph of point (1)(b) were omitted;
    - (iii) for point (1)(c) there were substituted—
      - “(c) if they have been imported from a third country, have been quarantined or isolated in the holding to which they were taken after they entered the territory of Wales if so required in accordance with the relevant legislation in force in Wales;”;
  - (b) in paragraph A, in point (2)—
    - (i) in the second paragraph of point (a), for “recognized under the procedure provided for in Article 26” there were substituted “may be set out by the appropriate authority in accordance with a procedure set out by the appropriate authority by regulations, and”;
    - (ii) in the first paragraph of point (b), for “in accordance with Article 3(1)(c) of Directive [90/425/EEC](#)” there were substituted “appropriately in such a way that the original holding, centre or organisation can be traced”;
    - (iii) in the second paragraph of point (b), for “under the procedure provided for in Article 26” there were substituted “by the appropriate authority in accordance with a procedure set out by the appropriate authority by regulations”;
    - (iv) in point (c), for “commercial document” there were substituted “health certificate, as provided for in Article 18,”;
  - (c) paragraph B were omitted.

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(3) The Terrestrial Animal Health Code 2021 is freely accessible online (<https://www.woah.org/en/what-we-do/standards/codes-and-manuals/#ui-id-1>) or available to order in hard copy from the WOAH online bookshop (at <https://www.woah.org/en/ebookshop/>). The WOAH’s address is 12, rue de Prony, 75017 Paris, France. A hard copy version is also available to view on request from the Virology department at the offices of the Animal and Plant Health Agency, Weybridge, Woodham Lane, New Haw, Addlestone, Surrey, KT15 3NB.

(4) EUR 2013/139, amended by [S.I. 2020/1462](#), [2021/1229](#) and [2022/735](#).

(5) EUD 2007/25, amended by [S.I. 2020/1462](#).

- (10) Article 8 is to be read as if—
- (a) in the words before point (a)—
    - (i) “Member States shall ensure that” were omitted;
    - (ii) for “the subject of trade” there were substituted “imported into Wales”;
  - (b) in point (a), at the beginning, there were inserted “they”;
  - (c) the third paragraph of point (a) were omitted;
  - (d) in point (b), for the words from “corresponding to the specimen in Annex E” to the end there were substituted “, as provided for in Article 18”;
  - (e) after point (b) there were inserted—

“The requirements applied to bees (*Apis mellifera*), or equivalent requirements, may be applied to bumble bees by the appropriate authority by regulations.”
- (11) Article 9 is to be read as if—
- (a) in paragraph 1, in the words before point (a)—
    - (i) “Member States shall ensure that” were omitted;
    - (ii) for “the subject of trade” there were substituted “imported into Wales”;
  - (b) in paragraph 2—
    - (i) for “Member States which require” there were substituted “Where the appropriate authority requires”;
    - (ii) for “their territory may require animals being sent to them” there were substituted “Wales, it may require animals sent to that territory”;
    - (iii) for “corresponding to the specimen in Annex E,” there were substituted “, as provided for in Article 18, that is”;
    - (iv) the final sentence of the second subparagraph were omitted;
  - (c) in paragraph 3—
    - (i) for “Ireland and the United Kingdom may require the submission of a” there were substituted “The relevant”;
    - (ii) for “guaranteeing” there were substituted “must guarantee”.
- (12) Article 10 is to be read as if—
- (a) in paragraph 1, for “Member States shall ensure that there is a prohibition on trade in mink and foxes which” there were substituted “The importation into Wales of mink and foxes is prohibited where those animals have”;
  - (b) in paragraph 2—
    - (i) in the words before point (a), for “the subject of trade” there were substituted “imported into Wales”;
    - (ii) in point (a), for “Article 6 and, where applicable, in Article 7” there were substituted “Article 10(1)(a) to (d) and, where applicable, in Article 12(a)”;
    - (iii) in point (c)—
      - (aa) after “health certificate” there were inserted “, as provided for in Article 18,”;
      - (bb) point (i) were omitted;
  - (c) for paragraph 4 there were substituted—

“4. The Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974<sup>(6)</sup> applies to all animals covered by this Directive that are susceptible to rabies and cannot be shown to have been born on the holding of origin and kept in captivity since birth, other than dogs, cats and ferrets that comply with paragraph 2.”;

(d) paragraphs 5, 6 and 7 were omitted.

(13) Article 11 is to be read as if—

(a) in paragraph 1—

(i) “The Member States shall ensure that,” were omitted;

(ii) for “are the subject of trade” there were substituted “may be imported into Wales”;

(b) in paragraph 2, in the fourth indent, for “another Member State by a health certificate corresponding to a specimen to be determined in accordance with the procedure referred to in Article 26” there were substituted “Wales by a health certificate, as provided for in Article 18”;

(c) in paragraph 3—

(i) in the first subparagraph, in the first indent, for “competent authority of the Member State and satisfying the conditions to be established in Annex D(I) in accordance with the procedure referred to in Article 26” there were substituted “the competent authority and satisfying conditions at least equivalent to those established in Annex D(I)”;

(ii) in the first subparagraph, in the third indent, for “another Member State by a health certificate corresponding to a specimen to be determined in accordance with the procedure referred to in Article 26” there were substituted “Wales by a health certificate, as provided for in Article 18”.

(iii) in the third subparagraph, for “in accordance with the procedure referred to in Article 26” there were substituted “by the appropriate authority in accordance with a procedure set out by the appropriate authority by regulations”;

(d) in paragraph 4—

(i) in the first subparagraph, for “competent authority of the Member State concerned” there were substituted “competent authority”;

(ii) in the second subparagraph—

(aa) “Each Member State shall draw up and keep up to date” were omitted;

(bb) for “and shall make it available” there were substituted “must be drawn up, kept up to date, and made available by the appropriate authority”;

(cc) “the other Member States and to” were omitted;

(iii) in the third subparagraph, for “in accordance with the procedure referred to in Article 26” there were substituted “by the appropriate authority in accordance with a procedure set out by the appropriate authority by regulations”;

(e) in paragraph 5, in the first subparagraph—

(i) “and the specimen health certificates” were omitted;

(ii) for “in accordance with the procedure referred to in Article 26” there were substituted “by the appropriate authority, by regulations”;

(iii) the last sentence were omitted.

<sup>(6)</sup> S.I. 1974/2211, amended by S.I. 1997/361, 1984/1182, 1986/2062, 1990/2371, 1993/1813, 1994/1405 and 1716, 1995, 2922, 1999/3443, 2000/1298, 2001/6, 2002/882 and 3135, 2004/828 and 2364, 2011/2883, 2014/3158, 2019/526 and 782, 2020/1388; there are other amending instruments but none are relevant.

(14) Article 13 is to be read as if—

(a) for paragraph 1 there were substituted—

“**1.** Consignments of the following animals or germinal products that are imported into Wales from bodies, institutes or centres referred to in Article 17(2)(b) to bodies, institutes or centres that have been approved in Wales in accordance with paragraph 2, must meet the requirement in paragraph 1A—

- (a) species susceptible to the diseases listed in Annex A;
- (b) species susceptible to the diseases listed in Annex B, where the appropriate authority applies the guarantee provided for in Articles 14 and 15;
- (c) semen, ova or embryos of the animals referred to in paragraphs (a) and (b).”;

(b) after paragraph 1, there were inserted—

“**1A.** The relevant consignment must be accompanied during transport by a health certificate, as provided for in Article 18, which must be completed by the official veterinarian and must specify that the animals, semen, ova or embryos come from a body, institute or centre approved in accordance with conditions at least equivalent to those set out in Annex C.”;

(c) in paragraph 2—

(i) in point (a)—

- (aa) after “To be approved” there were inserted “in Wales”;
- (bb) after “institutes or centres shall” there were inserted “comply with the requirements contained in Annex C and”;
- (cc) “of the Member State” were omitted;

(ii) in point (c), for “point 3” there were substituted “point 6”;

(iii) in point (d), in the second subparagraph—

- (aa) “Each Member State shall draw up and keep up to date” were omitted;
- (bb) for “and shall make it available” there were substituted “must be drawn up, kept up to date, and made available by the appropriate authority”;
- (cc) “to the other Member States and” were omitted;

(iv) in point (d), in the third subparagraph, for “in accordance with the procedure referred to in Article 26” there were substituted “by the appropriate authority in accordance with a procedure set out by the appropriate authority by regulations”;

(v) point (e) were omitted.

(15) Article 14 is to be read as if—

(a) in paragraph 1—

(i) in the words before the first indent—

- (aa) for “Where a Member State draws up or has drawn up” there were substituted “The appropriate authority may, in accordance with a procedure set out by the appropriate authority by regulations, set out”;
- (bb) “it may present the programme to the Commission” were omitted;

(ii) the ninth indent were omitted;

(b) for paragraph 2, there were substituted—



- “2. The appropriate authority may, in accordance with a procedure set out by the appropriate authority by regulations, set out the additional guarantees, general or limited, which may be required for imports into Wales.”;
- (c) paragraph 3 were omitted.
- (16) Article 15 is to be read as if—
- (a) in paragraph 1—
- (i) for “Where a Member State considers that its territory or part of its territory” there were substituted “The appropriate authority may by regulations set out additional guarantees, general or limited, that are required where it considers that the territory, or part of the territory, for which it is the appropriate authority”;
- (ii) for “it shall present to the Commission appropriate supporting documentation, setting out” there were substituted “taking into account”;
- (b) paragraphs 2 and 3 were omitted.
- (17) The title of Chapter 3 is to be read as if for “the Community” there were substituted “Wales”.
- (18) Article 16 is to be read as if the second and third paragraphs were omitted.
- (19) Article 17 is to be read as if—
- (a) in paragraph 2—
- (i) in the words before point (a)—
- (aa) for “animals and semen” there were substituted “animals, and the semen”;
- (bb) for “the Community” there were substituted “Wales”;
- (ii) in point (b), in the words before point (i), for “the health certificate corresponding to a specimen to be drawn up in accordance with the procedure referred to in Article 26” there were substituted “a health certificate, as provided for in Article 18”;
- (iii) in point (b)(i)—
- (aa) in the first indent, at the beginning there were inserted “come from countries that”;
- (bb) in the second indent, after “Annex C” there were inserted “or from registered premises as appropriate”;
- (iv) in point (b)(ii), in the first paragraph—
- (aa) “to be” were omitted;
- (bb) for “in accordance with the procedure referred to in Article 26” there were substituted “established by the appropriate authority by regulations”;
- (v) in point (b)(ii), the second paragraph, “specimen” were omitted;
- (b) for paragraph 3, there were substituted—
- “3. The appropriate authority may by regulations—
- (a) establish the list of third countries or parts of third countries able to provide the appropriate authority with guarantees equivalent to those provided for in Chapter 2 in relation to animals, semen, ova and embryos;
- (b) adopt specific animal health requirements, in particular for the protection of Wales from certain exotic diseases, or guarantees equivalent to those provided for in this Directive.

The specific requirements and equivalent guarantees established for third countries in accordance with this paragraph may not be more favourable than those provided for in Chapter 2.

The appropriate authority may also establish a list of approved centres or teams, as referred to in the first indent of paragraph 2 of Article 11 and the first indent of paragraph 3 of that Article, situated in one of the third countries appearing on the list referred to in point (a) of this paragraph and for which the competent authority is able to give the guarantees provided for in Article 11(2) and (3).

The approval of centres or teams must be immediately suspended or withdrawn by the competent authority of the third country where it no longer complies with the conditions referred to in Article 11(2) and (3) and the appropriate authority must be immediately informed.

The appropriate authority must publish any new and updated lists that it receives from the competent authority of the third country, in accordance with the third and fourth subparagraphs, to make them available to the public for information purposes.

The appropriate authority may by regulations adopt detailed rules for the application of the third to fifth subparagraphs.”;

(c) in paragraph 4—

(i) in point (a)—

(aa) in the first indent, for “the Community” there were substituted “Wales”;

(bb) for the second indent there were substituted—

“— pursuant to—

(i) Article 7 of Directive 2002/99, in relation to meat from ungulates, rabbit meat, farmed game meat and poultry meat;

(ii) Article 7 of Directive 2004/68; or

(iii) in the case of other animals covered by this Directive, any decision set out in retained EU direct legislation made under Article 26 of Directive 92/65 for this purpose, as it had effect immediately before implementation period completion day and without modification by Part 5 of the TARP (ALF) (Wales) (EU Exit) Regulations 2022, or any other decision which may be taken by the appropriate authority in accordance with a procedure set out by the appropriate authority by regulations, for this purpose that takes account of their state of health;”;

(ii) in point (b), “in accordance with Article 3(2) of Directive [72/462/EEC](#)” were omitted;

(d) paragraphs 5 and 6 were omitted.

(20) Article 18 is to be read as if—

(a) in paragraph 1—

(i) in the words before the first indent—

(aa) “Member States shall ensure that the” were omitted;

(bb) for “are imported into the Community” there were substituted “may be imported into Wales”;

- (ii) in the first indent, for “certificate” there were substituted “relevant health certificate, in the form published by the appropriate authority from time to time”;
  - (iii) the second paragraph of the first indent were omitted;
  - (iv) in the second indent, for “Directives [90/675/EEC](#) and [91/496/EEC](#)” there were substituted “the Official Controls Regulation”;
  - (v) in the third indent—
    - (aa) for “Community territory” there were substituted “Wales”;
    - (bb) for “Directive [91/628/EEC](#)” there were substituted “Council Regulation (EC) [1/2005](#) on the protection of animals during transport and related operations<sup>(7)</sup>”;
  - (vi) in the fourth indent, for “under the procedure laid down in Article 26” there were substituted “by the appropriate authority in accordance with a procedure set out by the appropriate authority by regulations”;
  - (b) in paragraph 2, “for which such requirements have not been adopted at Community level” were omitted.
- (21) Article 19 is to be read as if—
- (a) in the words before point (a), for “under the procedure laid down in Article 26” there were substituted “by the appropriate authority by regulations”;
  - (b) in point (a), for “the Community” there were substituted “Wales”;
  - (c) in point (b), “Community” were omitted.
- (22) Article 21 is to be read as if—
- (a) “Any specimens of certificates applicable to trade and” were omitted;
  - (b) for “trade in” there were substituted “import into Wales”;
  - (c) for “under the procedure laid down in Article 26” there were substituted “by the appropriate authority by regulations”.
- (23) Article 22 is to be read as if for that Article there were substituted—
- “**22.** The appropriate authority may by regulations modify the Annexes to this Directive or amend the modifications made to any Annex to this Directive by Part 5 of the TARP (ALF) (Wales) (EU Exit) Regulations 2022.”
- (24) Article 23 is to be read as if for that Article there were substituted—
- “**23.** The appropriate authority may, in accordance with a procedure set out by the appropriate authority by regulations, set out special requirements if appropriate, by way of derogation from Chapter 2, for the movement of circus and fairground animals, and for the importation into Wales of animals, semen, ova and embryos intended for zoos.”
- (25) Article 24 is to be read as if—
- (a) in paragraph 1—
    - (i) the words from “The Member States shall be” to “territory of the” were omitted;
    - (ii) after “territory of a third country” there were inserted “may enter Wales subject”;
  - (b) paragraph 2 is omitted.
- (26) Annex C is to be read as if—
- (a) in point 1—

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(7) EUR 2005/1, amended by [S.I. 2019/588](#), [802](#) and [1312](#), [2020/1481](#) and [1590](#) and [2022/846](#).

- (i) in point (c), after “country” there were inserted “or territory”;
- (ii) in point (g)—
  - (aa) in point (i), for “Article 14(3)(B) of Directive [64/432/EEC](#)” there were substituted “Article 14 of Directive 64/432”;
  - (bb) in point (ii), in the third indent, for “Community legislation” there were substituted “the relevant legislation in force in Wales”;
  - (cc) in point (iii), for “the Member State concerned” there were substituted “Wales”;
  - (dd) in point (v), for “Community legislation” there were substituted “legislation in force in Wales”;
- (iii) in point (h), for “Article 5 of Directive [86/609/EEC](#)” there were substituted “the Animals (Scientific Procedures) Act 1986(8)”;
- (b) in point 4, “, in that Member State or another Member State” were omitted;
- (c) in point 5—
  - (i) for “a Member State” there were substituted “the appropriate authority”;
  - (ii) for “Community legislation” there were substituted “animal health legislation in force in Wales”;
- (d) in point 6—
  - (i) in point (b)—
    - (aa) for “Community legislation” there were substituted “legislation in force in Wales”;
    - (bb) for “trade in” there were substituted “the importation of”;
  - (ii) in point (d), for “Commission” there were substituted “appropriate authority”.
- (27) Annex D is to be read as if—
  - (a) in Chapter 1, in Section 2, in point 2.2(f), the words from “each Member State” to the end were omitted;
  - (b) in Chapter 2, in Section 1—
    - (i) in point 1.2—
      - (aa) “a Member State or” were omitted;
      - (bb) for “Directive [90/426/EEC](#)” there were substituted “Directive 2009/156”;
    - (ii) in point 1.5, for “Article 12 of Regulation (EC) No [882/2004](#) of the European Parliament and of the Council” there were substituted “Article 37 of the Official Controls Regulation”;
    - (iii) in point 1.8—
      - (aa) for “Article 4 or 5 of Directive [90/426/EEC](#)” there were substituted “Article 4 or 5 of Directive 2009/156”;
      - (bb) for “Annex A to Directive [90/426/EEC](#)” there were substituted “Annex 1 to Directive 2009/156”;
  - (c) in Chapter 2, in Section 2—
    - (i) in point 4, for “Member State” there were substituted “country”;
    - (ii) in point 6, after “approved” there were inserted “official”;

- (iii) in point 8(d), for “Articles 4, 5 and 6 of Directive 91/68/EEC” there were substituted “Article 7 of Directive 2004/68, and Article 6 of and Annex A to, Directive 91/68”;
  - (iv) in point 9—
    - (aa) for “subject to a prohibition on animal health grounds in accordance with Article 4 of Directive 91/68/EEC” there were substituted “, situated in an area which for health reasons is subject to a prohibition or restriction affecting the species involved in accordance with legislation of the relevant third country that is at least equivalent to animal and public health legislation in force in Wales,”;
    - (bb) for “subject for trade” there were substituted “imported”;
    - (cc) for “official veterinarian in accordance with Directive 91/68/EEC” there were substituted “competent authority”;
  - (d) in Chapter 3, in Section 1—
    - (i) in point 1.1, for “Directive 2001/82/EC of the European Parliament and of the Council” there were substituted “the Veterinary Medicines Regulations 2013”;
    - (ii) in point 1.4, in the words before point (a), “to be subject for trade” were omitted;
    - (iii) in point 1.4(a), for “the Member State of destination” there were substituted “Wales”;
  - (e) in Chapter 3, in Section 2—
    - (i) in point 2.2, for the words from “Regulation (EC) No 854/2004” to “human consumption” there were substituted “the Official Controls Regulation”;
    - (ii) in point 6.1—
      - (aa) “to be subject for trade” were omitted;
      - (bb) for “the Member State of destination” there were substituted “Wales”;
  - (f) in Chapter 4—
    - (i) in point 1, for “the relevant Directives on intra-Union trade in” there were substituted “legislation in force in Wales concerning”;
    - (ii) in point 2—
      - (aa) for “Directive 64/432/EEC” there were substituted “Directive 2004/68”;
      - (bb) for “that Directive” there were substituted “Directive 64/432”;
    - (iii) in point 4, in the words before point 4.1, for “Directive 90/426/EEC” there were substituted “Directive 2009/156”.
- (28) Annex F is to be read as if for that Annex there were substituted—

#### “ANNEX F

Directive 64/432 (concerning the import into Wales of bovine animals and swine).

Directive 88/407 (concerning the import into Wales of deep-frozen semen of domestic animals of the bovine species).

Directive 89/556 (concerning the import into Wales of embryos of domestic animals of the bovine species).

Directive 90/429 (concerning the import into Wales of semen of domestic animals of the porcine species).

Directive 91/68 (concerning the import into Wales of ovine and caprine animals).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Directive 2004/68 (concerning the import into Wales of certain live ungulate animals).

The Aquatic Animal Health (England and Wales) Regulations 2009 (concerning the import into Wales of aquaculture animals and products).

Directive 2009/156 (concerning the import into Wales of equidae).

Directive 2009/158 (concerning the import into Wales of poultry and hatching eggs).”