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W E L S H S T A T U T O R Y  
I N S T R U M E N T S

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**2019 No. 94 (W. 25)**

**EXITING THE EUROPEAN  
UNION, WALES**

**ANIMALS, WALES**

**ANIMAL HEALTH**

**The Animal By-Products and  
Transmissible Spongiform  
Encephalopathies (Miscellaneous  
Amendments) (Wales) (EU Exit)  
Regulations 2019**

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations are made in exercise of the powers conferred by paragraph 1(1) of Schedule 2 to the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to legislation in the field of animal health. They amend domestic legislation that provides enforcement of—

- (a) the Transmissible Spongiform Encephalopathies Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies,
- (b) the Animal By-Products Regulation (EC) No 1069/2009 laying down health rules as regards animal by-products and derived products not intended for human consumption, and
- (c) Commission Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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**The Animal By-Products and  
Transmissible Spongiform  
Encephalopathies  
(Miscellaneous Amendments)  
(Wales) (EU Exit) Regulations  
2019**

*Sift requirements satisfied* 14 January 2019

*Made* 21 January 2019

*Laid before the National Assembly for Wales*  
24 January 2019

*Coming into force in accordance with  
regulation 1(2)*

The Welsh Ministers, in exercise of the power conferred by paragraph 1(1) of Schedule 2 to the European Union (Withdrawal) Act 2018<sup>(1)</sup>, make the following Regulations.

The requirements of paragraph 4(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 (relating to the appropriate National Assembly for Wales scrutiny procedure for these Regulations) have been satisfied.

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(1) 2018 c.16.

### **Title, commencement and application**

1.—(1) The title of these Regulations is the Animal By-Products and Transmissible Spongiform Encephalopathies (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019.

(2) These Regulations come into force on exit day.

(3) These Regulations apply in relation to Wales.

### **The Animal By-Products (Enforcement) (Wales) Regulations 2014**

2. In the Animal By-Products (Enforcement) (Wales) Regulations 2014<sup>(1)</sup> omit regulation 10(6).

### **The Transmissible Spongiform Encephalopathies (Wales) Regulations 2018**

3.—(1) The Transmissible Spongiform Encephalopathies (Wales) Regulations 2018<sup>(2)</sup> are amended as follows.

(2) In Schedule 2, omit paragraphs 5(2)(c) and 5(2)(d).

(3) In Schedule 6—

(a) in paragraph 9(6), omit “from a third country”;

(b) in paragraph 12(4), omit “from a third country”;

(c) in paragraph 13(3), omit “from a third country”;

(d) in paragraph 15—

(i) in the heading, omit “to third countries”;

(ii) in sub-paragraph (1), omit “to a third country”;

(iii) in sub-paragraph (2), omit “to a third country”;

(iv) in sub-paragraph (3), omit “to a third country”.

(4) In Schedule 7—

(a) in paragraph 1, omit “placed on the Member State”;

(b) in paragraph 8(3)—

(i) at the end of paragraph (a), insert “or”;

(ii) at the end of paragraph (b), for “; or” substitute “.”;

(iii) omit paragraph (c).

(c) in paragraph 9(3)(b)—

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(1) S.I. 2014/517 (W. 60)

(2) S.I. 2018/968 (W. 195)

- (i) at the end of sub-paragraph (i), insert “or”;
  - (ii) at the end of sub-paragraph (ii), for “; or” substitute “.”;
  - (iii) omit sub-paragraph (iii);
  - (d) in paragraph 15 omit “For the purposes of point 10.1 and point 10.2 of Annex V, ”.
- (5) In Schedule 8—
- (a) in paragraph 1, in the heading and in sub-paragraph (1), omit “to third countries”;
  - (b) in paragraph 2, in the heading and in sub-paragraph (1), omit “to third countries”.

*Lesley Griffiths*

Minister for Environment, Energy and Rural Affairs,  
one of the Welsh Ministers

21 January 2019