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STATUTORY INSTRUMENTS

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**2018 No. 1120**

**EXITING THE EUROPEAN UNION, ENGLAND  
ANIMALS, ENGLAND**

The Animal By-Products and Transmissible  
Spongiform Encephalopathies (England)  
(Amendment) (EU Exit) Regulations 2018

*Made* - - - - *29th October 2018*  
*Laid before Parliament* *30th October 2018*  
*Coming into force in accordance with regulation 1*

The Secretary of State, in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018(1), makes the following Regulations.

The requirements of paragraph 3(2) of Schedule 7 to that Act (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

**Citation, commencement, extent and application**

1.—(1) These Regulations may be cited as the Animal By-Products and Transmissible Spongiform Encephalopathies (England) (Amendment) (EU Exit) Regulations 2018 and come into force on exit day.

(2) These Regulations extend to England and Wales but apply in England only.

**Amendment to the Animal By-Products (Enforcement) (England) Regulations 2013**

2. In regulation 10 of the Animal By-Products (Enforcement) (England) Regulations 2013(2) omit paragraph (6).

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(1) [2018 c. 16](#)

(2) [S.I. 2013/2952](#)  
, as amended by  
[S.I. 2013/2996](#)  
and  
[2015/1980](#)

### **Amendment to the Transmissible Spongiform Encephalopathies (England) Regulations 2018**

**3.—**(1) The Transmissible Spongiform Encephalopathies (England) Regulations 2018(3) are amended as follows.

(2) In Schedule 2, for paragraph 9(2) substitute—

“(2) A laboratory approved under corresponding legislation elsewhere in the United Kingdom is treated as an approved testing laboratory.”.

(3) In Schedule 7—

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

(b) in paragraph 3(3), omit paragraph (c);

(c) in paragraph 4(3)(b)—

(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).

(4) In Schedule 8, in paragraphs 1 and 3 omit “to third countries” in both places it occurs.

*Gardiner of Kimble*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs

29th October 2018

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## EXPLANATORY NOTE

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

These Regulations are made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act

2018 (c.16)

in order to address failures of retained direct EU legislation to operate effectively and other deficiencies (in particular paragraphs (a), (d) and (g) of section 8(2)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations 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-Product 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

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.