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STATUTORY INSTRUMENTS

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**2019 No. 111**

**EXITING THE EUROPEAN  
UNION, NORTHERN IRELAND  
ANIMALS, NORTHERN IRELAND**

**The Exotic Disease (Amendment) (Northern  
Ireland) (EU Exit) Regulations 2019**

<i>Sift requirements satisfied</i>	<i>11th December 2018</i>
<i>Made - - - -</i>	<i>24th January 2019</i>
<i>Laid before Parliament</i>	<i>28th January 2019</i>
<i>Coming into force in accordance with regulation 1</i>	

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21(b) of Schedule 7 to, the European Union (Withdrawal) Act 2018<sup>(1)</sup>.

The requirements of paragraph 3(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 (relating to the appropriate Parliamentary procedure) have been satisfied.

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Exotic Disease (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 and come into force on exit day.

(2) These Regulations extend to Northern Ireland only.

**The Classical Swine Fever Order (Northern Ireland) 2003**

2. In Schedule 2 to the Classical Swine Fever Order (Northern Ireland) 2003<sup>(2)</sup> in paragraph 7, for “another” substitute “a”.

**The African Swine Fever Order (Northern Ireland) 2003**

3. In Schedule 2 to the African Swine Fever Order (Northern Ireland) 2003<sup>(3)</sup> in paragraph 7, for “another” substitute “a”.

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

(2) [S.R. 2003 No. 425](#)

(3) [S.R. 2003 No. 494](#) to which there has been an amendment not relevant to these Regulations.

#### **The Foot-and-Mouth Disease Regulations (Northern Ireland) 2006**

4.—(1) The Foot-and-Mouth Disease Regulations (Northern Ireland) 2006(4) are amended as follows.

- (2) In regulation 57(1)(b), for “Community obligations” substitute “retained EU law”.
- (3) In Schedule 8, paragraph 16, for “another” substitute “a”.

#### **The Foot-and-Mouth Disease (Control of Vaccination) Regulations (Northern Ireland) 2006**

5.—(1) The Foot-and-Mouth Disease (Control of Vaccination) Regulations (Northern Ireland) 2006(5) are amended as follows.

- (2) In regulation 9(1)(c), at the end insert “with the reference to Member States in point 3.1. in Annex X being read as a reference to the Department”.
- (3) In regulation 27—
  - (a) in the heading, for “Intra-Community trade” substitute “Trade to the EU”;
  - (b) for “intra-Community trade” substitute “trade to the EU”.
- (4) In regulation 36(1)(b), for “Community obligations” substitute “retained EU law”.

#### **The Avian Influenza and Influenza of Avian Origin in Mammals Regulations (Northern Ireland) 2007**

6.—(1) The Avian Influenza and Influenza of Avian Origin in Mammals Regulations (Northern Ireland) 2007(6) are amended as follows.

- (2) In regulation 22(2), for “another” substitute “a”.
- (3) In regulation 32, for “intra-Community or international trade” substitute “export outside the United Kingdom”.
- (4) In regulation 50(1)(b)(ii), for “another” substitute “a” in both places.
- (5) In regulation 63(5), for “intra-Community or international trade” substitute “export outside the United Kingdom”.
- (6) In regulation 84(e), for “Community obligations” substitute “retained EU law”.

#### **The Avian Influenza (Vaccination) Regulations (Northern Ireland) 2007**

7.—(1) The Avian Influenza (Vaccination) Regulations (Northern Ireland) 2007(7) are amended as follows.

- (2) In regulation 2, in paragraph (1)—
  - (a) in the definition of “emergency vaccination plan”, after “Article 53 of the Directive” insert —  
“, reading that Article as if—
    - (a) in paragraph 1—
      - (i) for “A Member State”, there were substituted “The Department”;
      - (ii) for “the Member State”, there were substituted “Northern Ireland”;
      - (iii) the words “concerned” to the end were omitted;

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(4) S.R. 2006 No. 42 to which there have been amendments not relevant to these Regulations.

(5) S.R. 2006 No. 43 to which there have been amendments not relevant to these Regulations.

(6) S.R. 2007 No. 68 to which there have been amendments not relevant to these Regulations.

(7) S.R. 2007 No. 69

- (b) in paragraph 2, in the first subparagraph—
  - (i) for “a Member State”, there were substituted “the Department”;
  - (ii) for the words from “it shall submit” to the end, there were substituted “the Department must produce an emergency vaccination plan”;
- (c) paragraph 3 were omitted.”.
- (b) in the definition of “preventive vaccination plan”, after “Article 56 of the Directive” insert —  
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“, reading that Article as if—
  - (a) in paragraph 1, the reference to Member States were a reference to the Department;
  - (b) in paragraph 2, in the first subparagraph—
    - (i) for “a Member State”, there were substituted “Department”;
    - (ii) for the words from “it shall submit” to the end there were substituted “the Department must produce a preventive vaccination plan”;
  - (c) paragraph 3 were omitted.”.
- (3) In regulation 6(3), for the words from “after” to “Directive” substitute “in accordance with an emergency vaccination plan”.
- (4) In regulation 7(2)(b), for the words from “has been submitted” to the end substitute “is in place”.
- (5) In regulation 10—
  - (a) in the heading, for “an approved plan” substitute “a published emergency vaccination plan”;
  - (b) in paragraph (1), for the words from “approved” to the end substitute “published by the Department”.
- (6) In regulation 22(1)(d), for “Community obligations” substitute “retained EU law”.

#### **The Avian Influenza (Preventive Measures) Regulations (Northern Ireland) 2007**

**8.**—(1) The Avian Influenza (Preventive Measures) Regulations (Northern Ireland) 2007(8) are amended as follows.

- (2) In regulation 7(5) omit from “approved” as it first appears to the end.
- (3) In regulation 10(2)(a) and (3), for “another” substitute “a”.
- (4) In regulation 18(d), for “Community obligations” substitute “retained EU law”.

#### **The Avian Influenza (H5N1 in Poultry) Regulations (Northern Ireland) 2007**

**9.**—(1) The Avian Influenza (H5N1 in Poultry) Regulations (Northern Ireland) 2007(9) are amended as follows.

- (2) In regulation 2—
  - (a) in the definition of “approved body”, for the words from “in accordance with” to the end, substitute “by the Department or the Department of Health as appropriate”;
  - (b) after the definition of “temporary movement restriction zone” insert—

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(8) S.R. 2007 No. 70 to which there have been amendments not relevant to these Regulations.

(9) S.R. 2007 No. 207 to which there have been amendments not relevant to these Regulations.

““third country” means any country that is neither the United Kingdom nor a member State.”.

- (3) In regulation 10(1), for “other” substitute “a”.
- (4) In regulations 11(1) and 12(1), in each place, for “an other” substitute “a”.
- (5) In regulations 10(3)(c), 11(3)(c) and (e) and 15(1)(d), in each place for “another” substitute “a”.
- (6) In regulation 24(d), for “Community obligations” substitute “retained EU law”.

#### **The Avian Influenza (H5N1 in Wild Birds) Regulations (Northern Ireland) 2007**

**10.** In the Avian Influenza (H5N1 in Wild Birds) Regulations (Northern Ireland) 2007(**10**) in regulation 22(d), for “Community obligations” substitute “retained EU law”.

#### **The Bluetongue Regulations (Northern Ireland) 2008**

**11.** In the Bluetongue Regulations (Northern Ireland) 2008(**11**), omit regulation 19A(1)(b) and the “and” immediately preceding it.

#### **The Products of Animal Origin (Disease Control) Regulations (Northern Ireland) 2008**

**12.**—(1) The Products of Animal Origin (Disease Control) Regulations (Northern Ireland) 2008(**12**) are amended as follows.

- (2) For regulation 24(15) substitute—

“(15) An inspector who enters any premises, establishment or vehicle may be accompanied by such other persons as the inspector considers necessary.”.
- (3) In Schedule 3, omit paragraph (1)(b)(iii).

#### **The Swine Vesicular Disease Regulations (Northern Ireland) 2009**

**13.**—(1) The Swine Vesicular Disease Regulations (Northern Ireland) 2009(**13**) are amended as follows.

- (2) In regulation 21(1)(a)(ii), for “intra-Community trade” substitute “trade to the EU”.
- (3) For regulation 37(4) substitute—

“(4) An inspector may be accompanied by such other persons as the inspector considers necessary.”.
- (4) In regulation 37(5)(b), for “Community obligations” substitute “retained EU law”.

#### **The African Horse Sickness Regulations (Northern Ireland) 2013**

**14.** In the African Horse Sickness Regulations (Northern Ireland) 2013(**14**), for regulation 28(7) (b) substitute—

- “(b) be accompanied by such other persons as the inspector considers necessary.”.

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(10) [S.R. 2007 No. 208](#) to which there have been amendments not relevant to these Regulations.

(11) [S.R. 2008 No. 275](#) to which a relevant amendment was made by [S.R. 2012 No. 383](#).

(12) [S.R. 2008 No. 431](#) to which there have been amendments not relevant to these Regulations.

(13) [S.R. 2009 No. 223](#)

(14) [S.R. 2013 No. 244](#)

24th January 2019

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

**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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## EXPLANATORY NOTE

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

These Regulations are made in exercise of powers in the European Union (Withdrawal) Act 2018 (c.16) to address failures of domestic legislation to operate effectively and other deficiencies (in particular, under paragraphs (a), (d) and (g) of section 8(2) of the Act) in EU-derived domestic legislation arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to subordinate legislation, which applies to Northern Ireland only, in relation to exotic animal disease.

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