

2018 No. 000

EXITING THE EUROPEAN UNION, ENGLAND

ANIMALS, ENGLAND

**The Animal Health and Welfare (Miscellaneous Amendments)
(England) (EU Exit) Regulations 2018**

<i>Sift requirements satisfied</i>	***
<i>Made</i> - - - -	***
<i>Laid before Parliament</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 the European Union (Withdrawal) Act 2018^(a).

The requirements of paragraph 3(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 (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 Health and Welfare (Miscellaneous Amendments) (England) (EU Exit) Regulations 2018 and come into force on exit day.

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

The Registration of Establishments (Laying Hens) (England) Regulations 2003

2.—(1) The Registration of Establishments (Laying Hens) (England) Regulations 2003^(b) are amended as follows.

(2) In regulation 2, omit the definition of “the Directive”.

(3) In regulation 3—

(a) in paragraph (2), for “the Directive” substitute “paragraph (3)”;

(b) after paragraph (2), insert—

“(3) The distinguishing number must be composed of the appropriate farming method code determined in accordance with paragraphs (5) to (7), followed by the letters “UK”, followed by a unique identification number allocated to the establishment by the Secretary of State.

(a) 2018 c. 16.

(b) S.I. 2003/3100, to which there are amendments not relevant to these Regulations.

(4) Where it appears appropriate to the Secretary of State to do so, the Secretary of State may add further characters to the unique identification number required by paragraph (3) in order to identify single flocks kept in separated buildings of an establishment.

(5) Except where paragraph (6) applies, when the farming method in column A is used, the appropriate farming method code is the corresponding number in column B.

<i>Column A</i>	<i>Column B</i>
Free range	1
Barn	2
Cages	3

(6) Where the farming method used in the establishment produces eggs under the conditions set out in Council Regulation (EC) No 834/2007 on organic production and labelling of organic products, the appropriate farming method code is “0”.

(7) For the purposes of paragraph (5), the farming method used in an establishment is to be determined in accordance with Council Regulation (EC) No 589/2008 laying down rules for implementing Council Regulation (EC) No. 1234/2007 as regards marketing standards for eggs.”.

The Welfare of Animals (Transport) (England) Order 2006

3.—(1) The Welfare of Animals (Transport) (England) Order 2006(a) is amended as follows.

(2) In article 2, delete paragraph (4).

(3) In article 20, for paragraph (4), substitute—

“(4) The Secretary of State is responsible for designating bodies in accordance with Articles 17(2), 18(1) and 19(1) of Council Regulation (EC) No 1/2005.”.

The Welfare of Farmed Animals (England) Regulations 2007

4.—(1) The Welfare of Farmed Animals (England) Regulations 2007(b) are amended as follows.

(2) In Schedule 1, in paragraph 27(2) after “Directive 96/22/EEC concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyro-static action and of beta-agonists” insert “as it had effect immediately before exit day”.

The Welfare of Animals at the Time of Killing (England) Regulations 2015

5.—(1) The Welfare of Animals at the Time of Killing (England) Regulations 2015(c) are amended as follows.

(2) In regulation 4(2), omit “, and acts as the member State”.

(3) In regulation 11(3), for “Wales, Northern Ireland or another member State”, substitute “Wales or Northern Ireland”.

(4) In regulation 19(1), omit “(including a certificate or temporary certificate granted in another member State)”.

(5) In regulation 35, for paragraph (6) substitute—

“(6) An inspector may be accompanied by such other persons as the inspector considers necessary.”.

(6) In regulation 46, omit paragraph (2).

(a) S.I. 2006/3260, to which there are amendments not relevant to these Regulations.

(b) S.I. 2007/ 2078, to which there are amendments not relevant to these Regulations.

(c) S.I. 2015/1782, to which there are amendments not relevant to these Regulations.

(7) In Schedule 2, in paragraph 3(2), after “in pursuance of any” insert “retained”.

Date

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers in the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of domestic legislation to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to subordinate legislation, which applies to England only, in the fields of the registration of laying hen establishments, animal welfare at transport, the welfare of farmed animals and animal welfare at slaughter.

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