

**2018 No. 000**

**EXITING THE EUROPEAN UNION**

**ANIMALS**

**The Seal Products (Amendments) (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, and paragraph 21(b) of Schedule 7 to, 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.

**PART 1**

**Introductory**

**Citation and commencement**

1. These Regulations may be cited as the Seal Products (Amendments) (EU Exit) Regulations 2018 and come into force on exit day.

**PART 2**

**Amendment of subordinate legislation**

**The Seal Products Regulations 2010**

2.—(1) The Seal Products Regulations 2010(b) are amended as follows.

(2) In regulation 2—

- (a) omit the definition of “general customs union”;
- (b) in the definition of “the EU Regulation” omit “EU”.

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(a) 2018 c. 16.  
(b) S.I. 2010/2068.

- (3) In regulation 3—
  - (a) in the heading omit “EU”;
  - (b) in paragraph (1) omit “EU”.
- (4) For regulation 4 substitute—

“4. Enforcement of the Regulation is an assigned matter within the meaning of section 1(1) of the Customs and Excise Management Act 1979(a).”.
- (5) In regulation 5 omit “EU”.

## PART 3

### Amendment of retained direct EU legislation

#### **Regulation (EC) No 1007/2009 of the European Parliament and of the Council**

**3.**—(1) Regulation (EC) 1007/2009 of the European Parliament and of the Council on trade in seal products is amended as follows.

- (2) In Article 1 omit “harmonised”.
- (3) In Article 2—
  - (a) in paragraph 3, in the definition of “placing on the market”, for “Community” substitute “United Kingdom”;
  - (b) in paragraph 5, in the definition of “import”, for “Community” substitute “United Kingdom”.
- (4) In Article 3(1a), in the second subparagraph, for “Commission” substitute “Secretary of State”.
- (5) Omit Article 4.
- (6) Omit Articles 5a to 7.
- (7) Omit Article 8.

#### **Commission Implementing Regulation (EU) No 2015/1850**

**4.**—(1) Commission Implementing Regulation (EU) 2015/1850 laying down detailed rules for the implementation of Regulation (EC) No 1007/2009 of the European Parliament and of the Council on trade in seal products is amended as follows.

- (2) In Article 2—
  - (a) in paragraph 1—
    - (i) in point (b), for “Union” substitute “United Kingdom”;
    - (ii) in point (c)—
      - (aa) for “Union territory” substitute “United Kingdom”;
      - (bb) omit “of the Member State concerned”.
- (3) In Article 3—
  - (a) in paragraph 1(f), omit the words from “, and to take measures” to the end;
  - (b) in paragraph 2, for “Commission” substitute “Secretary of State”;
  - (c) in paragraph 3, for “Commission” substitute “Secretary of State”.
- (4) In Article 4—

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(a) 1979 c. 2; section 1(1) was amended by the Commissioners for Revenue and Customs Act 2005 (c.11), Schedule 4, paragraphs 20 and 22(a).

- (a) in paragraph 6—
    - (i) omit “for free circulation”;
    - (ii) omit “pursuant to Article 79 of Council Regulation (EEC) No 2913/92”;
    - (iii) for the words from “Without prejudice” to “2913/92, the” substitute “The”.
  - (b) in paragraph 7, for “Member State” substitute “country”.
- (5) In Article 5(4), for the words from “the official language” to the end substitute “English, where the product is to be placed on the market in the United Kingdom”.
- (6) In Article 6—
- (a) for paragraph 1 substitute—
 

“1. The Secretary of State shall designate one or more competent authorities who will be responsible for verification, upon request of the customs authorities pursuant to Article 4(7), of attesting documents for imported seal products.”;
  - (b) omit paragraphs 2 and 3.
- (7) Omit Article 7(2).
- (8) In Article 8—
- (a) for “Union law” substitute “retained direct EU legislation”;
  - (b) for “Directive 95/46/EC” substitute “Regulation (EU) No 2016/679”.
- (9) Omit Article 10.
- (10) In the Annex—
- (a) in each of the model attesting documents—
    - (i) in the heading—
      - (aa) for “EUROPEAN UNION” substitute “UNITED KINGDOM”;
      - (bb) for “UNION’S MARKET” substitute “MARKET IN THE UNITED KINGDOM”;
    - (ii) in box 4, after “Country of placing on the market” insert “: United Kingdom”;
    - (iii) in box 5, after “ISO Code” insert “: UK”;
  - (b) in the Notes for guidance omit the rows relating to boxes 4 and 5.

Name  
Minister of State

Date Department for 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 section 8(1) of, and paragraph 21(b) of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained direct EU legislation to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the EU.

These Regulations make amendments to legislation relating to seal products. Regulation 2 amends subordinate legislation and regulations 3 and 4 amend retained direct EU legislation.

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