STATUTORY INSTRUMENTS

2021 No. 429

EXITING THE EUROPEAN UNION

ANIMALS

FOOD

PLANT HEALTH

The Trade and Official Controls (Transitional Arrangements for Prior Notifications) (Amendment) Regulations 2021

Approved by both Houses of Parliament

Made - - - -	*30th March 2021*
Laid before Parliament	*31st March 2021*
Coming into force - -	*31st March 2021*

The Secretary of State, in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(**a**), makes the following Regulations.

The Secretary of State is of the opinion that, by reason of urgency, it is necessary to make these Regulations without a draft of the instrument being laid before, and approved by a resolution of, each House of Parliament.

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Trade and Official Controls (Transitional Arrangements for Prior Notifications) (Amendment) Regulations 2021.

(2) They come into force on 31st March 2021.

(3) This regulation, and regulations 4 and 5, extend to England and Wales, and Scotland.

(4) Regulation 2 extends to England and Wales but applies in relation to England only.

(5) Regulation 3 extends to Scotland only.

Amendments to the Trade in Animals and Related Products Regulations 2011

2.—(1) The Trade in Animals and Related Products Regulations 2011(**a**) are amended as follows.

(**a**) 2018 c. 16; section 8 was amended by section 27 of the European Union (Withdrawal Agreement) Act 2020 (c. 1) and paragraph 21 of Schedule 7 was amended by paragraph 53(2) of Schedule 5 to, that Act.

(2) In Schedule 5—

(a) in paragraph 5(3), for "1st April" substitute "31st July";

(b) in paragraph 6(1)(c), for "1st April" substitute "31st July".

Amendments to the Trade in Animals and Related Products (Scotland) Regulations 2012

3.—(1) The Trade in Animals and Related Products (Scotland) Regulations 2012(**b**) are amended as follows.

(2) In Schedule 5—

(a) in paragraph 4(3), for "1st April" substitute "31st July";

(b) in paragraph 5(3), for "1st April" substitute "31st July".

Amendment to the Plant Health (Amendment etc.) (EU Exit) Regulations 2020

4.—(1) The Plant Health (Amendment etc.) (EU Exit) Regulations 2020(**c**) are amended as follows.

(2) In regulation 52(1), for "March" substitute "December".

Amendment to Regulation (EU) 2017/625 of the European Parliament and of the Council

5.—(1) Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products(**d**) is amended as follows.

(2) In Annex 6, in paragraph 13, in Article 56A(4), as inserted for the purposes mentioned in paragraph 3 of Annex 6, for "1st April" substitute "31st July".

Gardiner of Kimble
Parliamentary Under Secretary of State
30th March 2021 Department for Environment, Food and Rural Affairs

(**a**) S.I. 2011/1197, amended by S.I. 2020/1462; there are other amendments not relevant to these Regulations.
(**b**) S.S.I. 2012/177, amended by S.S.I. 2019/412 and S.S.I. 2020/458; there are other amendments not relevant to these Regulations.
(**c**) S.I. 2020/1482.
(**d**) EUR 2017/625, amended by S.I. 2020/1481.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(d)) arising from the withdrawal of the United Kingdom from the European Union.

Regulations 2, 3 and 5 amend the Trade in Animals and Related Products Regulations 2011 (S.I. 2011/1197), the Trade in Animals and Related Products (Scotland) Regulations 2012 and Regulation (EU) 2017/625 (EUR 2017/625) respectively, to change the date from which transitional prior notification requirements for products of animal origin and prescribed types of plant and plant products apply from 1st April 2021 to 31st July 2021.

Regulation 4 amends the Plant Health (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1482), to extend the duration of transitional provision relating to imports of plants, plant products and other objects into Great Britain from EU Member States (exemptions from requirements for imports to be accompanied by a phytosanitary certificate). The date on which that transitional provision expires is amended from 31st March 2021 to 31st December 2021.

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

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