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W E L S H S T A T U T O R Y  
I N S T R U M E N T S

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**2018 No. 1152 (W. 234)**

**ANIMALS, WALES**

**ANIMAL HEALTH**

**The Zootechnical Standards  
(Wales) Regulations 2018**

**EXPLANATORY NOTE**

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

These Regulations supplement, and make provision for the enforcement of, Regulation (EU) 2016/1012 of the European Parliament and of the Council on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs, and the germinal products thereof (“the Animal Breeding Regulation”).

These Regulations revoke and replace the Horses (Zootechnical Standards) (Wales) Regulations 2006 and the Zootechnical Standards (Wales) Regulations 2015. They also amend the Trade in Animals and Related Products (Wales) Regulations 2011 to make provision in respect of border checks in certain circumstances envisaged by the Animal Breeding Regulation.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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**2018 No. 1152 (W. 234)**

**ANIMALS, WALES**

**ANIMAL HEALTH**

**The Zootechnical Standards  
(Wales) Regulations 2018**

*Made* 6 November 2018

*Laid before the National Assembly for Wales* 9  
November 2018

*Coming into force* 1 December 2018

The Welsh Ministers are designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy of the European Union.

The Welsh Ministers make these Regulations under the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972<sup>(3)</sup>.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Welsh Ministers that it is expedient for the references in these Regulations to provisions of EU instruments to be construed as references to those provisions as amended from time to time.

**Title, application and commencement**

**1.**—(1) The title of these Regulations is the Zootechnical Standards (Wales) Regulations 2018.

(2) These Regulations apply in relation to Wales.

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(1) S.I. 2010/2690.

(2) 1972 c. 68.

(3) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51).

(3) These Regulations come into force on 1 December 2018.

### **Interpretation**

2.—(1) In these Regulations, “the Animal Breeding Regulation” means Regulation (EU) 2016/1012<sup>(1)</sup> of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding.

(2) Expressions that are not defined in these Regulations and occur in the Animal Breeding Regulation have the same meaning in these Regulations as they have for the purposes of the Animal Breeding Regulation.

### **Competent authority**

3. The Welsh Ministers are the competent authority for the purposes of the Animal Breeding Regulation.

### **Enforcement**

4. The Animal Breeding Regulation is enforced by the competent authority.

### **Notifications**

5.—(1) Any notice to be served under the Animal Breeding Regulation may be sent to the operator—

- (a) by post; or
- (b) electronically,

to the postal or electronic address provided by the operator to the competent authority.

(2) If the notice is sent to the operator electronically it is to be treated as given only if—

- (a) the operator had indicated to the competent authority willingness to receive notification

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(1) OJ No L 171, 29.06.2016, p. 66. See also Commission Implementing Regulation (EU) 2017/716 which makes provision in respect of the model forms to be used for the information to be included in the lists of recognised breed societies and breeding operations; Commission Implementing Regulation (EU) 2017/717 laying down rules for the application of Regulation (EU) 2016/1012 with regard to the model forms of zootechnical certificates for breeding animals and their germinal products; and Commission Delegated Regulation (EU) 2017/1940 as regards the content and format of zootechnical certificates issued for purebred breeding animals of the equine species contained in a single lifetime identification document for equidae.

by electronic means and provided an address suitable for that purpose; and

(b) the notification was sent to that address.

### **Obligation to inform the competent authority of a change in contact details**

**6.**—(1) This regulation applies where an operator’s contact details change.

(2) Subject to paragraph (3), the operator must give the competent authority notice of its changed contact details no later than 10 working days following the change, that period of 10 days beginning with the day on which the change occurs.

(3) Notice given under this regulation must be sent to the competent authority at the specified address.

(4) In this regulation, “specified address” means the postal or electronic address given by the Welsh Ministers from time to time for the purposes of this regulation.

### **Penalties**

**7.** Where an operator infringes an obligation under the Animal Breeding Regulation or under these Regulations, the competent authority will deal with that infringement in accordance with the provisions in Article 47 of the Animal Breeding Regulation.

### **Review in respect of a decision taken under Article 47 of the Animal Breeding Regulation**

**8.**—(1) Where the competent authority has given a breed society or breeding operation a notice under Article 47(2)(a) of the Animal Breeding Regulation in respect of a decision to withdraw the recognition of the breed society or breeding operation granted in accordance with Article 4(3) of that Regulation, that breed society or breeding operation may apply to the competent authority for a reconsideration of the decision given in that notice.

(2) An application under paragraph (1) must—

(a) be made by the breed society or breeding operation within the period of 28 days beginning with the day on which the relevant notice is served; and

(b) state the reasons for making the application and be accompanied by such evidence as the breed society or breeding operation believes supports those reasons.

(3) The competent authority may request evidence from the breed society or breeding operation in support of the application.

(4) The competent authority must as soon as reasonably practicable—

- (a) consider the application and make a decision in respect of it;
- (b) give written notification to the breed society or breeding operation stating whether the decision is confirmed or reversed; and
- (c) if the decision is reversed, take the appropriate action in respect of the reversed decision.

(5) The availability of a review under this regulation does not prevent a notice described in paragraph (1) having effect immediately upon being served.

### **Amendment of the Trade in Animals and Related Products (Wales) Regulations 2011**

9.—(1) The Trade in Animals and Related Products (Wales) Regulations 2011<sup>(1)</sup> are amended as follows.

(2) In regulation 15(1) (procedure on importation), after sub-paragraph (c) insert—

“(d) the checks required by Article 37(1) of Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding.”

(3) In Schedule 1 (European Union legislation), at the end insert—

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“Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof”	Purebred breeding animals, hybrid breeding pigs and the germinal products thereof”.
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(1) S.I. 2011/2379 (W. 252), as amended by S.I. 2014/3158.

**Revocations**

**10.** The following Regulations are revoked—

- (a) the Horses (Zootechnical Standards) (Wales) Regulations 2006<sup>(1)</sup>; and
- (b) the Zootechnical Standards (Wales) Regulations 2015<sup>(2)</sup>.

*Lesley Griffiths*

Cabinet Secretary for Energy, Planning and Rural  
Affairs, one of the Welsh Ministers

6 November 2018

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<sup>(1)</sup> S.I. 2006/2607 (W. 220).

<sup>(2)</sup> S.I. 2015/1686 (W. 218).