STATUTORY INSTRUMENTS

2015 No. 1980

ANIMALS, ENGLAND

ANIMAL HEALTH

PUBLIC HEALTH, ENGLAND

The Animal By-Products (Enforcement) (England) (Amendment) Regulations 2015

Made - - - -	*4th December 2015*
Laid before Parliament	*8th December 2015*
Coming into force - -	*31st December 2015*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(**1**).

The Secretary of State is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to measures in the veterinary and phytosanitary fields for the protection of public health(**2**).

Citation, commencement and amendment

1. These Regulations—

(a) may be cited as the Animal By-Products (Enforcement) (England) (Amendment) Regulations 2015;

(b) come into force on 31st December 2015; and

(c) amend the Animal By-Products (Enforcement) (England) Regulations 2013(**3**) in accordance with regulations 2 to 9.

Regulation 2

2. After paragraph (c) in the definition of "premises" in regulation 2(1) (interpretation), for "or" substitute "and".

(**1**) 1972 c.68; section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c.51) and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c.7).
(**2**) S.I. 1999/2027.
(**3**) S.I. 2013/2952, to which there are amendments not relevant to these Regulations.

New regulation 7A

3. After regulation 7 insert—

"**Collection, transport and disposal of certain Category 3 material**

7A.—(1) The collection, transport and disposal of Category 3 material in Article 10(f) of the EU Control Regulation(**4**) (Category 3 material) is authorised if the requirements of paragraph (2) are satisfied.

(2) The requirements are—

(a) the material satisfies Article 15 of, and paragraphs (a) to (c) of Chapter IV of Annex VI to, the EU Implementing Regulation(**5**); and

(b) the means of disposal for such material are disposal—

(i) in an authorised landfill without prior processing; or

(ii) to a biogas or composting plant for transformation in accordance with an authorisation under paragraph 2 of Section 2 of Chapter III of Annex V to the EU Implementing Regulation.".

Regulation 9

4. In paragraph (d) of regulation 9 (reporting of test results), for "Article24(3)" substitute "Article 24(3)".

Regulation 10

5. In paragraph (4) of regulation 10 (staining)—

(a) in sub-paragraph (b) for each "by-product" substitute "animal by-product"; and

(b) in sub-paragraph (c) omit "not falling with paragraph (3) and".

Regulation 23

6. In regulation 23 (powers of entry and additional powers)—

(a) in paragraph (1) omit sub-paragraphs (j) and (k); and

(b) after paragraph (1) insert—

"(1A) Where an authorised person has entered any premises which are unoccupied or from which the occupier is temporarily absent, the authorised person must leave them as effectively secured against unauthorised entry as they were before entry.".

Substitution of Part 8 heading

7. For the Part heading to Part 8 substitute—

"Revocations and Review".

Regulation 29

8. Omit regulation 29.

(**4**) OJ No L 300, 14.11.2009, p 1, as last amended by Council Regulation (EU) No 1385/2013 (OJ No L 354, 28.12.2013, p 86).
(**5**) OJ No L 54, 26.2.2011, p 1, as last amended by Commission Regulation (EU) No 2015/9 (OJ No L 3, 7.1.2015, p 10).