Draft Regulations laid before Parliament under paragraphs 1(1) and 8F(1) of Schedule 7 to the European Union (Withdrawal) Act 2018, for approval by a resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2021 No.****

EXITING THE EUROPEAN UNION
TRADE
ANIMALS
CUSTOMS

The Cat and Dog Fur (Control of Movement etc.) (EU Exit) Regulations 2021

Made - - - -	***
Coming into force - -	***

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

A draft of these Regulations has been approved by a resolution of each House of Parliament in accordance with paragraphs 1(1) and 8F(1) of Schedule 7 to that Act.

PART 1

General

Citation and commencement

1.—(1) These Regulations may be cited as the Cat and Dog Fur (Control of Movement etc.) (EU Exit) Regulations 2021.

(2) They come into force on the day after the day on which they are made.

(**1**) 2018 c. 16.

PART 2

Amendments to retained direct EU legislation: Great Britain

Amendment of Regulation (EC) 1523/2007 of the European Parliament and of the Council banning the placing on the market and the import to, or export from, the Community of cat and dog fur, and products containing such fur

2.—(1) Regulation (EC) 1523/2007 of the European Parliament and of the Council banning the placing on the market and the import to, or export from, the Community of cat and dog fur, and products containing such fur, is amended as follows.

(2) In Article 1 (objective)—

(a) after "The purpose of this Regulation is" insert ", subject to any derogations permitted by regulations made under Article 4,";

(b) for "the Community" substitute "Great Britain"; and

(c) omit "to eliminate obstacles to the functioning of the internal market and".

(3) For Article 2 (definitions) substitute—

"Article2

Definitions

For the purpose of this Regulation, the following definitions apply:

'cat' means an animal of the species *felis silvestris*;

'dog' means an animal of the species *canis lupus familiaris*;

'placing on the market' means the holding of cat and/or dog fur or a product containing such fur for the purpose of sale, which includes offer for sale, sale and distribution;

'import', in relation to cat or dog fur, means—

(a) landing or unloading the fur in Great Britain from any means of transport arriving from any other country or territory, or

(b) declaring the fur for any customs procedure on import under section 3 of the Taxation (Cross-border Trade) Act 2018(**2**),

and importation occurs when the fur is landed or unloaded in Great Britain or the declaration is accepted by Her Majesty's Commissioners of Revenue and Customs in relation to any such fur, whichever occurs first;

'export', in relation to cat or dog fur, means—

(a) the loading of the fur for the purposes of removing it from Great Britain to any other country or territory, or

(b) notification to Her Majesty's Commissioners of Revenue and Customs under section 34(3) of the Taxation (Cross-border Trade) Act 2018 of an intention to remove the fur from Great Britain,

and export occurs when the fur is loaded in Great Britain, or when the notification in relation to any such fur is sent, whichever occurs first..".

(4) In Article 3 (prohibitions)—

(a) at the beginning, for "The placing on the market", substitute "Subject to the provisions of any regulations made under Article 4, the placing on the market"; and

(**2**) 2018 c. 22.

(b) for "Community" substitute "Great Britain".

(5) For Article 4 (derogations) substitute—

"Article 4

Derogations

1. The Secretary of State may by regulations made by statutory instrument permit—

(a) the import into Great Britain of cat and dog fur or products containing such fur from any other country or territory,

(b) the export from Great Britain of cat and dog fur or products containing such fur to any other country or territory, or

(c) the placing on the market in Great Britain of cat and dog fur or products containing such fur,

for educational or taxidermy purposes.

2. Regulations made under paragraph 1 are subject to annulment in pursuance of a resolution of either House of Parliament.".

(6) Omit Articles 5 to 9.

(7) Omit the applicability provisions that follow Article 9.

PART 3

Amendment of domestic legislation: Great Britain

Amendment of the Cat and Dog Fur (Control of Import, Export and Placing on the Market) Regulations 2008

3.—(1) The Cat and Dog Fur (Control of Import, Export and Placing on the Market) Regulations 2008(**3**), as those Regulations apply in Great Britain, are amended as follows.

(2) In regulation 1(2)—

(a) after the definition of "goods" insert—

""HMRC officer" has the meaning given to it in 37(1) of the Taxation (Cross-border) Trade Act 2018;"; and

(b) in the definition of "officer" after "means" insert "an HMRC officer or".

(3) After regulation 2, insert—

"**Penalty for breach of Regulation (EC) 1523/2007**

2A.—(1) Any person who, in Great Britain contravenes Article 3 of Regulation (EC) 1523/2007 of the European Parliament and of the Council banning the placing on the market and the import to, or export from, the Community of cat and dog fur, and products containing such fur, is guilty of an offence.

(2) A person guilty of an offence described in paragraph (1) is liable—

(a) on conviction on indictment, to a fine not exceeding £75,000; or

(b) on summary conviction, to a fine.".

(**3**) S.I. 2008/2795 as amended by S.I. 2009/1056.