



EUROPEAN UNION AND TRADE ACT 2019 (DEFICIENCIES) (DEFA) (NO. 3) REGULATIONS 2019

Index

Regulation	Page
1 Title	3
2 Commencement	3
3 Interpretation.....	3
4 European Union and Trade Act 2019 (Deficiencies) (DEFA) (No.2) Regulations 2019 amended.....	4
5 Retention regulations amended.....	4
6 Application of regulation 4 (interpretation of prescribed EU regulations, EU decisions and EU tertiary legislation) of the retention regulations.....	4
7 Retained direct EU legislation amended	4
8 Construction	5
SCHEDULE 1	7
SCHEDULE TO THE RETENTION REGULATIONS AMENDED	7
SCHEDULE 2	8
RETAINED DIRECT EU LEGISLATION CONCERNING AGRICULTURAL TRADE AMENDED	8
SCHEDULE 3	13
RETAINED DIRECT EU LEGISLATION CONCERNING ANIMAL BY- PRODUCTS AND ANIMAL SLAUGHTER AMENDED	13
SCHEDULE 4	61
RETAINED DIRECT EU LEGISLATION CONCERNING DAIRY PRODUCTS AMENDED	61
SCHEDULE 5	62
RETAINED DIRECT EU LEGISLATION CONCERNING FISHERIES AMENDED	62

SCHEDULE 6	95
RETAINED DIRECT EU LEGISLATION CONCERNING FOOD SAFETY AMENDED	95
SCHEDULE 7	100
RETAINED DIRECT EU LEGISLATION CONCERNING GENETICALLY MODIFIED ORGANISMS AMENDED	100

Statutory Document No. 2019/0140



European Union and Trade Act 2019

EUROPEAN UNION AND TRADE ACT 2019 (DEFICIENCIES) (DEFA) (NO. 3) REGULATIONS 2019

*Approved by Tynwald: 9 April 2019
Coming into Operation in accordance with regulation 2*

The Council of Ministers makes the following Regulations under sections 7 and 12 of, and paragraph 7 of Schedule 4 to, the European Union and Trade Act 2019.

The Council of Ministers is of the opinion that, by reason of urgency, it is necessary to make these Regulations subject to the Tynwald procedure set out in section 31 of the Legislation Act 2015 (“affirmative”) instead of the “approval required” Tynwald procedure applied by virtue of sections 7(1) and 12(1) of the European Union and Trade Act 2019.

1 Title

These Regulations are the European Union and Trade Act 2019 (Deficiencies) (DEFA) (No. 3) Regulations 2019.

2 Commencement

These Regulations come into operation¹ —

- (a) for the purpose of regulations 1 to 5 and Schedule 1, on 22 March 2019; and
- (b) for all other purposes, on exit day.

3 Interpretation

In these Regulations, “**retention regulations**” means the European Union and Trade Act 2019 (Retained Direct EU Legislation) (DEFA and OFT) Regulations 2019².

¹ Paragraph 7 of Schedule 4 to the European Union and Trade Act 2019 provides that if a statutory document contains a declaration that the Council of Ministers is of the opinion that, by reason of urgency, it is necessary to make the statutory document subject to the Tynwald procedure set out in section 31 of the Legislation Act 2015 (“affirmative”), that procedure applies to the statutory document instead of the “approval required” Tynwald procedure applied by virtue of any provision of the European Union and Trade Act 2019.

4 European Union and Trade Act 2019 (Deficiencies) (DEFA) (No.2) Regulations 2019 amended

(1) The European Union and Trade Act 2019 (Deficiencies) (DEFA) (No.2) Regulations 2019³ are amended as follows.

(2) After regulation 6 (retained direct EU legislation amended) insert —

7 Construction

To avoid doubt, any retained EU law is to be construed and have effect subject to these Regulations.²

5 Retention regulations amended

The Schedule to the retention regulations is amended in accordance with Schedule 1 to these Regulations.

6 Application of regulation 4 (interpretation of prescribed EU regulations, EU decisions and EU tertiary legislation) of the retention regulations

Regulation 4 (interpretation of prescribed EU regulations, EU decisions and EU tertiary legislation) of the retention regulations does not apply to the provisions of the retained direct EU legislation that are amended, substituted or inserted by these Regulations.

7 Retained direct EU legislation amended

The retained direct EU legislation prescribed in —

- (a) Part 1 (agricultural trade) of the Schedule to the retention regulations is amended in accordance with Schedule 2 to these Regulations;
- (b) Part 3 (animal by-products and animal slaughter) of the Schedule to the retention regulations is amended in accordance with Schedule 3 to these Regulations;
- (c) Part 7 (dairy products) of the Schedule to the retention regulations is amended in accordance with Schedule 4 to these Regulations;
- (d) Part 8 (fisheries) of the Schedule to the retention regulations is amended in accordance with Schedule 5 to these Regulations;
- (e) Part 10 (food safety) of the Schedule to the retention regulations is amended in accordance with Schedule 6 to these Regulations; and

² SD 2019/0037

³ SD 2019/0122

- (f) Part 11 (genetically modified organisms) of the Schedule to the retention regulations is amended in accordance with Schedule 7 to these Regulations.

8 Construction

To avoid doubt, any retained EU law is to be construed and have effect subject to these Regulations.

MADE 22 MARCH 2019

W GREENHOW
Chief Secretary

SCHEDULE 1

[Regulation 5]

SCHEDULE TO THE RETENTION REGULATIONS AMENDED

Part 8 (fisheries) amended

- (1) Part 8 (fisheries) of the Schedule to the retention regulations is amended as follows.
- (2) After paragraph 39(4) (regional fisheries management organisations), insert —
 - ❏ (5) Commission Delegated Regulation (EU) 2018/2034 of 18 October 2018 establishing a discard plan for certain demersal fisheries in North-Western waters for the period 2019-2021⁴.
 - (6) Council Regulation (EU) 2018/2025 of 17 December 2018 fixing for 2019 and 2020 the fishing opportunities for Union fishing vessels for certain deep-sea fish stocks⁵.
 - (7) Council Regulation (EU) 2019/124 of 30 January 2019 fixing for 2019 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters⁶. ❏.

⁴ OJ L 327, 21.12.2018, p. 8.

⁵ OJ L 325, 20.12.2018, p. 7.

⁶ OJ L 29, 31.1.2019, p. 1.

SCHEDULE 2

[Regulation 7(a)]

RETAINED DIRECT EU LEGISLATION CONCERNING AGRICULTURAL
TRADE AMENDED

PART 1 - COMPOSITE PRODUCTS

1 Specific modifications to Commission Regulation (EU) No 28/2012

- (1) Commission Regulation (EU) No 28/2012 of 11 January 2012 laying down requirements for the certification for imports into and transit through the Union of certain composite products and amending Decision 2007/275/EC and Regulation (EC) No 1162/2009⁷ is amended as follows.
- (2) In Article 1, for “Union”, substitute **Island**.
- (3) In Article 2, insert at the end —
In this Regulation —
“the appropriate authority” means the Department of Environment, Food and Agriculture;
“third country” means any country other than a member State or the British Islands. **.**
- (4) In Article 3 —
 - (a) in paragraph 1, in the words before point (a) —
 - (i) before “introduced”, insert **from third countries**; and
 - (ii) for “Union” in each place, substitute **Island**;
 - (b) in paragraph 2, for “in accordance with the model health certificate set out in Annex I”, substitute **as published by the appropriate authority from time to time**; and
 - (c) in paragraph 3 —
 - (i) for the first reference to “Union”, substitute **Island**; and
 - (ii) for “at introduction into the Union by the relevant certificate laid down in Union legislation”, substitute **by the relevant health certificate**.
- (5) In Article 4 —
 - (a) in the words before point (a), for each of the references to “Union”, substitute **Island**;

⁷ Paragraph 4 of the Schedule to the retention regulations.

- (b) in point (a), for “Union”, substitute **Island**;
- (c) in point (b), for “drawn up in accordance with the model health certificate set out in Annex 2”, substitute **as published by the appropriate authority from time to time**;
- (d) in point (c), for “Union” substitute **Island**; and
- (e) for point (d) substitute —
 - (d) they are certified as acceptable for transit, including for storage as appropriate —**
 - (i) on the common veterinary entry document referred to in Article 2(1) of Commission Regulation (EC) No 136/2004⁸, signed by the official veterinarian of the border inspection post of introduction into the Island; or
 - (ii) on the United Kingdom equivalent common entry document signed by the official veterinarian of the border inspection post of introduction into the United Kingdom. **.**
- (6) Omit Articles 5, 5a and 8.
- (7) In Article 9, omit the final paragraph.
- (8) Omit Annexes 1 and 2.

PART 2 - HEALTH CERTIFICATES FOR TRADE

2 Commission Decision 2010/470/EU amended

- (1) Commission Decision of 26 August 2010 laying down model health certificates for trade within the Union in semen, ova and embryos of animals of the equine, ovine and caprine species and in ova and embryos of animals of the porcine species (2010/470/EU)⁹ is amended as follows.
- (2) In Article 1 —
 - (a) number the text as paragraph 1;
 - (b) in paragraph 1, for the words before point (a), substitute —
 - This Decision lays down the model health certificates for imports into the Island from EU Member States of the following commodities: **.****
 - (c) at the end, insert as a new paragraph —
 - 2. In this Decision, “the appropriate authority” means the Department of Environment, Food and Agriculture. **.****

⁸ Paragraph 28(3) of the Schedule to the retention regulations.

⁹ Paragraph 5 of the Schedule to the retention regulations.

- (3) In Article 2 —
- (a) for the heading, substitute **34** Imports into the Island from member States of semen of animals of the equine species **22**;
- (b) for the words before point (a), substitute —
- 34** A health certificate in accordance with one of the models specified in paragraphs (a) to (d) for the consignment as published by the appropriate authority from time to time must accompany consignments of semen of animals of the equine species during transport from a member State to the Island: **22**; and
- (c) in points (a), (b), (c) and (d), for the words from “model health certificate” to “trade in the Union in”, in each place they occur, substitute **34** model health certificate for imports into the Island from member States of **22**.
- (4) In Article 3 —
- (a) for the heading, substitute **34** Imports into the Island from member States in ova and embryos of animals of the equine species **22**;
- (b) for the words before point (a), substitute —
- 34** A health certificate in accordance with one of the models specified in paragraphs (a) to (c) for the consignment as published by the appropriate authority from time to time must accompany consignments of ova and embryos of animals of the equine species during transport from a member State to the Island: **22**; and
- (c) in points (a), (b) and (c), for the words from “model health certificate” to “trade in the Union in”, in each place they occur, substitute **34** model health certificate for imports into the Island from member States of **22**.
- (5) In Article 4 —
- (a) for the heading, substitute **34** Imports into the Island from member States in semen of animals of the ovine and caprine species **22**;
- (b) for the words before point (a), substitute —
- 34** A health certificate in accordance with one of the models specified in paragraphs (a) to (c) for the consignment as published by the appropriate authority from time to time must accompany consignments of semen of animals of the ovine and caprine species into the Island from a member State: **22**;
- (c) in point (a), for the words from “model health certificate” to “Part A”, substitute **34** model health certificate for imports into the Island from member States **22**;

- (d) in point (b), for the words from “model health certificate” to “Part B”, substitute **63** model health certificate for imports into the Island from member States **62**; and
 - (e) in point (c), for the words from “model health certificate” to “Part C”, substitute **63** model health certificate for imports into the Island from member States **62**.
- (6) In Article 5 —
- (a) for the heading, substitute **63** Imports into the Island from member States in ova and embryos of animals of the ovine and caprine species **62**;
 - (b) for the words before point (a), substitute —
 - 63** A health certificate in accordance with one of the models specified in paragraphs (a) and (b) for the consignment as published by the appropriate authority from time to time must accompany consignments of ova and embryos of animals of the ovine and caprine species into the Island from a member State: **62**;
 - (c) in point (a), for the words from “model health certificate” to “Part A”, substitute **63** model health certificate for imports into the Island from member States **62**; and
 - (d) in point (b), for the words from “model health certificate” to “Part B”, substitute **63** model health certificate for imports into the Island from member States **62**.
- (7) In Article 6 —
- (a) for the heading, substitute **63** Imports into the Island from member States in ova and embryos of animals of the porcine species **62**;
 - (b) for the words before point (a), substitute —
 - 63** A health certificate in accordance with one of the models specified in paragraphs (a) and (b) for the consignment as published by the appropriate authority from time to time must accompany consignments of ova and embryos of animals of the porcine species into the Island from a member State: **62**;
 - (c) in point (a), for the words from “model health certificate” to “Part A”, substitute **63** model health certificate for imports into the Island from member States **62**; and
 - (d) in point (b), for the words from “model health certificate” to “Part B”, substitute **63** model health certificate for imports into the Island from member States **62**.
- (8) Omit Article 9.
- (9) Omit the Annexes.

PART 3 - SPROUTS AND SEEDS

3 Commission Implementing Regulation (EU) No 208/2013 amended

- (1) Commission Implementing Regulation (EU) No 208/2013 of 11 March 2013 on traceability requirements for sprouts and seeds intended for the production of sprouts¹⁰ is amended as follows.
- (2) In Article 1, in the final subparagraph, for “European Union legislation”, substitute **“retained EU law”**.
- (3) In Article 4, for “Union”, substitute **“Island”**.
- (4) After Article 5, omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

4 Commission Regulation (EU) No 211/2013 amended

- (1) Commission Regulation (EU) No 211/2013 of 11 March 2013 on certification requirements for imports into the Union of sprouts and seeds intended for the production of sprouts¹¹ is amended as follows.
- (2) In Article 1 –
 - (a) where it first occurs, for “Union”, substitute **“Island”**; and
 - (b) for “European Union legislation” substitute **“retained EU law”**.
- (3) In Article 2, after point (b), insert **“(c) “third country” means a country or state other than the Island, the United Kingdom and the Channel Islands.”**.
- (4) In Article 3, in paragraph 1 –
 - (a) in the opening words, for “Union”, substitute **“Island”**; and
 - (b) for the second subparagraph, substitute –

“The certificate and, when applicable, the results of microbiological testing on Enterobacteriaceae as referred to in paragraph 4 of this article, must be drawn up in English.”
- (5) After Article 5, omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.
- (6) In the Annex –
 - (a) after the heading to model certificate, for “Certificate to EU”, substitute **“Certificate to the Isle of Man”**; and
 - (b) in the Notes to the Certificate, in Part 1, at the third indent, for “European Union”, substitute **“Isle of Man”**.

¹⁰ Paragraph 9(1) of the Schedule to the retention regulations.

¹¹ Paragraph 9(2) of the Schedule to the retention regulations.

SCHEDULE 3

[Regulation 7(b)]

RETAINED DIRECT EU LEGISLATION CONCERNING ANIMAL BY-PRODUCTS AND ANIMAL SLAUGHTER AMENDED

PART 1 - ANIMAL BY-PRODUCTS

1 Regulation 1069/2009 amended

- (1) Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002¹² is amended as follows.
- (2) In the Regulation, for “Community legislation”, in each place it occurs (other than in Articles 5(1) and 34(2)), substitute **“retained EU law”**.
- (3) In Article 2 —
 - (a) in paragraph 2 —
 - (i) in point (g)(i), for “internationally” substitute **“outside the British Islands and the European Union”**; and
 - (ii) in point (h), omit “without prejudice to Community environmental legislation,”; and
 - (b) omit paragraph 3.
- (4) In Article 3 —
 - (a) for paragraph 10 substitute —

“10. ‘competent authority’ means the Department of Environment, Food and Agriculture or any authority to which the competence to ensure compliance with the requirements of this Regulation has been delegated; it also includes, where appropriate, the corresponding authority of a third country;”
 - (b) in each of paragraphs 14, 15 and 16, for “Community” substitute **“Isle of Man”**;
 - (c) in paragraph 21, for “permit has been issued in accordance with Directive 1999/31/EC” substitute **“disposal licence or where a direction under the Public Health Act 1990 is in force”**; and
 - (d) after paragraph 27 insert —

“28. ‘third country’ means a country other than the British Islands;

¹² Paragraph 23(1) of the Schedule to the retention regulations.

29. ‘the Trade Regulations’ means the Trade in Animal and Related Products Order 2016¹³;

30. ‘the Implementing Regulation’ means Commission Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regard certain samples and items exempt from veterinary checks at the border under that Directive²².

(5) After Article 3 insert —

Article 3A

Definition: appropriate authority

In this Regulation “the appropriate authority” means the Department of Environment, Food and Agriculture.²²

(6) In Article 4 —

- (a) in each of paragraph 3, for “Member States” substitute **“The appropriate authority”**;
- (b) in paragraph 4 —
 - (i) for “Member States” substitute **“The appropriate authority”**; and
 - (ii) for “on their territory” substitute **“in the Island”**; and
- (c) in paragraph 5 —
 - (i) for “Member States”, in the first place it occurs, substitute **“The appropriate authority”**; and
 - (ii) for “Member States”, in the second place it occurs, substitute **“appropriate authorities”**.

(7) In Article 5 —

- (a) in paragraph 1 —
 - (i) in the first subparagraph —
 - (A) omit “Community”; and
 - (B) for “that Article” substitute **“Article 34(1)”**
 - (ii) in the third subparagraph —
 - (A) for the words before point (a) substitute —
 - “For the purposes of this paragraph, the appropriate authority may, by regulations, change the point at which the following products are to be**

¹³ SD 2016/0358.

- regarded as having reached the end point in the manufacturing chain **22**; and
 - (B) in points (a) and (b), omit “for”;
 - (iii) omit the fourth subparagraph; and
 - (b) in paragraph 2 —
 - (i) in the first subparagraph —
 - (A) after “animal health,” insert **23** the appropriate authority may, by regulations, determine the point at which they are to be regarded as having reached **22**; and
 - (B) omit “may be determined”; and
 - (ii) omit the third subparagraph.
- (8) In Article 6 —
 - (a) in paragraph 1 —
 - (i) in the first subparagraph —
 - (A) in point (a), for “Community veterinary legislation” substitute **24** veterinary retained EU law **22**; and
 - (B) for point (b)(ii) substitute —
 - 24** (ii) provided for by Article 4 of the Implementing Regulation; or
 - (iii) laid down in regulations made by the appropriate authority under the second subparagraph. **22**; and
 - (ii) for the second subparagraph substitute —
 - 25** The appropriate authority may, by regulations, impose restrictions prohibiting animal byproducts and derived products from susceptible species from being dispatched from a holding, establishment, plant or zone specified in the regulations. **22**; and
 - (b) in paragraph 2 —
 - (i) in the first subparagraph, at the end insert **26** as laid down in regulations made by the appropriate authority under the second subparagraph **22**; and
 - (ii) for the second subparagraph substitute —
 - 26** Where the appropriate authority considers it necessary or expedient to impose condition to prevent the spread of a disease that is transmissible from animals to humans, the appropriate authority may, by regulations, impose conditions that must be complied with when animal by-

products and derived products from susceptible species are being dispatched from a holding, establishment, plant or zone. **22**.

- (9) In Article 7 —
- (a) in paragraph 2 —
- (i) for “measures for the implementation of this Regulation” substitute **23**regulations made by the appropriate authority **22**; and
- (ii) omit “adopted by the Commission”;
- (b) in paragraph 3, for “Articles 8, 9 and 10 may be amended” substitute **23**The appropriate authority may, by regulations, amend Articles 8, 9 and 10 **22**; and
- (c) omit paragraph 4.
- (10) In Article 8 —
- (a) in point (c), at the end insert **23**in each case, reading those Articles as if for references to “Community legislation” there were substituted references to “retained EU law” **22**;
- (b) in point (d), after “thereof, by” insert **23**other **22**; and
- (c) in point (f), for “internationally” substitute **23**outside the British Islands and the European Union **22**.
- (11) In Article 9 —
- (a) in point (c), for “as referred to in Article 15(3) of Directive 96/23/EC” substitute **23**set by retained EU law or, in the absence thereof, by other national legislation **22**; and
- (b) in point (e) —
- (i) in point (i) —
- (A) for “Community veterinary legislation” substitute **23**veterinary retained EU law **22**;
- (B) for “Community”, in the second place it occurs, substitute **23**Island **22**; and
- (C) at the end of the sentence, omit “or”; and
- (ii) omit point (ii).
- (12) In Article 11(2) —
- (a) in the first subparagraph —
- (i) for the words before point (a), substitute **23**The appropriate authority may, by regulations, lay down measures relating to the following matters **22**;

- (ii) after point (a), insert **63** and **62**;
 - (iii) omit point (b); and
 - (iv) after point (b), omit “and”; and
 - (b) omit the second subparagraph.
- (13) In Article 15 —
 - (a) in paragraph 1 —
 - (i) in the first subparagraph, for the words before point (a), substitute —
 - 63** The appropriate authority may, by regulations, lay down measures for the implementation of this Section relating to the following matters **62**; and
 - (ii) omit the second subparagraph; and
 - (b) omit paragraph 2.
- (14) In Article 17(2) —
 - (a) in the first subparagraph —
 - (i) for “Community” substitute **63** Island **62**;
 - (ii) for “harmonised” substitute **63** the appropriate authority may, by regulations, lay down **62**; and
 - (iii) omit “may be laid down”; and
 - (b) omit the second subparagraph.
- (15) In Article 18(3) —
 - (a) in the first subparagraph —
 - (i) for the words before point (a) substitute —
 - 63** The appropriate authority may, by regulations, lay down measures for the implementation of this Article relating to the following matters **62**; and
 - (ii) in point (b)(i), omit “in certain Member States”; and
 - (b) omit the second subparagraph.
- (16) In Article 19 —
 - (a) in paragraph 2, for “Member State concerned” substitute **63** Island **62**;
 - (b) omit paragraph 3; and
 - (c) in paragraph 4 —
 - (i) in the first subparagraph, for the words before point (a) substitute —

- ☐☐ The appropriate authority may, by regulations, lay down measures for the implementation of this Article relating to the following matters ☐☐; and
- (ii) omit the second subparagraph.
- (17) In Article 20 —
- (a) in paragraph 1, for the words from “the Commission” to “Member State” substitute ☐☐ the appropriate authority ☐☐;
- (b) in paragraph 2, in the first subparagraph, omit “of the Member State”;
- (c) in paragraph 3 —
- (i) omit “Member States and”; and
- (ii) for the words from “European” to the end substitute ☐☐ appropriate authority. ☐☐;
- (d) omit paragraph 4;
- (e) in paragraph 5 —
- (i) for the first subparagraph substitute —
- ☐☐ The appropriate authority shall assess whether the method submitted by an interested party or any other method which the appropriate authority considers to be appropriate for authorisation ensures that risks to public or animal health are —
- (a) controlled in a manner which prevents their proliferation before disposal in accordance with this Regulation or the implementing measures thereof; or
- (b) reduced to a degree which is at least equivalent, for the relevant category of animal byproducts, to the processing methods laid down pursuant to point (b) of the first subparagraph of Article 15(1),
- and, taking these matters into account, may, by regulations, authorise an alternative method of use or disposal of animal by-products or derived products. ☐☐;
- and
- (ii) omit the second subparagraph;
- (f) omit paragraphs 6 to 9;
- (g) for paragraph 10 substitute —
- ☐☐ 10. The appropriate authority must make available or publish a standard format for applications for alternative methods, in such manner as appears to the appropriate authority to be appropriate, from time to time. ☐☐; and

- (h) omit paragraph 11.
- (18) In Article 21 —
- (a) in paragraph 2, for “same Member State” substitute **“Island”**;
- (b) in paragraph 3, for “Member State”, in each place it occurs, substitute **“the Island”**; and
- (c) for paragraph 4 substitute —
- “4. Operators must collect, transport and dispose of Category 3 catering waste so as to ensure that waste management is carried out without endangering human health, without harming the environment and, in particular —**
- (a) without risk to water, air, soil, plants or animals;
- (b) without causing a nuisance through noise or odours; and
- (c) without adversely affecting the countryside or places of special interest.**”**;
- (d) in paragraph 5 —
- (i) for the words before point (a) substitute
- “The appropriate authority may make available or publish, in such manner as appears to the appropriate authority to be appropriate, from time to time”**; and
- (ii) in point (b), for “and the conditions governing the way they must” substitute **“which are required to”**;
- (e) after paragraph 5 insert —
- “5A. The appropriate authority may, by regulations, lay down conditions governing the way in which model health certificates must accompany animal by-products and derived products during transport.”**; and
- (f) in paragraph 6 —
- (i) in the first subparagraph, for the words before point (a) substitute **“The appropriate authority may, by regulations, lay down measures for the implementation of this Article relating to the following matters”**; and
- (ii) omit the second subparagraph.
- (19) In Article 22 —
- (a) in paragraph 1, in the second subparagraph, for “measures adopted” substitute **“regulations made”**; and
- (b) in paragraph 3, for the words before point (a) substitute **“The appropriate authority may, by regulations, make such provision for the implementation of this Article as the appropriate authority**

considers to be necessary or expedient, including provisions relating to **22**.

- (20) For Article 23(3) substitute —
333. The appropriate authority may, by regulations, make detailed rules relating to registration under paragraph 1. **22**.
- (21) In Article 24(1), in each of points (b) and (c), for “Directive 2000/76/EC” substitute **33** the Animal By-Products Regulations 2007¹⁴ **22**.
- (22) In Article 26(3), for “Community veterinary legislation” substitute **33** veterinary retained EU law **22**.
- (23) In Article 27 —
- (a) in the first paragraph, for the words before point (a) substitute —
33The appropriate authority may, by regulations, lay down measures for the implementation of this Section and Section 1 of this Chapter relating to the following matters **22**; and
- (b) omit the second paragraph.
- (24) For Article 29(4) substitute —
334. The appropriate authority may, by regulations, make such provision as the appropriate authority considers necessary or expedient to facilitate the implementation of this Article. **22**.
- (25) In Article 31(2) —
- (a) in the first subparagraph, for the words from the beginning to “laid down” substitute **33** The appropriate authority may, by regulations, lay down measures for the implementation of this Article **22**; and
- (b) omit the second subparagraph.
- (26) In Article 32 —
- (a) in paragraph 1, in the third subparagraph, for “Member States may adopt or maintain national rules” substitute **33** Nothing in this Regulation prevents the appropriate authority from **22**; and
- (b) in paragraph 3 —
- (i) in the first subparagraph, for the words before point (a) substitute —
33The appropriate authority may, by regulations, lay down measures for the implementation of this Article relating to the following matters **22**; and
- (ii) omit the second subparagraph.

¹⁴ SD 876/07.

- (27) In Article 33, in point (a), for “Article 1(1) of Directive 76/768/EEC” substitute **“Article 2(1)(a) of Regulation 1223/2009/EC”**.
- (28) In Article 34 —
- (a) in the first subparagraph of paragraph 1, for “the Community legislation referred to in that Article.” substitute **“the following:”**; and
- (b) after the first subparagraph of paragraph 1, insert —
- “(a) Regulation 1223/2009/EC in the case of cosmetic products;**
(b) the Medical Devices Regulations 2002¹⁵ (of Parliament) in the case of active implantable medical devices, medical devices and in vitro diagnostic medical devices;
(c) the Veterinary Medicines Regulations 2019¹⁶ in the case of veterinary medicinal products;
(d) the Medicines for Human Use Regulations 2005¹⁷ in the case of medicinal products.”; and
- (c) in paragraph 2 —
- (i) omit “Community”;
- (ii) for “Article 33” substitute **“paragraph 1(a) to (d)”**.
- (29) In Article 37 —
- (a) in paragraph 1, in point (c), for “Community” substitute **“Island”**; and
- (b) in paragraph 2, in the third subparagraph, for the words after “model” substitute **“made available or published by the appropriate authority, in accordance with point (b) of Article 21(5)”**.
- (30) In Article 40 —
- (a) in the first paragraph, for the words before point (a) substitute —
- “The appropriate authority may, by regulations, lay down measures for the implementation of this Section relating to the following matters”**; and
- (b) omit the second paragraph.
- (31) In Article 41 —
- (a) in paragraph 1, in the first subparagraph —

¹⁵ SI 2002/618, as amended.

¹⁶ SD 2019/0028.

¹⁷ SD 9/05.

- (i) in the words before point (a), for “Community” substitute **43**Island **22**;
- (ii) in point (a) —
 - (A) for “and the implementing measures thereof” substitute **43**, the Implementing Regulation and any regulations made by the appropriate authority under this Regulation **22**; and
 - (B) for “Community” substitute **43**Island **22**;
- (iii) in point (b) —
 - (A) after “recognised” insert **43**by the appropriate authority **22**; and
 - (B) after “legislation;” omit “or”;
- (iv) in point (c), after “Articles;” insert **43** or **22**; and
- (v) after point (c), insert —
 - 43**(d) in the case of Category 1 material, Category 2 material and meat-and-bone meal or animal fat derived from Category 1 and Category 2 materials, from the European Union, the requirements of Article 48. **22**;
- (b) in paragraph 1, for the second subparagraph substitute —
 - 43**Where, pursuant to point (b), the appropriate authority recognises conditions as being at least equivalent to the requirements applicable to the production and marketing of particular animal by-products or derived products under Community legislation, the appropriate authority must make available or publicise that recognition. **22**;
- (c) in paragraph 2(c), after “only take place” insert **43**in accordance with Article 48 **22**;
- (d) in paragraph 3 —
 - (i) for the first subparagraph substitute —
 - 43**The appropriate authority may, by regulations, impose requirements relating to the import and transit of Category 3 material and products derived from Category 3 material. **22**;
 - (ii) in the second subparagraph, in point (c) —
 - (A) for “Community” substitute **43**Island **22**; and
 - (B) for “point (d) of the first subparagraph of Article 42(2)” substitute **43** Article 42(3) **22**; and
 - (iii) omit the third and fourth subparagraphs; and

- (e) in paragraph 4 —
 - (i) in the first subparagraph —
 - (A) for the words before point (a) substitute —

☐☐ The appropriate authority may, by regulations, specify the third countries or parts of third countries from which animal by-products or derived products may be imported or transit through the Island.

In deciding whether to specify a third country or part of a third country in regulations made under the first subparagraph, the appropriate authority must, in particular, take into account ☐☐;
 - (B) in point (c), for “Community” substitute ☐☐ Island ☐☐;
 - (C) in point (f), for “Community inspections” substitute ☐☐ inspections by the competent authority ☐☐; and
 - (D) in point (g), for “Community” substitute ☐☐ Island ☐☐; and
 - (ii) in the last subparagraph, for “Commission and the Member States” substitute ☐☐ appropriate authority ☐☐.
- (32) In Article 42 —
- (a) in paragraph 1 —
 - (i) for “Measures for the implementation of Article 41 which” substitute —

☐☐ The appropriate authority may, by regulations, make such provision as the appropriate authority considers necessary or expedient to implement Article 41 and regulations made under this paragraph ☐☐; and
 - (ii) omit the words from “shall be adopted” to the end;
 - (b) in paragraph 2 —
 - (i) in the first subparagraph —
 - (A) for the words before point (a) substitute —

☐☐ The appropriate authority may, by regulations, make provision with respect to the implementation of Article 41 relating to the following matters ☐☐;
 - (B) in point (b), for the words from “Community” to “accordance with” substitute ☐☐ lists of third countries or parts of third countries identified in the Implementing Regulation or in regulations made under ☐☐; and
 - (C) for point (d), substitute —

- (d) the conditions under which it can be stated that consignments of animal by-products or derived products have been collected or manufactured in accordance with the requirements of this Regulation; and
- (ii) omit the second subparagraph; and
- (c) after paragraph 2, insert —
3. The appropriate authority may make available or publish, in such manner as appears to the appropriate authority to be appropriate, from time to time, models for health certificates, commercial documents and declarations which are to accompany consignments of animal by-products or derived products.
- (33) In Article 43 —
- (a) in paragraph 1, after “export” insert “other than to the European Union”;
- (b) in paragraph 2, after “third countries” insert “outside the European Union”;
- (c) in paragraph 3 —
- (i) in the first subparagraph, for the words from “rules” to the end substitute “the export takes place in accordance with the rules relating to export in Article 25(4) of the Implementing Regulation and in any regulations made by the appropriate authority under the second subparagraph; and
- (ii) for the second subparagraph substitute —
- The appropriate authority may, by regulations, impose requirements and otherwise regulate the export of Category 1 and 2 material and products derived from such material for purposes other than those referred to in paragraphs 1 and 2; and
- (d) in paragraph 4, for “Community” substitute “Isle of Man”.
- (34) For Article 45(4) substitute —
4. The appropriate authority may, by regulations, make such provision as the appropriate authority considers necessary or expedient to implement this Article, including provisions relating to the reference methods to be used for microbiological analyses.
- (35) In Article 47 —
- (a) in paragraph 1 —
- (i) in the first subparagraph —

- (A) for “Each Member State” substitute **“The appropriate authority”**; and
 - (B) for “its territory” substitute **“the Island”**;
 - (ii) in the third subparagraph, for “Member States” substitute **“The appropriate authority”**;
 - (iii) omit the fourth subparagraph; and
 - (iv) in the fifth subparagraph —
 - (A) for “Member States”, in the first place it occurs, substitute **“The appropriate authority”**; and
 - (B) for “other Member States” substitute **“the other appropriate authorities”**; and
 - (b) in paragraph 2, for the words before point (a) substitute —
 - “The appropriate authority may, by regulations, make such provision as the appropriate authority considers necessary or expedient to implement this Article, including provisions relating to”**.
- (36) In Article 48 —
- (a) in the heading, for “to other Member States” substitute **“from the European Union to the Isle of Man”**;
 - (b) in paragraph 1 —
 - (i) in the first subparagraph, for the words from “to another Member State” to the end, substitute **“from the European Union to the Island, it shall inform the competent authority of the Island”**; and
 - (ii) in the second subparagraph, for “Member State of destination” substitute **“Island”**;
 - (c) in paragraph 2 —
 - (i) for “Formats” substitute **“The appropriate authority may make available or publish, in such manner as appears to the appropriate authority to be appropriate from time to time, formats”**; and
 - (ii) omit the words from “may be adopted” to the end;
 - (d) omit paragraph 3;
 - (e) in paragraph 5 —
 - (i) in the first subparagraph —
 - (A) for “to other Member States” substitute **“from the European Union to the Island”**; and

- (B) after “third country” insert **“other than a member State”**; and
 - (ii) in the second subparagraph —
 - (A) for “re-enter the Community” substitute **“enter the Island”**; and
 - (B) for “Article 6 of Directive 89/662/EEC” substitute **“the Trade Regulations”**;
 - (f) in paragraph 6, for “to other Member States” substitute **“from the European Union to the Island”**;
 - (g) in paragraph 7 —
 - (i) in the first subparagraph —
 - (A) in the words before point (a), for the words from the beginning to “adopted” substitute **“The appropriate authority may, by regulations, lay down measures for the implementation of this Article”**;
 - (B) omit point (c); and
 - (C) in point (d), for “to other Member States” substitute **“from the European Union to the Island”**; and
 - (ii) omit the second subparagraph;
 - (h) after paragraph 7 insert —
 - 7A. The appropriate authority must make available or publish, in such manner as appears to the appropriate authority to be appropriate from time to time, models for the health certificates which are to accompany consignments sent in accordance with paragraph 5. ”**; and
 - (i) in paragraph 8 —
 - (i) in the first subparagraph —
 - (A) in the words before point (a), for “Measures for the implementation of this Article” substitute **“Regulations for the implementation of this Article made by the appropriate authority under paragraph 7”**;
 - (B) in point (a), omit “or between farms located in the border regions of Member States sharing a common border”; and
 - (C) omit points (b) and (c); and
 - (ii) omit the second subparagraph.
- (37) Omit Article 49.

- (38) In Article 50 —
- (a) in paragraph 1, for “Community” substitute **“Island”**; and
 - (b) in paragraph 3, for “Member States” substitute **“the Isle of Man”**.
- (39) Omit Article 51.
- (40) For Article 52 substitute —
- “Article 52**

Regulations

1. Regulations made by the Department under these Regulations may contain —

 - (a) consequential, incidental, supplementary, transitional or saving provisions;
 - (b) provisions amending, repealing or revoking statutory documents and retained direct EU legislation; or
 - (c) a combination of (a) and (b).

2. Tynwald procedure —

 - (a) for paragraph 1(a) – negative; or
 - (b) for paragraphs 1(b) or 1(c) – approval required. **“**
- (41) Omit Article 53.
- (42) In Article 56, omit the third and fourth paragraphs.
- (43) After Article 56, omit the words from “This Regulation” to “Member States.”.

2 Commission Regulation (EU) No 142/2011 amended

- (1) Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive¹⁸ is amended as follows.
- (2) In the Regulation, for “Union legislation”, in each place it occurs, substitute **“retained EU law”**.
- (3) In Article 3, in the words before point (a), after “imported” insert **“from a third country outside the European Union”**.
- (4) In Article 4 —

¹⁸ Paragraph 23(2) of the Schedule to the retention regulations.

- (a) for “Article 1.2.3 of the Terrestrial Animal Health Code, 2010” substitute **63** Chapter 1.3 of the Terrestrial Animal Health Code, 2018¹⁹ **62**; and
- (b) for “Aquatic Animal Health Code, 2010” substitute **64** Aquatic Animal Health Code, 2018²⁰ **62**;
- (5) Omit Article 5(1).
- (6) In Article 6 —
- (a) in paragraph 1, in each of points (a) and (b), for “Directive 2000/76/EC” substitute **65** the Animal By-Products Regulations 2007²¹ **62**; and
- (b) in paragraph 8(a), for “authorities of the Member States”, in each place it occurs, substitute **66** authority **62**.
- (7) In Article 11(3), for the words before point (a) substitute —
- 63**3. Operators may dispatch research and diagnostic samples which consist of the following animal by-products and derived products from the European Union to the Island without the competent authority being informed and agreeing to accept the consignment in accordance with Article 48(1) of Regulation (EC) No 1069/2009: **62**.
- (8) In Article 12(3), for the words before point (a) substitute —
- 64**3. Operators may dispatch trade samples which consist of the following animal by-products and derived products from the European Union to the Island without the competent authority being informed and agreeing to accept the consignment in accordance with Article 48(1) of Regulation (EC) No 1069/2009: **62**.
- (9) In Article 13, omit paragraphs 1(b) and 2(b).
- (10) In Article 15, in the second subparagraph, for “Member States may authorise” substitute **65** nothing in this Regulation prevents the appropriate authority from authorising **62**.
- (11) In Article 16 —
- (a) in paragraph 1, omit “Member States or”;
- (b) in paragraph 2, for “Member States” substitute **66** The appropriate authority **62**; and
- (c) in paragraph 3, for “Commission” substitute **66** appropriate authority **62**.
- (12) In Article 19(b)(viii), for “Union veterinary legislation” substitute **66** veterinary retained EU law **62**.

¹⁹ <http://www.oie.int/standard-setting/terrestrial-code/access-online>

²⁰ <http://www.oie.int/standard-setting/aquatic-code/access-online>

²¹ SD 876/07.

- (13) In Article 21, in each of paragraphs 1 and 2, after “import” insert “from a third country outside the European Union”;
- (14) In Article 22 —
- (a) in paragraph 1, after “import” insert “from a third country outside the European Union”;
 - (b) in paragraph 2 —
 - (i) in point (a), for “Union” substitute “British Islands”; and
 - (ii) in point (b), after “imported” insert “from a third country outside the European Union”;
 - (c) in paragraph 3 —
 - (i) omit “The competent authority of the Member State”; and
 - (ii) for “to land,” substitute “to land in the Island, the competent authority”;
 - (d) omit paragraph 4; and
 - (e) in paragraph 5, for “authorities of the Member States” substitute “authority”.
- (15) In Article 23(1), for “Union” substitute “Island from a third country outside the European Union”.
- (16) In Article 24 —
- (a) in paragraph 2, after “imported” insert “from a third country outside the European Union”; and
 - (b) in each of paragraphs 3 and 4, after “import” insert “from a third country outside the European Union”.
- (17) Article 25 is amended in accordance with paragraphs (18) to (22).
- (18) In the heading, for “, transit” substitute “and transit from a third country outside the European Union”.
- (19) In paragraph 1, for “Union” substitute “Island from a third country outside the European Union”.
- (20) In paragraph 2 —
- (a) in the words before point (a), for “Union” substitute “Island from a third country outside the European Union”; and
 - (b) in point (e) —
 - (i) in point (i) —
 - (A) for “Union kept in a third country or region thereof” substitute “Island kept in the European Union or a third country outside the European Union”; and

- (B) in the first indent, for “Union” substitute **“Island”**;
 - (ii) in point (ii), for “Chapter 21 of Annex XV” substitute **“the model made available or published for the time being by the appropriate authority”**; and
 - (iii) in point (iii) —
 - (A) for “Union” substitute **“Island”**; and
 - (B) for “Article 4(3) of Directive 97/78/EC” substitute **“the Trade Regulations”**.
- (21) In paragraph 3, for “Union” substitute **“Island from a third country outside the European Union”**.
- (22) In paragraph 4, for “Union” substitute **“Island”**.
- (23) In Article 26 —
- (a) in the words before point (a), after “Directive 96/23/EC,” insert **“in both cases, reading those Articles as if for references to “Community legislation” there were substituted references to “retained EU law””**; and
 - (b) in point (b)(iii), in the first indent, for “Article 1(1) of Directive 76/768/EEC” substitute **“Article 2(1)(a) of Regulation (EC) No 1223/2009”**.
- (24) In Article 27 —
- (a) in the heading, after “transit” insert **“from a third country outside the European Union”**;
 - (b) in paragraph 1 —
 - (i) in the first subparagraph, after “transit” insert **“from a third country outside the European Union”**;
 - (ii) in point (a), omit “of the Member State” substitute; and
 - (iii) in point (b), for “Union” substitute **“Island”**;
 - (c) omit paragraph 2; and
 - (d) in paragraph 3, after “samples”, in the second place it occurs, insert **“from a third country outside the European Union”**.
- (25) In Article 28 —
- (a) in the heading, after “transit” insert **“from a third country outside the European Union”**;
 - (b) in paragraph 1, after “transit” insert **“from a third country outside the European Union”**;
 - (c) in paragraph 2, after “samples”, in the first place it occurs, insert **“from a third country outside the European Union”**;

- (d) in paragraph 3, after “transit” insert “from a third country outside the European Union”; and
 - (e) in paragraph 4, after “items”, in the first place it occurs, insert “from a third country outside the European Union”.
- (26) Omit Articles 29 and 29a.
- (27) In Article 30, in the first subparagraph —
- (a) for “Lists of establishments and plants in third countries shall be entered into the TRACES system” substitute —
 - “The appropriate authority shall request that lists of establishments and plants in third countries shall be entered into the Import Control System”; and
 - (b) for “Commission” substitute “appropriate authority”.
- (28) In Article 31 —
- (a) in the heading, after “transit” insert “from a third country outside the European Union”;
 - (b) in the text —
 - (i) for “Union”, in the first place it occurs, substitute “Island from a third country outside the European Union”;
 - (ii) for “set out in Annex XV hereto” substitute “made available or published for the time being by the appropriate authority”;
 - (iii) for “Union”, in the second place it occurs, substitute “Island”; and
 - (iv) for “Directive 97/78/EC” substitute “the Trade Regulations”.
- (29) In Article 32 —
- (a) in paragraph 6 —
 - (i) for “The competent authority of the Member State of destination” substitute “Where the Island is the destination, the competent authority”; and
 - (ii) for “one of the official languages of that Member State” substitute “English and may also be submitted in other languages”; and
 - (b) in paragraph 7, for “set out in Section 10 of Chapter III of Annex XVI hereto” substitute “made available or published for the time being by the appropriate authority”.
- (30) In Article 34(c) —

- (a) after “products” insert **66** imported into the Island from the European Union or in transit through the Isle of Man from one member State to another, or **67**; and
- (b) for “Union” substitute **68** Island from a third country outside the European Union **69**.
- (31) Omit Article 36.
- (32) After Article 37, omit the words “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.
- (33) In Annex 1 –
- (a) in paragraph 19(b), after “Directive 96/23/EC,” insert **66** in both cases, reading those Articles as if for references to “Community legislation” there were substituted references to “retained EU law” **67**;
- (b) in paragraph 42, for the words from “an incineration plant” to “Directive 2000/76/EC” substitute **68** a waste incineration plant, as defined in Articles 3(40) and 42(1) of Directive 2010/75/EC²² **69**;
- (c) in paragraph 43, for “point 13 of Article 3 of Directive 2000/76/EC” substitute **68** Article 43 of Directive 2010/75/EC **69**;
- (d) omit paragraph 48;
- (e) in paragraph 55, for “as defined in point 5 of Article 3 of Directive 2000/76/EC” substitute **68** as covered by Article 3(41) and Article 42(1) of Directive 2010/75/EC **69**;
- (f) in paragraph 56, for “an incineration plant, as defined in point 4 of Article 3 of Directive 2000/76/EC” substitute **68** a waste incineration plant, as defined in Article 3(40) and Article 42(1) of Directive 2010/75/EC **69**; and
- (g) after paragraph 59, insert –
- 66** 60. ‘Import Control System’ means the electronic trade notification system in the United Kingdom which replaces the TRACES system established under Commission Decision 2004/292/EC. **69**.
- (34) In Annex 2, omit Chapter 1.
- (35) In Annex 3 –
- (a) in Chapter 2, in Section 1, in the first paragraph, for “Directive 2000/76/EC” substitute **68** the Animal By-Products Regulations 2007 **69**;
- (b) in Chapter 3 –

²² OJ L 334, 17.12.2010, p. 17.

- (i) in the first paragraph, for “Directive 2000/76/EC” substitute **“the Animal By-Products Regulations 2007”**;
 - (ii) in point (a)(iii) —
 - (A) for “not subject to health restrictions in accordance with Article 4(5) or 5 of Directive 2009/156/EC” substitute **“in the Isle of Man when the Island is considered to be free of African horse sickness in accordance with the final paragraph of this Chapter”**; and
 - (B) for “Member State” substitute **“appropriate authority”**; and
 - (iii) at the end, insert —
 - “The Island is not considered free of African horse sickness if —**
 - (a) clinical, serological (in unvaccinated animals) or epidemiological evidence has revealed the presence of African horse sickness in the past two years; or
 - (b) vaccination against African horse sickness has been carried out in the past 12 months. **”**; and
 - (c) in Chapter 5, in head A.2(c), after “853/2004,” insert **“(EC) No”**.
- (36) In Annex 4 —
- (a) in Chapter 1, in Section 1, in paragraph 1(a), omit the second subparagraph after point (iv);
 - (b) in Chapter 3, in head G —
 - (i) in paragraph 1(a), for “Member State” substitute **“Isle of Man”**;
 - (ii) omit paragraph 3;
 - (iii) in paragraph 4, for “points 1 and 3” substitute **“point 1”**; and
 - (iv) omit paragraph 5 ; and
 - (c) in Chapter 4 —
 - (i) in Section 1, in paragraph 2 —
 - (A) omit “of a Member State”;
 - (B) for “another Member State” substitute **“a UK constituent nation”**; and
 - (C) for “that Member State” substitute **“the Island”**; and

- (ii) in Section 3, in paragraph 2(b)(iii), in the second indent, for “national territory of the producing Member State” substitute “Island”.
- (37) In Annex 5, in Chapter 3, in Section 2 —
 - (a) in paragraph 1, in the final subparagraph, for “Commission” substitute “appropriate authority”; and
 - (b) in paragraph 4 —
 - (i) in point (a), for “point 1” substitute “points 1, 2 and 3”; and
 - (ii) omit point (b).
- (38) Annex 6 is amended in accordance with paragraphs (39) to (42).
- (39) In Chapter 1, in Section 2 —
 - (a) in paragraph 2 —
 - (i) in point (a), after “Member State” insert “or United Kingdom constituent nation”; and
 - (ii) in point (b) —
 - (A) for “another Member State” substitute “a United Kingdom constituent nation”; and
 - (B) for “the Member State” substitute “the United Kingdom constituent nation”; and
 - (b) in paragraph 3, after “Member State” insert “or United Kingdom constituent nation”.
- (40) In Chapter 2 —
 - (a) in Section 1, in paragraph 3, for “Member States” substitute “The appropriate authority”; and
 - (b) in Section 2 —
 - (i) in paragraph 1(a), omit point (i); and
 - (ii) omit paragraph 2.
- (41) In Chapter 3, in Section 2, in each of points (a) to (c), for “Member State concerned”, in each place it occurs, substitute “Island”.
- (42) In Chapter 4, in the words before point (a), for “Member States authorise” substitute “nothing in this Regulation prevents the appropriate authority from authorising”.
- (43) In Annex 7 —
 - (a) in Chapter 1 —

- (i) in paragraph 1, for “one of the official languages” to the end, substitute “English and may also be submitted in other languages”; and
 - (ii) omit both subparagraphs of paragraph 2; and
 - (b) in Chapter 2, in paragraph 1, for “EFSA” substitute “the appropriate authority”.
- (44) Annex 8 is amended in accordance with paragraphs (45) to (49).
- (45) In Chapter 1, in Section 4, for “same Member State” substitute “Island”.
- (46) In Chapter 2 —
- (a) in paragraph 1(c) —
 - (i) in the words before point (i), for “from one Member State to another Member State” substitute “from the European Union to the Isle of Man”; and
 - (ii) in point (iv) —
 - (A) after “consignments” insert “from a third country outside the European Union”; and
 - (B) after “entry into the” insert “European”;
 - (b) in paragraph 2(c)(ii), in the first indent, omit “Member State”;
 - (c) in each of paragraphs 3 and 4 —
 - (i) for “Member States may establish systems or lay down rules” substitute “Nothing in this Regulation prevents the appropriate authority from establishing systems or laying down rules”; and
 - (ii) for “on their territory” substitute “in the Island”;
 - (d) in paragraph 5 —
 - (i) for “Member States may use” substitute “nothing in this Regulation prevents the appropriate authority from using”; and
 - (ii) for “Member State” substitute “Island”; and
 - (e) in paragraph 6(b), for “same Member State” substitute “Island”.
- (47) In Chapter 3 —
- (a) in paragraph 1, in the first subparagraph, for “set out in this Chapter” substitute “made available or published for the time being by the appropriate authority”;
 - (b) in paragraph 1(a), for “same Member State” substitute “Island”;
 - (c) in paragraph 2, in the second subparagraph —

- (i) for “Member States” substitute “The appropriate authority”; and
 - (ii) for “TRACES system” substitute “Import Control System”;
- (d) in paragraph 4 –
- (i) in the first subparagraph –
 - (A) for “set out under point 6” substitute “made available or published for the time being by the appropriate authority”; and
 - (B) for “Union” substitute “Island”; and
 - (ii) in the second subparagraph, for “on its territory” substitute “in the Island”; and
- (e) in paragraph 6 –
- (i) in point (a), for “appearing in this Chapter” substitute “made available or published for the time being by the appropriate authority”;
 - (ii) in point (b), for “one of the official languages” to the end of the second subparagraph, substitute “English, and may also be drawn up in other languages”; and
 - (iii) after point (h), omit the model commercial document.
- (48) In Chapter 4 –
- (a) in Section 1, in paragraph 2, for “laid down in Chapter III” substitute “made available or published for the time being by the appropriate authority”; and
 - (b) omit Section 3.
- (49) Omit Chapter 6.
- (50) In Annex 9, in Chapter 2, in the words before Section 1, in point (h), for “Union veterinary legislation” substitute “veterinary retained EU law”.
- (51) In Annex 9, in Chapter 5, Section 1 is amended in accordance with paragraphs (52) and (53).
- (52) In paragraph 1 –
- (a) for “Member State” substitute “Island”; and
 - (b) after “authorised by the” insert “relevant”.
- (53) In paragraph 2 –
- (a) for “the Member State concerned” substitute “Island”; and
 - (b) for “that Member State” substitute “the Island”.

- (54) In Annex 9, in Chapter 5, Section 2 is amended in accordance with paragraphs (55) and (56).
- (55) In head A —
- (a) in paragraph 1 —
- (i) for the heading, substitute **“Application”**;
- (ii) in the first subparagraph, omit “France, Ireland, Latvia, Portugal and”; and
- (iii) in the second subparagraph —
- (A) for “competent authority of the Member State concerned” substitute **“relevant competent authority”**; and
- (B) for “territory of that Member State” substitute **“relevant competent authority”**; and
- (b) in paragraph 3.2.3, for “or Directive 2008/98/EC” substitute **“the Collection and Disposal of Waste Regulations 2000²³ and the Specified Risk Material Regulations 2001²⁴”**.
- (56) In head B, in paragraph 1 —
- (a) for the heading, substitute **“Application”**;
- (b) in the first subparagraph, for “Ireland, Spain, Latvia, Portugal and the United Kingdom” substitute **“the Island”**; and
- (c) in the second subparagraph, for “same Member State referred to above” substitute **“Island”**.
- (57) In Annex 10, in Chapter 2, in Section 4 —
- (a) in Part 1, in head B —
- (i) in each of paragraphs 1.2(b), 1.4(b), 3(b) and 6.2, for “Member State” insert **“country”**; and
- (ii) in paragraph 6.1, after “Directive 64/432/EEC” insert —
- “taken with the Annexes to which they refer, reading the relevant provisions as if —**
- (a) for references to a “Member State” there were substituted references to a “Member State, UK constituent nation or the Island”; and
- (b) in Annex D, in Chapter 1, in Section B(iv), for the reference to “Directive 72/462/EEC” there were substituted a reference to the Trade in Animal and Related Products Order 2016;”;

²³ SD 696/00.

²⁴ SD 112/01.

- (b) in Part 2 —
- (i) in paragraph 3(a) —
- (A) for “Member State concerned” substitute **“Island”**; and
- (B) omit “and in cross-border areas where the Member States concerned have a mutual agreement to that effect”;
- (ii) in paragraph 3(b) —
- (A) in the words before point (i), for “Member State concerned” substitute **“Island”**;
- (B) in each of points (i) and (ii), for “Member State concerned”, in each place it occurs, substitute **“appropriate authority”**; and
- (C) in the first and second indents of point (ii), for “same Member State”, in each place it occurs, substitute **“Island”**; and
- (iii) in paragraph 4, for “same Member State” substitute **“Island”**; and
- (c) in Part 3 —
- (i) in the second paragraph, for “Member States which have authorised those alternative parameters” substitute **“the Island”**; and
- (ii) in Section 10, in the first paragraph, for “Member States” substitute **“the British Islands”**.
- (58) In Annex 11, Chapter 1 is amended in accordance with paragraphs (59) and (60).
- (59) In Section 1 —
- (a) in paragraph 1 —
- (i) in the words before point (a) —
- (A) for “Trade in” substitute **“Imports of”**;
- (B) for “between Member States” substitute **“from the European Union”**; and
- (C) for “Member State” substitute **“competent authority”**;
- (ii) in point (a) —
- (A) for “Trade in” substitute **“Imports of”**; and
- (B) omit point (ii);

- (iii) in point (b) —
 - (A) in the first subparagraph, for “Member State of” substitute “Island where the Island is the”; and
 - (B) in point (ii), omit the words from “provided that” to the end;
- (iv) in each of paragraphs 1(c) and 2(c), for “set out in point 3” substitute “made available or published for the time being by the appropriate authority”;
- (b) in paragraph 2 —
 - (i) in the words before point (a) —
 - (A) for “Trade in” substitute “Imports of”;
 - (B) for “between Member States” substitute “from the European Union”; and
 - (C) for “Member State of” substitute “competent authority of the Island where the Island is the”; and
 - (ii) omit point (b);
- (c) omit paragraph 3 and the model health attestation;
- (d) in paragraph 4 —
 - (i) for “traded between Member States” substitute “imported from the European Union”;
 - (ii) for “Member State of destination” substitute “Island”; and
 - (iii) after “Article 4(5)” insert “(a) or (b)”; and
- (e) in paragraph 5 —
 - (i) for “Member State of destination” substitute “Island”; and
 - (ii) for “another Member State” substitute “the European Union”.
- (60) In Section 2 —
 - (a) in the words before point (a), for “Member State of destination” substitute “competent authority of the Island”; and
 - (b) in point (c)(v), in the second subparagraph, for “Commission” substitute “appropriate authority”.
- (61) In Annex 11, in Chapter 2, in Section 1 —
 - (a) in paragraph 2, for “Member State” substitute “Island”;
 - (b) in paragraph 3, in the second subparagraph —

- (i) for “Commission” substitute **“appropriate authority”**; and
 - (ii) for “Member States” substitute **“appropriate authorities”**; and
 - (c) in paragraph 4(b), for “Member State where the organic fertiliser or soil improver is to be applied to land,” substitute **“Island”**.
- (62) In Annex 12 –
- (a) in the words before paragraph 1 –
 - (i) for “Union” substitute **“Island”**; and
 - (ii) after “products” insert **“from a third country outside the European Union”**;
 - (b) in paragraph 1 –
 - (i) in the words before point (a), after “products” insert **“from a third country outside the European Union”**;
 - (ii) in point (b)(i), after “Directive 96/23/EC,” insert **“in both cases, reading those Articles as if for references to “Community legislation” there were substituted references to “retained EU law”**”; and
 - (iii) in point (f) –
 - (A) for “set out in Chapter 20 of Annex XV” substitute **“made available or published for the time being by the appropriate authority”**; and
 - (B) for the words from “one of the official languages” to “Member States” substitute **“English; the appropriate authority”**;
 - (c) in paragraph 2(b)(iii) –
 - (i) after “registered” insert **“in its constituent nation”**;
 - (ii) for “Member State” substitute **“appropriate authority”**; and
 - (iii) omit “and to the Member State of destination”;
 - (d) in paragraph 3, in the words before point (a) –
 - (i) for “Union” substitute **“United Kingdom from a third country outside the European Union”**; and
 - (ii) for “Article 4 of Directive 97/78/EC” substitute **“the Trade Regulations”**;
 - (e) in paragraph 4 –
 - (i) for “Union” substitute **“Island from a third country outside the European Union”**; and

- (ii) for “Article 11 of Directive 97/78/EC” substitute **“Part 3 of the Trade in Animal and Related Products Order”**;
 - (f) in paragraph 5, for “TRACES system” substitute **“Import Control System”**;
 - (g) in paragraph 7 —
 - (i) for “Directive 97/78/EC” substitute **“the Trade Regulations”**;
 - (ii) for “Member State” substitute **“constituent nation”**; and
 - (iii) after “transit” insert **“from a third country outside the European Union”**; and
 - (h) in paragraph 9, after “transit” insert **“from a third country outside the European Union”**.
- (63) In Annex 13 —
 - (a) in Chapter 2 —
 - (i) in paragraph 2(b), after “Directive 96/23/EC” insert **“**, in both cases reading those Articles as if for references to “Community legislation” there were substituted references to “retained EU law”**”**; and
 - (ii) in paragraph 7 —
 - (A) in each of points (a)(i) and (b)(i), for “Union” substitute **“British Islands or European Union”**; and
 - (B) in each of points (a)(ii) and (b)(ii), for “Directive 97/78/EC at a border inspection post” substitute **“the Trade Regulations, at a border inspection post if imported from a third country outside the European Union”**;
 - (b) in Chapter 4, in paragraph 1(a) —
 - (i) in point (i), for “point 4 of Article 1.2.3 of the Terrestrial Animal Health Code of the OIE, 2010” substitute **“Chapter 1.3 of the Terrestrial Animal Health Code of the OIE, 2018”**;
 - (ii) in point (ii), after “Article 5 of that Directive” insert **“**, or in relation to holdings in the Island, when the Island is considered to be free of African horse sickness in accordance with paragraph 1A**”**;
 - (iii) in point (iii) —
 - (A) omit “Member State or”; and

- (B) after “Article 5(2) of that Directive” insert **63**, reading the words before point (a) as if for the reference to a “Member State” there were substituted a reference to a “third country”, or a constituent nation which is not considered to be free of African horse sickness, in accordance with paragraph 1A **62**; and
- (iv) after paragraph 1, insert —
- 63**1A. The Island is not considered to be free of African horse sickness if —
- (a) clinical, serological (in unvaccinated animals) or epidemiological evidence has revealed the presence of African horse sickness in the past two years, or
- (b) vaccination against African horse sickness has been carried out in the past 12 months. **62**;
- (c) in Chapter 5 —
- (i) in head B —
- (A) in paragraph 1, for “Directive 2002/99” substitute **63** the Trade Regulations **62**; and
- (B) in paragraph 2(b), for “laid down in Chapter III of Annex VIII” substitute **63** made available or published for the time being by the appropriate authority **62**; and
- (ii) in head C, in paragraph 3, for “set out under point 6 of Chapter III of Annex VIII” substitute **63** made available or published for the time being by the appropriate authority **62**;
- (d) in Chapter 7, in head B, in the second paragraph —
- (i) for “Member States” substitute **63** The appropriate authority **62**; and
- (ii) omit “on their territory”; and
- (e) in Chapter 9 —
- (i) in paragraph 1 —
- (A) in point (a), for “that Member State” substitute **63** the Island **62**; and
- (B) in point (b), for “has obtained additional guarantees in accordance with Article 14(2) of Directive 92/65/EEC” substitute **63** has been assessed by the appropriate authority on a basis equivalent, mutatis mutandis, to the assessment in point (a) **62**; and

- (ii) in paragraph 2, after “provided for in” insert “the first two subparagraphs of”.
- (64) In Annex 14, Chapter 1 is amended in accordance with paragraphs (65) to (70).
- (65) In the heading, for “Union” substitute “Isle of Man from a third country outside the European Union”.
- (66) In Section 1 —
 - (a) in the words before point (a) —
 - (i) omit “imported”; and
 - (ii) after “therefrom” insert “imported from a third country outside the European Union”;
 - (b) in each of points (e)(i) and (ii), for “Union” substitute “Island”;
and
 - (c) in Table 1 —
 - (i) in the column entitled “third countries’ lists”, in entry 9 —
 - (A) for “Member States authorise imports” substitute “imports into the Isle of Man”; and
 - (B) after “products” insert “are authorised”; and
 - (ii) in the column ‘certificates/model documents’, for each entry substitute “The relevant health certificate made available or published for the time being by the appropriate authority.”.
- (67) In Section 2 —
 - (a) in the heading, after “Imports” insert “from a third country outside the European Union”;
 - (b) in the words before paragraph 1, after “importation” insert “from a third country outside the European Union”;
 - (c) in paragraph 1, for “Union” substitute “Island”;
 - (d) in paragraph 4 —
 - (i) in the words before point (a), for “Union” substitute “Island”; and
 - (ii) in point (a), for “Article 17(2)(a) of Directive 97/78/EC” insert “regulation 15(1)(b) of the Trade Regulations”;
and
 - (e) in paragraph 5, for “Union” substitute “Island”.
- (68) In Section 3 —

- (a) in the heading, after “Imports” insert “from a third country outside the European Union”; and
- (b) in the first paragraph, after “importation” insert “from a third country outside the European Union”.
- (69) In Section 4 —
- (a) in the heading, after “Imports” insert “from a third country outside the European Union”;
- (b) in head A —
- (i) in the words before paragraph 1, after “importation” insert “from a third country outside the European Union”; and
- (ii) in paragraph 2(b), for “Union” substitute “Island”; and
- (c) in head B —
- (i) in paragraph 1(b), for “Union” substitute “Island or United Kingdom”; and
- (ii) in paragraph 2 —
- (A) in point (a), after “Directive 64/432/EEC” insert “taken with the Annexes to which they refer, reading the relevant provisions as if for references to a “Member State” or “Member States” there were substituted references to a “third country” or “third countries” (as the case may be)”; and
- (B) in point (b), after “Directive 64/432/EEC” insert —
- “taken with the Annex to which it refers, reading the relevant provisions as if —
- (i) for references to a “Member State” or “Member States” there were substituted references to a “third country” or “third countries” (as the case may be); and
- (ii) in Annex D, in Chapter 1, in Section B(iv), for the reference to “Directive 72/462/EEC” there were substituted a reference to “the Trade in Animal and Related Products Order 2016”;
- (70) In Section 5 —
- (a) in the heading, after “Imports” insert “from a third country outside the European Union”; and
- (b) in the first paragraph, after “importation” insert “from a third country outside the European Union”.
- (71) In Annex 14, Chapter 2 is amended in accordance with paragraphs (72) to (84).

- (72) In the heading, for “Union” substitute **EE** Island from a third country outside the European Union **EE**.
- (73) In Section 1 —
- (a) in the words before point (a) —
- (i) omit “imported”;
- (ii) after “farmed animals” insert **EE** imported from a third country outside the European Union **EE**; and
- (iii) after “transit” insert **EE** from a third country outside the European Union **EE**;
- (b) in point (c), after “Table 2” insert **EE** or Svalbard **EE**;
- (c) in each of points (e)(i) and (ii), for “Union” substitute **EE** Island **EE**; and
- (d) in Table 2 —
- (i) in the column entitled “third countries’ lists” —
- (A) except in entry 6, for “Member States authorise imports”, in each place it occurs, substitute **EE** imports into the Island **EE**;
- (B) after “same species”, in each place it occurs, insert **EE** are authorised **EE**;
- (C) in entry 3, after “equidae” insert **EE** are authorised **EE**;
- (D) in entry 5, for “European Union” substitute **EE** Island **EE**;
- (E) in entry 6 —
- i. for “the Member States authorise imports” substitute **EE** imports into the Island **EE**;
- ii. after “poultrymeat” insert **EE** are authorised **EE**;
- (F) in entry 8, for “Union” substitute **EE** Island **EE**;
- (G) in entry 13, after “meat” insert **EE** are authorised **EE**; and
- (H) in entry 14, after “poultrymeat” insert **EE** are authorised **EE**; and
- (ii) for the column headed ‘certificates/model documents’ substitute (without the unbracketed number followed by a full stop at the start of each entry) -

EE Certificates/model documents
--

1. The relevant health certificate made available or published for the time

	being by the appropriate authority
2.	The relevant health certificate made available or published for the time being by the appropriate authority.
3.	The relevant health certificate made available or published for the time being by the appropriate authority.
4.	The relevant health certificate made available or published for the time being by the appropriate authority.
5.	<p>(a) In the case of treated hides and skins of ungulates, other than those which comply with the requirements set out in Section 4, point 2:</p> <p>The relevant health certificate made available or published for the time being by the appropriate authority.</p> <p>(b) In the case of treated hides and skins of ruminants and equidae that are intended for dispatch to the Island and which have been kept separate for 21 days or will undergo transport for 21 uninterrupted days before importation:</p> <p>The official declaration made available or published for the time being by the appropriate authority.</p> <p>(c) In the case of treated hides and skins of ungulates which comply with the requirements set out in Section 4, point 2:</p> <p>No certificate is required.</p>
6.	<p>(a) In the case of game trophies referred to in Section 5, points 2 and 3:</p> <p>The relevant health certificate made available or published for the time being by the appropriate authority.</p> <p>(b) In the case of game trophies referred to in Section 5, point 1:</p> <p>No certificate is required.</p>
7.	The relevant health certificate made available or published for the time being by the appropriate authority.
8.	<p>(1) For imports of untreated wool and hair, no health certificate is required.</p> <p>(2) A declaration of the importer in accordance with the relevant model declaration made available or published for the time being by the appropriate authority.</p>
9.	For imports of treated feathers, parts of feathers and down, no health certificate is required.

<p>10. (a) In the case of apiculture by-products intended for use in apiculture: The relevant health certificate made available or published for the time being by the appropriate authority.</p> <p>(b) In the case of beeswax for purposes other than feeding to farmed animals: A commercial document attesting the refinement or processing.</p>
<p>11. The products must be accompanied by:</p> <p>(a) a commercial document as set out in Section 7, point 2; and</p> <p>(b) a declaration of the importer in accordance with the relevant model declaration made available or published for the time being by the appropriate authority, in English and other languages may also appear.</p>
<p>12. The relevant health certificate made available or published for the time being by the appropriate authority.</p>
<p>13. The relevant health certificate made available or published for the time being by the appropriate authority.</p>
<p>14. The relevant health certificate made available or published for the time being by the appropriate authority.</p>
<p>15. The relevant health certificate made available or published for the time being by the appropriate authority.</p>
<p>16. The relevant health certificate made available or published for the time being by the appropriate authority.</p>
<p>17. The relevant health certificate made available or published for the time being by the appropriate authority.</p>
<p>18. The relevant health certificate made available or published for the time being by the appropriate authority.</p>
<p>19. The relevant health certificate made available or published for the time being by the appropriate authority.</p>
<p>29. The relevant health certificate made available or published for the time being by the appropriate authority. 22.</p>

(74) In Section 2 —

- (a) in the heading, after “Imports,” insert **23** from a third country outside the European Union **22**;
- (b) in the words before paragraph 1, after “import,” insert **23** from a third country outside the European Union **22**;

- (c) in each of paragraphs 3.1(b)(ii), 3.2(b) and 3.3(b) —
- (i) for “Directive 97/78/EC” substitute “the Trade Regulations”; and
 - (ii) for “Article 8(4) of that Directive” substitute “regulation 13 of the Trade Regulations”; and
- (d) in paragraph 4(b)(i), for “2010” substitute “2018”.
- (75) In Section 3 —
- (a) in the heading, after “Imports,” insert “from a third country outside the European Union”; and
 - (b) in the words before paragraph 1, after “import,” insert “from a third country outside the European Union”.
- (76) In Section 4 —
- (a) in the heading, after “Imports” insert “from a third country outside the European Union”; and
 - (b) in the words before paragraph 1, after “import” insert “from a third country outside the European Union”.
- (77) In Section 5 —
- (a) in the heading, after “imports” insert “from a third country outside the European Union”; and
 - (b) in the words before paragraph 1, after “import” insert “from a third country outside the European Union”.
- (78) In Section 6 —
- (a) in the heading, after “Imports” insert “from a third country outside the European Union”; and
 - (b) in the words before point (a), after “imported” insert “from a third country outside the European Union”.
- (79) In Section 7 —
- (a) in the heading, after “Imports” insert “from a third country outside the European Union”;
 - (b) in paragraph 1 —
 - (i) in the words before point (a), after “imported” insert “from a third country outside the European Union”;
 - (ii) in point (a), for “Union” substitute “Island”;
 - (iii) in point (b), for “Union”, in each place it occurs, substitute “Island”; and
 - (iv) in point (c), for “Directive 97/78/EC” substitute “the Trade Regulations”;

- (c) in paragraph 3, for “Union” substitute **Island**; and
 - (d) in paragraph 4 —
 - (i) for “Directive 97/78/EC” substitute **the Trade Regulations**; and
 - (ii) for “Article 8(4) of that Directive” substitute **regulation 13 of the Trade Regulations**.
- (80) In Section 8 —
- (a) in the heading, after “Imports” insert **from a third country outside the European Union**;
 - (b) in the words before paragraph 1, after “imported” insert **from a third country outside the European Union**;
 - (c) in paragraph 4 —
 - (i) for “Directive 97/78/EC” substitute **the Trade Regulations**; and
 - (ii) for “Article 8(4) of that Directive” substitute **regulation 13 of the Trade Regulations**; and
 - (d) in paragraph 5.1, in each of points (a) and (b), for “Union” substitute **Island**.
- (81) In Section 9 —
- (a) in the heading, after “Imports” insert **from a third country outside the European Union**;
 - (b) in the words before point (a), after “imported” insert **from a third country outside the European Union**;
 - (c) in point (d), for “Union” substitute **Island**; and
 - (d) in point (e) —
 - (i) for “Directive 97/78/EC” substitute **the Trade Regulations**; and
 - (ii) for “Article 8(4) of that Directive” substitute **regulation 13 of the Trade Regulations**.
- (82) In Section 10 —
- (a) in the heading, after “Imports” insert **from a third country outside the European Union**;
 - (b) in paragraph 1, after “imported” insert **from a third country outside the European Union**;
 - (c) in paragraph 2, for “Union” substitute **Island**; and
 - (d) in paragraph 3 —

- (i) for “Directive 97/78/EC” substitute **the** Trade Regulations **;** and
 - (ii) for “Article 8(4) of that Directive” substitute **regulation** 13 of the Trade Regulations **.**
- (83) In Section 11 —
- (a) in the heading, after “Imports” insert **from a third country outside the European Union** **;**
 - (b) in paragraph 1 —
 - (i) in the words before point (a), after “imported” insert **from a third country outside the European Union** **;**
 - (ii) in point (a), for “one of the plants of origin indicated in Table 3” substitute —
 - one of the following plants of origin: Nitta Gelatin Inc., 2-22 Futamata Yao-City, Osaka 581-0024 Japan, Eastman Gelatine Corporation, 227 Washington Street, Peabody, MA, 01960 USA, or Gelita North America, 2445 Port Neal Industrial Road Sergeant Bluff, Iowa, 51054 USA** **;**
 - (iii) in point (c), for the words from “one” to the end, substitute **a border inspection post at Liverpool, Felixstowe or Heathrow** **;**
 - (iv) in point (d) for “in an approved photographic factory indicated in Table 3” substitute **in the approved photographic factory at Kodak Ltd., Headstone Drive, Harrow, Middlesex HA4 4TY** **;** and
 - (v) omit Table 3;
 - (c) in paragraph 2 —
 - (i) for “Member State of destination” substitute **Island** **;**
 - (ii) for “Member States” substitute **the Island and European Union** **;** and
 - (iii) for “same Member State of destination” substitute **United Kingdom** **;**
 - (d) in paragraph 3 —
 - (i) for “Directive 97/78/EC” substitute **the** Trade Regulations **;** and
 - (ii) for “Article 8(4) of that Directive” substitute **regulation** 13 of the Trade Regulations **;** and
 - (e) in paragraph 6(a), for “European Union” substitute **any place in the Island or United Kingdom** **.**
- (84) In Section 12 —

- (a) in the heading, after “Imports” insert “from a third country outside the European Union”;
 - (b) in the words before paragraph 1, after “imported” insert “from a third country outside the European Union”; and
 - (c) in paragraph 2 —
 - (i) for “Directive 97/78/EC” substitute “the Trade Regulations”; and
 - (ii) for “Article 8(4) of that Directive” substitute “regulation 13 of the Trade Regulations”.
- (85) In Annex 14, Chapter 3 is amended in accordance with paragraphs (86) to (88).
- (86) In Section 1, in point (c)(ii) —
- (a) for “Member States authorise imports” substitute “imports into the Island”; and
 - (b) after “animals” insert “are authorised”.
- (87) In Section 2, in paragraph 1 —
- (a) in the words before point (a), after “transit” insert “from a third country outside the European Union”;
 - (b) in point (b), for “referred to in Chapter 8 of Annex XV” substitute “made available or published for the time being by the appropriate authority”; and
 - (c) in point (c) —
 - (i) (i) for “Directive 97/78/EC” substitute “the Trade Regulations”; and
 - (ii) for “Article 8(4) of that Directive” substitute “regulation 13 of the Trade Regulations”.
- (88) In Section 3 —
- (a) in paragraph 1 —
 - (i) in the first subparagraph, after “transit” insert “from a third country outside the European Union”;
 - (ii) in point (b), for “Member State” substitute “Island”; and
 - (iii) in point (c), for “Directive 97/78/EC” substitute “the Trade Regulations”; and
 - (b) in paragraph 3(b) —
 - (i) for “another Member State or” substitute “a”; and
 - (ii) after “of the” omit “Member State or”.

- (89) In Annex 14, Chapter 4 is amended in accordance with paragraphs (90) and (91).
- (90) In Section 1 —
- (a) in the heading, after “Imports” insert “from a third country outside the European Union”; and
 - (b) in the words before paragraph 1, after “imported” insert “from a third country outside the European Union”.
- (91) In Section 2 —
- (a) in the heading, after “Imports” insert “from a third country outside the European Union”; and
 - (b) in paragraph 1, after “import” insert “from a third country outside the European Union”.
- (92) In Annex 15 —
- (a) in the first paragraph —
 - (i) for “in this Annex” substitute “made available or published for the time being by the appropriate authority”;
 - (ii) after “third countries” insert “outside the European Union”; and
 - (iii) after “transit through the” insert “Island from third countries outside the”;
 - (b) in the Notes —
 - (i) in point (a), for “set out in this Annex” substitute “made available or published for the time being by the appropriate authority”;
 - (ii) in point (d) —
 - (A) for “one of the official languages” to “destination” substitute “English”; and
 - (B) for “these Member States” substitute “the appropriate authority”;
 - (iii) in point (g) —
 - (A) after “laid down in” insert “Article 3(1) to (4), Article 4(1) and (3) and Article 5(2) of”; and
 - (B) after “followed” insert “, reading those Articles as if for references to “veterinary legislation” there were substituted references to “Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal

- by-products and derived products not intended for human consumption”²²;
- (iv) in point (i), omit “EU”; and
 - (v) in point (j), for “European Union” substitute ⁶⁶British Islands²²; and
- (c) omit Chapters 1 to 21.
- (93) Annex 16 is amended in accordance with paragraphs (94) and (95).
- (94) In Chapter 2 —
- (a) in paragraph 1 —
 - (i) omit “Member States”;
 - (ii) omit “other Member States and to”;
 - (iii) for “the Commission” substitute ⁶⁶the Department²²;
 - (iv) after “links to the”, insert ⁶⁶UK constituent²²; and
 - (v) for “Member State” substitute ⁶⁶UK devolved authority²²;
 - (b) in paragraph 2 —
 - (i) in point (a) —
 - (A) for “Each Member State” substitute ⁶⁶The Department²²;
 - (B) omit “the Commission with”;
 - (C) omit “national” and
 - (D) for “on its territory” substitute ⁶⁶in the Island and in their respective UK constituent nations²²; and
 - (ii) in point (b), for “one or more official languages of the Union” substitute ⁶⁶at least English²²; and
 - (c) in paragraph 3, for “Commission” substitute ⁶⁶appropriate authority²².
- (95) In Chapter 3 —
- (a) omit Section 4; and
 - (b) in Section 8, —
 - (i) for “approved photographic factories”, in the first place it occurs, to the end of the section substitute ⁶⁶an approved photographic factory that is located in the Island²²; and
 - (ii) for “factories”, in the second place it occurs, substitute ⁶⁶factory²²; and
 - (c) in Section 10 —

- (i) in the heading, for “in intra-Union trade” substitute **44** for imports from the European Union **22**;
- (ii) for “Member State” substitute **45** constituent nation **22**;
- (iii) for “following format” substitute **46** format made available or published for the time being by the appropriate authority **22**; and
- (iv) omit the standard format application for the authorisation of the dispatch of animals byproducts and derived products to another Member State.

PART 2 - ANIMAL SLAUGHTER

3 Council Regulation (EC) No 1099/2009 amended

- (1) Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing²⁵ is amended as follows.
- (2) In Article 1(3)(a)(i), for “of a competent authority” substitute **47** the Department **22**.
- (3) In Article 2 —
 - (a) the existing paragraph is renumbered as paragraph 1;
 - (b) for point (q) substitute —
 - 48**(q) ‘competent authority’ means the Department of Environment, Food and Agriculture; **22**; and
 - (c) after point (r) insert —
 - 49**(s) ‘Department’ means the Department of Environment, Food and Agriculture;
 - (t) ‘third country’ means any country other than the British Islands or a member State;
 - (u) for the meaning of ‘the appropriate authority’ see Article 2a.
- 2. For the purposes of this Regulation, Liechtenstein, Norway and Switzerland are treated as if they were member States. **22**
- (4) After Article 2 insert —
 - 50** Article 2a
 - Definition of Appropriate Authority**
 - ‘The appropriate authority’ means the Department of Environment, Food and Agriculture. **22**.
- (5) In Article 4 —

²⁵ Paragraph 25(2) of the Schedule to the retention regulations.

- (a) in paragraph 2 —
 - (i) before “Annex I”, insert **“3. The appropriate authority may, by regulations, amend”**;
 - (ii) omit “may be amended”; and
 - (iii) omit “on the basis of an opinion of EFSA and in accordance with the procedure referred to in Article 25(2)”; and
 - (b) for paragraph 3 substitute —
 - “3. The Department may publish from time to time guidelines concerning the methods set out in Annex 1.”**;
 - (c) omit paragraph 4.
- (6) In Article 5 —
- (a) omit paragraph 2;
 - (b) in paragraph 3, for “paragraphs 1 and 2” substitute **“paragraph 1”**; and
 - (c) in paragraph 4 —
 - (i) for “and on the basis of an opinion of EFSA,” substitute **“and to take account of scientific and technical progress the appropriate authority may, by regulations, make provision for derogating”**; and
 - (ii) omit “may be adopted in accordance with the procedure referred to in Article 25(2)”.
- (7) In Article 6, in paragraph 2(c), omit “or, in the case of animals slaughtered in accordance with Article 4(4), that the animal still presents signs of life”.
- (8) In Article 7 —
- (a) in paragraph 2 —
 - (i) for “a certificate of competence for such operations, as provided for in Article 21” substitute **“an appropriate licence issued under the Schedule to the Slaughter of Animals Act 1936”**; and
 - (ii) omit paragraph (g); and
 - (b) in paragraph 3, for “a certificate of competence as referred to in Article 21” substitute **“an appropriate licence issued under the Schedule to the Slaughter of Animals Act 1936”**.
- (9) In Article 11(1), for the words from “to be established” to the end substitute **“specified in regulations made by the appropriate authority”**.
- (10) In Article 13 —

- (a) in paragraph 1 —
 - (i) for “Member States” substitute “The appropriate authority”; and
 - (ii) after “dissemination” insert “from time to time”;
 - (b) in paragraph 2(a), omit “, competent authorities”;
 - (c) in paragraph 3 —
 - (i) before “competent” insert “relevant”; and
 - (ii) omit “Community”;
 - (d) in paragraph 4, before “competent” substitute “relevant”; and
 - (e) omit paragraph 5.
- (11) In Article 14(3) —
- (a) in the first subparagraph, for “The following may be adopted in accordance with the procedure referred to in Article 25(2)” substitute “The appropriate authority may, by regulations, make”;
 - (b) in point (a), for “derogations” substitute “provision for derogating”;
 - (c) for point (b) substitute —
 - “(b) such amendments to Annex 2 as the appropriate authority considers necessary to take account of scientific and technical progress.”; and
 - (d) in the second subparagraph —
 - (i) for “Member States” substitute “appropriate authority”; and
 - (ii) omit “national”.
- (12) For Article 14(4) substitute —
 - “4. The Department may publish guidelines from time to time relating to the implementation of paragraph 2 and Annex 2.”.
- (13) In Article 15 —
- (a) in paragraph 2 —
 - (i) omit the first subparagraph; and
 - (ii) omit the words from “except in the case” until the end of the sentence;
 - (b) for paragraph 4 substitute —
 - “4. To take account of scientific and technical progress the appropriate authority may by regulations amend Annex 3.”; and

- (c) for paragraph 5 substitute —
| **5.** The Department may publish guidelines from time to time
| relating to the implementation of the rules set out in Annex 3. **22.**
- (14) In Article 16 —
- (a) in paragraph 2(b), omit “in accordance with Article 4(4); and
- (b) for paragraph 6 substitute —
| **6.** The Department may publish from time to time guidelines
| concerning monitoring procedures in slaughterhouses. **22.**
- (15) In Article 17(6) —
- (a) in paragraph 4, for “a certificate of competence as referred to in Article 21” substitute **an appropriate licence issued under the Schedule to the Slaughter of Animals Act 1936**; and
- (b) in paragraph 6 —
- (i) in the third subparagraph, in the words before point (a), for “Member States” substitute **the Department**; and
- (ii) in point (a), for the words from “within the” to “Regulation)” substitute **the live weight of which is more than 300kg**.
- (16) In Article 18 —
- (a) in paragraph 1, in the second subparagraph, for “Community” substitute **retained EU**;
- (b) for paragraph 4 substitute —
| **4.** By 30 June each year, the competent authority shall publish a
| report on the depopulation operations carried out during the
| previous year. **22;**
- (c) for paragraph 5 substitute —
| **5.** The Department may publish from time to time guidelines
| for the drawing up and implementation of depopulation action
| plans. **22;** and
- (d) in paragraph 6, for the words from “a derogation” to the end substitute **the appropriate authority may, by regulations, make provision for derogating from the reporting obligation laid down in paragraph 4**.
- (17) In Article 20 —
- (a) in paragraph 1 —
- (i) for the words before point (a) substitute —
| **The Department shall ensure that sufficient independent
| scientific support is available by providing;** and

- (ii) omit point (e);
- (b) in paragraph 2 —
 - (i) in the first subparagraph, for “Member States concerned” substitute “Island”; and
 - (ii) in the second subparagraph —
 - (A) in the first sentence, for “each Member State” substitute “the Department”; and
 - (B) in the second sentence, for “with its counterparts and the Commission” substitute “with its counterparts at the other competent authorities in England, Wales, Scotland and Northern Ireland”.
- (18) For Article 21 —
 - (a) in paragraph 1, in the words before point (a), for “Member States shall designate the competent authority” substitute “the competent authority is”;
 - (b) omit paragraph 4;
 - (c) in paragraph 6, for “Community law and/or national law” substitute “provisions in retained EU law or any other law applicable in the Island”;
 - (d) in paragraph 7, for “Member States” substitute “The competent authority”; and
 - (e) for paragraph 8 substitute —
 - “8. The Department may publish from time to time guidelines for the application of paragraph 1.”.
- (19) In Article 22 —
 - (a) in paragraph 1, omit point (d); and
 - (b) in paragraph 2, after “granting competent authority” insert “, if different”.
- (20) Omit Article 23.
- (21) In Article 24 —
 - (a) for “Any” substitute “The appropriate authority may, by regulations, make”; and
 - (b) omit the words from “may be adopted” to the end.
- (22) After Article 24, insert —

“Article 24a

Regulations: general

1. Regulations made by the Department under these Regulations may contain —
 - (a) consequential, incidental, supplementary, transitional or saving provisions;
 - (b) provisions amending, repealing or revoking statutory documents and retained direct EU legislation; or
 - (c) a combination of (a) and (b).
 2. Tynwald procedure —
 - (a) for paragraph 1(a) – negative; or
 - (b) for paragraphs 1(b) or 1(c) – approval required. **22**.
- (23) Omit Article 25.
- (24) In Article 26 —
- (a) in the heading, omit “national”;
 - (b) in paragraph 1 —
 - (i) in the first subparagraph —
 - (A) for “Member States” substitute **23** the Department **22**; and
 - (B) omit “national”; and
 - (ii) omit the second subparagraph; and
 - (c) in paragraph 2 —
 - (i) in the first subparagraph —
 - (A) for “Member States” substitute **23** The Department **22**; and
 - (B) omit “national”; and
 - (C) omit point (c); and
 - (ii) omit the second subparagraph; and
 - (d) omit paragraphs 3 and 4.
- (25) Omit Article 27.
- (26) In Article 28 —
- (a) in paragraph 1 —
 - (i) omit the first subparagraph; and
 - (ii) in the second subparagraph, in the words before point (a), omit “However,”; and
 - (b) in paragraph 2, omit “repealed”.
- (27) Omit Article 29(2).

- (28) After Article 30, omit the words “This Regulation” to “Member States”.
- (29) In Annex 3, omit section 3.2.
- (30) Omit Annex 4.

SCHEDULE 4

[Regulation 7(c)]

**RETAINED DIRECT EU LEGISLATION CONCERNING DAIRY PRODUCTS
AMENDED**

Commission Regulation (EC) 445/2007 amended

- (1) Commission Regulation (EC) No 445/2007 of 23 April 2007 laying down certain detailed rules for the application of Council Regulation (EC) No 2991/94 laying down standards for spreadable fats and of Council Regulation (EEC) No 1898/87 on the protection of designations used in the marketing of milk and milk products²⁶ is amended as follows.
- (2) In Article 1(1) for the words from “first indent” to “Regulation (EC) No 2991/94” substitute **“second subparagraph of point 5 of Part III of Annex VII to Regulation (EC) No 1308/2013²⁷”**.
- (3) In Article 1(2) —
 - (a) for “the Annex to Decision 88/566/EEC” substitute **“Annex I to Decision 2010/791/EU²⁸”**; and
 - (b) for “one of the Community languages” substitute **“any language”**.
- (4) Omit Article 2.
- (5) In Article 3(1) —
 - (a) for “Article 2(3) of Regulation (EEC) No 1898/87” substitute **“point 3 of Part III of Annex VII to Regulation (EC) No 1308/2013”**; and
 - (b) for “the Annex to Regulation (EC) No 2991/94” substitute **“Appendix II to Annex VII to Regulation (EC) No 1308/2013”**.
- (6) After Article 5 omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.
- (7) Omit Annex 2.

²⁶ Paragraph 31(2) of the Schedule to the retention regulations.

²⁷ OJ L 347, 20.12.2013, p671.

²⁸ OJ L 336, 21.12.2010, p. 55.

SCHEDULE 5

[Regulation 7(d)]

RETAINED DIRECT EU LEGISLATION CONCERNING FISHERIES AMENDED

1 Commission Regulation (EEC) No 3440/84 amended

- (1) Commission Regulation (EEC) No 3440/84 of 6 December 1984 on the attachment of devices to trawls, Danish seines and similar nets²⁹ is amended as follows.
- (2) Omit Article 16.

2 Council Regulation (EEC) No 1899/85 amended

- (1) Council Regulation (EEC) No 1899/85 of 8 July 1985 establishing a minimum mesh size for nets used when fishing for capelin in that part of the zone of the Convention on future multilateral cooperation in the north-east Atlantic fisheries which extends beyond the maritime waters falling within the fisheries jurisdiction of Contracting Parties to the Convention³⁰ is amended as follows.
- (2) In Article 1 for “Vessels flying the flag of, or registered in, a Member State shall be” substitute “Isle of Man fishing vessels are”.
- (3) Omit Article 2.

3 Council Regulation (EEC) No 1638/87 amended

- (1) Council Regulation (EEC) No 1638/87 of 9 June 1987 fixing the minimum mesh size for pelagic trawls used in fishing for blue whiting in that part of the area covered by the Convention on Future Multilateral Cooperation in the North -East Atlantic Fisheries which extends beyond the maritime waters falling within the fisheries jurisdiction of Contracting Parties to the Convention³¹ is amended as follows.
- (2) In Article 1 —
 - (a) in paragraph 1 for “Vessels flying the flag of a Member State or registered in a Member State” substitute “Isle of Man fishing vessels”; and
 - (b) in paragraph 2 for “baord” substitute “board”.
- (3) Omit Article 2.

²⁹ Paragraph 40(A1) of the Schedule to the retention regulations, as amended by SD 2019/0122.

³⁰ Paragraph 40(B1) of the Schedule to the retention regulations, as amended by SD 2019/0122.

³¹ Paragraph 40(1A) of the Schedule to the retention regulations, as amended by SD 2019/0122.

4 Council Regulation (EC) No 894/97 amended

- (1) Council Regulation (EC) No 894/97 of 29 April 1997 laying down certain technical measures for the conservation of fishery resources³² is amended as follows.
- (2) In Article 11a omit paragraphs 3 and 4.
- (3) In Article 11b —
 - (a) in paragraph 3 for “the Member State” substitute “the fisheries administration”;
 - (b) in paragraph 4 —
 - (i) for “Member State shall” substitute “the Island must”;
and
 - (ii) for “in the Member State” substitute “of the fisheries administration”;
 - (c) for paragraph 5 substitute —

5. An Isle of Man fishing vessel using one or more drift nets referred to in paragraph 1 must keep on board the prior authorisation to fish issued by the competent authorities of the fisheries administration.;
 - (d) in paragraph 6 omit “in accordance with Article 31 of Regulation (EEC) No 2847/93”.
- (4) For Article 11c substitute —

Article 11c

Articles 11, 11a and 11b apply in Isle of Man waters and, outside those waters, to all Isle of Man fishing vessels.
- (5) Omit Articles 18 to 20.

5 Council Regulation (EC) No 850/98 amended

- (1) Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms³³ is amended as follows.
- (2) In Article 7(5) for “under the conditions laid down in Article 46” substitute “by regulations made under Article 46”.
- (3) In Article 29d —
 - (a) in paragraph 7 for the final subparagraph substitute —

³² Paragraph 40(2A) of the Schedule to the retention regulations, as amended by SD 2019/0122.

³³ Paragraph 40(2B) of the Schedule to the retention regulations, as amended by SD 2019/0122.

2. Before making any regulations under this Article, the fisheries administration must consult —

- (a) such bodies or persons as appear to the fisheries administration to be representative of the interests likely to be substantially affected by the regulations;
- (b) such other bodies or persons as the fisheries administration may consider appropriate. **22**.

(7) For Articles 48 and 48a substitute —

23 *Article 48*

Implementation

1. The fisheries administration may make regulations specifying detailed rules for the implementation of this Regulation including, in particular, the rules described in paragraph 2.

2. The rules referred to in paragraph 1 —

- (a) technical rules for the determination of twine thickness;
- (b) technical rules for the determination of mesh size;
- (c) rules for sampling;
- (d) lists and technical descriptions of devices that may be attached to nets;
- (e) technical rules for measuring engine power;
- (f) technical rules relating to square -meshed netting;
- (g) technical rules relating to netting materials;
- (h) amendments to rules for the use of mesh size combinations.

3. Before making any regulations under this Article, the fisheries administration must consult —

- (a) such bodies or persons as appear to the fisheries administration to be representative of the interests likely to be substantially affected by the regulations; and
- (b) such other bodies or persons as the fisheries administration may consider appropriate.

Article 48a

Regulations

1. Regulations made by the Department under these Regulations may contain —

- (a) consequential, incidental, supplementary, transitional or saving provisions;

(b) provisions amending, repealing or revoking statutory documents and retained direct EU legislation; or

(c) a combination of (a) and (b).

2. Tynwald procedure –

(a) for paragraph 1(a) – negative; or

(b) for paragraphs 1(b) or 1(c) – approval required. **22**.

6 Council Regulation (EC) No 2549/2000 amended

- (1) Council Regulation (EC) No 2549/2000 of 17 November 2000 establishing additional technical measures for the recovery of the stock of cod in the Irish Sea (ICES Division VIIa)³⁴ is amended as follows.
- (2) In Article 1 for “Council Regulation (EEC) No 3880/91 of 17 December 1991” substitute **23** Annex III of Regulation (EC) No 218/2009³⁵ **22**.
- (3) Omit Article 4.

7 Commission Regulation (EC) No 494/2002 amended

- (1) Commission Regulation (EC) No 494/2002 of 19 March 2002 establishing additional technical measures for the recovery of the stock of hake in ICES sub-areas III, IV, V, VI and VII and ICES divisions VIII a, b, d, e³⁶ is amended as follows.
- (2) In Article 1 for “fishing vessels” substitute **24** Isle of Man fishing vessels **22**.
- (3) In Article 5(2) –
 - (a) for “Article 20(1) of Regulation (EEC) No 2847/93 of 1 October 1993 establishing a control system applicable to the common fisheries policy” substitute **25** Article 47 of Council Regulation (EC) No 1224/2009³⁷ **22**; and
 - (b) for “Article 20(1) of Regulation (EEC) No 2847/93” in both places it occurs, substitute **26** Article 47 of Council Regulation (EC) No 1224/2009 **22**.
- (4) Omit Article 7.

8 Commission Regulation (EC) No 517/2008 amended

- (1) Commission Regulation (EC) No 517/2008 of 10 June 2008 laying down detailed rules for the implementation of Council Regulation (EC) No

³⁴ Paragraph 40(2C) of the Schedule to the retention regulations, as amended by SD 2019/0122.

³⁵ OJ L 87, 31.3.2009, p. 70.

³⁶ Paragraph 40(2D) of the Schedule to the retention regulations, as amended by SD 2019/0122.

³⁷ OJ L 343, 22.12.2009, p. 1.

850/98 as regards the determination of the mesh size and assessing the thickness of twine of fishing nets³⁸ is amended as follows.

- (2) In Article 1 omit “Community and national”.
- (3) In Article 3 —
 - (a) in paragraph 1 for “Community and national inspectors” substitute “Inspectors”; and
 - (b) in paragraph 5 for “national fisheries authorities” substitute “the competent authorities of the fisheries administration”.
- (4) In Article 4 —
 - (a) for “The calibrated test weights” substitute “The fisheries administration must ensure that the calibrated test weights”;
 - (b) for “shall be” substitute “are”; and
 - (c) for “competent national authority” substitute “appropriate certification authority”.
- (5) Omit Articles 24 and 25.

9 Regulation (EU) 2017/2107 amended

- (1) Regulation (EU) 2017/2107 of the European Parliament and of the Council of 15 November 2017 laying down management, conservation and control measures applicable in the Convention area of the International Commission for the Conservation of Atlantic Tunas (ICCAT), and amending Council Regulations (EC) No 1936/2001, (EC) No 1984/2003 and (EC) No 520/2007³⁹ is amended as follows.
- (2) In Article 2 —
 - (a) in point (a) for “Union” in both places it occurs, substitute “Isle of Man”;
 - (b) in point (b) for “Member States” substitute “Isle of Man”; and
 - (c) in point (c) for “Union” substitute “Isle of Man”.
- (3) In Article 3 —
 - (a) in the heading for “Union acts” substitute “legislation”; and
 - (b) omit the footnote.
- (4) In Article 4 —
 - (a) for point (5) substitute —

“(5) “Isle of Man fishing vessel” means a fishing vessel which is registered in the Isle of Man under Part 3 of the Merchant

³⁸ Paragraph 40(2E) of the Schedule to the retention regulations.

³⁹ Paragraph 39(4) of the Schedule to the retention regulations.

Shipping Registration Act 1991. A reference to a particular kind of fishing vessel is a reference to an Isle of Man fishing vessel of that kind. A reference to the ‘fleet’ means all the Isle of Man fishing vessels. **22**;

- (b) in point (7) for “Union” substitute **66** Isle of Man **22**.
- (5) In Article 5 —
- (a) in the heading for “Union” substitute **66** Isle of Man **22**; and
- (b) for “Union” in each place it occurs, substitute **66** Isle of Man **22**.
- (6) In Article 6 —
- (a) in paragraph 1 —
- (i) for “Member States shall” substitute **66** The fisheries administration must **22**; and
- (ii) for “flying their flag” substitute **66** in its fleet **22**; and
- (b) in paragraph 2 —
- (i) for “Member States shall” substitute **66** The fisheries administration must **22**; and
- (ii) for “flying their flag” substitute **66** in its fleet **22**.
- (7) In Article 7(1) —
- (a) for “Member States shall notify the Commission” substitute **66** The fisheries administration must notify the ICCAT Secretariat **22**;
- (b) for “30 days” substitute **66** 45 days **22**; and
- (c) omit the final sentence.
- (8) In Article 8 —
- (a) for “Member States shall” substitute **66** The fisheries administration must **22**;
- (b) for “30 June” substitute **66** 31 July **22**;
- (c) for “Commission” substitute **66** ICCAT Secretariat **22**;
- (d) for “flying their flag” substitute **66** in its fleet **22**; and
- (e) omit the final sentence.
- (9) In Article 9 —
- (a) in paragraph 1 —
- (i) for “Member States shall, by 31 December” substitute **66** the fisheries administration must, by 31 January **22**;
- (ii) for “Commission” substitute **66** ICCAT Secretariat **22**;
- (iii) for “flying their flag” substitute **66** in its fleet **22**; and

- (iv) omit the final sentence; and
- (b) in paragraph 4 —
 - (i) for “Member States shall” substitute **“The fisheries administration must**; and
 - (ii) for “purse seiner flying their flag” substitute **“purse seiner in its fleet**.
- (10) In Article 10(3) —
 - (a) for “Member States shall report to the Commission” substitute **“The fisheries administration must report to the ICCAT Secretariat**; and
 - (b) omit the final sentence.
- (11) In Article 11, for “Union” in each place it occurs, substitute **“Isle of Man**.
- (12) In Article 12 —
 - (a) in the heading for “Member States” substitute **“the fisheries administration**;
 - (b) for “Member States shall submit every year to the Commission, 15 days prior to the deadline established by ICCAT for the given year,” substitute **“The fisheries administration must submit every year to the ICCAT Secretariat**;
 - (c) omit “, in order to make it available to the ICCAT Secretariat”; and
 - (d) in point (e) for “flag Member State” substitute **“flag State**.
- (13) Omit Article 13.
- (14) In Article 14(3) —
 - (a) for the words before point (a), substitute **“If vessels in the Isle of Man fleet fish in the geographical area of the time and area closure the fisheries administration shall**;
 - (b) in point (a) for “flying its flag” substitute **“in its fleet**;
 - (c) in point (b) for “by 30 June to the Commission who shall notify ICCAT by 31 July” substitute **“by 31 July to the ICCAT Secretariat**;
 - (d) in point (c) for “flying its flag” substitute **“in its fleet**; and
 - (e) in point (d) for “Commission” substitute **“ICCAT Secretariat**.
- (15) For Article 16 substitute —

Article 16

Identification of IUU fishing

If the ICCAT Executive Secretary notifies the fisheries administration of a possible violation by Isle of Man fishing vessels of Article 7(2) and Article 14(1) and (2), that fisheries administration must immediately investigate the situation and, if the vessel is fishing in association with objects that could affect fish aggregation, including FAD, must request the vessel to stop fishing and, if necessary, leave the area without delay. The fisheries administration concerned must without delay report to the ICCAT Secretariat the results of its investigation and the corresponding measures taken. 22.

- (16) In Article 17, for “Union” in both places it occurs, substitute 66 Isle of Man 22.
- (17) In Article 18 —
- (a) for “Member States that have” substitute 66 The fisheries administration that has 22;
 - (b) for “Commission their” substitute 66 ICCAT Secretariat its 22;
 - (c) for “15 August” substitute 66 15 September 22; and
 - (d) omit the final sentence.
- (18) In Article 20 —
- (a) in paragraph 1 for “Member States shall” substitute 66 The fisheries administration must 22;
 - (b) in paragraph 2 —
 - (i) for the words from “8 January” until “the Commission” substitute 66 15 January of each year, the fisheries administration must submit to the ICCA Secretariat 22;
 - (ii) in point (a) for “flying their flag” substitute 66 in its fleet 22; and
 - (iii) in point (b) for “them” substitute 66 it 22;
 - (c) omit paragraph 3; and
 - (d) in paragraph 4 —
 - (i) for “Member States shall” substitute 66 The fisheries administration must 22;
 - (ii) for “Commission” substitute 66 ICCAT Secretariat 22;
 - (iii) for “30 days” substitute 66 45 days 22; and
 - (iv) omit the final sentence.
- (19) In Article 21, for “Union” substitute 66 Isle of Man 22.
- (20) In Article 22 —
- (a) in paragraph 1 for “Union” substitute 66 Isle of Man 22; and

- (b) for paragraph 2 substitute —
2. By 31 July of each year, the fisheries administration must submit electronically to the ICCAT Secretariat the list of authorisations referred to in paragraph 1 and delivered for the previous year. 2.
- (21) For Article 23(2) substitute —
2. The fisheries administration must monitor the effectiveness of the closure and must submit to the ICCAT Secretariat at least two months before the ICCAT annual meeting all relevant information on appropriate controls and inspections carried out to ensure the compliance with paragraph 1. 2.
- (22) In Article 25(1) omit “By way of derogation from Article 12 of Council Regulation (EC) No 1967/2006,”.
- (23) In Article 26 —
- (a) in paragraph 1 —
- (i) for “Member States shall submit to the Commission, by 30 June” substitute 2. The fisheries administration must submit to the ICCAT Secretariat by 31 July 2.;
- (ii) for “flying their flag” substitute 2. in its fleet 2.; and
- (iii) in point (ii) for “Union” substitute 2. Isle of Man 2.; and
- (b) omit paragraph 3.
- (24) In Article 27 —
- (a) in paragraph 1 for “Member States shall ensure that vessels flying their flag” substitute 2. the fisheries administration must ensure that vessels in its fleet 2.; and
- (b) in paragraph 2 for “Member States” substitute 2. The fisheries administration 2.
- (25) In Article 28 —
- (a) for “a Member State”, substitute 2. the fisheries administration 2.; and
- (b) for “that Member State”, substitute the 2. fisheries administration 2.
- (26) In Article 29(1), for “Member States whose vessels” substitute 2. If vessels in the Isle of Man fleet 2.
- (27) In Article 30(2), for “Member States shall” substitute 2. The fisheries administration must 2.
- (28) In Article 31(2), for “Union catching vessels shall” substitute 2. Isle of Man catching vessels must 2.

- (29) In Article 32(2), for “Union catching vessels shall” substitute “Isle of Man catching vessels must”.
- (30) In Article 33 —
- (a) for “Member States shall” substitute “The fisheries administration must”; and
 - (b) for “Commission” substitute “ICCAT Secretariat”.
- (31) In Article 34(2), for “Union catching vessels shall” substitute “Isle of Man catching vessels must”.
- (32) In Article 35(2), for “Union catching vessels shall” substitute “Isle of Man catching vessels must”.
- (33) In Article 36 —
- (a) in paragraph 2 for “Union” substitute “Isle of Man”; and
 - (b) in paragraph 3 —
 - (i) for “Union” substitute “Isle of Man”;
 - (ii) for “Member States shall” substitute “The fisheries administration must”; and
 - (iii) for “Commission” substitute “ICCAT Secretariat”.
- (34) In Article 37 —
- (a) in paragraph 1(d) for “the flag Member State, or in the case of chartered vessels, of the chartering CPC and the flag Member State” substitute “the fisheries administration”; and
 - (b) omit paragraph 3.
- (35) In Article 38 omit the final sentence.
- (36) In Article 40 —
- (a) in paragraph 1 —
 - (i) for “their flag Member State” substitute “the fisheries administration”;
 - (ii) for “Member States shall” substitute “The fisheries administration must”;
 - (iii) for “Commission” substitute “ICCAT Secretariat”; and
 - (iv) omit the final sentence; and
 - (b) omit paragraph 2.
- (37) In Article 41 —
- (a) in paragraph 1 for “their flag Member State” substitute “the fisheries administration”; and

- (b) in paragraph 4 for “Member States shall” substitute “The fisheries administration must”.
- (38) In Article 42 —
- (a) for the first sentence of paragraph 1 substitute —
- “The fisheries administration must collect and transmit to the ICCAT Secretariat, by 31 July each year, the information on the interactions of vessels in its fleet with sea turtles in ICCAT fisheries by gear type.”; and
- (b) omit paragraph 2.
- (39) In Article 43 —
- (a) omit “In accordance with Article 17 of Regulation (EU) No 1380/2013”;
- (b) for “them” substitute “it”;
- (c) for “Member States shall” substitute “the fisheries administration must”; and
- (d) for “Union” substitute “Isle of Man”.
- (40) In Article 44 —
- (a) in paragraph 1 —
- (i) for “Member States shall” substitute “The fisheries administration must”; and
- (ii) for “flying their flag” substitute “in its fleet”;
- (b) for paragraph 2 substitute —
- “2. The fisheries administration must submit to the ICCAT Secretariat, at the time of authorisation, the lists of large-scale fishing vessels authorised pursuant to paragraph 1.”; and
- (c) for paragraph 3 substitute —
- “3. The fisheries administration must notify the ICCAT Secretariat, without delay and at the latest within 45 days, of any event requiring an addition to, deletion from or modification of the ICCAT record of large-scale fishing vessels.”.
- (41) In Article 45, for “Union” in both places it occurs, substitute “Isle of Man”.
- (42) In Article 46(1), for “Union catching vessels shall” substitute “Isle of Man catching vessels must”.
- (43) In Article 47 —
- (a) in paragraph 1 for “the flag Member State shall notify the Commission” substitute “the fisheries administration must notify the ICCAT Secretariat”;

- (b) omit paragraph 2;
 - (c) in paragraph 3 —
 - (i) for “The flag Member State shall” substitute “The fisheries administration must”; and
 - (ii) for “Commission” substitute “ICCAT Secretariat”; and
 - (d) omit paragraph 4.
- (44) In Article 48 —
- (a) in paragraph 1 —
 - (i) for “20 August” substitute “15 September”;
 - (ii) for “Member States shall” substitute “the fisheries administration must”; and
 - (iii) for “Commission” substitute “ICCAT Secretariat”; and
 - (b) omit paragraph 2.
- (45) In Article 49 omit paragraph 2.
- (46) In Article 50 —
- (a) in paragraph 1 for the words before point (a) substitute —
 - 1. The fisheries administration must transmit to the ICCAT Secretariat by 30 June each year the following data (Task I data):
 - (b) in paragraph 2 for the words before point (a) substitute —
 - 2. The fisheries administration must transmit to the ICCAT Secretariat by 30 June each year the following data (Task II data) for the ICCAT species: and
 - (c) omit paragraphs 3 and 4.
- (47) In Article 52 —
- (a) in paragraph 2 for “Union fishing vessels” substitute “Isle of Man fishing vessels”; and
 - (b) in paragraph 3 for “17 to 22” substitute “17, 19, 20, 21 and 22”.
- (48) In Article 54 —
- (a) in paragraph 1 for “Member States shall” substitute “The fisheries administration must”;
 - (b) in paragraph 2 —
 - (i) for “Member States shall” substitute “The fisheries administration must”;
 - (ii) for “Commission” substitute “ICCAT Secretariat”; and
 - (iii) omit the final sentence; and

- (c) in paragraph 3 —
 - (i) for “Flag Member States shall” substitute **66** The fisheries administration must **22**;
 - (ii) for “Commission” substitute **66** ICCAT Secretariat **22**; and
 - (iii) omit the final sentence.
- (49) In Article 55 —
 - (a) in paragraph 1 —
 - (i) for “Member States shall” substitute **66** The fisheries administration must **22**; and
 - (ii) for “flying their flag” substitute **66** in its fleet **22**;
 - (b) in paragraph 2 —
 - (i) for “Member States shall” substitute **66** The fisheries administration must **22**;
 - (ii) for “Commission” substitute **66** ICCAT Secretariat **22**; and
 - (iii) omit the final sentence; and
 - (c) in paragraph 3 —
 - (i) for “Member States shall” substitute **66** The fisheries administration must **22**;
 - (ii) for “Commission” substitute **66** ICCAT Secretariat **22**; and
 - (iii) omit the final sentence.
- (50) In Article 56 —
 - (a) in paragraph 2 for “their flag Member State” substitute **66** the fisheries administration **22**; and
 - (b) in paragraph 3 for “its flag Member State authorities” substitute **66** the competent authorities of the fisheries administration **22**.
- (51) In Article 57, for “flag Member State” in each place it occurs, substitute **66** fisheries administration **22**.
- (52) In Article 58(1), for “Each Member State shall” substitute **66** The fisheries administration must **22**.
- (53) In Article 59 —
 - (a) in paragraph 1, for the words before point (a) substitute —
 - 66** 1. If, during the previous year, large-scale pelagic longline vessels in the Isle of Man fleet have transhipped or carrier vessels in the Isle of Man fleet have received transhipments the fishing administration shall transmit by 15 September of each year to the ICCAT Secretariat: **22**; and
 - (b) omit paragraph 2.

- (54) In Article 60, for “The flag Member State” substitute “The fisheries administration”.
- (55) In Article 61 —
- (a) in paragraph 1 for “Member States shall establish domestic” substitute “The fisheries administration must establish”;
 - (b) in paragraph 3 —
 - (i) for “a Member State” the first place it occurs, substitute “the fisheries administration”; and
 - (ii) omit the final sentence; and
 - (c) in paragraph 4 for “The Commission shall” substitute “The fisheries administration must”.
- (56) In Article 62, for “Member States shall” substitute “The fisheries administration must”.
- (57) In Article 63 —
- (a) in paragraph 1 for “Member States shall” substitute “The fisheries administration must”; and
 - (b) in paragraph 2 for “Member States shall” substitute “The fisheries administration must”.
- (58) In Article 64 —
- (a) for “30 June” substitute “31 July”;
 - (b) for “Member States shall” substitute “the fisheries administration must”;
 - (c) for “Commission” substitute “ICCAT Secretariat”; and
 - (d) omit the final sentence.
- (59) In the heading for Chapter 6, for “Member State” substitute “Isle of Man”;
- (60) In Article 65 —
- (a) in paragraph 1 —
 - (i) for “Member States wishing to grant access to its” substitute “The fisheries administration wishing to grant access to Isle of Man”;
 - (ii) in point (a) for “their” substitute “the”; and
 - (b) in paragraph 2 —
 - (i) for “Member States shall” substitute “The fisheries administration must”;
 - (ii) for “Commission” substitute “ICCAT Secretariat”;
 - (iii) for “30” substitute “14”; and

- (iv) omit the final sentence.
- (61) In Article 66 —
- (a) in paragraph 1 —
- (i) for “The inspecting Member State shall” substitute “The fisheries administration must”;
- (ii) for “Commission” substitute “ICCAT Secretariat”;
- (iii) for “10 days” substitute “14 days”; and
- (iv) omit the final sentence; and
- (b) in paragraph 2 —
- (i) for “10 days” substitute “14 days”;
- (ii) for “inspecting Member State shall” substitute “fisheries administration must”; and
- (iii) for “Commission” substitute “ICCAT Secretariat”.
- (62) In Article 67 —
- (a) in the heading for “Member States” substitute “the fisheries administration”;
- (b) for paragraph 1 substitute —
- “1. The fisheries administration must submit to the ICCAT Secretariat, at least 120 days before the ICCAT annual meeting, any documented information that indicates possible noncompliance of CPCs with ICCAT conservation and management measures.”; and
- (c) in paragraph 2 —
- (i) for “Member States shall” substitute “the fisheries administration must”;
- (ii) for “Commission” substitute “ICCAT Secretariat”;
- (iii) for “140” substitute “120”; and
- (iv) omit the final sentence.
- (63) In Article 68, for “Member States shall” substitute “The fisheries administration must”.
- (64) For Article 69 substitute —

“ Article 69

Alleged non-compliance reported by the ICCAT Executive Secretary

If the fisheries administration receives from the ICCAT Executive Secretary any information indicating a suspected non-compliance by a vessel in its fleet, the fisheries administration must provide the ICAAT Executive Secretary, at least 30 days before the ICCAT annual meeting,

with the findings of any investigation taken in relation to the allegations of noncompliance and any actions taken to address compliance issues. **22**.

- (65) In Article 70 –
- (a) in paragraph 1 for “Member States shall” substitute **23** The fisheries administration must **22**;
 - (b) in paragraph 2 –
 - (i) for “Member States shall” substitute **23** The fisheries administration must **22**;
 - (ii) for “Commission” substitute **23** ICCAT Secretariat **22**;
 - (iii) for “30” substitute **23** 14 **22**; and
 - (iv) omit the final sentence;
 - (c) in paragraph 3 –
 - (i) for “a Member State” substitute **23** the fisheries administration **22**;
 - (ii) for “flying the flag of that Member State” substitute **23** in the Isle of Man fleet **22**;
 - (iii) for “Member State” substitute **23** fishing administration **22**;
 - (iv) for “160” substitute **23** 180 **22**; and
 - (v) for “Commission” substitute **23** ICCAT Secretariat **22**;
 - (d) in paragraph 4 –
 - (i) for “flag Member State” substitute **23** fisheries administration **22**; and
 - (ii) for “Commission” substitute **23** ICCAT Secretariat **22**; and
 - (e) for paragraph 5 substitute –
 - 23** 5. The fisheries administration must include in the annual report referred to in Article 71 information regarding the status of investigations and any enforcement actions undertaken. **22**.
- (66) In Article 71 –
- (a) in paragraph 1 –
 - (i) for “Member States shall” substitute **23** the fisheries administration must **22**; and
 - (ii) for “Commission” substitute **23** ICCAT Secretariat **22**; and
 - (b) omit paragraphs 3 and 4.
- (67) In Article 72 –
- (a) for “rules” substitute **23** laws **22**; and

- (b) omit “, pursuant to Articles 112 and 113 of Regulation (EC) No 1224/2009”.
- (68) Omit Articles 73 to 75.
- (69) Omit Article 79.
- (70) In Annex 4 —
 - (a) in paragraph 1, in the second indent for “the Member State” substitute **“the fisheries administration”**;
 - (b) for paragraph 5 substitute —
 - “5. The observers must comply with applicable laws and regulations.”**; and
 - (c) in paragraph 7 —
 - (i) in the heading for “the flag Member State” substitute **“the fisheries administration”**;
 - (ii) for “flag Member States” substitute **“fisheries administration”**; and
 - (iii) in point (e) for “the flag Member State shall” substitute **“the fisheries administration must”**.
- (71) In Annex 7 —
 - (a) in paragraph 1 for “Union” in both places it occurs, substitute **“Isle of Man”**;
 - (b) in paragraph 2.2 for “its flag Member State” substitute **“the fisheries administration”**;
 - (c) in paragraph 2.3 for “its flag Member State” substitute **“the fisheries administration”**; and
 - (d) for paragraph 5 substitute —
 - “5. The fisheries administration must include in its annual report to ICCAT the details on the transhipments by vessels in its fleet.”**
- (72) In Annex 8 —
 - (a) in paragraph 1 for “Member States shall” substitute **“The fisheries administration must”**; and
 - (b) in paragraph 7 for “of the flag Member State” substitute **“applicable in the Isle of Man or the relevant part thereof”**.

10 Council Regulation (EC) 1185/2003 amended

- (1) Council Regulation (EC) No 1185/2003 of 26 June 2003 on the removal of fins of sharks on board vessels⁴⁰ is amended as follows.
- (2) Omit Article 1.
- (3) Omit Article 6.

11 Council Regulation (EC) 812/2004 amended

- (1) Council Regulation (EC) No 812/2004 of 26 April 2004 laying down measures concerning incidental catches of cetaceans in fisheries and amending Regulation (EC) No 88/98⁴¹ is amended as follows.
- (2) In Article 2 —
 - (a) in paragraph 1, for “Community provisions” substitute “applicable law”;
 - (b) in paragraph 2, for “Community” substitute “Isle of Man”;
 - (c) in paragraph 3, for “the Member States or Member States concerned” substitute “the fisheries administration”; and
 - (d) in paragraph 4, for “Member States shall” substitute “The fisheries administration must”.
- (3) In Article 3 —
 - (a) for paragraph 1 substitute —
 1. Acoustic deterrent devices used in application of Article 2(1) must comply with the technical specifications and conditions of use set out in Annex II;
 - (b) in paragraph 2, for “Member States” substitute “the fisheries administration”; and
 - (c) omit paragraph 3.
- (4) In Article 4 —
 - (a) in paragraph 1 —
 - (i) for “Member States shall” substitute “The fisheries administration must”;
 - (ii) for “flying its flag” substitute “in its fleet”; and
 - (b) in paragraph 2, for “Member States shall” substitute “The fisheries administration must”.
- (5) In Article 5 —
 - (a) in paragraph 1 —

⁴⁰ Paragraph 39(1) of the Schedule to the retention regulations.

⁴¹ Paragraph 36 of the Schedule to the retention regulations.

- (i) for “Member States shall” substitute **☒**the fisheries administration must **☒**; and
 - (ii) omit point (d);
 - (b) in paragraph 2, for “Member States” substitute **☒**the fisheries administration **☒**; and
 - (c) in paragraph 3 for “flag Member State concerned” substitute **☒**fisheries administration **☒**; and
 - (d) in paragraph 4, for “The flag Member State shall” substitute **☒**The fisheries administration must **☒**.
- (6) Omit Articles 6 to 10.
 - (7) In Annex I, omit the entries for areas A and E.
 - (8) In Annex III, in paragraph 2 for “Member States shall” substitute **☒**fisheries administration must **☒**.

12 Regulation (EU) 1236/2010 amended

- (1) Regulation (EU) No 1236/2010 of the European Parliament and of the Council of 15 December 2010 laying down a scheme of control and enforcement applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries and repealing Council Regulation (EC) No 2791/1999⁴² is amended as follows.
- (2) In Article 1, for “Union” substitute **☒**Isle of Man **☒**.
- (3) In Article 2, for “EU” substitute **☒**Isle of Man **☒**.
- (4) In Article 3, at the end insert —
☒ 14. “Isle of Man fishing vessel” means a fishing vessel which is registered in the Isle of Man under Part 3 of the Merchant Shipping Registration Act 1991. A reference to the ‘fleet’ means all Isle of Man fishing vessels. **☒**.
- (5) In Article 4 —
 - (a) in paragraph 1, for “Member States shall” substitute **☒**The fisheries administration must **☒**;
 - (b) in paragraph 3 —
 - (i) for “Member States shall” substitute **☒**The fisheries administration must **☒**; and
 - (ii) omit “the Commission or to the body designated by it and to”;
 - (c) in paragraph 4 omit “the Commission or to the body designated by it and to”; and

⁴² Paragraph 39(2) of the Schedule to the retention regulations.

- (d) omit paragraph 5.
- (6) In Article 5 —
- (a) In the heading, for “Union” substitute **“Isle of Man”**;
- (b) for paragraph 1 substitute —
- “1. The fisheries administration must send to the NEAFC Secretary, in a computer-readable form, a list of Isle of Man fishing vessels which are authorised to fish in the Regulatory Area, in particular the vessels authorised to fish directly for one or more regulated resources together with any amendments to the list. This information shall be sent no later than 31 December each year or no later than 5 days before the vessel enters the Regulatory Area.”**
- (c) omit paragraph 2.
- (7) In Article 6 —
- (a) for paragraph 1 substitute —
- “1. The fisheries administration must ensure that gear used by fishing vessels in its fleet in the Regulatory Area is marked in accordance with Commission Implementing Regulation (EU) No. 404/2011.”; and**
- (b) in paragraph 2 —
- (i) for “Member States” substitute **“The fisheries administration”**; and
- (ii) for “Regulation (EC) No 356/2005” substitute **“Regulation (EU) No. 404/2011⁴³”**.
- (8) In Article 7 —
- (a) in paragraph 1 for “the flag Member State shall” substitute **“the fisheries administration must”**; and
- (b) in paragraph 2 —
- (i) for “Member States shall” substitute **“The fisheries administration must”**; and
- (ii) for “vessels flying their flag” substitute **“Isle of Man fishing vessels”**.
- (9) In Article 8 —
- (a) in paragraph 1 —
- (i) for “Article 6 of Council Regulation (EEC) No 2847/93 of 12 October 1993” substitute **“Articles 14 and 15 of Council Regulation (EC) No 1224/2009”**;

⁴³ OJ L 112, 30.4.2011, p. 1.

- (ii) omit “establishing a control system applicable to the common fisheries policy”; and
 - (iii) for “EU” substitute “Isle of Man”;
 - (b) in paragraph 2 for “EU” substitute “Isle of Man”; and
 - (c) in paragraph 3 for “Member States” substitute “the fisheries administration”.
- (10) In Article 9 —
 - (a) in paragraph 1 —
 - (i) for “EU fishing vessels” substitute “Isle of Man fishing vessels”; and
 - (ii) omit “The data contained in such reports shall be accessible to the Commission on request.”; and
 - (b) for paragraph 3 substitute —
 - “3. The fisheries administration must record the data contained in the catch reports in a computerised database.”; and
 - (c) omit paragraph 4.
- (11) In Article 10 —
 - (a) for paragraphs 1 and 2 substitute —
 - “1. The fisheries administration must inform the NEAFC Secretary by computer transmission before the 30th day of each month of the quantities of fishery resources caught in the Regulatory Area by Isle of Man fishing vessels which have been landed or transhipped during the preceding month.
 - 2. The fisheries administration must also inform the NEAFC Secretary by computer transmission before the 15th day of each month of the quantities of regulated resources caught in areas under the national fisheries jurisdiction of third countries and within Isle of Man waters of the Convention Area by Isle of Man fishing vessels which have been landed or transhipped during the preceding month.”; and
 - (b) omit paragraphs 3 and 4.
- (12) In Article 11 —
 - (a) for “Member States shall” substitute “The fisheries administration must”;
 - (b) for “vessels flying their flag” substitute “Isle of Man fishing vessels”;
 - (c) omit “the format and the specifications of these transmissions shall be determined in accordance with Article 50(2).”; and

- (d) for “each Member State shall” in both places it occurs, substitute **66** the fisheries administration must **62**.
- (13) In Article 12 –
- (a) in paragraph 1 –
- (i) for “Member States shall” both time it occurs substitute **66** The fisheries administration must **62**; and
- (ii) for “the flag Member State” substitute **66** the fisheries administration **62**; and
- (b) in paragraph 2, for “Member States shall” substitute **66** The fisheries administration must **62**.
- (14) In Article 13 –
- (a) in paragraph 1 –
- (i) for “EU” substitute **66** Isle of Man **62**; and
- (ii) for “in their flag Member State” substitute **66** of the fisheries administration **62**;
- (b) in paragraph 2 for “EU” substitute **66** Isle of Man **62**; and
- (c) in paragraph 3 for “EU” substitute **66** Isle of Man **62**.
- (15) In Article 14, for “EU” substitute **66** Isle of Man **62**.
- (16) In Article 16 –
- (a) in paragraph 1 for “Member States whose fishing vessels are authorised to fish in the Regulatory Area shall” substitute **66** If vessels in the Isle of Man fleet are authorised to fish in the Regulatory Area the fisheries administration must **62**;
- (b) in paragraph 2 –
- (i) for “Member States shall” substitute **66** The fisheries administration must **62**; and
- (ii) omit the final sentence.
- (17) In Article 17 –
- (a) omit paragraph 1;
- (b) in paragraph 2 –
- (i) for “Member States shall” substitute **66** The fisheries administration must **62**; and
- (ii) for “their” substitute **66** its **62**;
- (c) in paragraph 3 for “The Commission or the body designated by it shall” substitute **66** The fisheries administration must **62**;
- (d) in paragraph 4 –

- (i) for “Member States shall” substitute “The fisheries administration must”; and
 - (ii) for “vessels flying their flag” substitute “Isle of Man fishing vessels”; and
 - (e) in paragraph 5 for “national provisions” substitute “applicable laws”.
- (18) In Article 18 —
- (a) in paragraph 1 for “Member States shall” substitute “The fisheries administration must”;
 - (b) in paragraph 2 —
 - (i) for “The Commission or body designated by it shall” substitute “The fisheries administration must”;
 - (ii) for “Member States are” substitute “the fisheries administration is” and
 - (iii) omit the words from “Where appropriate this list shall be taken from” to the end; and
 - (c) in paragraph 4 —
 - (i) for “Union” substitute “Isle of Man”; and
 - (ii) for “the Commission or the body designated by it shall” substitute “the fisheries administration must”.
- (19) In Article 19(1) omit “to the Commission or the body designated by it”.
- (20) In Article 20 —
- (a) in paragraph 8 for “a Member State shall” substitute “the fisheries administration must”; and
 - (b) in paragraph 9 omit “the Commission or the body designated by it. The Commission or the body designated by it shall forward the copy promptly to”.
- (21) In Article 22, for “Member States” substitute “the Isle of Man”.
- (22) For Article 23 substitute —

Article 23

Designated ports

1. The fisheries administration must designate and notify the NEAFC Secretary of ports where the landing or transhipment of fishery resources, caught in the Convention Area by fishing vessels flying the flag of a Contracting Party other than the Isle of Man, or the provision of port services to such vessels, are permitted. The fisheries administration must notify the NEAFC Secretary of any changes to the list of ports designated, at least 15 days before the change comes into force.

2. The fisheries administration must allow landings and transhipments of fish caught in the Convention Area by fishing vessels flying the flag of a Contracting Party other than the Isle of Man, as well as the provision of port services to such vessels, only in designated ports. **22**.

(23) In Article 24 –

(a) in paragraph 1 –

- (i) for “the Member State” substitute **63** the fisheries administration **22**;
- (ii) for “a Member State” substitute **63** the fisheries administration **22**; and
- (iii) for “the Member State shall inform the Commission, or the body designated by it, and” substitute **63** the fisheries administration must inform **22**;

(b) in paragraph 2 –

- (i) for “a Member State” substitute **63** the fisheries administration **22**; and
- (ii) for “the Member State shall inform the Commission, or the body designated by it, and” substitute **63** the fisheries administration must inform **22**;

(c) in paragraph 3 for “the port Member State shall” substitute **63** the fisheries administration must **22**; and

(d) omit the final sentence.

(24) In Article 25 –

(a) in paragraph 1 for “Union” substitute **63** Isle of Man **22**;

(b) in paragraph 2 omit “Member State”;

(c) in paragraph 3 –

- (i) for “the port Member State” in both places it occurs, substitute **63** the fisheries administration **22**; and
- (ii) for “national rules” substitute **63** applicable laws”;

(d) in paragraph 3a for “the port Member State” substitute **63** the fisheries administration **22**;

(e) in paragraph 4 for “the port Member State” substitute **63** the fisheries administration **22**; and

(f) omit paragraph 5.

(25) In Article 26 –

(a) in paragraph 1 for “Each Member State shall” substitute **63** The fisheries administration must **22**;

- (b) in paragraph 2a for “Each Member State shall” substitute **“The fisheries administration must”**;
 - (c) in paragraph 3 omit “National”;
 - (d) in paragraph 3a omit “National”; and
 - (e) in paragraph 4 for “The port Member State” substitute **“The fisheries administration”**.
- (26) In Article 27(3) omit “, to the Commission or the body designated by it”.
- (27) In Article 28, for “EU” substitute **“Isle of Man”**.
- (28) In Article 29 —
- (a) in paragraph 1(d) for “the Commission or body designated by it” substitute **“the fisheries administration”**; and
 - (b) in paragraph 2 —
 - (i) for “The Member State carrying out the inspection shall” in both places it occurs, substitute **“The fisheries administration must”**; and
 - (ii) omit “and to the Commission or the body designated by it”;
 - (c) in paragraph 3 —
 - (i) for “The Member State carrying out the inspection shall” substitute **“The fisheries administration must”**; and
 - (ii) omit “the Commission or the body designated by it, which shall forward a copy to”.
- (29) For Article 30 substitute —
- “Article 30**

Follow-up in the case of infringement

1. Where the fisheries administration is notified by a Contracting Party of an infringement committed by an Isle of Man fishing vessel in its fleet, that administration must promptly obtain and consider the evidence of the infringement and conduct any further investigation necessary for the follow-up to the infringement, and where possible, inspect the fishing vessel concerned.

2. The fisheries administration must designate a competent authority which is to receive evidence of infringements, and the fisheries administration must inform the NEAFC Secretary of the address of that authority and of any change in that information.”
- (30) In Article 32(1) omit “the Commission or the body designated by it”.
- (31) In Article 33 —
- (a) in the heading for “an EU” substitute **“an Isle of Man”**;

- (b) in paragraph 1 –
- (i) for “Flag Member States shall” substitute **43**The fisheries administration must **42**; and
 - (ii) for “in the flag Member State and to the Commission or the body designated by it” substitute **43**of the fisheries administration **42**;
- (c) in paragraph 2 –
- (i) for “flag Member States shall” substitute **43**the fisheries administration must **42**;
 - (ii) for “that flag Member State” substitute **43**the fisheries administration **42**; and
 - (iii) omit “under its authority”;
- (d) in paragraph 3 –
- (i) for “The flag Member State” substitute **43**The fisheries administration **42**; and
 - (ii) for “the flag Member State” substitute **43**the fisheries administration **42**;
- (e) for paragraph 4 substitute –
- 43**4. If the fishing vessel is not called to port, the fisheries administration must provide due justification in a timely manner to the inspecting state and must forward such justification to the NEAFC Secretary. **42**;
- (f) in paragraph 5, for “the flag Member State of the fishing vessel” substitute **43**the fisheries administration **42**; and
- (g) omit paragraphs 6 and 7.
- (32) In Article 34, for paragraph 1 substitute –
- 43**1. By 1 March each year, the fisheries administration must report to the NEAFC Secretary on the status of the proceedings concerning infringements of the conservation and management measures adopted by NEAFC which were committed during the previous calendar year. The infringements must continue to be listed in each subsequent report until the proceedings are concluded. **42**.
- (33) In Article 35, for “Without prejudice to Article 77 of Regulation (EC) No 1224/2009, Member States shall collaborate with each other and” substitute **43**the fisheries administration must collaborate **42**.
- (34) In Article 36 –
- (a) in paragraph 1 for “Each Member State shall report to the Commission or the body designated by it by 15 February”

- substitute **“**The fisheries administration must report to the NEAFC Secretary by 1 March **”**; and
- (b) omit paragraph 2.
- (35) In Article 38 —
- (a) in paragraph 1 —
- (i) for “Member States shall” substitute **“**The fisheries administration must **”**;
- (ii) for “Commission or any body designated by it” substitute **“**NEAFC Secretary **”**; and
- (iii) omit the final sentence; and
- (b) in paragraph 2 for “The Member State which sighted the non-Contracting Party vessel shall” substitute **“**If the fisheries administration sights a non-Contracting Party vessel it must **”**.
- (36) In Article 39 —
- (a) in paragraph 2 —
- (i) omit “the Commission or the body designated by it,”;
- (ii) for “Member State” substitute **“**fisheries administration **”**; and
- (iii) omit the final sentence; and
- (b) in paragraph 3 omit “the Commission or the body designated by it thereof. In turn the Commission or the body designated by it shall promptly inform”.
- (37) In Article 40 —
- (a) for paragraph 1 substitute —
- “**1. If, in accordance with Article 24, the master of a non-Contracting Party fishing vessel notifies the fisheries administration of intention to call into a port designated by the fisheries administration in accordance with Article 23, the fisheries administration must forward this information without delay to the flag state of the vessel and to the NEAFC Secretary. **”**;
- (b) in paragraph 2 —
- (i) for “The port Member State shall” substitute **“**The fisheries administration must **”**; and
- (ii) for “its” substitute **“**Isle of Man **”**; and
- (c) in paragraph 3 —
- (i) for “the port Member State” substitute **“**the fisheries administration **”**; and

- (ii) omit “the Commission or the body designated by it. In turn, the Commission or the body designated by it shall forward that information to”.
- (38) In Article 41 –
 - (a) in paragraph 1 –
 - (i) for “Member States shall” substitute “The fisheries administration must”; and
 - (ii) for “their” substitute “its”; and
 - (b) in paragraph 2 –
 - (i) for “Member States” substitute “the Isle of Man”; and
 - (ii) omit “the Commission or the body designated by it, which shall forward such information to”.
- (39) In Article 42 –
 - (a) in paragraph 1 for “the port State” substitute “the fisheries administration”;
 - (b) in paragraph 2 –
 - (i) for “Member State shall” substitute “the fisheries administration must”;
 - (ii) in point (d), for “Member States have” substitute “the fisheries administration has”; and
 - (iii) in point (e), for “Member States have” substitute “the fisheries administration has”;
 - (c) in paragraph 3 for “the Member States” substitute “the fisheries administration”;
 - (d) in paragraph 4 –
 - (i) for “Member States shall” substitute “the fisheries administration must”;
 - (ii) for “their” substitute “its”; and
 - (iii) omit “to the Commission or the body designated by it. In turn, the Commission or the body designated by it shall without delay forward this information”;
 - (e) in paragraph 5 –
 - (i) for “Member States shall” substitute “The fisheries administration must”; and
 - (ii) for “their” substitute “its”; and
 - (f) in paragraph 6 –

- (i) for “Member State” substitute “fisheries administration”; and
 - (ii) omit the final sentence.
- (40) In Article 43 —
 - (a) in paragraph 1 —
 - (i) for “Each Member State shall” substitute “The fisheries administration must”; and
 - (ii) for “Commission or the body designated by it by 15 February” substitute “NEAFC Secretary by 1 March”;
 - (b) in paragraph 2 —
 - (i) for “Member States” substitute “the fisheries administration”; and
 - (ii) for “Commission or the body designated by it” substitute “NEAFC Secretary”; and
 - (c) omit paragraph 3.
- (41) In Article 44(1), for “Member States shall” substitute “The fisheries administration must”.
- (42) In Article 45 —
 - (a) in paragraph 1 for “In addition to the obligations laid down in Articles 112 and 113 of Regulation (EC) No 1224/2009, Member States shall” substitute “The fisheries administration must”; and
 - (b) omit paragraph 2.
- (43) Omit Articles 46 to 49.
- (44) In Article 50 omit paragraph 1.
- (45) Omit Articles 51 and 53.
- (46) In Annex 1 omit the Appendix.
- (47) In Annex 2 —
 - (a) in the heading omit “PORT MEMBER STATE”;
 - (b) for “each port Member State” substitute “the fisheries administration”; and
 - (c) omit “port Member State” in the second place it occurs.
- (48) In Annex 3 —
 - (a) in the heading omit “PORT MEMBER STATE”; and
 - (b) omit “National”.

13 Commission Implementing Regulation (EU) No 433/2012 amended

- (1) Commission Implementing Regulation (EU) No 433/2012 of 23 May 2012 laying down detailed rules for the application of Regulation (EU) No 1236/2010 of the European Parliament and of the Council laying down a scheme of control and enforcement applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries⁴⁴ is amended as follows.
- (2) In Article 1 —
 - (a) in point (a) for “the flag Member State” substitute **the fisheries administration**; and
 - (b) for point (c) substitute —
 - (c) “FR number” means the Isle of Man fleet register number of the vessel as referred to in Article 8 of Commission Implementing Regulation (EU) 2017/218;**
 - (d) “Isle of Man fishing vessel” means a fishing vessel which is registered in the Isle of Man under Part 3 of the Merchant Shipping Registration Act 1991. A reference to a particular kind of fishing vessel is a reference to an Isle of Man fishing vessel of that kind. A reference to the ‘fleet’ means all the Isle of Man fishing vessels.**
- (3) In Article 2 —
 - (a) in paragraph 1 —
 - (i) for “Member States shall” substitute **The fisheries administration must**; and
 - (ii) omit “and to the European Fisheries Control Agency (the ‘Agency’)”; and
 - (b) in paragraph 2 —
 - (i) for “Member States shall” substitute **The fisheries administration must**; and
 - (ii) omit “established by Articles 114 and 116 of Regulation (EC) No. 1224/2009”.
- (4) In Article 3 —
 - (a) in the heading for “Union” substitute **Isle of Man**;
 - (b) in paragraph 1 for “CFR” substitute **FR**; and
 - (c) omit paragraph 2.
- (5) In Article 5 for “Member States shall” substitute **The fisheries administration must**.

⁴⁴ Paragraph 39(3) of the Schedule to the retention regulations.

- (6) In Article 6 for “Member States shall” substitute **“The fisheries administration must**.
- (7) Omit Articles 7 and 9.
- (8) In Article 13 —
 - (a) in paragraph 1 for “flag Member State shall” substitute **“the fisheries administration, in relation to Isle of Man fishing vessels, must**; and
 - (b) in paragraph 2 for “the port Member State” substitute **“where the Isle of Man is the port country, the fisheries administration**.
- (9) In Article 14 omit “with a copy to the Commission”.
- (10) Omit Chapter 5.
- (11) In Article 17(2), for “Each Member State shall” substitute **“The fisheries administration must**.
- (12) In Article 18 —
 - (a) in paragraph 1 for “Member States” substitute **“The fisheries administration**;
 - (b) in paragraph 2 for “Member States” substitute **“The fisheries administration**;
 - (c) in paragraph 3 for “Member States shall” substitute **“The fisheries administration must**; and
 - (d) in paragraph 4 for “Member States” substitute **“The fisheries administration**.
- (13) In Article 19 omit paragraphs 1, 2 and 5.
- (14) Omit Article 21.
- (15) In Annex 1, in Part A, in table note (2) for “Each Member State shall ensure that its fishing vessels shall” substitute **“The fisheries administration must ensure that Isle of Man fishing vessels**.
- (16) In Annex 3 —
 - (a) for “Community fleet register number (CFR)” in each place it occurs, substitute **“Isle of Man fleet register number (FR)**; and
 - (b) omit “Unique Contracting Party vessel number as Member state (alpha -3 ISO code) followed by an identifying series (nine characters).” in each place it occurs.
- (17) In Annex 10 —
 - (a) in Part B for “Member States” substitute **“the fisheries administration**;
 - (b) in Part D. 1 —

- (i) in the heading omit “by Member States”; and
 - (ii) for “each Member State shall” substitute “the fisheries administration must”.
- (18) Omit Annex 12.

SCHEDULE 6

[Regulation 7(e)]

RETAINED DIRECT EU LEGISLATION CONCERNING FOOD SAFETY
AMENDED

1 Commission Regulation (EC) No 1850/2006 amended

- (1) Commission Regulation (EC) No 1850/2006 of 14 December 2006 laying down detailed rules for the certification of hops and hop products⁴⁵ is amended as follows.
- (2) In Article 1(2) —
 - (a) in point (a) —
 - (i) for “Article 1 of Regulation (EC) No 1952/2005” substitute **63**Part VI of Annex I to Regulation (EU) No 1308/2013 **62**; and
 - (ii) for “Community” substitute **63**Island **62**; and
 - (b) in point (b) —
 - (i) for “Article 1 of that Regulation” substitute **63**Part VI of Annex I to that Regulation **62**;
 - (ii) for “Community” substitute **63**Island **62**; and
 - (iii) for “Article 9 of that Regulation” substitute **63**Article 190 of that Regulation **62**.
- (3) In Article 1(4), for “Article 9 of Regulation (EC) No 1952/2005” substitute **63**Article 190 of Regulation (EU) No 1308/2013 **62**.
- (4) In Article 2 —
 - (a) the existing text becomes paragraph 1;
 - (b) in that paragraph —
 - (i) in point (h) for “Member States concerned” substitute **63**appropriate authorities in accordance with Article 23 of this Regulation **62**;
 - (ii) in point (j) for “Member State” substitute **63**appropriate authority **62**; and
 - (iii) after point (o), insert —

63 (p) ‘third country’ means any country or territory other than —
(i) the United Kingdom;

⁴⁵ Paragraph 57 of the Schedule to the retention regulations.

- (ii) the Bailiwick of Jersey;
 - (iii) the Bailiwick of Guernsey;
 - (iv) the Isle of Man. **22**; and
- (c) after that paragraph insert —
 - 22**2. For the purposes of this Regulation, ‘appropriate authority’ means the Department of Environment, Food and Agriculture. **22**.
- (5) Omit Article 3(1)(e).
- (6) In Article 4(1), for “Article 2(a) of Regulation (EC) No 1952/2005” substitute **22** point 1 of Part III of Annex II to Regulation (EU) No 1308/2013 **22**.
- (7) In Article 6(2), for “Member States” substitute **22** The appropriate authority **22**.
- (8) In Article 7(3), for “of Community origin” substitute **22** originating from the Island **22**.
- (9) In Article 8, for “Community” substitute **22** Island **22**.
- (10) In Article 14(2), for “of Community origin” substitute **22** originating from the Island **22**.
- (11) In Article 15, for “Community” substitute **22** Island **22**.
- (12) In Article 16(2) —
 - (a) in point (d) for “Article 4(3)(a) of Regulation (EC) No 1952/2005” substitute **22** Article 77(3)(a) of Regulation (EU) No 1308/2013 **22**; and
 - (b) for point (h) substitute —
 - 22**(h) the words ‘Certified product – Regulation (EC) No 1850/2006’, applied by the competent certification authority **22**.
- (13) In Article 16(4), for “Member State” substitute **22** country in which certification takes place **22**.
- (14) In Article 17, for “one of the Community languages” substitute **22** English (and may also bear the same entries in any other language) **22**.
- (15) In Article 21(1), for “Member States” substitute **22** The appropriate authority **22**.
- (16) In Article 21(3) —
 - (a) after “Regulation” insert **22** in the territory or territories for which it is appointed **22**; and
 - (b) for “Member State” substitute **22** appropriate authority **22**.
- (17) In Article 22(1) omit “, under national legislation,”.
- (18) In Article 23, for the heading substitute **22** Lists **22**.

- (19) In Article 23(1) —
- (a) for the words from “Producing” to “latest, of” substitute **“The appropriate authority for each producing constituent nation shall maintain**; and
 - (b) in point (c), before “the names” insert **a list of**.
- (20) Omit Article 23(2).
- (21) In Article 24 —
- (a) for “Commission”, in the first place it occurs, substitute **appropriate authority for each producing constituent nation**;
 - (b) after “are updated” insert **at least**; and
 - (c) for “Commission”, in the second place it occurs, substitute **appropriate authority for each producing constituent nation**.
- (22) After Article 26 omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.
- (23) Omit Annex 5.
- (24) In Annex 6 —
- (a) in point 1 for “Member States” substitute **appropriate authority**;
 - (b) in point 2 —
 - (i) for “MEMBER STATES CARRYING OUT” substitute **COUNTRY OF**; and
 - (ii) omit the words from “BE for Belgium” to “SE for Sweden”; and
 - (c) in point 4 for “BE” substitute **IM**.

2 Commission Implementing Regulation (EU) No 1333/2011 amended

- (1) Commission Implementing Regulation (EU) No 1333/2011 of 19 December 2011 laying down marketing standards for bananas, rules on the verification of compliance with those marketing standards and requirements for notifications in the banana sector⁴⁶ is amended as follows.
- (2) In Article 1, in the second paragraph, for the words from “, to bananas originating in the Union” to the end substitute **in the Island**.
- (3) In Article 2, in point (a), omit “originating in third countries or other regions of the Union and”.
- (4) After Article 2 insert —

⁴⁶ Paragraph 1(4) of the Schedule to the retention regulations.

Article 2a

1. For the purposes of this Regulation, ‘third country’ means any country or territory other than —
 - (a) the United Kingdom;
 - (b) the Bailiwick of Jersey;
 - (c) the Bailiwick of Guernsey;
 - (d) the Isle of Man.
 2. For the purposes of this Regulation, ‘appropriate authority’ means the Department of Environment, Food and Agriculture.
- (5) In Article 3 for “Member States” substitute **The appropriate authority**.
 - (6) Omit Article 4.
 - (7) In Article 5 —
 - (a) for “Union”, in the first place it occurs, substitute **Island**; and
 - (b) omit “in the Member State of first unloading in the Union”.
 - (8) In Article 6(2) —
 - (a) for “Union” substitute **Island**; and
 - (b) omit “, as regards products imported from third countries,”.
 - (9) In Article 6(3) for “Union” substitute **Island**.
 - (10) In Article 7 —
 - (a) omit the words from “the place” to “harvested in the Union,”;
 - (b) for “Union”, in the second place it occurs, substitute **Island**;
 - (c) omit “or from Union regions of production”; and
 - (d) for “Union”, in the last place it occurs, substitute **Island**.
 - (11) In Article 8 omit “national”, in each place it occurs.
 - (12) In Article 9(1) omit “bananas harvested in the Union or”.
 - (13) In Article 9(2) —
 - (a) in the first paragraph —
 - (i) in the first sentence, for the words from “national authorities” to the end substitute **authority**; and
 - (ii) in the third sentence, for the words from “Union market” to the end substitute **Isle of Man market**; and
 - (b) in the third paragraph, for “Member States” substitute **The appropriate authority**.
 - (14) In Article 9(3) omit “of the Member States”.

- (15) In Chapter 3, for the heading substitute **“FINAL PROVISIONS”**.
- (16) After Article 13 omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.
- (17) In Annex 1 —
 - (a) in point 3 —
 - (i) omit the words from “produced in” to “Cyprus”; and
 - (ii) for “Union” substitute **“Island”**;
 - (b) in point 5, in paragraph C, omit the last sentence; and
 - (c) in point 6, in paragraph C, omit the words from “and, in the case” to the end.
- (18) In Annex 2 —
 - (a) in the box in the top right corner, for “EU No” substitute **“Ref No”**; and
 - (b) in box 5, for “destiantion” substitute **“destination”**.
- (19) In Annex 4, in the heading, for “Union” substitute **“Island”**.

SCHEDULE 7

[Regulation 7(f)]

RETAINED DIRECT EU LEGISLATION CONCERNING GENETICALLY
MODIFIED ORGANISMS AMENDED**Regulation (EC) No 1830/2003 amended**

- (1) Regulation (EC) No 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC⁴⁷ is amended as follows.
- (2) Omit Article 8.
- (3) For Article 9, paragraph 2, substitute —
- (2) The competent authority may —
- (a) publish technical guidance on sampling and testing for the purposes of facilitating the implementation of this Regulation;
- (b) make provision, by regulations, on sampling and testing for the purposes mentioned in point (a); and
- (c) consult the relevant food standards authority. **22**.
- (4) For Article 10 substitute —
- 24** *Article 10*
- Regulations**
1. Regulations made by the Department under these Regulations may contain —
- (a) contain consequential, incidental, supplementary, transitional or saving provision (including provision amending, repealing or revoking enactments);
- (b) provisions amending, repealing or revoking statutory documents and retained direct EU legislation; or
- (c) a combination of (a) and (b).
2. Tynwald procedure —
- (a) for paragraph 1(a) – negative;
- (b) for paragraph 1(b) or 1(c) – approval required. **22**.

⁴⁷ Paragraph 64(6) of the Schedule to the retention regulations.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the European Union and Trade Act 2019 (Deficiencies) (DEFA) (No.2) Regulations 2019 [SD 2019/0122], the European Union and Trade Act 2019 (Retained Direct EU Legislation) (DEFA and OFT) Regulations 2019 [SD 2019/0037] (the “retention regulations”) and certain provisions of retained direct EU legislation prescribed in the retention regulations.

Regulation 4 of these Regulations amends the European Union and Trade Act 2019 (Deficiencies) (DEFA) (No.2) Regulations 2019 [SD 2019/0122] to insert a new regulation 7 (construction) to provide that, for the avoidance of doubt, retained EU law is to be construed and have effect subject to those regulations.

Regulation 5 of, and Schedule 1 to, these Regulations amend the retained direct EU legislation prescribed in the Schedule to the retention regulations. These amendments insert new EU regulations that have been identified as being required for retention.

Regulation 6 of these Regulations provides that the provisions of the retained direct EU legislation amended, substituted or inserted by these Regulations are not subject to interpretation under regulation 4 of the retention regulations.

Regulation 7 of, and the associated Schedules 2 to 6 to, these Regulations provide for the amendments to specific areas of retained direct EU legislation, as prescribed by the retention regulations, to deal with Manx legislative deficiencies arising from the withdrawal of the United Kingdom from the European Union.

Regulation 8 of these Regulations provides that, for the avoidance of doubt, retained EU law is to be construed and have effect subject to these Regulations.