

Scottish Statutory Instrument 2003 No. 405

The Collagen and Gelatine (Intra-Community Trade) (Scotland) Amendment (No. 2) Regulations 2003

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SCOTTISH STATUTORY INSTRUMENTS

2003 No. 405

FOOD

The Collagen and Gelatine (Intra-Community Trade) (Scotland)
Amendment (No. 2) Regulations 2003

Made

2nd September 2003

*Laid before the Scottish
Parliament*

3rd September 2003

Coming into force

30th September 2003

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972^[1] and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and extent

1. - (1) These Regulations may be cited as the Collagen and Gelatine (Intra-Community Trade) (Scotland) Amendment (No. 2) Regulations 2003 and shall come into force on 30th September 2003.

(2) These Regulations extend to Scotland only.

Amendment of the Collagen and Gelatine (Intra-Community Trade) (Scotland) Regulations 2003

2. - (1) The Collagen and Gelatine (Intra-Community Trade) (Scotland) Regulations 2003^[2] are amended in accordance with paragraphs (2) to (4).

(2) In regulation 2 in the definition of "Commission Decision 2003/42/EC" after "collagen" insert "as amended by Commission Decision 2003/503/EC^[3]".

(3) In regulation 5(1)(b)(iv) after "years" insert "from the date on which the record was made".

(4) For regulation 5(1)(d) substitute-

" (d) records of the sources of all incoming raw materials and of the destination of all outgoing products in relation to the establishment are made and then kept for a period of at least two years from the date on which the record was made;"

Amendment of the Products of Animal Origin (Import and Export) Regulations 1996

3. In paragraphs 9 and 12 of Schedule 3 to the Products of Animal Origin (Import and Export) Regulations 1996^[4] after "Commission Decision 2003/42/EC (O.J. No. L 13, 18.1.03, p.24)" insert "as amended by Commission Decision 2003/503/EC (O.J. No. L 170, 9.7.03, p.30)".

TOM McCABE

Authorised to sign by the Scottish Ministers

St Andrew's House, Edinburgh
2nd September 2003

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which extend to Scotland only, amend the Collagen and Gelatine (Intra Community Trade) (Scotland) Regulations 2003 ("the principal Regulations"). The principal Regulations gave effect to Commission Decision 2003/42/EC (O.J. No. L 13, 18.1.03, p.24). That Decision was subsequently

amended by Commission Decision 2003/503/EC (O.J. No. L 170, 9.7.03, p.30). That subsequent Decision delayed the date of application of Commission Decision 2003/42/EC from 30th June 2003 to 30th September 2003.

The date the principal Regulations come into force was amended in anticipation of Commission Decision 2003/503/EC by the Collagen and Gelatine (Intra-Community Trade) (Scotland) Amendment Regulations 2003 (S.S.I. 2003/328).

These regulations amend the definition of Commission Decision 2003/42/EC in the principal Regulations to include a reference to Commission Decision 2003/503/EC (regulation 2(2)).

These regulations also clarify the period for which records must be kept under the principal Regulations (regulation 2(3) and (4)).

The provisions of Directive 92/118/EC (O.J. No. L 62, 15.3.93, p.49) relating to intra-community trade are implemented by the Products of Animal Origin (Import and Export) Regulations 1996 (S.I. 1996/3124). These regulations amend the 1996 Regulations to give effect to the change made to Commission Decision 2003/42/EC by Commission Decision 2003/503/EC (regulation 3).

No regulatory impact assessment has been prepared in relation to these Regulations.

Notes:

[1] 1972 c.68; section 2(2) was amended by the Scotland Act 1998 (c.46), Schedule 8, paragraph 15(3). The function conferred on Ministers of the Crown by section 2(2) was, in so far as within devolved competence, transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.[back](#)

[2] S.S.I. 2003/299 as amended by S.S.I. 2003/328.[back](#)

[3] O.J. No. L 170, 9.7.03, p.30.[back](#)

[4] S.I. 1996/3124, the relevant amending instruments are S.S.I. 2001/169 and 2003/299.[back](#)

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