



Cynulliad Cenedlaethol Cymru
The National Assembly for Wales

ADRODDIAD GAN Y PWYLLGOR DEDDFAU
DRAFFT

LEGISLATION COMMITTEE REPORT
DRAFT

The Import and Export Restrictions (Foot-and-Mouth Disease) (Wales) (No. 10)
Regulations 2001

Background

These regulations contain provisions with regard to the import and export of live animals, and the export of meat and animal products. They implement a Council Decision and replace the restrictions previously in force under the No. 9 regulations.

Standing Order 11.5

There are some points to which the Committee may need to invite the Assembly to pay special attention as instances in which the drafting appears to be defective and/or the form or meaning of the regulations needs further explanation.

These points are identified by the following questions –

1. Regulation 5(3)(d) refers in its opening wording to “the areas listed in the Schedule” and then refers in sub-paragraph (i) to “the group of counties listed in the Schedule”. Given that the “counties” appear to be the areas named in the left hand column of the Schedule, what constitutes “the group of counties”? If “the group of counties” is intended to refer to the areas named in the left hand column, is the intended effect of Regulation 5(3)(d)(i) to prohibit dispatch only in cases where the outbreak has occurred within the particular left hand column area within which the animal was reared?

2. Regulation 27(2) is drafted on the premise that paragraphs (1A) and (1B) of Regulation 7 of the Minced Meat and Meat Preparations (Hygiene) Regulations 1995 remain in force. Butterworths Direct indicates, however, that those paragraphs were revoked in relation to Wales by SI 2001/1802 with effect from 9 May 2001. Is Regulation 27(2) thus in error in referring to paragraphs (1A) and (1B)?
3. The same point as in 2 above arises in relation to the reference to paragraphs (4A) and (4B) in Regulation 27(4).

Additionally, a minor typographical point has been noted in that it appears that the side reference in the Schedule heading should be to Regulation 5 rather than Regulation 4.

Legal Adviser
Legislation Committee
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