



**Cynulliad Cenedlaethol Cymru
The National Assembly for Wales**

ADRODDIAD GAN Y PWYLLGOR DEDDFAU

LEGISLATION COMMITTEE REPORT

The Foot-and-Mouth Disease (Amendment) (Wales) Order 2001

Background

This Order introduces powers for inspectors and local authorities to restrict access to agricultural and other land, including access by non vehicular public rights of way.

This is effected by amendment to the Foot and Mouth Disease Order 1983. Although the amending Order only applies to Wales it is made by the Assembly jointly with the Minister of Agriculture because the transfer of functions to the Assembly preserved the joint action requirement in the Animal Health Act 1981.

The Order has not been made bilingually because the short time for preparation made this impracticable. It is understood, however, that a translation will be published as provided for in SO 23.13. An instrument of this type, being made jointly with a Minister of the Crown, would normally come under Section 3 of SO 23 but did not do so in this case because orders under the Animal Health Act are not subject to Parliamentary Procedure.

The "Minister" reference in the inserted Article 35B(2) is a reference to the Minister of Agriculture. This reflects the fact that "Minister" functions under the Animal Health Act (as distinct from functions of "the Ministers" and "the appropriate Minister") have not been transferred to the Assembly.

Orders to the same effect, and with the same coming into force provision, have been made for England and Scotland.

3.01JT1

Standing Order 11.5

No points have been identified as matters in respect of which the Committee needs to invite the Assembly to pay special attention.

M Bates AM

Chair, Legislation Committee

13 March 2001