



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

ADRODDIAD GAN Y PWYLLGOR DEDDFAU

DRAFFT

The BSE Monitoring (Wales) (Amendment) Regulations 2001

LEGISLATION COMMITTEE REPORT

DRAFT

These regulations amend the BSE Monitoring (Wales) Regulations 2001 (SI 2001/2360) (W.197), to give effect to the obligations in article 1.1 of Commission Regulation (EC) (No. 1248/2001).

Standing Order 11.5

Having had the opportunity of looking at an early draft of these regulations the legal advisers to the Committee have been able to identify a number of points, some of which have been taken into account in the made SI. Some points remain, however.

It is considered that the following points will need to be raised with the appropriate Minister under SO 11.4.

Regulation 2(3)

It is queried why the words "in which they appear" are included given that, as defined, there is only one "Commission Regulation".

Regulation 2(4)(c)

It is queried why the substituted wording requires notification within 24 hours of death or examination/inspection. Given that the definition of "notifiable bovine animal" only covers an animal which has died, examination/inspection will always be of a dead animal. It thus appears that the requirement should be simply to notify within 24 hours of the examination/inspection.

General Observations

Regulation 3(1)

It would have been helpful to the user to identify the regulation in which the definition appears. Eg. –

“... shall be amended by substituting for the definition of “notifiable bovine animal” in paragraph (1) of regulation 2 (Interpretation) the following definition – “.

Regulation 3(2)

Again it would have been helpful to the user to identify the regulation in which the definition is to be found. Eg. –

“... shall be amended by substituting for the definition of “notifiable bovine animal” in regulation 2 (Interpretation) the following definition –“.

Title

The title as printed at the head of page 3 gives the year as 2002 rather than 2001.

Legal Adviser
Legislation Committee

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