



**ADRODDIAD GAN Y
PWYLLGOR DEDDFAU**

**LEGISLATION COMMITTEE
REPORT**

The Avian Influenza (Vaccination) (Wales) Regulations 2006

These Regulations transpose for Wales Council Directive 2005/94/EC on Community measures for the control of avian influenza (and repealing Directive 92/40/EEC) insofar as it deals with vaccination against avian influenza.

These Regulations was made using a partial Executive procedure, having been approved in Plenary on 5 July, but without prior consideration by the Legislation Committee.

Standing Order 11.7

The following points have been identified for reporting under SO 11.7.

The English text of regulations 3(1)(d) and 3(2)(d) refer to "minimum measures"; the corresponding Welsh provisions refer to "mesurau gofynnol" [required measures]. [Standing Order 11.7(vi)]

The English texts of regulations 8(1)(a) and (b) are linked by "and", i.e. they are both necessary. The corresponding Welsh paragraphs are linked by "neu" [or], making them alternatives. [Standing Order 11.7(vi)]

The English text of regulation 9(1)(b) requires a veterinary inspector, in the circumstances referred to, to "require the destruction" of certain things. The corresponding Welsh text does not include a requirement to destroy. [Standing Order 11.7(vi)]

Regulation 9(3) appears to make a general change to the meaning of Part 1 of Schedule3 to the Avian Influenza Order. An expression such as "for the purposes of these Regulations" appears to be needed. [Standing Order 11.7(v)]

These are all minor drafting or typographical errors that would have been appropriate for correction by a Memorandum of Corrections, but will now require correcting legislation. It is understood that replacement regulations will be made shortly.

Observations

The numbering of regulation 16 includes a "(1)" that is unnecessary as there is no subsequent paragraph.

The side note at the top of the Schedule refers to regulation 8(2). That regulation does not refer to the Schedule. The correct reference would have been to regulation 9(1)(a).

Paragraph 1 of the Schedule refers to "Regulation 8(2)". "Regulation" with a capital R is used for a Community Regulation. A lower case "r" should be used when referring to an item in a set of domestic Regulations.

These observations are minor matters that could have been corrected on publication.

David Melding AM

Chair, Legislation Committee

19 September 2006