

# Subordinate Legislation Committee

(SLC(3)-11-09)

## SLC272

### Subordinate Legislation Committee Draft Report

#### Title: The Eggs and Chicks (Wales) Regulations 2009

The Regulations implement EC marketing standards relating to the production, marketing and grading of eggs, and will enable enforcement in Wales of both existing and new Community legislation relating to eggs for hatching and consumption, and to farmyard poultry chicks.

#### Procedure: Negative

Under Standing Order 15.2 the Assembly is invited to pay special attention to the following instrument.

Regulation 3 (1) the definition of "chicks" should refer to the meaning given to it by Article 1(2) of Commission Regulation (EC) No 617/2008, rather than 618/2008 - 15.2 (vi)

Regulation 3 (4) (b) should refer to Commission Regulation (EC) No 617/2008 rather than 617/2007 - 15.2 (vi)

Regulation 5 (11) the phrase "the clock is stopped" does not make it sufficiently clear, whether it is intended that when calculating the 28 day time limit under regulation 5 (2), that any period that the Welsh Ministers give to an applicant to take any action specified in a notice under regulation 5 (4) is to be excluded - 15.2 (v)

Regulation 8 (11) ) the phrase "the clock is stopped" does not make it sufficiently clear whether it is intended that when calculating the 28 day time limit under regulation 8 (2), that any period that the Welsh Ministers give to an applicant to take any action specified in a notice under regulation 8 (4) is to be excluded - 15.2 (v)

#### Legal Advisers

#### Subordinate Legislation Committee

April 2009

#### The Government has responded as follows:

In relation to the points reported in respect of Regulation 3(1) and Regulation 3(4)(b) we propose to correct the errors identified immediately on publication of the legislation.

In relation to the points reported in respect of Regulation 5(11) and Regulation 8(11) legal services have received instructions to revoke and remake these regulations in order to implement new controls in relation to Salmonella in eggs. We propose to amend the wording reported within the forthcoming new set of regulations.