

# **SL(6)258 – The Non-Commercial Movement of Pet Animals (Amendment) (Wales) (No. 2) Regulations 2022**

## **Background and Purpose**

These Regulations amend retained EU law to permit the use of an alternative rabies antibody titre test for pet animals entering Wales from a third country.

The Non-Commercial Movement of Pet Animals (Amendment) (Wales) Regulations 2022 (the "First Regulations") permitted the use of an alternative rabies antibody titre test for pet animals entering Wales from a third country until 1 October 2022. These Regulations authorise that test for a further period of six months commencing on 1 October 2022.

These Regulations also revoke the First Regulations from 1 October 2022.

The Welsh Government's policy rationale, as explained in the Explanatory Memorandum, is that, *"Permitting the use of an additional test will significantly speed up the rabies testing process for pet animals entering Wales at a time when the system faces a significant backlog due to pet animals entering with their owners fleeing from Ukraine. This will reduce the overall burden on quarantine spaces and enable people being reunited with their pets earlier, while also protecting Great Britain's biosecurity, providing protection against associated risks to animal and public health."*

## **Procedure**

Negative.

The Regulations were made by the Welsh Ministers before they were laid before the Senedd. The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd.

## **Technical Scrutiny**

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

## **Merits Scrutiny**

The following 2 points are identified for reporting under Standing Order 21.3 in respect of this instrument.



**1. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.**

No regulatory impact assessment has been prepared in connection with these Regulations. The explanatory memorandum notes the following:

*"Officials considered this is an exceptional and urgent situation. The amendments need to be in place as soon as possible to ensure alignment across the UK, and are temporary. Defra have made equivalent regulations for England, which came into force on 1 October 2022, and the Scottish Government are also making equivalent regulations, so these regulations will achieve consistency across GB."*

**2. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.**

The explanatory note to the English text of the Regulations confirms, at paragraph 2, that the test authorised by regulation 3 relates to pet animals entering Wales,

*"...from a third country, for a further period of 6 months following the expiry and revocation of The Non-Commercial Movement of Pet Animals (Amendment) (Wales) Regulations 2022".*

The quoted text does not appear in the Welsh version of the explanatory note. Whilst it is acknowledged that the omitted text does not form part of the Regulations, its absence may result in confusion for a reader of the Welsh text.

## **Welsh Government response**

A Welsh Government response to the second reporting point is required.

**Legal Advisers**

**Legislation, Justice and Constitution Committee**

**20 September 2022**

