

## REPORT BY THE ENVIRONMENT, PLANNING AND COUNTRYSIDE COMMITTEE

### Horse Passport Regulations (Wales) 2004

The Committee considered the draft *Horse Passport Regulations (Wales) 2004* at its 24 November 2004 meeting. The Committee had previously identified the Regulations for scrutiny.

The Committee noted that, should the Regulations not be made, the Assembly could be subject to infraction proceedings. Whilst not advocating that the Assembly should act unlawfully, the Committee recommended rejection of the Regulations, as they would be impossible to enforce.

Discussion focused on the following aspects of the regulations:

- Advice of both independent Counsel and the Office of the Counsel General (OCG) was that, unlike Westminster, the Assembly could not lawfully derogate from the requirement of EC legislation that the declaration in Section IX of the passport document be signed by the horse owner upon receipt of the passport. This was due to the constraints in Sections 106(1) and 106(7) of the Government of Wales Act 1998, which required full implementation of European law.
- Members repeated their views of previous discussion that, as the purpose of European Commission Decision 2000/68 was to introduce a method for identifying horses which should not enter the food chain, an alternative would be to ban the use of horse meat for human consumption.
- Members emphasised the animal welfare implications and difficulties of cross-border implementation, and the need to alert all horse owners to the change in legislation. It was noted that a workshop had been organised for the 17 January 2005 for interested parties to address the animal welfare implications of the Regulations.
- In light of new European Commission draft Regulations on the identification of equidae, officials intended to pursue a derogation for clearly defined populations living under wild or semi-wild conditions in a clearly defined territory. The Minister for Environment, Planning and Countryside stressed that, until this issue is resolved, all owners would be advised to apply for passports.

*Alun Ffred Jones.*

**Alun Ffred Jones AM  
Chair, Environment, Planning and Countryside Committee**