

Carwyn Jones AM/AC

**Y Cwnsler Cyffredinol ac Arweinydd y Tŷ
Counsel General and Leader of the House**



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

**Lord Dafydd Elis – Thomas AM
Presiding Officer
National Assembly Wales**

16 November 2007

Dear Dafydd

**THE ANIMALS AND ANIMAL PRODUCTS (IMPORT AND EXPORT) (WALES)
(AMENDMENT) REGULATIONS 2007**

I am writing to inform you that in order to bring The Animals and Animal Products (Import and Export) (Wales) (Amendment) Regulations 2007 into force in Wales in line with the rest of the UK, it has become necessary to breach the 21 day rule. These Regulations were made on 15 November 2007, were laid in Table Office on 16 November 2007 and are intended to come into force on 17 November 2007.

These Regulations will implement in Wales EC Regulation 1266/2007, which lays down implementing rules for Council Directive 2000/75/EC as regards the control, monitoring, surveillance and restrictions on movements of certain species of susceptible animals in relation to Bluetongue. The principal effects of these Regulations are:

- to provide immediate enforcement to minimise the risk of spread of Bluetongue to other Member States and third countries. (Although ruminating animals (e.g. cattle, sheep, deer) cannot currently be exported due to the foot and mouth disease restrictions, germplasm (semen, ova and embryos) can be exported); and
- to ensure that all animals and germplasm moved to another Member State or a third country must be accompanied by a health certificate annotated with a statement confirming compliance with the EC Regulation.

The Regulations continue to regulate the importation and dispatch of live animals and their products. The Regulations make it an offence to export anything which it is prohibited to export under the Regulations.

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The conditions for export to Third Countries are determined bilaterally so any products, which may be dispatched from Wales under these Regulations, will additionally have to meet the import conditions set by the importing third country. In practice most importing countries are not currently accepting products from the UK.

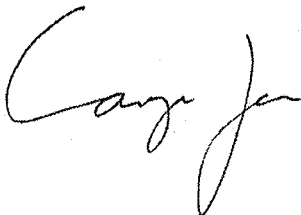
The Regulations will be amended to reflect changes in the Commission Decision, as the Bluetongue situation develops and will be revoked when Community controls are relaxed.

The Regulations are required to come into force immediately as the EC Regulation has applied to Member States since 1 November 2007. Parallel Regulations are expected to come into force in England and Scotland on 17 November 2007. Similar legislation is also expected to be made shortly in Northern Ireland. Therefore, to ensure consistency of enforcement across the UK it is necessary to breach the 21 day rule, so that the Regulations can come into force immediately.

Due to the fact that the Regulations need to be introduced in Wales immediately, the Minister for Rural Affairs has deemed that it would not be reasonably practicable for them to be made bilingually within the timescale. However, a Welsh translation of the Regulations will be available in due course.

These Regulations have not been subject to consultation or a Regulatory Impact Assessment due the immediacy of the Instrument. However, an Explanatory Memorandum has been prepared and this has been laid, together with the Regulations, in Table Office.

A copy of this letter goes Dr Dai Lloyd, Chair of the Subordinate Legislation Committee and Chris Reading, Clerk to the Subordinate Legislation Committee.

A handwritten signature in cursive script, appearing to read 'C. Reading', is located at the bottom left of the page.