

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

6 December 2007

Dear Dafydd

THE EXPORT AND MOVEMENT RESTRICTIONS (FOOT AND MOUTH DISEASE) (NO. 2) (WALES) REGULATIONS 2007

I am writing to inform you that in order to bring The Export and Movement Restrictions (Foot and Mouth Disease) (No2) (Wales) Regulations 2007 into force in Wales in line with the rest of the UK, it is necessary to breach the 21 day rule. These Regulations were made on 5 December 2007 at 6:05 pm, came into force at 6:20 pm on 5 December 2007 and were laid in Table Office on 6 December 2007.

These Regulations will implement in Wales the Commission Decision adopted on the 5 December 2007, which further amends Commission Decisions 2007/746/EC, 2007/709/EC, 2007/608/EC and 2007/554/EC. The principal effect of the Regulations is that the FMD free export area listed in Annex 11 of the Decision has been enlarged. This means that some of the movement restrictions for FMD susceptible animals and animal products have been eased.

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.

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.

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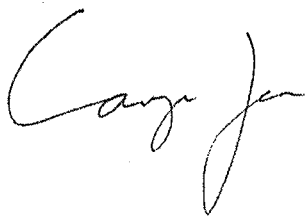
The Regulations also make it an offence for individuals to take out of Wales in their personal luggage any of the products to which the Regulations apply. Other Member States are taking measures to prevent import of products from the UK in personal luggage.

The Regulations ease some of the movement restrictions for FMD susceptible animals and animal products. Urgent enforcement powers are required to enforce these changes. The Regulations are required to come into force immediately as the Commission Decision has been adopted on 5 December 2007. Parallel Regulations are expected to come into force in England and Scotland on 5 December 2007. Northern Ireland was not subject to the import and export restrictions. 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 length of the Regulations and the need to introduce them 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 should be available within two to three weeks of the SI being made.

These Regulations have not been subject to consultation or a Regulatory Impact Assessment due to 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 'Cange J', is located in the lower-left quadrant of the page.