

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

14 December 2007

Dear Dafydd

**THE EXPORT RESTRICTIONS (FOOT- AND- MOUTH DISEASE) (WALES)
REGULATIONS 2007**

I am writing to inform you that in order to bring The Export Restrictions (Foot-and-Mouth Disease) (Wales) 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 at 6.20pm on 13 December 2007, came into force at 6.30pm on 13 December 2007 and were laid in Table Office on 14 December 2007.

These Regulations will implement in Wales the Commission Decision adopted on 13 December 2007, which further amends Commission Decisions 2007/796/EC, 2007/746/EC, 2007/709/EC, 2007/608/EC and 2007/554/EC. The Commission Decision of 13 December 2007 divides Great Britain into two zones: a 'FMD Free live export area' and a 'FMD Free export area'. Live animals will be able to be exported from the 'FMD Free live export area', of which Wales is a part. The latest amendment means that export restrictions (including those that are defined in the Annex to the Decision) have been lifted, from the whole of GB, on:

- meat and meat products;
- milk and dairy products;
- hides and skins; and
- other animal products.

The Regulations make it an offence to export anything which it is prohibited to export under the Regulations.

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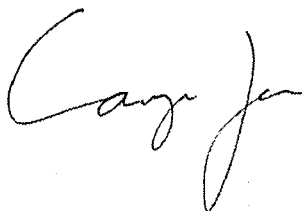
The conditions for export to Third Countries are determined bilaterally so any products, which may be dispatched from Wales under these Regulations, will additionally have to meet the import conditions set by the importing third country. In practice most importing countries are not currently accepting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

Urgent enforcement powers are required to enforce these changes. The Regulations are required to come into force immediately as the Commission Decision was adopted on 13 December 2007. Parallel Regulations are expected to come into force in England and Scotland on 13 December 2007. Northern Ireland was not subject to the import and export restrictions. Therefore, to ensure consistency of enforcement across the UK and not to disadvantage Wales 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.

Due to the immediacy of the Instrument these Regulations have not been subject to consultation or a Regulatory Impact Assessment. 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 to Dr Dai Lloyd, Chair of the Subordinate Legislation Committee and Chris Reading, Clerk to the Subordinate Legislation Committee.

A handwritten signature in black ink, appearing to read 'C. Jones', is located in the lower-left quadrant of the page.