

Explanatory Memorandum to the Swine Vesicular Disease (Wales) (Amendment) Regulations 2009

1. This Explanatory Memorandum has been prepared by the Department for Rural Affairs and is laid before the National Assembly for Wales in accordance with Standing Order 24.1.

Description

2. The Swine Vesicular Disease (Wales) (Amendment) Regulations 2009 amend the Swine Vesicular Disease Regulations (Wales) 2009, by inserting the word “intentionally” before “obstruct” into the English language version of regulation 41(a).
3. This amendment clarifies and limits the nature of a criminal offence and ensures consistency between the English and the Welsh language versions of the 2009 Regulations.

Matters of special interest to the Subordinate Legislation Committee

4. These Regulations correct an error reported upon by the Subordinate Legislation Committee on 15 June 2009.

Legislative Background

5. The Regulations are made under section 2(2) of the European Communities Act 1972 (S.I. 2005/2766). This power is exercisable by the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

Purpose and intended effect of the legislation

6. The Welsh Assembly Government does not consider that the insertion of the term “intentionally” materially affects the understanding of the Regulations, but has corrected the above discrepancy so as to ensure precision and consistency.

Implementation

7. It is intended that the Regulations will come into force on 17 July 2009.

Consultation

8. As the Amendment Regulations are correcting an anomaly only, no consultation has taken place.
9. A public consultation exercise was undertaken between 19 November 2008 and 14 January 2009 on the legislative plans for implementation of

the Directive. This generated three responses, none of which was critical of the proposal.

Regulatory Impact Assessment

10. No Regulatory Impact Assessment has been prepared as these amending regulations will not give rise to additional costs for any sector.