

## **Explanatory Memorandum to the Animals (Divisional Veterinary Managers)(Wales) Regulations 2010**

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

### **Minister's Declaration**

In my view this Explanatory Memorandum gives a fair and reasonable view of the expected impact of The Animals (Divisional Veterinary Managers)(Wales) Regulations 2010. I am satisfied that the benefits outweigh any costs.

*Elin Jones*

**Minister for Rural Affairs**

**4 March 2010**

### **1. Description**

1.1 The Animals (Divisional Veterinary Managers) (Wales) Regulations 2010 amend references to Divisional Veterinary Manager in animal health related Regulations made under the European Communities Act 1972.

### **2. Matters of special interest to the Constitutional Affairs Committee**

2.1 None

### **3. Legislative Background**

3.1 The Regulations are made under section 2(2) of the European Communities Act 1972:they follow the negative resolution procedure.

### **4. Purpose and intended effect of the legislation**

4.1 It is necessary to have these Regulations in place to amend references to Divisional Veterinary Manager (DVM) in animal health related secondary legislation on account of the removal of the post of DVM within the executive agency known as Animal Health. The references to DVM have been replaced with references to the Welsh Ministers.

The Animal Health (Divisional Veterinary Managers)(Wales) Order 2010 made under the Animal Health Act 1981 and which complements these Regulations, amends references to other animal health related secondary legislation.

## **Implementation**

4.2 On 1st April 2009 the structure of Animal Health, an executive agency of DEFRA, was reorganised. The agency, which carries out work on behalf of Welsh Assembly Government, will be restructured in Wales from 1 April 2010 and the re-configuration will include the loss of the post of DVM. To strengthen the veterinary and managerial capability of the Agency, the post of Divisional Veterinary Manager will be split between a Regional Operations Director and a Regional Veterinary Lead.

4.3 There are statutory requirements in existing legislation for either the DVM to take action or for notifications to be made to the DVM. These Regulations will provide that those statutory functions are passed to the Welsh Ministers.

4.4 If this legislation is not made the statutory requirements involving the Divisional Veterinary Manager cannot be met.

## **5. Consultation**

5.1 No consultation has taken place as amendments to the legislation are purely technical.

## **6. REGULATORY IMPACT ASSESSMENT**

6.1 No Impact Assessment has been undertaken as the impact on farming businesses, business, charities, voluntary bodies or the public sector is negligible.

### **Regulating Small Businesses**

6.2 There are no exemptions for small businesses as disease control measures must apply to all susceptible animals whatever the size of the farming enterprise.

### **Monitoring and Review**

6.3 Feed back will indicate any lack of awareness or confusion over the statutory requirement to report suspicion of exotic notifiable disease to veterinary surgeons employed by the agency.