

EXPLANATORY MEMORANDUM
TO
THE PRODUCTS OF ANIMAL ORIGIN (THIRD COUNTRY IMPORTS) (AMENDMENT)
REGULATIONS (NORTHERN IRELAND) 2010.

S.R. 2010 No. 417

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department of Agriculture and Rural Development and is laid before The Northern Ireland Assembly.

1.2 The Statutory Rule is made under section 2(2) of the European Communities Act 1972 and is subject to the negative resolution procedure.

1.3 The Rule complies with the 21 day rule and will come into operation on 10th January 2011.

2. Background

2.1 The Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2007 transpose into domestic law Council Directive 97/78/EC (laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries).

2.1 The objective of Directive 97/78/EC is to ensure that products of animal origin imported into the EU are produced to animal health and hygiene standards at least equivalent to those required for EU production. The changes to Schedule 1 are technical ones, reflecting the constantly changing legislation applicable to imports from third countries.

3. Purpose

3.1 The new rule amends regulation 2 (interpretation) by omitting paragraph (6). This will clarify the legislation ensuring that any future EU amendments will have direct effect without the need for further amendments to domestic legislation.

3.2 The new rule also replaces Schedule 1 to give effect to EU law concerning the import of products of animal origin from third countries. This is necessitated due to a number of pieces of EU legislation that apply to imported animal products having been repealed and replaced by new instruments. Examples of the changes include- new directives introduced because of a change in disease risk, amending terminology or repealed Directives.

3 Consultation

3.1 No formal consultation has been carried out. The changes do not impose new burdens on industry as this process is simply to introduce into domestic legislation EU legislation that is already in place.

4. Position in GB/ROI

4.1 Defra have made the Products of Animal Origin (Third Country Imports) (England) (Amendment) Regulations 2010, which came into force on 29 July 2010. Similar Regulations will be introduced in Scotland and Wales. DAFF will also introduce similar legislation.

5. Human Rights and Equality Impact

5.1 The Regulations do not have human rights implications. Animal health and disease control have been identified as policies and functions that do not have an equality dimension therefore an Equality Impact Assessment is not considered necessary.

6. Regulatory Impact and Financial Implications

6.1 A regulatory impact assessment has not been carried out. The Regulations do not have any financial implications for the Department or stakeholders.

7. Section 24 of the Northern Ireland Act 1998

7.1 The Regulations deal with technical amendments to animal health legislation and do not have human rights implications, nor are they incompatible with EU Law. The Regulations are therefore deemed to comply with the requirements of section 24 of the Northern Ireland Act 1998.

8. Contact

8.1 Thomas Craig at the Department of Agriculture and Rural Development.
Telephone: 028 90524395 or e-mail: Thomas.Craig@dardni.gov.uk.