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WELSH STATUTORY INSTRUMENTS

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**2001 No. 1332**

**The Slaughter Premium (Wales) Regulations 2001**

Part I

Introduction

**Interpretation**

2.—(1) In these Regulations, unless the context otherwise requires—

“authorised person” “(*person awdurdodedig*)” means a person who is authorised by the Board, either generally or specially, to act in matters arising under these Regulations, whether or not he or she is an officer of the Board ;

“the Board” “(*y Bwrdd*)” means the Intervention Board for Agricultural Produce established under section 6 of the European Communities Act 1972;

“bovine animal” “(*anifail buchol*)” means an animal of the domestic bovine species;

“cattle passport” “(*pasbort gwartheg*)” means, in relation to a premium animal—

- (a) to which the Cattle Passports Order 1996(1) applied, a cattle passport as defined in article 2(2) of that Order;
- (b) to which Article 6(1) of Council Regulation 820/97 applied, a valid cattle passport issued pursuant to that Article; and
- (c) to which Article 6(1) of Regulation 1760/2000 applies, a valid cattle passport issued pursuant to that Article;

“claim” “(*cais*)” means a claim for slaughter premium;

“claimant” “(*ceisydd*)” means a producer who submits a claim;

“claimant’s document” “(*dogfen ceisydd*)” means any of the following documents or records, whether in writing or kept by means of a computer—

- (a) any cattle passport or other approved identification;
- (b) any national administrative document, as defined in regulation 2(1) of the Beef Special Premium Regulations 1996(2);
- (c) any register kept in compliance with Article 7(1) and (4) of Regulation 1760/2000;
- (d) any record made under Article 5 of the Bovine Animals (Records, Identification and Movement) Order 1995(3);
- (e) any record made under Article 9 of the Bovine Animals (Identification, Marking and Breeding Records) Order 1990(4); and

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(1) S.I.1996/1686, revoked by S.I. 1998/871.

(2) S.I. 1996/3241, amended by S.I. 1999/1179.

(3) S.I. 1995/12, partially revoked by S.I. 1998/871.

(4) S.I. 1990/1867, amended by S.I. 1993 / 503 and revoked by S.I. 1995/12.

(f) any book, register (other than a register referred to in sub-paragraph (c) of this definition), bill, invoice, account, receipt, certificate, voucher, correspondence or other document or record relating to a bovine animal;

“Commission Regulation 3887/92” (“*Rheoliad y Comisiwn 3887/92*”) means Commission Regulation (EEC) No. 3887/92 laying down detailed rules for applying the integrated administration and control system for certain Community aid schemes<sup>(5)</sup>;

“Commission Regulation 2342/1999” (“*Rheoliad y Comisiwn 2342/1999*”) means Commission Regulation (EC) No. 2342/1999 laying down detailed rules for the application of Council Regulation (EC) No. 1254/1999 on the common organisation of the market in beef and veal as regards premium schemes<sup>(6)</sup> (as amended by Commission Regulation (EC) No. 1042/2000<sup>(7)</sup> and Commission Regulation (EC) No. 1900/2000<sup>(8)</sup>);

“the Community rules” (“*rheolau'r Gymuned*”) means the rules concerning slaughter premium laid down in Articles 11, 21 and 23 of Council Regulation 1254/1999 and Chapter V of Commission Regulation 2342/1999 and the rules concerning the content of claims laid down in Article 5 of, and reduction of Community aid laid down in Articles 10, 10b, 10c and 10d of Commission Regulation 3887/92;

“Council Regulation 820/97” (“*Rheoliad y Cyngor 820/97*”) means Council Regulation (EC) No. 820/97 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef products<sup>(9)</sup>

“Council Regulation 1254/1999” (“*Rheoliad y Cyngor 1254/1999*”) means Council Regulation (EC) No. 1254/1999 on the common organisation of the market in beef and veal<sup>(10)</sup>;

“eartag number” (“*rhif tag clust*”) means—

- (a) the number on an eartag attached to a bovine animal as the approved identification required by article 4(1) of the Bovine Animals (Identification, Marking and Breeding Records) Order 1990, or
- (b) an eartag number as defined in article 2(1) of the Bovine Animals (Records, Identification and Movement) Order 1995, or
- (c) the unique identification code referred to in Article 4(1) of Regulation 1760/2000, as the case may be;

“electronic communication” (“*gohebiaeth electronig*”) has the same meaning as in the Electronic Communications Act 2000<sup>(11)</sup>;

“holding” (“*daliad*”) means all the production units managed by a producer situated within the United Kingdom;

“the IACS Regulations” (“*Rheoliadau IACS*”) means the Integrated Administration and Control System Regulations 1993 <sup>(12)</sup> ;

“kill number” (“*rhif lladd*”) means the number, unique to each premium animal, assigned at a slaughterhouse to the slaughter of that animal;

“the National Assembly” (“*y Cynulliad Cenedlaethol*”) means the National Assembly for Wales;

(5) OJ No. L391, 31.12.92, p.36, as last amended by Commission Regulation (EC) No. 2801/1999 (OJ No. L340, 31.12.1999, p.29).

(6) OJ No. L281, 4.11.1999, p.30.

(7) OJ No. L118, 19.5.2000, p.4.

(8) OJ No. L228, 8.9.2000, p.25.

(9) OJ No. L117, 7.5.1997, p.1, repealed by Regulation EC No. 1760/2000 of the European Parliament and of the Council (OJ No. L204, 11.8.2000, p.1).

(10) OJ No. L160, 26.6.1999, p.21.

(11) 2000 c. 7.

(12) S.I. 1993/1317, amended by S.I. 1994/1134, 1997/1148, 1999/1820 and 2000/2573.

“officer” (“*swyddog*”) means a director, manager, secretary or other similar officer of a claimant or a slaughterhouse operator which is a body corporate, or any person who purports to act in any such capacity;

“other approved identification” (“*dull adnabod arall a gymeradwywyd*”) means approved identification required by article 4(1) of the Bovine Animals (Identification, Marking and Breeding Records) Order 1990 other than an eartag number;

“overgrazing” (“*gorbori*”) means grazing land with livestock in such numbers as adversely to affect the growth, quality or species composition of vegetation (other than vegetation normally grazed to destruction) on that land to a significant degree and “overgrazed” shall be construed accordingly;

“premium adult animal” (“*anifail premiwm mewn oed*”) means a bovine animal at least eight months old at the time of its slaughter in respect of which a claim has been or will be submitted, other than a premium older animal;

“premium animal” (“*anifail premiwm*”) means a premium adult animal, a premium calf and a premium older animal;

“premium calf” (“*llo premiwm*”) means a bovine animal at least one, but less than seven, months old at the time of its slaughter and with carcass weight of less than 160 kilograms, in respect of which a claim has been or will be submitted;

“premium older animal” (“*anifail premiwm hŷn*”) means a bovine animal in respect of which a claim has been or will be submitted which is slaughtered on the day after it attains the age of thirty months, or later;

“producer” (“*cynhyrchydd*”) has the same meaning as in Chapter 1 of Title I of Council Regulation 1254/1999;

“register”, used as a verb (“*cofrestru*”), means register a slaughterhouse pursuant to regulation 14 and “registered” and “registration” shall be interpreted accordingly;

“Regulation 1760/2000” (“*Rheoliad 1760/2000*”) means Regulation (EC) No. 1760/2000 of the European Parliament and of the Council establishing a system for the identification and registration of bovine animals and requiring the labelling of beef and beef products and repealing Council Regulation (EC) No. 820/97(13);

“relevant competent authority” (“*awdurdod cymwys perthnasol*”) has the same meaning as in the IACS Regulations;

“retention period” (“*cyfnod cadw*”) means the minimum period, referred to in Article 37 of Commission Regulation 2342/1999, for which a claimant must hold a premium animal, which is—

- (a) one month in the case of a premium calf less than three months old at the time of its slaughter, and
- (b) two months in the case of any other premium animal;

“slaughter premium” (“*premiwm cigydda*”) means a premium granted pursuant to Article 11 of Council Regulation 1254/1999 to a producer keeping bovine animals on his holding, on the slaughter of a bovine animal;

“slaughterhouse document” (“*dogfen lladd-dy*”) means any book, register, bill, invoice, account, receipt, voucher, correspondence or other document or record relating to the business or operation of a slaughterhouse or to any premium animal slaughtered or delivered for slaughter there, whether in writing or kept by means of a computer, and includes the record of eartag numbers, kill numbers and dates of slaughter referred to in paragraph 1 of the Schedule;

“slaughterhouse operator” (“*gweithredydd lladd-dy*”) means a person carrying on the business of a slaughterhouse or the duly authorised representative of such a person;

“specified control measure” (“*mesur rheoli penodedig*”) means any check which a Member state is required to carry out under Article 6 of Commission Regulation 3887/92; and

“unsuitable supplementary feeding methods” (“*dulliau bwydo atodol anaddas*”) means providing supplementary feed (other than to maintain livestock during abnormal weather conditions) in such a manner as to result in damage to vegetation through excessive trampling or poaching of land by livestock or excessive rutting by vehicles.

(2) A reference in these Regulations to anything done in writing or produced in written form includes a reference to an electronic communication which has been recorded and is consequently capable of being reproduced.

(3) Any reference in these Regulations to a Community instrument is a reference to that instrument as amended on the date on which these Regulations are made.

(4) Any reference in these Regulations to a numbered regulation or Part (with no accompanying reference to a specific instrument) is a reference to the regulation or Part so numbered in these Regulations and any reference to the Schedule is a reference to the Schedule to these Regulations.