
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the enforcement of certain of the requirements of Commission Regulation (EC) No 716/96 as amended by Commission Regulation (EC) No 2109/2005, adopting exceptional support measures for the beef market in the United Kingdom. The Commission Regulation (as amended) introduces a scheme authorising the United Kingdom to purchase any bovine animal born or reared within the United Kingdom before 1 August 1996 which does not exhibit any clinical sign of BSE and which was, during a period of at least six months prior to its sale, present on a holding located in United Kingdom territory. Various requirements are specified as to the slaughter, treatment and disposal of animals subject to the scheme.

Regulation 3 creates offences in respect of breaches of the provisions of the Commission Regulation (as amended) referred to in Column 1 (and described in Column 2) of the Schedule to these Regulations. Regulation 4 provides that these Regulations are to be enforced by the National Assembly for Wales which must appoint inspectors for this purpose. Regulations 5 to 8 detail the powers of those inspectors, and the consequences of failure to comply with, or of obstructing, the inspectors. Under regulation 9, breach of the Regulations is an offence punishable on summary conviction by a fine up to the statutory maximum, currently £5,000, or three months imprisonment. On indictment the penalty is an unlimited fine or two years imprisonment.

A full regulatory appraisal has not been produced for this instrument as it has no impact on the costs of business.