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WELSH STATUTORY INSTRUMENTS

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**2007 No. 2477**

**The Foot-and-Mouth Disease (Export Restrictions) (Wales) Regulations 2007**

**Illegal consignments of products**

17.—(1) This regulation has effect when an inspector, on reasonable grounds, suspects that anything other than live animals is intended to be exported in contravention of these Regulations.

(2) The inspector may seize it and remove it in order to have it dealt with by a justice of the peace.

(3) If he or she seizes it he or she must inform the person appearing to him or her to be in charge of the consignment of his or her intention to have it dealt with by a justice of the peace, and—

(a) any person who might be liable for prosecution under these Regulations in relation to the export shall, if he or she attends before the justices of the peace by whom the consignment falls to be dealt with, be entitled to be heard and to call witnesses; and

(b) the justice of the peace may, but need not, be a member of the court before which any person is charged with an offence under these Regulations in relation to that consignment.

(4) If it appears to a justice of the peace that there was an intention to export the consignment in contravention of these Regulations he or she must, unless he or she is satisfied that the consignment can be returned to the owner without risk of a further attempt to export it in contravention of these Regulations, order that the consignment shall be destroyed or otherwise disposed of so as to prevent it from being despatched.

(5) When under the preceding paragraph a justice of the peace is satisfied that there was an intention to export a consignment in breach of these Regulations, the owner, the consignor and the consignee are jointly and severally liable for the costs reasonably incurred in its removal to storage, its storage and its destruction or disposal.