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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

<sup>MIM2</sup>These Regulations implement Council Directive [2000/75/EC](#) laying down specific provisions for the control and eradication of bluetongue and enforce Commission Regulation (EC) [No. 1266/2007](#). They revoke and remake with changes the Bluetongue (No. 2) (Wales) Order 2007.

The changes are that—

- (a) the Welsh Ministers may, within a restricted zone, declare any area around an infected premises to be a protection zone, and any area beyond such protection zone to be a surveillance zone (regulation 13(1)(b)).
- (b) a person is prohibited from moving an animal in a restricted zone if the animal shows clinical signs of bluetongue on the day of transport (regulation 13(5)).
- (c) the operator of a slaughterhouse in a surveillance zone must obtain a licence if that operator proposes to slaughter animals from a protection zone (regulation 14(3)).
- (d) if bluetongue is confirmed outside Wales, the Welsh Ministers may declare a protection zone and a surveillance zone in Wales (regulation 16).
- (e) unless in an excepted category, a person requires a licence to obtain bluetongue vaccine (regulation 17). Vaccination can only take place if authorised by the Welsh Ministers (regulation 18) or where vaccination is required either in a vaccination zone or by notice served on particular premises (regulation 19).
- (f) power is given to the Welsh Ministers to allow a person to take or avoid taking an action otherwise than in accordance with the other provisions of these Regulations for the purpose only of ensuring the health and welfare of any animal (regulation 28).

Part 1 of the Regulations makes provision for exemptions from the requirements of the Regulations, for licences and for the declaration of zones (regulations 3 to 7).

Part 2 of the Regulations provides for the reporting of symptoms of bluetongue (regulation 8), the establishment of restrictions on premises (regulation 9), the establishment of temporary control zones (regulation 10), confirmation of bluetongue on premises (regulation 11), and the establishment of zones and controls on movements of animals within and out of those zones (regulations 12 and 13). Power is given to the Welsh Ministers to license or designate certain slaughterhouses (regulation 14). Movement without a licence of animals from the restricted zone where a notice has been served on the occupier of the premises of destination is prohibited (regulation 15). This Part also provides for the Welsh Ministers to declare zones in Wales when bluetongue is confirmed outside Wales.

Part 3 makes provision for vaccination (regulations 17 to 19).

Part 4 makes provision for enforcement and sets out the offences of obstruction and interference with traps and marks (regulations 20 to 24 and regulation 26). Failure to comply with any requirement or to observe any prohibition in or under these Regulations is an offence (regulation 25). The Regulations are enforced by the local authority, unless the Welsh Ministers direct otherwise (regulation 27).

Part 5 gives power to the Welsh Ministers to permit anything that would otherwise be prohibited or to exempt a person from any requirement under the Regulations, for the purpose of ensuring the health or welfare of any animal (regulation 28).

A regulatory impact assessment of the effect that this instrument will have is available from the Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ.

**Changes to legislation:**

There are currently no known outstanding effects for the The Bluetongue (Wales) Regulations 2008.