

EXPLANATORY MEMORANDUM TO

The Zootechnical Standards Regulations (Northern Ireland) 2018

S.R. 2018 No. 204

1. Introduction

- 1.1 This Explanatory Memorandum has been prepared by the Department of Agriculture, Environment and Rural Affairs (DAERA) to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2 The Department has made the above named Statutory Rule under powers conferred on it by section 2(2) of the European Communities Act 1972 and is subject to the negative resolution procedure.

2. Purpose of the Statutory Rule

- 2.1 These Regulations will implement Regulation (EU) 2016/1012 of the European Parliament and of the Council, in Northern Ireland. Regulation (EU) 2016/1012 lays down the requirements for the promotion and production of livestock with particular genetic characteristics, by setting standards for the breeding of these animals. Prior to this regulation, the previous suite of EU regulations were listed by species (bovine, porcine, ovine, caprine and equine).
- 2.2 In addition, these Regulations will introduce a requirement for controls and checks on the activities of recognised breed societies in Northern Ireland. Breed societies that are already recognised under existing zootechnical rules will retain their legal rights (and obligations), provided they meet the new conditions contained within these Regulations.
- 2.3 Any new breed societies that apply for official recognition from November 2018 will need to comply with the new rules in order to be eligible for recognition.

3. Background

- 3.1 Animal breeding legislation has existed within the EU since the 1980s. Its purpose is to facilitate trade in pedigree breeding animals, hybrid breeding pigs and germinal products while protecting genetic diversity. Currently this activity is governed by separate EU regulations for each species covering cattle, pigs, sheep and goats, equines and their germinal products.
- 3.2 A new single EU animal breeding Regulation (Regulation (EU) 2016/1012) came into effect on 1 November 2018. These Regulations implement the new EU Regulation in Northern Ireland.

- 3.3 Changes will include requirements for new controls on breed society activities to ensure compliance and consistent application of the rules, as well as the use of new rationalised cross species zootechnical certificates when animals and germinal products are traded between breed societies.
- 3.4 There will also be a new option for pig breeding companies to be re-recognised as a 'breeding operation' (instead of a 'breed society'), exempting them from some of the requirements. To ensure that the correct duty is applied to imports, additional documentary checks will also be needed at ports of entry to the UK when breeding animals are imported from third countries.

4. Consultation on the Council Regulation and The Zootechnical Standards Regulations (Northern Ireland) 2018

- 4.1 During the period 13 April 2018 to 11 July 2018, the Department undertook a 12 week joint consultation in conjunction with the Department for Environment, Food and Rural Affairs (Defra) and the Scottish and Welsh governments.
- 4.2 The Department, the Scottish Government and the Welsh Government did not receive any responses to the consultation.
- 4.3 Defra received 12 replies. No organisation objected to the making of the legislation.

5. Equality Impact

- 5.1 In accordance with the Department's obligations under Section 75 of the Northern Ireland Act 1998, the equality implications of the proposed Regulations have been assessed and have been screened out with no impact.

6. Regulatory Impact

- 6.1 A Regulatory Impact Assessment is unnecessary as the proposed Statutory Rule has no impact in terms of costs on business, charities, social economy enterprises or voluntary bodies.

7. Financial Implications

- 7.1 None.

8. Section 24 of the Northern Ireland Act 1998

- 8.1 The Regulations deal with rules pertaining to the breeding, trade in and entry into Northern Ireland of purebred breeding animals, hybrid breeding pigs and the germinal products. The Regulations do not have

any 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 1988.

9. EU Implications

9.1 The Regulations provide the powers to administer and enforce the provisions of the relevant Zootechnical EU Regulations (as above) in Northern Ireland.

10. Parity or Replicatory Measure

10.1 The Department is required to transpose the Council Regulation (and associated implementing regulations) into domestic legislation on or before the 1st November 2018. Consequently, the Department wishes to bring forward this legislation to give effect to Council Regulation (EU) 2016/1012 and the Commission Implementing Regulations, and to maintain parity with Defra and the other devolved administrations.

11. Additional Information

11.1 Not applicable

12. Contact

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