

# **SL(6)335 – The Welfare of Animals (Transport) (Miscellaneous Amendments) (Wales) Regulations 2023**

## **Background and Purpose**

These Regulations make provision for the purposes of retained EU legislation to bring the official controls relating to animal welfare in transport under the same regime as other official controls for animal health and welfare. Specific provisions relating to official controls for welfare in transport which were originally delayed are to be commenced by regulations on a date to be specified. These Regulations specify that commencement date for those remaining provisions as 6 April 2023.

These Regulations also amend retained EU legislation to clarify the obligations of animal transporters and keepers, place greater responsibility on journey organisers in relation to the preparation and completion of journey logs and clarify the process for the approval of journey logs.

Consequential amendments are made to the Welfare of Animals (Transport) (Wales) Order 2007.

## **Procedure**

Negative.

The Regulations were made by the Welsh Ministers before they were laid before the Senedd. The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd.

## **Technical Scrutiny**

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

## **Merits Scrutiny**

The following point is identified for reporting under Standing Order 21.3 in respect of this instrument.

### **1. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd**

The Explanatory Memorandum states that:



*“The deadline for submission of a journey log to the competent authority will be clarified. The organiser will be required to ensure that a copy of the correctly completed journey log is returned to APHA [Animal and Plant Health Agency] within **30 days** of the journey being completed...” [emphasis added].*

However, paragraph 13(b) of the new Annex 2 to Regulation (EC) No 1/2005, as substituted by regulation 2, and the Schedule to, these Regulations, states that the organiser must ensure that the completed journey log is submitted no later than **one month** of the journey being completed. Schedule 1 to the Legislation (Wales) Act 2019 defines “month” as a calendar month.

We would be grateful if the Welsh Government could clarify the timescale within which journey organisers must ensure a completed journey log is submitted to the competent authority following journey completion.

## Welsh Government response

### **Merit Scrutiny point 1:**

The Welsh Government thanks the Committee for highlighting the inaccuracy and have corrected the Explanatory Memorandum accordingly.

### **Legal Advisers**

### **Legislation, Justice and Constitution Committee**

**16 March 2023**



Senedd Cymru

**Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad**

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Welsh Parliament

**Legislation, Justice and Constitution Committee**