
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Animal Health Act 1981 (“the Act”) to specify the circumstances in which the Secretary of State (in England) or the National Assembly for Wales (in Wales) must slaughter animals in the event of an outbreak of foot-and-mouth disease.

They partially transpose, for England and Wales, articles 10, 15, 16 and 18 of Council Directive [2003/85/EC](#) (OJNo. L306, 22.11.2003, p1) (“the Directive”). The other measures transposing the Directive in England and Wales are, in England, the Foot-and-Mouth Disease (England) Order 2005 (S.I. []) and the Foot-and-Mouth Disease (Control of Vaccination) (England) Regulations 2005 (S.I. []) and in Wales the Foot-and-Mouth Disease (Wales) Order 2005 (S.I. [] (W.[])) and the Foot-and-Mouth Disease (Control of Vaccination) (Wales) Regulations 2005 (S.I. [] (W.[])).

Article 2 inserts a new paragraph 2A into Schedule 3 to the Act which has the following effect:

Paragraphs 2A(1) and 2A(2) impose a duty on the Secretary of State or the National Assembly for Wales (respectively, “the relevant authority” in England and Wales) to slaughter susceptible animals kept on premises where foot-and-mouth disease is confirmed.

Paragraph 2A(3), read with 2A(4), allows the relevant authority to make an exception where the disease is confirmed at premises keeping animals for the purposes set out in paragraph 2A(3).

Paragraph 2A(5), read with 2A(6), (7), (8) and (9), allows the relevant authority to make an exception where the disease is confirmed at premises which are structured as separate production units.

Paragraph 2A(10) makes provision for compensation in respect of slaughtered animals.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business. A Transposition Note setting out how the main elements of the Directive are implemented in these Regulations has been placed in the library of each House of Parliament. Copies may be obtained from the Department for Environment, Food and Rural Affairs, Exotic Disease Prevention and Control Division, 1A Page Street, London SWP 4PQ.