EXPLANATORY MEMORANDUM TO

The Disease Control (Standstill) Order (Northern Ireland) 2013

S.R. 2013 No. 29

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Agriculture and Rural Development to accompany the above-named Statutory Rule which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made in exercise of powers conferred by Articles 5(1), 19, 44 and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981; and is not subject to any resolution procedure.

1.3. The Rule will come into operation on 04 March 2013.

2. Purpose

2.1 The Order provides for the relaxation of the current 6 day standstill rules.

3. Background

3.1 Standstill has been in operation in Northern Ireland since the outbreak of Foot and Mouth Disease (FMD) in 2001. It is not imperative by European Union (EU) legislation; but its purpose is to improve the likelihood of detecting disease or slowing disease spread before detection.

3.2 FMD is not currently present in the EU, and a review of current standstill policy and veterinary opinion conclude that it serves little purpose; albeit that its merit will be restored in any future virus or aftermath of disease outbreak in Europe.

3.3 The Order revokes and replaces in part the Disease Control (Standstill) Order 2004 No. 492 to implement changes to the standstill system.

3.2 The Order provides for-

(a) most livestock movements no longer subject to a standstill period. Animals on a holding will no longer be restricted after another animal moves on, permitting free movement of livestock between holdings.

(b) an animal not returning to a market within 6 days.

(c) the potential for a DARD introduction of a 13-day standstill if a disease threat increases. The issuing of an amended General Movement Licence to facilitate this gives DARD the flexibility to increase, remove or specify the standstill conditions as soon as the threat level fluctuates.

4. Consultation

4.1. A consultation was undertaken for the Standstill Order from 09 July 2012 until 31 August 2012. DARD received 10 responses to the consultation. The reduction on the burdens for keepers whilst there is no specific disease risk has been met favourably and positively by stakeholders.

4.2. The consultation included proposals to register livestock dealers, which will be provided for in separate legislation.

5. Equality Impact

5.1. Under Section 75 of the Northern Ireland Act 1998 DARD has considered and assessed the Order for any equality implications.

5.2. An equality impact assessment has not been carried out as no equality differentials are foreseen on Section 75 groups.

6. Regulatory Impact

6.1. A partial Regulatory Impact Assessment was developed for the costs and benefits of each option. Standstill is not a Better Regulation objective; however, the relaxation of standstill rules will have a positive impact on keepers, permitting greater flexibility in animal movements; and Departmental savings associated with no longer approving isolation facilities.

7. Financial Implications

7.1. The cost savings realised to industry through the relaxation of standstill (including removing the cost of movement delays and approval of isolation facilities and trading premises) will significantly outweigh the costs of proposed dealer registration.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Order deals with the relaxation of standstill obligations; and general and specific licences. The Order does not have any human rights implications and is not incompatible with EU law. The Order is therefore deemed to comply with the requirements of section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. This is stand alone legislation for Northern Ireland and there is no impact on GB devolved administrations or the RoI.

11. Additional Information

11.1. Not applicable.

12. Contact

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