EXPLANATORY MEMORANDUM TO

The Foot and Mouth Disease (Amendment) Regulations (Northern Ireland) 2014

S.R No 151

1. Introduction

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

1.2. The Statutory Rule is made under Section 2(2) of the European Communities Act 1972 and is subject to the negative resolution procedure.

2. Purpose

2.1. The amendment is required to correct technical errors in the The Foot and Mouth Disease Regulations (Northern Ireland) 2006.

3. Background

3.1. An error was discovered in the Foot and Mouth Disease Regulations (Northern Ireland) 2006. The current Regulations state that the boundaries of protection and surveillance zones in Northern Ireland would be at least 3 or 10 km from the border respectively. This is contrary to the Council Directive 2003/85/EC on Community measures for the control of Foot and Mouth disease, which states that the protection and surveillance zones should be centred on the outbreak. Therefore, the proposed rule will correct this error, so that the boundaries of the protection and surveillance zones shall be measured from the infected premises in the south. When measured this way, the area covered by the protection and surveillance zones in Northern Ireland may have radiuses of less than 3 km and 10 km respectively.

3.2. An amendment is required to correct the error and to bring the regulations into line with subsequent epizootic legislation. The opportunity has also been taken to make one further amendment to correct a typographical error- the word “temporary” will replace the word “contemporary” in regulation 15(1).

4. Consultation

4.1. No formal consultation has been carried out. The Statutory Rule makes minor corrections and/or adjustments to existing legislation.

5. Equality Impact

5.1. The equality implications of the proposed amendment have not been assessed because they were addressed fully at the primary legislation stage, in accordance with DARD's obligations under Section 75 of the Northern Ireland Act 1998.

6. Regulatory Impact

6.1. A regulatory impact assessment has not been carried out as the proposed changes to the Regulations are minor corrections and/or adjustments.

7. Financial Implications

7.1. The Regulations do not have any significant financial implcations for the Department or stakeholders.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Regulations deal with animal health and disease control and 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 1998.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. Not applicable as the statutory rule makes minor corrections and/or adjustments to existing legislation.

11. Additional Information

11.1. Not applicable.