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STATUTORY INSTRUMENTS

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**2007 No. 2183**

**REGULATORY REFORM,  
ENGLAND AND WALES  
ANIMALS, ENGLAND AND WALES  
DEER**

**The Regulatory Reform (Deer) (England and Wales) Order 2007**

*Made* - - - - *25th July 2007*

*Coming into force* - - *1st October 2007*

This Order is made by the Secretary of State in exercise of the powers conferred by sections 1 and 4(3) and (6) of the Regulatory Reform Act 2001 (“the Act”)(1).

For the purposes of section 1(5) of the Act, this Order is made with the agreement of the Welsh Ministers(2).

For the purposes of section 3(1) of the Act, the Secretary of State is of the opinion that this Order does not remove any necessary protection or prevent any person from continuing to exercise any right or freedom which he might reasonably expect to continue to exercise.

For the purposes of section 3(2) of the Act, the Secretary of State is of the opinion, in relation to any burden created by this Order, that—

- (a) the provisions of this Order, taken as a whole, strike a fair balance between the public interest and the interests of the persons affected by the burden, and

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- (1) **2001 c. 6.** The provisions of the Regulatory Reform Act 2001 (“the 2001 Act”) (apart from section 13(1)(b) and (2), the definition of “the 1994 Act” in section 14 and section 15(1) and (2)) were repealed by section 30(1) of and the Schedule to the Legislative and Regulatory Reform Act 2006 (c. 51) (“the 2006 Act”). However, section 30(2) of the 2006 Act provides that this does not affect the application of the 2001 Act in relation to the making of an order under section 1 of the 2001 Act giving effect (with or without variations) to proposals in a document laid before Parliament under section 6(1) of the 2001 Act before the day on which the 2006 Act came into force. A document containing the proposals to which this Order gives effect (with modifications) was laid before Parliament on 18th December 2006 and the 2006 Act subsequently came into force on 8th January 2007 (two months after the date on which it received Royal Assent – see section 33 of the 2006 Act). The function of the National Assembly for Wales in making a subordinate provisions order where an order under section 1 of the 2001 Act provides (by virtue of section 4(6) of that Act) for this power to be exercisable by the Assembly was transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32) immediately after the end of “the initial period” (as defined in section 161(5) of the Government of Wales Act 2006). The initial period ended with the day on which the first appointment was made under section 46 of the Government of Wales Act 2006, that is to say, 25th May 2007.
- (2) The function of the National Assembly for Wales as regards the exercise of the power to give its agreement under section 1(5) of the 2001 Act was transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32) immediately after the end of “the initial period” (as defined in section 161(5) of the Government of Wales Act 2006). The initial period ended with the day on which the first appointment was made under section 46 of the Government of Wales Act 2006, that is to say, 25th May 2007.

- (b) the extent to which this Order removes or reduces one or more burdens, or has other beneficial effects for persons affected by the burdens imposed by the existing law, makes it desirable for the Order to be made.

The Secretary of State has consulted in accordance with section 5(1) of the Act<sup>(3)</sup>.

The Secretary of State has laid a document before Parliament containing his proposals for this Order in accordance with section 6(1) of the Act.

The period for Parliamentary consideration referred to in section 8(1) of the Act has expired.

In accordance with section 8(4) of the Act, the Secretary of State has had regard to the representations made during that period and in particular to the Fourth Report of Session 2006-07 of the House of Commons Regulatory Reform Committee entitled “Proposal for the Regulatory Reform (Deer) (England and Wales) Order 2007”<sup>(4)</sup> and to the Fifth Report of Session 2006-07 of the House of Lords Delegated Powers and Regulatory Reform Committee<sup>(5)</sup>.

In accordance with section 4(2) of the Act, the Secretary of State has laid a draft of this Order before Parliament, with a statement as required by section 8(5) of that Act.

The draft has been approved by a resolution of each House of Parliament.

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<sup>(3)</sup> Section 5(1)(c) was amended by the Justice (Northern Ireland) Act 2002 (c. 26), Schedule 12, paragraph 81.

<sup>(4)</sup> Session 2006-07, HC 411.

<sup>(5)</sup> Session 2006-07, HL 44.

**Changes to legislation:**

There are currently no known outstanding effects for the The Regulatory Reform (Deer) (England and Wales) Order 2007, Introductory Text.