
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to several enactments which fall within the policy responsibility of the Department for Environment, Food and Rural Affairs.

Articles 2 to 12, 14 to 34 and 36 to 46 amend the enactments to provide that the Secretary of State may delegate the prosecution of offences under the enactments to the Director of Public Prosecutions.

The Order makes further amendments as follows.

Article 5 amends the Disease Control (England) Order 2003 ([S.I. 2003/1729](#)) to clarify the position with respect to movements of animals into England from Scotland or Wales.

Article 13 revokes the Salmonella in Turkey Flocks and Slaughter Pigs (Survey Powers) (England) Regulations 2006 ([S.I. 2006/2821](#)).

Article 18 amends the Cattle Identification Regulations 2007 ([S.I. 2007/529](#)) to update references to EU legislation.

Article 22 amends the Control of Salmonella in Poultry Order 2007 ([S.I. 2007/3574](#)) to update references to EU legislation.

Article 25 amends the Bluetongue Regulations 2008 ([S.I. 2008/962](#)), correcting an error referred to in the 10th Report of Session 2012-13 of the Joint Committee on Statutory Instruments (HL Paper 60; HC 135-x, published on 13th November 2012). The amendment is to the date by which the Secretary of State must publish the first report reviewing the Regulations.

Article 28 amends the Control of Salmonella in Broiler Flocks Order 2009 ([S.I. 2009/260](#)) to update references to EU legislation.

Article 33 amends the Control of Salmonella in Turkey Flocks Order 2009 ([S.I. 2009/3271](#)) to correct references to EU legislation.

Article 34 amends the Agriculture (Cross compliance) (No. 2) Regulations 2009 ([S.I. 2009/3365](#)), correcting errors referred to in the 42nd Report of Session 2010-12 of the Joint Committee on Statutory Instruments (HL Paper 271; HC 354-xlii, published on 13th March 2012). It amends certain provisions relating to the standard of good agricultural condition which apply as minimum requirements for the purposes of Article 6 of, and Annex 3 to, Council Regulation ([EC](#)) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers (OJ No L 30, 31.1.2009, p.16). The amendments are to the exemptions that the Secretary of State may give from the rules on overgrazing and unsuitable supplementary feeding, the management of land not in agricultural production and the control of weeds.

Article 35 amends the Poultry Compartments (England) Order 2010 ([S.I. 2010/108](#)) to change references in article 4(1)(a) to “certified” and “certification”. In so doing, it corrects errors referred to in the 10th Report of Session 2009-10 of the Joint Committee on Statutory Instruments (HL Paper 87; HC 3-x, published on 16th March 2010).

Article 39 amends the Poultrymeat (England) Regulations 2011 ([S.I. 2011/452](#)) to modify the powers of entry for officers to enforce those Regulations.

Article 43 amends the Environmental Protection (Controls on Ozone-Depleting Substances) Regulations 2011 ([S.I. 2011/1543](#)), correcting errors referred to in the 29th Report of Session 2010-12 of the Joint Committee on Statutory Instruments (HL Paper 205; HC 354-xxvix, published

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on 25th October 2011). Regulation 8(3) is amended so that it provides that the powers described in that regulation are extended to the marine area, not offshore area, and a definition of “marine area” is inserted into regulation 2.

Article 46 amends the Wine Regulations 2011 (S.I. 2011/2936) to clarify which officers may enter premises to enforce those Regulations. This corrects an error referred to in the 41st Report of Session 2010-12 of the Joint Committee on Statutory Instruments (HL Paper 268; HC 354-xli, published on 6th March 2012).

The Reports of the Joint Committee on Statutory Instruments referred to in this Note are available on Parliament’s website at www.parliament.uk.

No impact assessment has been prepared for this instrument as no impact on the private or voluntary sectors is foreseen.