

EXPLANATORY MEMORANDUM TO
THE DISEASE CONTROL (ENGLAND) (AMENDMENT) ORDER 2016

2016 No. 280

1. Introduction

1.1 This explanatory memorandum has been prepared by the Department for Environment, Food and Rural Affairs (Defra).

2. Purpose of the instrument

2.1 This instrument clarifies that certain requirements relating to the reporting of livestock movements and the movement documents necessary under the Disease Control (England) Order 2003 ('the Order') apply only to deer. It also makes a number of minor technical amendments to the Order to take account of changes to the systems for the recording and reporting of information pertaining to livestock movements.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None. The instrument is not laid before Parliament.

3.2 As this instrument is not subject to parliamentary procedure, consideration as to whether there are other matters of interest to the House of Commons does not arise at this stage.

4. Legislative Context

4.1 The Order states that livestock may not be moved off premises if certain animals have been moved on to those premises in a specified previous period – known as the standstill period. It also requires any livestock movement to be licensed and requires paper movement documents for the movement of some species. The Order also provides for a number of exemptions from the standstill period, some of which require the livestock keeper to submit a paper declaration to the relevant local authority in order to claim the exemption.

4.2 Since the Order came into force, movement and reporting requirements in relation to (a) sheep and goats; and (b) pigs have been included in separate instruments¹. The amendments made in this instrument clarify that certain requirements in the Order now only apply to deer.

4.3 This instrument also amends the Order to reflect changes to the procedures that livestock keepers have to follow when submitting certain movement documents.

5. Extent and Territorial Application

5.1 This extent of this instrument is England and Wales.

5.2 The territorial application of this instrument is England.

¹ Currently, the Sheep and Goats (Records, Identification and Movement) (England) Order 2009 (S.I. 2009/3219 amended by [S.I. 2012/2897](#), [2014/331](#)) and the Pigs (Records, Identification and Movement) Order 2011 (S.I. 2011/2154 amended by S.I. 2012/2897.)

6. European Convention on Human Rights

6.1 The Minister of State at Defra, George Eustice, has made the following statement regarding Human Rights:

“As the instrument is not subject to parliamentary procedure, no statement is required”.

7. Policy background

7.1 The movement of livestock is governed by the Order, which established the standstill regime following the Foot and Mouth Disease outbreak in 2001. The purpose of the standstill regime is to act as a disease dampening measure by reducing the spread of undetected disease, therefore reducing the scope and cost of disease outbreaks.

7.2 The Order details how livestock keepers have to submit to local authorities movement documents and declarations for certain movements exempted from the standstill regime. Since the Order came into force the way that movements of sheep, goats and pigs are reported has changed, with the recording of movements contracted out to external service providers and the gradual introduction of electronic reporting.

7.3 The requirements for paper movement documents in the Order differ to those set out in the later instruments relating to sheep and goats, and pigs (see paragraph 4.2 above.) Article 15 of the Order consequently no longer applies for those species and is revoked. This instrument inserts a new article 15A to apply to deer only. This instrument also empowers the Secretary of State to update the procedures for livestock keepers to submit declarations for exemptions from standstill through changes to the relevant movement licences, to enable the regular updating of the procedure as technology advances.

Consolidation

7.4 No plans are in place to consolidate the Order at this stage.

8. Consultation outcome

8.1 There has been no formal consultation exercise, as this instrument makes minor technical amendments to reflect changes to movement reporting processes for certain species and facilitates the future updating of procedures for the submission of declarations. Industry was previously consulted on changes to movement reporting processes introduced by the species-specific instruments referred to at 7.3 above (or amendments made to those instruments.)

9. Guidance

9.1 Industry has been informed of the changes to movement reporting processes introduced by the instruments referred to above. The general licences for the movement of livestock will be updated.

10. Impact

10.1 There is no impact on business, charities or voluntary bodies.

10.2 There is no impact on the public sector.

10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation applies to activities that are undertaken by small businesses. There is no impact on their costs.

12. Monitoring & review

12.1 The instrument includes a review clause.

13. Contact

13.1 Nieves Bottomley at the Department for the Environment, Food and Rural Affairs, Tel: 020 8026 3797 or email: Nieves.Bottomley@defra.gsi.gov.uk, can answer any queries regarding the instrument.