



NATIONAL ASSEMBLY FOR WALES

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STATUTORY INSTRUMENTS

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**2001 No.1539 (W.107)**

**AGRICULTURE, WALES**

**LIVESTOCK INDUSTRIES**

**The Artificial Insemination of Cattle (Emergency Licences) (Wales)  
Regulations 2001**

*Made* 24th April 2001

*Coming into force* 25th April 2001

The National Assembly for Wales, in exercise of the powers conferred on it by sections 10(1) and (2)(a) of the Animal Health and Welfare Act 1984(a) and all other powers enabling it in that behalf, makes the following Regulations -

**Title, commencement and extent**

1.-(1) These Regulations may be cited as the Artificial Insemination of Cattle (Emergency Licences) (Wales) Regulations 2001 and shall come into force on 25th April 2001.

(2) These Regulations shall apply to Wales only.

**Interpretation**

2.-(1) In these Regulations, unless the context otherwise requires -

"the 1985 Regulations" means the Artificial Insemination of Cattle (Animal Health) (England and Wales) Regulations 1985(b);

"emergency licence" means an emergency licence issued under regulation 3(1);

"the National Assembly" means the National Assembly for Wales; and

"outbreak of foot-and-mouth disease" means a period during which one or more areas within Great Britain are declared to be infected or controlled areas for the purposes of the Foot-and-Mouth Disease Order 1983(c).

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(a) 1984 c.40; see section 10(8) for definition of "appropriate Minister". Functions of the "appropriate Minister" in so far as exercisable in relation to Wales by the Secretary of State for Wales were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1989 (S.I. 1996/672).

(b) S.I. 1985/1861.

(c) S.I. 1983/1950, as amended by S.I. 1993/3119, S.I. 1995/2922, S.I. 2001/572 (W.26); S.I. 2001/658 (W.33), S.I. 2001/968 (W.46), S.I. 2001/133 (W.47) which was itself amended by S.I. 2001/1234 (W.67); and S.I. 2001/1406 (W.93)

(2) Any reference in these Regulations to a numbered regulation shall be construed as a reference to the regulation so numbered in these Regulations.

### **Power to issue emergency licences during outbreaks of foot-and-mouth disease**

3.-(1) During an outbreak of foot-and-mouth disease, the National Assembly may issue emergency licences for the purposes of these Regulations.

(2) An emergency licence

(a) may be general or specific; and

(b) may be made subject to such conditions and exclusions as the National Assembly may think fit.

(3) The National Assembly may modify, suspend or revoke any emergency licence at any time either -

(a) in the case of a general licence, by giving notice in such manner as it may think fit; or

(b) in the case of a specific licence, by giving notice in writing to the holder of the licence.

(4) An emergency licence shall automatically expire 2 months after the end of the outbreak of foot-and-mouth disease during which it is issued.

### **Effect of an emergency licence**

4. An emergency licence may authorise the licensee to do anything specified in the licence that would otherwise be prohibited by any provision of the 1985 Regulations, subject to any conditions and exclusions as specified in the licence.

### **Provision of information etc**

5. No person shall make any statement or provide any information for the purpose of obtaining an emergency licence unless he reasonably believes the information or statement to be true.

### **Amendment to the Artificial Insemination of Cattle (Animal Health) (England and Wales) Regulations 1985**

6.-(1) The 1985 Regulations shall be amended in so far as they apply to Wales in accordance with the following paragraph.

(2) In regulation 4 (application of regulations), immediately following paragraph (3), there shall be inserted the following paragraph -

" (3A) These regulations shall not apply to anything done in accordance with an emergency licence issued under the Artificial Insemination of Cattle (Emergency Licences) (Wales) Regulations 2001(a)".

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998 (b).

24th April 2001

*John Marek*

The Deputy Presiding Officer of the National Assembly

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(a) S.I. 2001/(1539(W.107).

(b) 1998 c.38.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Regulation 3 of these Regulations empowers the National Assembly for Wales to issue emergency licences during outbreaks of foot-and-mouth disease (as defined in regulation 2).

Regulation 4 of these Regulations provides that an emergency licence may authorise the licensee to do things that would normally be prohibited by the Artificial Insemination of Cattle (Animal Health) (England and Wales) Regulations 1985 ("the 1985 Regulations"), which controls a range of activities related to the artificial insemination of cattle.

Regulation 5 provides that anyone making a statement or providing information for the purpose of obtaining an emergency licence must reasonably believe that the statement or the information is true.

Regulation 6 of these Regulations amends regulation 4 of the 1985 Regulations to provide that the 1985 Regulations shall not apply in relation to anything done in accordance with an emergency licence issued under regulation 3 of these Regulations.

Failure to comply with the conditions of an emergency licence or with regulation 5 of these Regulations is an offence against section 10(6) of the Animal Health and Welfare Act 1984, for which the maximum penalty is three months imprisonment and/or a fine at level 3 on the standard scale (currently, £1,000).

A Regulatory Appraisal has not been prepared in respect of these Regulations.

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