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WELSH STATUTORY INSTRUMENTS

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**2010 No. 1671**

**The Eggs and Chicks (Wales) Regulations 2010**

**PART 5**

Miscellaneous provisions

**Record-keeping requirements**

**24.**—(1) The Welsh Ministers may by notice direct any person carrying on any activity regulated by a provision mentioned in Schedule 1, 2 or 3 to comply with any of the requirements mentioned in paragraph (2).

(2) The requirements are—

- (a) to keep, or cause to be kept, such records as the Welsh Ministers may reasonably require for the purposes of enforcing any such provision;
- (b) to provide the Welsh Ministers with such information derived from such records as they may require by the times mentioned in the notice; and
- (c) to retain such records for such period as the Welsh Ministers may reasonably require.

(3) But the Welsh Ministers must not give a direction under paragraph (1) unless the records to which the direction relates are of a type that are normally kept in the course of a business by persons carrying on any activity regulated by a provision mentioned in Schedule 1, 2 or 3 and—

- (a) the direction will be given on or before 16 January 2010 and the Welsh Ministers reasonably suspect that the person to whom the direction will be given has contravened, or failed to comply with, any provision mentioned in Schedule 1, 2 or 3 since the coming into force of these Regulations;
- (b) the direction will be given on or before 16 January 2010, the person to whom the direction will be given has been convicted of an offence under regulation 5, 9 or 16 of these Regulations and the Welsh Ministers reasonably suspects that, since the conviction, that person—
  - (i) has continued to contravene, or fail to comply with, the provision mentioned in Schedule 1, 2 or 3 to which that person's conviction relates; or
  - (ii) has contravened, or failed to comply with, some other provision mentioned in Schedule 1, 2 or 3;
- (c) the direction will be given on or after 17 January 2010 and the Welsh Ministers reasonably suspect that the person to whom the direction will be given has contravened, or failed to comply with, any provision mentioned in Schedule 1, 2 or 3 within the six month period immediately before the direction is given; or
- (d) the direction will be given on or after 17 January 2011, the person to whom the direction will be given has been convicted of an offence under regulation 5, 9 or 16 of these Regulations within the six month period immediately before the giving of the direction, and the Welsh Ministers reasonably suspect that, since the conviction, that person—

- (i) has continued to contravene, or fail to comply with, the provision mentioned in Schedule 1, 2 or 3 to which that person's conviction relates; or
  - (ii) has contravened, or failed to comply with, some other provision mentioned in Schedule 1, 2 or 3.
- (4) A person is guilty of an offence if they do not comply with any requirement imposed on them by a direction given by the Welsh Ministers under paragraph (1).

**Changes to legislation:**

There are currently no known outstanding effects for the The Eggs and Chicks (Wales) Regulations 2010, Section 24.