
EXPLANATORY NOTE

(This note is not part of the Regulations)

The Regulations make provision in Wales for the administration and enforcement of Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing (OJ No L 303, 18.11.2009, p.1) (“the EU Regulation”) and certain national rules maintained or adopted under Article 26(1) and (2) of the EU Regulation.

The Regulations revoke the Welfare of Animals (Slaughter or Killing) Regulations 1995 (S.I. 1995/731) and amending instruments insofar as they apply to Wales.

Part 1 is introductory and includes definitions and designates the competent authority responsible for various functions under the Regulations.

Chapter 1 of Part 2 requires persons to obtain an EU certificate of competence or temporary certificate of competence before killing animals or carrying out related operations in a slaughterhouse. Part 2, Chapter 1 is subject to the transitional arrangements in Schedule 7 which apply until 8 December 2015. Chapter 2 of Part 2 requires persons to obtain a national licence before killing animals or carrying out related operations elsewhere than in a slaughterhouse, subject to exceptions. The Regulations provide for the refusal, suspension or revocation of certificates of competence, temporary certificates of competence or licences and for the right to appeal against a decision to refuse, suspend or revoke them.

Part 3 and Schedules 1 to 4 set out national rules that have been maintained or adopted in accordance with Article 26(1) and (2) of the EU Regulation to ensure more extensive protection of animals at the time of killing including provision within Schedule 3 for the Rabbinical Commission to licence persons carrying out the killing of animals in accordance with the Jewish method.

Part 4 makes provision for the Welsh Ministers to grant derogations from the provisions of the EU Regulation in exceptional circumstances where compliance is likely to affect human health or significantly slow down the eradication of a disease.

Part 5 sets out the offences for contravening these Regulations or the EU Regulation. Regulation 33 sets out the penalties on summary conviction.

Part 6 contains provisions relating to enforcement. Inspectors, appointed by the competent authority and local authorities, are given powers to ensure compliance with these Regulations and the EU Regulation, including powers of entry and seizure and powers to issue enforcement notices. Breaching an enforcement notice and obstructing inspectors is an offence.

Part 7 provides for consequential and supplementary amendments, transitional provisions and revocations.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Office of the Chief Veterinary Officer, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.