

STATES OF JERSEY



DRAFT ANIMAL HEALTH (CONSEQUENTIAL AMENDMENTS) (JERSEY) REGULATIONS 201-

Lodged au Greffe on 5th December 2016
by the Minister for the Environment

STATES GREFFE



Jersey

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REPORT

Background

The Draft Animal Health (Jersey) Law 201- ([P.17/2016](#)) was approved by the States Assembly on 12th April 2016. When the [Animal Health \(Jersey\) Law 2016](#) (the “2016 Law”) is enacted, certain consequential amendments to existing EU legislation are required.

These Regulations –

- (a) make minor changes to the European Communities Legislation (Blue Tongue) (Jersey) Regulations 2008 and the EU Legislation (Transmissible Spongiform Encephalopathies) (Jersey) Regulations 2015 which clarify that the Animal Health (Jersey) Law 2016 will apply in addition. Any reference to Orders that are being revoked by the 2016 Law are removed; and
- (b) amend the EU Legislation (Veterinary and Zoological Checks – Trade with Member States) (Jersey) Regulations 2016 and the EU Legislation (Veterinary Checks – Imports from Third Countries) (Jersey) Regulations 2016 so as to replace references to the Diseases of Animals (Jersey) Law 1956 (the “1956 Law”) with references to the 2016 Law, which repealed the 1956 Law, and update cross-references to animals for which an import licence is needed under an Order made under the 2016 Law.

Conclusion

The Regulations provide the necessary changes to the legal framework for animal health when the Animal Health (Jersey) Law 2016 is enacted.

Financial and manpower implications

There are no financial or manpower implications for the States arising from the adoption of these draft Regulations.

Explanatory Note

These Regulations amend certain EU Legislation as a consequence of the enactment of the Animal Health (Jersey) Law 2016 (the “2016 Law”).

The minor changes to the European Communities Legislation (Bluetongue) (Jersey) Regulations 2008 and the EU Legislation (Transmissible Spongiform Encephalopathies) (Jersey) Regulations 2015 clarify that that the 2016 Law will apply additionally.

These Regulations also amend the EU Legislation (Veterinary and Zootechnical Checks – Trade with Member States) (Jersey) Regulations 2016 and the EU Legislation (Veterinary Checks – Imports from Third Countries) (Jersey) Regulations 2016 so as to replace references to the Diseases of Animals (Jersey) Law 1956 with references to the 2016 Law which repealed the 1956 Law and update cross-references to animals for which an import licence is needed under an Order made under that Law.



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Arrangement

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Jersey

DRAFT ANIMAL HEALTH (CONSEQUENTIAL AMENDMENTS) (JERSEY) REGULATIONS 201-

Made [date to be inserted]
Coming into force [date to be inserted]

THE STATES, in pursuance of Article 34(2) of the Animal Health (Jersey) Law 2016¹, have made the following Regulations –

1 Amendment of Diseases of Animals (Rabies) (Importation of Mammals) (Jersey) Order 2011

In Article 3(6) of the Diseases of Animals (Rabies) (Importation of Mammals) (Jersey) Order 2011² for the words “without prejudice to the Rabies (Control) (Jersey) Order 1976” there shall be substituted the words “without limiting the powers in the Animal Health (Jersey) Law 2016³ or the Animal Health (Rabies) (Jersey) Order 2016⁴”.

2 Amendment of European Communities Legislation (Bluetongue) (Jersey) Regulations 2008

For Regulation 2 of the European Communities Legislation (Bluetongue) (Jersey) Regulations 2008⁵ there shall be substituted the following Regulation –

“2 Applicability of other legislation

- (1) These Regulations are ‘relevant legislation’ for the purposes of the Animal Health (Jersey) Law 2016⁶ and do not limit and are not limited by the application of that Law.
- (2) These Regulations are in addition to and not in derogation of the 2006 Order.”.

3 EU Legislation (Transmissible Spongiform Encephalopathies) (Jersey) Regulations 2015

In Regulation 3 of the EU Legislation (Transmissible Spongiform Encephalopathies) (Jersey) Regulations 2015⁷ after paragraph (3) there shall be added the following paragraph –

- “(4) These Regulations are ‘relevant legislation’ for the purposes of the Animal Health (Jersey) Law 2016⁸ and do not limit and are not limited by the application of that Law.”.

4 Amendment of EU Legislation (Veterinary and Zootechnical Checks – Trade with Member States) (Jersey) Regulations 2016

- (1) The EU Legislation (Veterinary and Zootechnical Checks – Trade with Member States) (Jersey) Regulations 2016⁹ are amended as follows.
- (2) In Regulation 1 for the definitions “inspector” and “official veterinarian” there shall be substituted respectively the following definitions –
 - “ ‘inspector’ means a person appointed as such under Article 6(1) of the Animal Health (Jersey) Law 2016¹⁰ and includes the States Veterinary Officer appointed under Article 5 of that Law;
 - ‘official veterinarian’ means –
 - (a) the States Veterinary Officer appointed under Article 5 of the Animal Health (Jersey) Law 2016; and
 - (b) any inspector designated as a veterinary inspector under Article 6(2) of that Law;”.
- (3) In Regulation 12(1) the words “Notwithstanding Schedule 1 to the Diseases of Animals (Jersey) Law 1956¹¹, but” shall be deleted.
- (4) For Regulation 24 there shall be substituted the following Regulation –

“24 Animal Health (Jersey) Law 2016

- (1) These Regulations are not to be construed as permitting the importation of live cattle, which is prohibited by Article 14 of the Animal Health (Jersey) Law 2016¹².
- (2) These Regulations do not derogate from any prohibition, imposed by Order made under Article 7 of the Animal Health (Jersey) Law 2016 on the importation of Antilocapridae, Camelidae, Caprinae, Cervidae, Giraffidae, Suidae and Tragulidae without a licence granted by the Minister.”.

5 Amendment of EU Legislation (Veterinary Checks – Imports from Third Countries) (Jersey) Regulations 2016

- (1) The EU Legislation (Veterinary Checks – Imports from Third Countries) (Jersey) Regulations 2016¹³ are amended as follows.
- (2) In Regulation 1 for the definitions “inspector” and “official veterinarian” there shall be substituted respectively the following definitions –
 - “ ‘inspector’ means a person appointed as such under Article 6(1) of the Animal Health (Jersey) Law 2016¹⁴ and includes the States Veterinary Officer appointed under Article 5 of that Law;
 - ‘official veterinarian’ means –

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- (a) the States Veterinary Officer appointed under Article 5 of the Animal Health (Jersey) Law 2016; and”
 - (b) any inspector designated as a veterinary inspector under Article 6(2) of that Law;”.
- (3) In Regulation 6(1) the words “Notwithstanding Schedule 1 to the Diseases of Animals (Jersey) Law 1956¹⁵,” shall be deleted.
- (4) For Regulation 18 there shall be substituted the following Regulation –

“18 Animal Health (Jersey) Law 2016

- (1) These Regulations are not to be construed as permitting the importation of live cattle, which is prohibited by Article 14 of the Animal Health (Jersey) Law 2016¹⁶.
- (2) These Regulations do not derogate from any prohibition, imposed by Order made under Article 7 of the Animal Health (Jersey) Law 2016 on the importation of Antilocapridae, Camelidae, Caprinae, Cervidae, Giraffidae, Suidae and Tragulidae without a licence granted by the Minister.”.

6 Citation and commencement

These Regulations may be cited as the Animal Health (Consequential Amendments) (Jersey) Regulations 201- and shall come into force on 1st February 2017.

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- 1 *L.12/2016*
 - 2 *chapter 02.400.70*
 - 3 *L.12/2016*
 - 4 *R&O.122/2016*
 - 5 *chapter 17.245.85*
 - 6 *L.12/2016*
 - 7 *chapter 17.245.91*
 - 8 *L.12/2016*
 - 9 *R&O.33/2016*
 - 10 *L.12/2016*
 - 11 *chapter 02.400*
 - 12 *L.12/2016*
 - 13 *R&O.32/2016*
 - 14 *L.12/2016*
 - 15 *chapter 02.400*
 - 16 *L.12/2016*