

STATES OF JERSEY



DRAFT COMMUNITY PROVISIONS (MORTALITY IN OYSTERS) (AMENDMENT) (JERSEY) REGULATIONS 201-

**Lodged au Greffe on 26th October 2010
by the Minister for Planning and Environment**

STATES GREFFE



Jersey

DRAFT COMMUNITY PROVISIONS (MORTALITY IN OYSTERS) (AMENDMENT) (JERSEY) REGULATIONS 201-

REPORT

The Community Provisions (Mortality in Oysters) (Jersey) Regulations 2010 (“the principal Regulations”) provide powers to enforce Council Regulation (EU) No. 175/2010. That Council Regulation contains measures to prevent the spread of oyster herpes virus, OsHV- μ var1. At the time the principal Regulations were adopted by the States, in July, it was expected that the Council Regulation would expire at the end of 2010. The principal Regulations were therefore expressed to expire on 1st January 2011. It now seems likely that the Council Regulation will continue in force past that date, with the consequence that the enforcement powers in the principal Regulations also need to remain in force. This amendment therefore deletes the provision providing for the expiry of the principal Regulations on 1st January 2011. As amended, they will remain in force indefinitely, until repealed or revoked or until they cease to have effect, by reason of the Council Regulation expiring.

Financial and manpower implications

There are no financial or manpower implications for the States arising from these Draft Regulations.

Explanatory Note

These Regulations amend the Community Provisions (Mortality in Oysters) (Jersey) Regulations 2010 which implement Commission Regulation (EU) No 175/2010 (OJ L 52, 3.3.2010, p.1) and are due to expire on 1st January 2011. That Commission Regulation may now be extended beyond the end of 2010. This amendment therefore removes the expiry provision, so that the Regulations can continue in force until they are repealed when they are replaced or until they cease to be effective if the European Regulation expires.



Jersey

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Made [date to be inserted]

Coming into force [date to be inserted]

THE STATES, in pursuance of Article 2 of the European Communities Legislation (Implementation) (Jersey) Law 1996¹, have made the following Regulations –

1 Amendment of Community Provisions (Mortality in Oysters) (Jersey) Regulations 2010

Regulation 11(3) of the Community Provisions (Mortality in Oysters) (Jersey) Regulations 2010² shall be deleted.

2 Citation and commencement

These Regulations may be cited as the Community Provisions (Mortality in Oysters) (Amendment) (Jersey) Regulations 201- and shall come into force 7 days after they are made.

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- ¹ *chapter 17.245*
² *R&O.81/2010*