

## **Y PWYLLGOR AMAETHYDDIAETH A DATBLYGU GWLEDIG**

**17 Ebrill 2002**

### **ADRODDIAD Y GWEINIDOG DROS FATERION GWLEDIG**

#### **TB Gwartheg**

1. Yn Atodaid 1 ceir adroddiad ar sefyllfa gyfredol TB ymhlith gwartheg yng Nghymru a'r camau sy'n cael eu cymryd i reoli'r clefyd.

#### **Y Pwyllgor Rhyngadrannol ar Fewnforion Anghyfreithlon**

2. Gofynnwyd i mi mewn cyfarfod blaenorol o'r Pwyllgor roi adroddiad ar waith y Pwyllgor Rhyngadrannol ar Fewnforion Anghyfreithlon. Yn dilyn cyfarfod cyntaf y pwyllgor cynhyrchwyd deunydd ar gyfer y Fforwm llwyddiannus ar Fewnforion Anghyfreithlon a gadeiriwyd gan yr Ysgrifennydd Gwladol dros yr Amgylchedd, Bwyd a Materion Gwledig ar 21 Mawrth. Mae carfanau perthnasol a grwpiau o'r sector preifat a llywodraeth leol wedi ymrwymo i gefnogi'r gwaith hwn. Cyhoeddwyd cynllun gweithredu yn dilyn y fforwm. Ceir manylion bras y cynllun yn Atodiad 2.

#### **Y Diweddaraf am Cyswllt Ffermio**

3. Lanswyd rhaglen Cyswllt Ffermio ryw 6 mis yn ôl, ym mis Medi/Hydref 2001. Cynlluniwyd y rhaglen gan Lywodraeth Cynulliad Cymru ac Awdurdod Datblygu Cymru ar ôl ymgynghori â phartneriaid allweddol yn y sector cyhoeddus a chyrrff megis Cymdeithas Llywodraeth Leol Cymru, Bwrdd Croeso Cymru, Asiantaeth yr Amgylchedd, Cyngor Cefn Gwlad Cymru, y Comisiwn Coedwigaeth, NFU Cymru ac Undeb Ffermwyr Cymru. Rheolir a darperir y gwasanaethau gan y WDA. Mae Atodiad 3 yn nodi'r cynnydd a wnaed hyd yn hyn.

#### **RHEOLIADAU ASESU EFFEITHIAU AMGYLCHEDDOL (TIR HEB EI DRIN AC ARDALOEDD LLED-NATURIOL) (CYMRU) 2002**

4. Yng nghyfarfod y Pwyllgor ar 6 Chwefror, gofynnodd yr Aelodau am fwy o wybodaeth am Reoliadau Asesu Effeithiau Amgylcheddol (Tir Heb Ei Drin ac Ardaloedd Lled-Naturiol) (Cymru) 2002. Ceir nodyn cefndir ar y rheoliadau yn Atodiad 4.

5. Mae'r sefyllfa gyfredol fel y ganlyn. Cyflawnodd Rheoliadau drafft y Cynulliad y mwyafrif o'r gweithdrefnau y llynedd. Fodd bynnag, ym mis Ionawr fe wnaeth DEFRA ddiwygio'i reoliadau i adlewyrchu gofynion y Gyfarwydeb Cynefinoedd o ran cadwraeth cynefinoedd naturiol a fflora a ffawna. Nid oedd gan y Cynulliad y pŵer gofynnol o dan adran 2(2) Deddf Cymunedau Ewropeaidd 1972 felly nid oedd yn gallu mynd â'r mater ymhellach.

6. Mae Gorchymyn bellach wedi cael ei gyflwyno ar ffurf yr European Communities (Designation) Order 2002 (SI 2002 No. 248) sy'n dynodi darpariaethau'r Gyfarwyddeb Cynefinoedd i'r Cynulliad Cenedlaethol ac mae trefniadau i drafod y Gorchymyn hwn mewn Cyfarfod Llawn ar y gweill. Bydd hwn yn caniatáu i'r Rheoliadau ddod i rym yng Nghymru gyda darpariaethau sy'n ymwneud â gweddill y DU.

### **Gorchymyn Pwyllgor Pysgodfeydd Môr De Cymru**

7. Rydym yn ystyried ymatebion aelodau awdurdodau lleol y pwyllgor, i gynigion am ffordd ymlaen yn dilyn yr Arolwg Barnwrol. Mae Llywodraeth y Cynulliad yn bwriadu dod â Gorchymyn Amrywio ymlaen yn unol â dymuniadau'r awdurdodau sy'n aelodau o'r pwyllgor. Caiff manylion Gorchymyn o'r fath eu cyflwyno gerbron y Pwyllgor cyn eu cyflwyno gerbron y Cynulliad yn ffurfiol.

### **Y Cynllun Adfer Cefn Gwlad**

8. Mae'r adroddiad nesaf ar y Cynllun Adfer Cefn Gwlad gan gynnwys y data ariannol diweddaraf yn cael ei gwblhau. Gobeithiaf ei ddosbarthu i'r Pwyllgor ar gyfer y cyfarfod ar 1 Mai.

### **Mewnforion cig anghyfreithlon**

9. Yng nghyfarfod y Pwyllgor ar 6 Chwefror, gofynnodd y Pwyllgor am wybodaeth am nifer y bobl a gosbwyd yng Nghymru am fewnforio cig yn anghyfreithlon. Am fod Gorsafoedd Archwilio ar Ffiniau yn brin yng Nghymru, ac felly manau i ganfod pobl sy'n mewnforio'n anghyfreithlon, nid yw'r Gwasanaeth Milfeddygol Gwladol yn ymwybodol o unrhyw erlyniadau.

### **Is-Ddeddfwriaeth**

10. Mae fy adroddiad diweddaraf ar is-ddeddfwriaeth arfaethedig yn Atodiad 5.

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**ANNEX 1**

### **Bovine TB**

The Incidence of TB in cattle has been rising since 1990. In 2001, over 6,000 cattle were slaughtered in Great Britain because of the disease. Nearly 2,000 of these cattle were from Wales. Members will be aware that the FMD outbreak has affected testing and, possibly, incidence of TB.

Testing Regime

## **EU**

Apart from resource implications, the minimum frequency of herd testing is governed by the EC Directive 64/432/EEC.

every 4 years if the average percentage of confirmed herd incidents over the two last supervisory periods (8 years) is less than 0.1%

every 3 years if between 0.1 and 0.2% in the last 6 years

every 2 years if between 0.2 and 1% in the last 4 years

every year if over 1% in the last 2 years

## **UK**

Four years is the default TB testing interval applied in most cattle herds throughout Wales. There are clusters of parishes subject to biennial or annual testing in Monmouthshire, Radnor and Brecknockshire, Carmarthen, Pembrokeshire and the Gower Peninsula. This is a reflection of the increased incidence of the disease in those areas. Even in four and two year testing areas specific herds assessed as high public or animal health risk herds are tested annually. This is determined by the local Divisional Veterinary Managers of the SVS, who also allocate routine TB testing to the local veterinary practices. Full market value compensation is paid to farmers for any animals culled as reactors to the TB test or as potentially infected animals (direct contacts).

In addition to the testing programme, there is a second strand to TB surveillance. Under current meat inspection techniques there is continuous screening for TB. All cattle passing through the slaughterhouse are meat inspected and checked for TB lesions. Any cattle found with lesions are traced back to the farm of origin.

### **Recent measures**

Resources have been concentrated on those herds likely to spread infection. A veterinary risk assessment has identified the subgroup of overdue TB tests that are most likely to pick up reactors. These are tests of herds located in parishes subject to annual TB testing that, after sustaining a TB breakdown, were due a 6 and 12 month check test. From 31 January 2002 movement restrictions have been imposed on all herds in annual testing parishes that have missed either their 6 or 12 month check tests pending completion of the test with negative results. Some 100 herds in Wales are currently affected by these restrictions. Animals from restricted herds can only move to slaughter. Restrictions can also be placed on 'At Risk' herds whose tests are overdue.

On premises depopulated during the FMD epidemic, the frequency of tests following restocking has also been increased.

### **Current Position**

There have been notable recent increases in incidence in Wales. In particular, there has been a marked rise in

Pembrokeshire, West Carmarthenshire, Gower and Monmouthshire. Hitherto unaffected areas like Southern Ceredigion, Central Carmarthenshire and Montgomeryshire have also been affected.

During the FMD outbreak testing virtually ceased during the 4 month period March to August 2001 with only short interval tests on reactor herds taking place in certain areas of West Wales. Although the current overdue tests run to somewhere in the region of 5,000 tests, the number of key tests that are overdue amounted to 316 at the end of February 2002. These tests are herds that have missed their 6 or 12 month check tests and those herds contiguous to these premises. There are concerns that TB may have become more widespread or entrenched during the crisis. Clearing the TB test backlog through targeted testing is revealing significantly higher numbers of infected herds with significantly greater numbers of infected animals in each herd than would normally be expected. The incidence of overdue key tests is likely to rise as more reactor herds are found so the greater the number of contiguous premises there are to test.

DEFRA in consultation with the SVS in Wales has already responded to minimise the spread of TB through the introduction of movement restrictions on herds in annual testing parishes with overdue 6 and 12 month check tests. Prioritisation has also been given to those herds with overdue tuberculosis tests. In Wales an additional 25 staff are being deployed at the Animal Health Offices in support of this process. LVI practices are currently taking on more staff and are undertaking an increase in testing. Full time veterinary staff are also being diverted to testing. Further consideration is currently being given by DEFRA and the SVS in Wales as to what future action could be taken.

There are particular problems emerging in certain areas of Wales. The whole of Montgomeryshire has been under a 4 yearly testing regime since 1993. The confirmation of 22 reactor herds around Newtown and Montgomery in November 2001 has led to a recommendation that immediate annual check tests should be undertaken in the two worst affected parishes and on a biennial basis on adjacent parishes.

### **Badgers and the Krebs review**

The Krebs review of bovine TB in cattle and badgers found strong circumstantial evidence that badgers are a significant source of infection for cattle, but the relative contribution that badgers and other wildlife make to the disease in cattle is not known. The Badger Culling Trial designed and overseen by the Independent Scientific Group (ISG) on Cattle forms part of the Governments research programme. The trial aims to give a better understanding of the nature of TB in cattle and badgers and addresses such areas as:

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What contribution do badgers and other wildlife make to TB in cattle?

Is the culling of badgers an effective way of controlling TB in cattle?

What factors maintain the disease in wildlife and how does TB in wildlife relate to TB in cattle?

Three different control methods were introduced and farmers asked to participate on a voluntary basis. The trials include 'Proactive' culling where as many badgers as possible from the whole area are trapped and killed humanely, 'Reactive' culling where badgers are only trapped and killed from social groups associated with

farms where TB cattle are confirmed and 'Survey only'. Ten areas that had a relatively high incidence of TB in cattle were identified for the trials. On advice of the ISG all these sites were in England, according to the scientific criteria laid down as part of the research. There are no plans to establish further trial sites.

The Krebs trial commenced in August 1998 and the ISG expect the trial to start providing reliable results by 2004. To set up a trial in Wales at this time would be pointless. It would add nothing scientifically, it would be seen, correctly, as an excuse to kill badgers.

Badgers are a protected species and as such it is illegal to kill them without permission. Culling of badgers requires a licence, these are issued in Wales by the National Assembly under the Wildlife and Countryside Act. According to records no licences have been issued by either DEFRA or the National Assembly for Wales for the culling of badgers.

### **Public Health Considerations**

Although the risk to human health from bovine TB is considered low it must still be taken seriously. Measures are in place to protect Public Health with the SVS notifying local health authorities about cases of TB in cattle herds so that they can take appropriate action. Bovine TB has not, however, been linked to an increase in TB in the population.

Bovine TB, caused by *Mycobacterium bovis* (*M.bovis*) used to be a major cause of death in people prior to the 1939-45 war, when a large proportion of dairy cows were infected with this bacterium. Introduction of heat treatment (pasteurisation) of milk and a programme of regular herd testing, as required by EU law, slaughter and compensation has led to the risk to people being negligible. Pasteurisation ensures that milk from any infected cow that may have developed infection in the udder is safe to drink. In England and Wales the law still allows raw (unpasteurised) cows' milk to be retailed for human consumption, but any milk that is sold untreated must be from Officially TB free (OTF) herds. Carcasses at slaughterhouses are also checked for signs of TB by the Meat Hygiene Service. Affected meat and offal is condemned and may not enter the food chain.

Human TB in developed countries is nowadays primarily caused by *Mycobacterium tuberculosis*. Whereas the incidence of *M. tuberculosis* TB in the UK is on the increase, the number of cases attributed to *M. bovis* remains stable and at a very low level. Fewer than 50 cases were reported each year between 1993 and 2000, with the annual number of Welsh isolates ranging from 0 to 5. The majority of these, if not all, are due to reactivation of infection in elderly people or cases in immigrants of Asian or African origin.

### **Progress in the fight against Bovine TB**

The sequence of the entire genome of the organism that causes bovine tuberculosis has been determined in a collaborative project between the Veterinary Laboratories Agency (UK), the Institut Pasteur (France), and the Pathogen Genome Sequencing Unit at the Wellcome Trust Sanger Institute (UK).

The genome-sequencing project began in 1999 as a result of the rapidly growing number of TB cases in cattle in Great Britain. The aim is to use the genomic information to accelerate the development of new tools such as improved diagnostic tests to control bovine tuberculosis. The genome sequence will also allow a detailed analysis of the disease-causing mechanisms of *M. bovis*, offering the hope of developing new vaccines against the disease. However, a vaccine remains some 10 years away.

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## ANNEX 2

### ILLEGAL MEAT IMPORTS: ACTION PLAN

**The Illegal Imports programme aim is to:**

*Reduce the risk of exotic animal and plant disease entering the country and then threatening our public health, and livestock, agriculture and horticulture industries*

**The key elements of the programme are:**

- **Risk assessment** - to inform decisions about the nature of the risks from imports (personal and commercial), and where are the critical points for taking action. As recommended by the Policy Commission on Food and Farming, a thorough risk assessment of meat imports led by the Veterinary Laboratories Agency is underway. Results will start to be available from May. More data is needed to inform this process. External stakeholder groups will be established to help inform and guide the risk assessment process. Targeted sample checks will be undertaken, in agreement with the enforcement agencies involved, where necessary to establish relevant risks.
- **Co-operation between agencies** – the central and local government agencies involved in importation of food and other goods are working closely together to achieve effective inter-agency co-ordination of checks. DEFRA will provide a published guide on the roles, responsibilities and powers of relevant agencies for preventing and detecting illegal consignments of products of animal origin.
- **Effective intelligence** – to improve targeting of anti-smuggling measures. Action has already been taken to strengthen intelligence gathering and sharing between enforcement agencies. External stakeholder groups are being established to assist the Government in this work.
- **Legal powers** – enforcement officers will be given new powers (already available to customs officers) in April to search baggage, etc for illegal imports of meat.

- **European action** – work with European authorities to clarify and potentially tighten enforcement of rules on third country imports reaching the UK via other EU member states; and to reform rules on personal imports.
  - **Publicity** - for the United Kingdom’s rules on imports of animal and plant products, and the reasons for them. As results from the risk assessment and current market research on consumer impact come in, discussions will continue with representatives of airlines and others about how they can help.
  - **Deterrence** – work to ensure both a greater awareness of the consequences of bringing illegal food imports into the UK in terms of information to passengers and shippers; and, taking account of the risk assessment, to establish the appropriate level and type of checks, and effective penalties.
- **Other specific measures will include:**
    - Pilot use of **detector dogs** to be underway by summer 2002
    - Examination of the potential benefits of using **x-ray equipment** to scan containers and personal baggage to detect illegal imports, leading if successful to a trial.
    - Provision of ‘**amnesty**’ **bins** or equivalent measure to encourage the surrender of unintended illegal personal imports.
    - **Landing card** – pursue with interested parties possible amendment to the landing card to draw attention to import prohibitions.
    - **Research into available technologies** which might help detect illegal imports.

Further work on illegal imports is on-going.

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**ANNEX 3**

## **FARMING CONNECT UPDATE: APRIL 2002**

1. The programme currently comprises:

- a Farming Connect telephone helpline
- a network of around 30 locally-based **Farming Connect facilitators**
- free, on-farm **business planning advice** (from a choice of around 100 trained and accredited

consultants) leading to the completion of a Farm Business Development Plan (FBDP)

- **capital grants** - available on completion of a valid FBDP - in the form of Farm Improvement Grant, Farm Enterprise Grant (WAG), Farm Tourism Grant (WTB) and Timber Processing Grant (FC).
- **3 Development Centres** (Beef & Sheep, Dairy and Organic) linked to a network of 30 **Demonstration Farms**
- machinery rings
- bespoke **training** in ICT and in Management Development (available from May/June)

2. It was made clear at launch stage that the programme would be expanded and developed as required. New elements being developed include:

- environmental and pollution advice services, associated with a small capital grant scheme (to come on stream by summer 2002)
- subsidised planning advice for non-agricultural diversification projects (to come on stream in summer 2002)
- open days/demonstration events/group activities at the Development Centres and Demonstration Farms (to roll-out over the spring/summer 2002)

3. Initial demand for Farming Connect services was higher than had been anticipated:

- Over 4,000 enquiries have been received by the Farming Connect helpline over the first 6 months, of which just over 3,700 have requested the business planning (FBDP) service
- 237 FBDPs have already been completed and a further 1,463 are in the process of completion
- 78 applications have been made for Farm Improvement Grant (3 have since been approved) and 7 for Farm Enterprise Grant (1 has been approved)

4. The teething problems are being addressed:

- the overlong **waiting lists** for some of the more popular/better known business consultants are now easing. All new enquiries are being informed by the Helpline staff of the waiting time for the consultant (s) of their choice, and those currently on the waiting lists have been notified of how soon they can expect to be seen. The WDA is currently drawing up proposals to ensure that first consultancy visits are delivered faster.
- officials are looking at how the **FIG/FEG application process** might also be streamlined so that the grants, and especially those projects requiring relatively small sums for farm improvements, can be paid

faster.

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## **Background Brief:**

### ***Application of Environmental Impact Assessment (EIA) Regulations:***

1. The purpose and effect of the regulations is to require farmers to prepare an Environmental Impact Assessment(EIA). EIA is a way of helping farmers, land managers and others to consider the environmental effects of changing the way they use their land. EIA aims to make sure that land of special environmental importance is protected if there are proposals to change the way the land is used. There are no specific thresholds or criteria on the size of projects; EIA consideration will be applied to major projects and/or those that have a significant impact (e.g. on habitat or rare species).
2. EIA will affect uncultivated or semi-natural areas of land including unimproved grassland, heath and moorland; scrubland; and wetlands.
3. Projects affected by EIA will include cultivation; spreading of soil (including fertiliser and lime) in excess of existing application rates; drainage works apart from routine maintenance; land reclamation from estuary/wetlands; modifications to watercourses; flood defences; infilling ditches, ponds, pits, pools, marshes or historic earthworks; clearing vegetation or land in preparation for cultivation; and introduction of livestock at intensive rates (or increasing stocking rates to intensive levels).
4. EIA applies to projects for land use changed by bringing it into intensive agricultural use. There are exceptions. EIA will not be applied to:
  - projects that need planning permission;
  - forestry projects; or
  - other projects already covered under separate EIA regulations.

### ***Procedures:***

5. EIA procedures involve the following steps:
  - Farmer or land manager planning a ‘project’ applies to National Assembly for Wales Agriculture Department to discuss matter first.
  - Screening stage where National Assembly for Wales Agriculture Department considers whether the project is likely to have significant environmental effect. Applicant must be informed of screening

decision within 35 days of receipt of application.

- If it is considered that significant effects are likely, consultations undertaken with interested parties to determine the scope of an ‘Environmental Statement’ which needs to be prepared in order to assess environmental implications of the project.
- After publication of the ‘Environmental Statement’, decisions taken to consent or modify project.
- Applicants will have the right to appeal against decisions of the National Assembly for Wales Agriculture Department.

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## ANNEX 5

### AGRICULTURE & RURAL AFFAIRS LEGISLATION LIST

The list is in two parts:

*PART I shows those items of secondary legislation –*

#### **5- in all- which are in the programme**

It is quite possible that there will be other legislation which may have to be included in this list as plans are firmed up

PART II lists all other secondary legislation –

*63- in total- in the pipeline that we are aware of but which has not presently been programmed under the Standing Orders procedure.*

NO	TITLE	INTENTION OF LEGISLATION			KEY DATES	PROCEDURE
		PURPOSE	EFFECT	SCOPE	BC- BUSINESS COMMITTEE  LC- LEGISLATIVE COMMITTEE  P- PLENARY	
<b>ANIMAL HEALTH</b>						
<b>1</b>	<b>Artificial Insemination Amendment Regulations</b>	<b>Amendments to be made to the AI of Cattle (Animal Health) (Eng and Wales) Regs 1985 in order to make transitional provisions relating to the expiry of emergency licences issued during the outbreak of FMD and to seek powers to approve DIY AI courses in Wales.</b>	<b>The amendments will help to regularise the storage and movement of bovine semen post-FMD in Wales and go some way to address the necessary amendments to be made to the outdated 1985 Regs.</b>	<b>Wales will be making these amendments on a Wales-only basis. England are seeking agreement from their Minister.</b>		<b>Executive Procedure</b>  <b>Needs to be in place (if agreed) by 17<sup>th</sup> April 2002 otherwise the legislation cannot be made</b>
<b>2</b>	<b>Implementation of EU Regulation 999/2001 on TSE's</b>	<b>To enforce new Community-wide measures against TSEs.</b>	<b>This Regulation will ensure a statutory base for the additional scrapie testing requirements for sheep and goats that came into force in January 2002. The purpose of</b>	<b>The proposals implement EU Legislation and the SI will be made using powers under S2 (2) of the EU Communities Act 1972.FSA lead on some parts of the Regulation, eg,</b>		<b>Executive Procedure</b>  <b>Use of Executive Procedure has been granted given the underlying public health concerns</b>

			<p>the testing is to provide an European wide picture about the incidence of scrapie given concerns that scrapie could be masking BSE in sheep.</p>	<p>SRM controls as they apply in licensed slaughterhouses. To make things simpler for the industry and enforcement bodies and, as it is good regulatory practice, all TSE Regulation requirements are contained in a single SI for Wales.</p>	<p>surrounding TSE .</p> <p>An undertaking has been give to the Commission to make this legislation as quickly as possible and in any event before the Commission visit on 26<sup>th</sup> May 2002</p>
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NO	TITLE	INTENTION OF LEGISLATION			KEY DATES	PROCEDURE
		PURPOSE	EFFECT	SCOPE		
					BC- BUSINESS COMMITTEE  LC- LEGISLATIVE COMMITTEE  P- PLENARY	
CAP/ AGRICULTURE COMMODITIES						

3	<b>Tir Mynydd amendment regulations 2002</b>	<b>To make changes to the existing regulations (eg for stocking density)</b>	<b>Mainly to broaden the base for making TM payments and to bring cross border holdings in line with UK agreed arrangements.</b>	<b>The TM scheme is specific to Wales but these regulations are only amending extant scheme principal regulations.</b>		<b>To be done by Executive procedure in March/April-02. This is necessary so that we can give immediate effect to changes sought from the EC and that associated scheme payments will not be delayed to farmers.</b>
4	<b>Home grown Cereals Authority Levy order</b>	<b>To set the annual levy</b>	<b>The levy is used to fund the activities of the HGCA who continually seek to improve the production and marketing of cereals.</b>	<b>Enabling powers are section 13 of the Cereals marketing Act 1965. The act requires the Assembly to make the order jointly with GB Agriculture Ministers.</b>	<b>P - 30<sup>th</sup> May 2002</b>	<b>SO 23 SI</b>

NO	TITLE	INTENTION OF LEGISLATION			KEY DATES	PROCEDURE
		PURPOSE	EFFECT	SCOPE		
					BC- BUSINESS COMMITTEE  LC- LEGISLATIVE COMMITTEE  P- PLENARY	

**PLANT HEALTH & GM**

<b>5</b>	<b>Seeds(fees) (Amendment) Regulations 2002</b>	<b>This regulation will amend the Seed (Fees) Regulations in line with changes made in the Fodder Plant Seeds Regulations.</b>	<b>Expanding the definition of "Certified Seed" to include new varieties of Fodder plant seeds. Changing wording within schedule 6 and regulation 3 (3) and 5 of the Seeds (Fees) (Amendment) Regulations 1985 in order to clarify the regulations</b>	<b>This consequential amendment arises from the reclassification of lupins etc. in the Fodder Plant Seeds (Amendment) Regulations. These regulations will be made under sections 16(1), (1A) and 36 of the Plant Varieties and Seeds Act 1964.</b>	<b>BC 7 May LC 21 May P 11 June</b>	<b>SO22</b>
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TITLE	INTENTION OF LEGISLATION			PROJECTED DATE FOR MAKING SI	PROCEDURE
	PURPOSE	EFFECT	SCOPE		

**CAP/ AGRICULTURE COMMODITIES**

1	<b>Horticulture Development Council Regs</b>	<b>Technical amendment to change the levy and accounts year from 1st October to 1st April</b>	<b>Will bring the HDC accounts year into line with Whole of Government Accounts (WGA) project. For administrative simplicity, levy year also being similarly revised.</b>	<b>GB wide application with no scope for distinctive Welsh policy.  Regs will amend Horticultural Development Council Order SI 1986/1110, as amended by the Horticultural (Amendment ) Order 2000 SI2000/1975</b>	<b>May- June 02</b>	<b>SO 23</b>
2	<b>The Sheep Annual Premium (Wales) Regulations 2002</b>	<b>To implement the December 2001 EU Regulations on a reformed sheepmeat regime. Commission Reg. 2550/2001 and Council Reg. 2529/2001 refer.</b>	<b>To introduce :</b>  <b>A new fixed rate premium and LFA supplement;</b>  <b>A new premium payment period;</b>  <b>A new definition of producer group;</b>  <b>A new national envelope for sheep.</b>	<b>With the exception of the national envelope all these measures will have a common application in the UK.  The national envelope may be applied on a regional basis thereby allowing for the implementation of different options by the devolved UK administrations.  Regs will amend SI 1992/2677 (as amended); and will be introduced under the European Communities Act 1972 Section 2(2).</b>	<b>June-02</b>	<b>SO 22</b>

**Assembly designated for this purpose.**

	TITLE	INTENTION OF LEGISLATION			PROJECTED DATE FOR MAKING SI	PROCEDURE
		PURPOSE	EFFECT	SCOPE		
3	<b>Livestock Quotas (Amendment) (Wales) Regulations 2002</b>	<b>To implement measures to consolidate and liberalise the quota regime</b>	<b>Provide more flexible system of quota allocation and trading by simplifying administrative procedures.</b>	<b>Limited scope for distinctive Welsh policy.  Will amend SI 1997 No 2844.  Regs will be introduced under the European Communities Act 1972 Section 2(2)</b>	<b>Jun-02</b>	<b>SO22</b>
4	<b>CAP Wine Amendment Regs</b>	<b>To implement EU updated labelling regs.</b>	<b>Will give effect to EU rules relating to the description, designation and presentation of wines. Will standardise labelling of wine throughout the EU</b>	<b>EU wide with no discretion for distinctive Welsh policy. Will amend SI No 2193 The Common Agricultural Policy (Wine) (Wales) Regulations 2001. Regs will be introduced under the European Communities Act 1972 Section 2(2). Assembly designated for this purpose.</b>	<b>July-02</b>	<b>SO 22</b>

5	<b>Small Farmers' Scheme (Wales) Regulations 2002</b>	<b>To implement an EU Reg. giving farmers the option to participate in a pilot scheme offering a simplified procedure for claiming direct subsidies.</b>	<b>It would enable small farmers to receive a single payment (based on historic claims) in place of payments under a range of direct aid schemes thus reducing administrative burdens on farmers, national authorities and the commission.</b>	<b>Enabling powers are section 2 (2) of the European Communities Act 1972. The Assembly has been designated for this purpose, but scope for distinctive action is limited.</b>	<b>Autumn 2002</b>	<b>SO 22</b>
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	TITLE	INTENTION OF LEGISLATION			PROJECTED DATE FOR MAKING SI	PROCEDURE
		PURPOSE	EFFECT	SCOPE		
6	<b>Eggs and Poultry Marketing Regs.</b>	<b>These will implement EU regulations on labelling stocking density for free range eggs and technical requirements relating to the marketing of poultry meat.</b>	<b>To increase the minimum outside stocking density for free range hens where rotation of pasture is practised.</b>	<b>Enabling powers are section 2 (2) of European Communities Act 1972. The Assembly has been designated for this purpose. EU obligation requiring consistent application throughout UK.</b>	<b>late 2002/ early 2003</b>	<b>SO 22</b>

7	<b>Potato Industry Development Council</b>	<b>to implement proposed modification to the levy collection system</b>	<b>To provide for a dual system of levy collection from potato producers in England, Scotland and Wales.</b>	<b>GB wide application with no scope for distinctive Welsh policy.  Regs will amend the Potato Industry Development Council Order 1997 SI 1997/266 as amended by the Potato Industry Development Council (Amendment) Order SI1999/1413</b>	<b>Jan-03</b>	<b>SO 23</b>
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	TITLE	INTENTION OF LEGISLATION			PROJECTED DATE FOR MAKING SI	PROCEDURE
		PURPOSE	EFFECT	SCOPE		
8	<b>Tir Mynydd amendment regulations 2003</b>	<b>To implement changes to the scheme for 2004 onwards following the review of the scheme as part of RDP evaluation</b>	<b>To introduce a more sophisticated land based scheme, using GIS, to replace the existing Tir Mynydd scheme.</b>	<b>Tir Mynydd, introduced in 2001, is a dedicated LFA scheme for Wales. SI 2001 No 496 and SI 2001 No 1154 refer. The revised scheme will reinforce the differences which currently exist between Tir Mynydd and the comparable LFA</b>	<b>Autumn 2003</b>	<b>SO22</b>

				schemes operating in England, Scotland and Northern Ireland. The new regs will be introduced under the European Communities Act 1972 Section 2(2).		
9	<b>Dairy quota amendment regulations</b>	<b>To implement EU reforms under Agenda 2000 awarding extra quota allocation to dairy farmers and to compensate dairy farmers for cuts in support prices</b>	<b>Final tranche of Agenda 2000 reforms. 15% reduction in support prices, Community-funded compensation for reductions in support prices, 1.5% linear increase in milk quotas for UK and provision for additional national envelope for topping up basic payments.</b>	<b>Enabling powers are section 2(2) of European Communities Act 1972. The Assembly has been designated for this purpose. UK wide application – so limited scope for distinctive action</b>	<b>01/04/2005</b>	<b>SO 23 SI</b>

TITLE	INTENTION OF LEGISLATION			PROJECTED DATE FOR MAKING SI	PROCEDURE
	PURPOSE	EFFECT	SCOPE		

10	<b>Home Grown Cereals Authority amendment order</b>	<b>To implement provisions in Regulatory Reform Act</b>	<b>To remove various burdensome operational and bureaucratic requirements of the 1965 Cereals Marketing Act.</b>	<b>Enabling powers are section 14 of the Cereals marketing Act 1965. The act requires the Assembly to make the order jointly with GB Agriculture Ministers.</b>	<b>Timing Uncertain</b>	<b>SO 23 SI</b>
11	<b>Arable Area Payments Regulations</b>	<b>To consolidate &amp; incorporate a number of new measures</b>	<b>To provide arable area subsidies under the CAP.</b>	<b>These regulations will implement EU legislation. There will be no specific Welsh dimension. The regulations will be made using powers under section 2(2) of the European Communities Act 1972. The Assembly has been designated for this purpose.</b>	<b>Timing uncertain</b>	<b>To be confirmed.</b>
12	<b>Marketing Standards for Olive Oil</b>	<b>To standardise/ regulate labelling and quality of olive oil</b>	<b>To give consumers more information. Thses will have little or no effect on the industry in Wales as there are no commercial olive growers in Wales.</b>	<b>EU wide application with no scope for distinctive Welsh policy. The Regs will be introduced under the European Communities Act 1972 Section 2(2)</b>	<b>Timing uncertain</b>	<b>SO 23</b>

<b>13</b>	<b>Amendment to Horticulture Development Order</b>	<b>To subsume the Apples and Pears Research Council(APRC)</b>	<b>To implement the recommendation of an independent evaluation of the functions of the APRC and the HDC</b>	<b>Industrial Development Act 1947. The order needs to be made jointly with Defra and Scottish Executive</b>	<b>Timing uncertain</b>	<b>SO 23</b>
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<b>TITLE</b>	<b>INTENTION OF LEGISLATION</b>			<b>PROJECTED DATE FOR MAKING SI</b>	<b>PROCEDURE</b>
	<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>		

***ANIMAL HEALTH***

<b>14</b>	<b>Welfare of Farmed Animals (Wales) Amendment Regulations 2002</b>	<b>EU proposals laying down minimum standards for the protection of laying hens kept in various systems</b>	<b>Sets minimum requirements in respect of feeding space for hens, size of drinking troughs, nest space, perches, littered area, construction of installations and stocking density. Bans battery cages from 2012</b>	<b>Derived from the EU legislation and will be brought into force as an amendment to the Welfare of Farmed Animals (Wales) Amendment Regulations 2001.</b>	<b>Summer 2002</b>	<b><i>SO 22 SI</i></b>
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15	<b>Amendments to The Products of animal origin (Third Country Imports (England and Wales) Regulations 2002</b>	<b>To implement EC Directive 97/12</b>	<b>Amends the Products of Animal Origin (Import and Export) Regulations 1996 to extend the powers of authorised officers as regards products of animal origin which have been imported from third countries.</b>	<b>Will apply to Wales only and falls to be made under section 2 (2) of the European Communities Act 1972 in relation to CAP.</b>	<i>Summer 2002</i>	<u>SO 22 SI</u>
16	<b>Implementation of EU regulation 999/2001 on TSEs</b>	<b>To cover international trade issues.</b>	<b>Trade and export of live animals or trading in products of animal origin</b>	<b>The proposals implement EU Legislation and the SI will be made using powers under S2 (2) of the EU Communities Act 1972</b>	<b>July 2002</b>	<b>SO 22</b>

TITLE	INTENTION OF LEGISLATION			PROJECTED DATE FOR MAKING SI	<b>PROCEDURE</b>
	PURPOSE	EFFECT	SCOPE		

17	<b>The Brucellosis in Cattle Herds (Wales) Order 2001</b>	<b>Provisions governing the testing of milk for Brucellosis</b>	<b>To implement C. Dir. 64/432/EEC and 77/391/EEC. Relating to arrangements for milk testing for Brucellosis.</b>	<b>To revoke and substantially re-enact the Brucellosis Order 1997 in Wales.</b>	<b>Summer 2002</b>	
18	<b>The Enzootic Bovine Leukosis (Wales) Order 2001</b>	<b>Regulatory framework for testing of milk for EBL</b>	<b>To implement CDir 64/432/EEC and 77/391/EEC. Relating to arrangements for milk testing for EBL.</b>	<b>To revoke and re-enact the EBL Order 1997 in Wales</b>	<b>Summer 2002</b>	
19	<b>Animal By-Products Regulation</b>	<b>To enforce Community-wide measures that lay down health rules concerning animal by-products not intended for human consumption.</b>	<b>To control animal by-products and products such as meat and bonemeal that are derived from animal by-products. It will also deal with the import and trade of animal products that are not intended for human consumption and will ban the use of high risk material in</b>	<b>The proposals implement EU Legislation and the SI will be made using powers under S2(2) of the EU Communities Act 1972.</b>	<b>End of Dec-02</b>	<b>SO 22</b>

			animal feed.			
20	<b>Amendments to the requirements of The Horse Passport Order</b>	<b>To implement EC Decision 2000/68. Deadline for EU implementation was 1 July 2000</b>	<b>To effect greater control over withdrawal periods for veterinary products used on equines destined for the human food chain and greater traceability of individual animals through the introduction of passports for all equines.</b>	<b>Updates Commission Decision 93/623/EEC. Separate Legislation for Wales and will apply to all equines.</b>	<b>Timing uncertain</b>	<b>SO 23 SI</b>

	TITLE	INTENTION OF LEGISLATION			PROJECTED DATE FOR MAKING SI	PROCEDURE
		PURPOSE	EFFECT	SCOPE		
21	<b>Classical Swine Fever Regulations</b>	<b>To revise and strengthen controls for this disease</b>	<b>To enact Directive 92/119, and a new Directive awaited on African Swine fever.</b>		<b>Timing uncertain</b>	<b>SO 23 SI</b>
22	<b>Swine Vesicular Disease Order</b>	<b>To improve and strengthen controls for this disease</b>	<b>To enact Directive 92/119, under Specified Diseases.</b>		<b>Timing uncertain</b>	<b>SO 23 SI</b>

23	<b>The Bovine and Bovine Products (Trade) (Wales) Regulations 2001</b>	<b>To permit Welsh slaughterhouses to operate the Data Based Export scheme (DBES)</b>	<b>Will permit the despatch of bone-in beef from establishments approved under the Date Based Export Scheme to the domestic market</b>		<b>Timing uncertain at the moment.</b>	<b>By Standard Procedure</b>  <b>But we will asking for executive procedure if it seems likely that relaxation of the DBES rules would allow a Welsh plant to enter the scheme.</b>
24	<b>Review of Welfare of Animals in transit</b>	<b>To implement changes agreed to strengthen welfare standards of animals in transit</b>	<b>To tighten controls in some areas of existing legislation but does not include amendment to journey times</b>	<b>EU legislation put into force at present under the Welfare of Animals (Transport) Order 1997</b>	<b>Timing uncertain</b>	<b>SO 22</b>
25	<b>Welfare of Animals (Slaughter) Regulations</b>	<b>To implement EU amending Directives</b>	<b>To adapt/tighten methods of slaughter to take into account animal welfare considerations</b>	<b>EU legislation under section 2(2) of the EC Act 1972(b) in relation to CAP</b>	<b>Timing uncertain</b>	<b>SO 22</b>

TITLE	INTENTION OF LEGISLATION			PROJECTED DATE FOR MAKING SI	PROCEDURE
	PURPOSE	EFFECT	SCOPE		
<b>FISHERIES</b>					

26	<p><b>The Undersized Spider Crabs (Wales) Order 2002</b></p>	<p><b>Measures to support EU technical conservation regulation 850/98</b></p>	<p><b>Improved technical conservation measures includes an increase in the minimum landing sizes for spider crabs above those otherwise applying at EU level.</b></p>	<p><b>Order will be made under sections 1(1), (4), (6) and 15(3) of the Sea Fish Conservation Act 1967. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the Rural Affairs Minister.</b></p>	<p><b>Summer 2002</b></p>	<p><b>SO 22</b></p>
27	<p><b>The Prohibition of Fishing with Multiple Trawls Order</b></p>	<p><b>Measure to support EU technical conservation regulation 850/98</b></p>	<p><b>Improved technical conservation measures to protect haddock and other whitefish stocks through twine thickness restrictions and the incorporation of square mesh panels in nets.</b></p>	<p><b>Order will be made under sections 5(1) and 15(3) of the Sea Fish (Conservation) Act 1967. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the Rural Affairs Minister.</b></p>	<p><b>Summer 2002</b></p>	<p><b>SO 22</b></p>

28	<b>The Swansea Bay (Penclawdd Shellfish Processors Ltd) Order</b>	<b>Grant of fishing rights to one body</b>	<b>The intention is to improve the management and cultivation of the fishery by regulation and licensing</b>	<b>Orders are made under Section 1 of the Sea Fisheries Shellfish Act 1967. The functions of the Secretary of State have been transferred to the Assembly and delegated to the Minister of Rural Affairs</b>	<b>Summer 2002</b>	<b>This is a local SI which will proceed under Standing order 26</b>
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	TITLE	INTENTION OF LEGISLATION			PROJECTED DATE FOR MAKING SI	PROCEDURE
		PURPOSE	EFFECT	SCOPE		
29	<b>Undersized Lobster</b>	<b>Measures to support EU technical conservation regulation 850/98</b>	<b>Improved technical conservation measures includes an increase in the minimum landing sizes for lobsters above those otherwise applying at EU level.</b>	<b>Order will be made under sections 1(1), (4), (6) and 15(3) of the Sea Fish Conservation Act 1967. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the Rural Affairs Minister.</b>	<b>Summer 2002</b>	<b>SO 22</b>

30	<b>Shellfish (Specifications of Crustaceans) Regs</b>	<b>Addition of crabs to the specification of crustaceans</b>	<b>These regulations add crabs to other types of shellfish which enables several or regulated fisheries for crabs to be established.</b>	<b>Regulations will be made under section 1 (1) of the Sea Fisheries (Shellfish) Ac 1967. The functions of the Secretary of State have been transferred to the Assembly and delegated to the Rural Affairs Minister.</b>	<b>Summer 2002</b>	<b>SO 22</b>
31	<b>Undersized Edible Crabs</b>	<b>Measures to support EU technical conservation regulation 850/98</b>	<b>Improved technical conservation measures includes an increase in the minimum landing sizes for crabs above those otherwise applying at EU level</b>	<b>Order will be made under sections 6(1), (3), 20(1) and 15(3) of the Sea Fish Conservation Act 1967. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the Rural Affairs Minister</b>	<b>Summer 2002</b>	<b>SO 22</b>
32	<b>Sea Fisheries Enforcement of Community Quota Regulations</b>	<b>The management of fish quotas. Updating by replacing existing similar legislation.</b>	<b>Enforcement powers and penalties imposed to any boat fishing against EC quotas.</b>	<b>Order will be made under section 30(2) of the Fisheries Act 1981. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the Rural Affairs Minister.</b>	<b>Summer 2002</b>	<b>SO 22</b>

TITLE	INTENTION OF LEGISLATION	PROJECTED DATE FOR MAKING SI	PROCEDURE
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		PURPOSE	EFFECT	SCOPE		
33	<b>Enforcement of Community Conservation Measures Amendment Order 2002</b>	<b>Measures to support EU technical conservation regulation 850/98</b>	<b>Improved conservation of fishery resources through the enforcement of restrictions and obligations.</b>	<b>Order will be made under section 30(2) of the Fisheries Act 1981. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the Rural Affairs Minister.</b>	<b>Summer 2002</b>	<b>SO 22</b>
34	<b>South Wales Sea Fisheries Committee Funding &amp; Membership 2002</b>	<b>To amend existing SWSFC Order</b>	<b>To set the membership and funding level of the SWSFC</b>	<b>The Order is made under the Sea Fisheries Regulation Act 1966. The functions of the Secretary of State have been transferred to the Assembly and delegated to the Minister for Rural Affairs</b>	<b>Summer 2002</b>	<b>SO 22</b>
35	<b>SWSFC (Levies) Regulations 2002</b>	<b>To bring forward a new funding mechanism for SFC's under existing local government legislation.</b>	<b>To allow SFC's to adjust levies on constituent member councils in year.</b>	<b>The Order is made under the Local Government Finance Act 1988. The powers have been transferred to the Assembly.</b>	<b>Summer 2002</b>	<b><u>SO 22</u></b>

36	<b>The Prohibition of Keeping or Release of Live Fish (Specified Species) (Amendment) (Wales) Order 2002"</b>			The order making power under section 1 of the 1980 Act was transferred to the Assembly by the principal Transfer of Functions Order (1999/672).  <b>Responsibility under that Act has been delegated to our Minister</b>	<i>Autumn 2002</i>	<b>SO 22</b>
37	<b>Taf, Tywi &amp; Gwendraeth Estuaries Regulating Order</b>	<b>Grant of fishing management rights to one body</b>	<b>The intention is to improve the management and cultivation of the fishery by regulation and licensing</b>	<b>Orders are made under Section 1 of the Sea Fisheries Shellfish Act 1967. The functions of the Secretary of State have been transferred to the Assembly and delegated to the Minister of Rural Affairs</b>	<b>Autumn 2002</b>	<b>This is a local SI which will proceed under Standing order 26 following consultation</b>

TITLE	INTENTION OF LEGISLATION			PROJECTED DATE FOR MAKING SI	PROCEDURE
	PURPOSE	EFFECT	SCOPE		

PLANT HEALTH & GM

38	<b>Plant Health (Amendment) (Wales) Order 2002</b>	<b>this SI will end the Rhizomania Protected Zone in Great Britain including Wales.</b>	<b>Subject to consultation this instrument will, inter alia, introduce additional soil testing requirements for the movement of seed potatoes to the remaining parts of the protected zone.</b>	<b>The proposals implement EU obligations 2002/28 and 2002/29. The powers enabling this SI to be made are Section 2,3, 4 (1) of the Plant Health Act 1967.</b>	<b>CIF July -02</b>	<b>SO22</b>
39	<b>The Seed (Fees) Amendment (No 2) Regs. 2002</b>	<b>To set the fees for seed certification in England and Wales.</b>	<b>Subject to consultation a 5 % fees increase is proposed for 2002-03.</b>	<b>The powers enabling this instrument to be made are contained in sections 16(1) and (1A)(e) and 36 of the Plant Varieties and Seeds Act 1964.</b>	<b>Target CIF 16/ /07/2002</b>	<b>SO23</b>
40	<b>Plant Breeders Rights (Fees) Amendment Regulations 2002</b>	<b>To set the fees for Plant Breeder's Rights' in England and Wales.</b>	<b>Subject to consultation a 5 % fees increase is proposed for 2002-03.</b>	<b>The powers enabling this Instrument to be made are contained in Sections 29(1) (2) (3) and 48(1) of the Plant Varieties Act 1997.</b>	<b>Target CIF 16/07/2002</b>	<b>SO23</b>

TITLE	INTENTION OF LEGISLATION	PROJECTED DATE FOR MAKING SI	PROCEDURE
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		PURPOSE	EFFECT	SCOPE		
41	<b>Plant Protection Products (Amendment) Regulations 2002</b>	<b>The Regulations reflect the EU decision to add a number of substances used in Plant Protection Products to be listed onto Annex 1.</b>	<b>The Regulations will implement EU directives 2001/99/EC, 2001/103/EC and 2002/12/EC.</b>	<b>The Plant Protection Products Regulations 1995 were made under Section 2(2) of the European Community Act 1972. The Assembly has a joint power under Section 2(2) of the ECA 1972 for the purposes of implementing community obligations in respect of plant protection products. The power of the National Assembly to act under this section 2 (2) designation has been delegated to the Minister for Rural Affairs.</b>	<b>July 2002</b>	<b>SO23</b>
42	<b>The Pesticides (maximum residues levels) Regulations 2002</b>	<b>The Regulations reflect the EU decision to determine the Maximum Residue Levels for a number of substances.</b>	<b>MRLs for permethrin, parathion, lindane and quintozone will be set at the limit of determination (LOD).</b>	<b>These Regulations are being made under section 2(2) of the European Communities Act 1972. The National Assembly is designated for the purposes of section 2 (2) in relation to the common agricultural policy of the European Community (SI 1999/2788). Schedule 2(2)(a)(ii) of the Designation Order (SI 1999/2788) provides that</b>	<b>July-02</b>	<b>SO23</b>

regulations are made  
by the National  
Assembly.

	TITLE	INTENTION OF LEGISLATION			PROJECTED DATE FOR MAKING SI	PROCEDURE
		PURPOSE	EFFECT	SCOPE		
43	<b>The Beet Seeds Regulations</b>	<b>The purpose of the regulations is to ensure the correct and transparent implementation of EU directives while maintaining the quality of seed marketed in Wales.</b>	<b>Subject to consultation the regulations will transparently implement EU Directives, and where possible reduce administrative costs.</b>	<b>The powers enabling this instrument to be made are sections 16(1), (1A), (2), (3), (4) and (5) and 36 of the Plant Varieties and Seeds Act 1964 in accordance with 66/400/EEC</b>	<b>Autumn 2002</b>	<b>SO 22</b>
44	<b>The Vegetable Seeds Regulations</b>	<b>The purpose of the regulations is to ensure the correct and transparent implementation of EU directives while maintaining the quality of seed marketed in Wales.</b>	<b>Subject to consultation the regulations will transparently implement EU Directives, and where possible reduce administrative costs.</b>	<b>The powers enabling this instrument to be made under sections 16(1), (1A), (2), (3), (4) and (5) and 36 of the Plant Varieties and Seeds Act 1964 in accordance with 70/458/EEC</b>	<b>Autumn 2002</b>	<b>SO22</b>

45	<b>The Seeds (Registration, Licensing and enforcement) Regulations</b>	<b>The purpose of the regulations is to ensure the correct and transparent implementation of EU directives while maintaining the quality of seed marketed in Wales.</b>	<b>Subject to consultation the regulations will transparently implement EU Directives, and where possible reduce administrative costs</b>	<b>The powers enabling this instrument to be made under the Plant Varieties and Seeds Act 1964 in accordance with 70/457/EEC</b>	<b>Autumn 2002</b>	<b>SO22</b>
46	<b>The Regulatory Reform (Sugar Beet Research and Education) Order 2001</b>	<b>to repeal section 68 of the Food Act 1984- to be laid on an England and Wales basis but subject to Assembly approval</b>		<b>2002</b>	<b>SO 23</b>  <b>Awaiting information from Whitehall</b>	

TITLE	INTENTION OF LEGISLATION			PROJECTED DATE FOR MAKING SI	PROCEDURE
	PURPOSE	EFFECT	SCOPE		

47	<p><b>Transposition of Directive 2001/18/EC</b></p>	<p><b>To implement controls on the deliberate release into the environment of GMOs and repeal Directive 90/220/EC</b></p>	<p><b>It consolidates best practice in the approval process from across the EU. New features include more detailed environmental risk assessment, including consideration of long term impacts; provision for post-market monitoring; time limited authorisations; the phasing out of some antibiotic resistance markers and compulsory labelling of GMOs.</b></p>	<p><b>The Directive is prescriptive in its requirements because it is intended as a measure to harmonise the GMO consent regime across the EU. As a result there is very limited scope for interpretation. The Directive does leave the design of the Part B public consultation mechanism open, but it must be agreed across a Member State. The regulations will be made under powers contained in the Environmental Protection Act 1990 and Section 2 (2) of the European Communities Act 1972.</b></p>	Oct-02	SO22
48	<p><b>The Cereal Seeds Regulations</b></p>	<p><b>The purpose of the regulation is to ensure correct and transparent implementation of EU directives while maintaining the quality of seed marketed in Wales and to implement</b></p>	<p><b>Subject to consultation the regulations will transparently implement EU Directives, and where possible reduce administrative costs.</b></p>	<p><b>The powers enabling this instrument to be made are sections 16(1), (1A), (2), (3), (4) and (5) and 36 of the Plant Varieties and Seeds Act 1964 in accordance with 66/402/EEC</b></p> <p><b>Implementation of</b></p>	Autumn 2002	SO22

**2001/64/EC on the bulk marketing of seed**

**2001/64/EC is an EU obligation**

	TITLE	INTENTION OF LEGISLATION			PROJECTED DATE FOR MAKING SI	PROCEDURE
		PURPOSE	EFFECT	SCOPE		
<b>49</b>	<b>The Green Code - Code of Practice for the Safe use of Pesticides on Farms and Holdings</b>	<b>To update present version.</b>	<b>A document that will be available to all pesticide users giving guidance and practical advice on how to comply with the laws and regulations governing all aspects of pesticide use</b>	<b>The Code will be made under section 17 of the Food and Environment Protection Act 1985. This function was transferred to the National Assembly by the National Assembly for Wales (Transfer of Functions) Order 1999</b>	<b>Timing Uncertain</b>	<b>SO 27</b>  <b>Even though this is a code it may fall within the definition of Assembly general subordinate legislation and have to be made accordingly.</b>

50	<b>The Potatoes Originating in Netherlands (revocation) (Wales) Regulations 2001</b>	<b>Revokes the temporary authorisation given to member states to take additional measures against the spread of brown rot in potatoes originating in the Netherlands.</b>	<b>Importers will no longer be required to give the Plant Health and Seeds Inspectorate two days prior notification of imports of potatoes from the Netherlands.</b>	<b>The powers to make this SI come under Section 2(2) of the ECA 1972. Assembly has been designated for this purpose</b>	<b>Timing uncertain</b>	<b>SO 22</b>
51	<b>Decision 2001/536/EC on Pepino Mosaic Virus</b>	<b>The introduction of controls to monitor the imports and movements within the Community of tomato plants and seeds to prevent the spread of pepino mosaic virus.</b>	<b>This SI may not be required. At present all parties comply with the Decision on a voluntary basis, it is only if this arrangement were to fail that a SI may become necessary.</b>		<b>Timing uncertain</b>	

<b>TITLE</b>	<b>INTENTION OF LEGISLATION</b>			<b>PROJECTED DATE FOR MAKING SI</b>	<b>PROCEDURE</b>
	<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>		

52	<b>The Fodder Plant Seeds Regulations</b>	<b>The purpose of the regulations is to ensure the correct and transparent implementation of EU directives while maintaining the quality of seed marketed in Wales and to implement 2001/64/EC.</b>	<b>Subject to consultation the regulations will transparently implement EU Directives, and where possible reduce administrative costs</b>	<b>The powers enabling this instrument to be made are sections 16(1), (1A), (2), (3), (4) and (5) and 36 of the Plant Varieties and Seeds Act 1964 in accordance with 66/400/EEC</b>  <b>Implementation of 2001/64/EC is an EU obligation.</b>	<b>Autumn 2002</b>	<b>SO22</b>
53	<b>The Oil and Fibre Seeds Regulations</b>	<b>The purpose of the regulations is to ensure the correct and transparent implementation of EU directives while maintaining the quality of seed marketed in Wales.</b>	<b>Subject to consultation the regulations will transparently implement EU Directives, and where possible reduce administrative costs.</b>	<b>The powers enabling this instrument to be made are sections 16(1), (1A), (2), (3), (4) and (5) and 36 of the Plant Varieties and Seeds Act 1964 in accordance with 69/208/EEC</b>	<b>Autumn 2002</b>	<b>SO 22</b>
54	<b>Amendments to 2000/29/EC</b>	<b>To improve upon existing protective measures against the introduction into the Community of organisms harmful to plants or plant products under Directive 2000/29/EC</b>	<b>The proposals if accepted will, inter alia, allow seed certification labels to serve as plant passports and to require prior notification of imports, declarations to customs about the presence of plants in</b>	<i>Plant Health Act 1967</i>	<b>2003</b>	<b>SO 22</b>

		imported consignments.			
	TITLE	INTENTION OF LEGISLATION		PROJECTED DATE FOR MAKING SI	PROCEDURE
		PURPOSE	EFFECT	SCOPE	
55	<p><b>The control of Pesticides (Amendment) Regulations</b></p> <p>The Plant Protection Products (Basic Conditions) (Amendment) (England and Wales) Regulations 2000</p>	<p>Two SIs which will amend the Control of Pesticides Regulations 1986, as amended and the Plant Protection Products (Basic Conditions) Regulations 1997.</p>	<p><b>Existing statutory access arrangements will be opened up so as to make available to the public the vast majority of information supplied in connection with the pesticide regulatory system. The regs will also make some minor improvements to the controls on pesticides concerning aerial applications and the extension to Local authorities of Ministers' powers to seize and dispose of pesticides which breach the legislation.</b></p>	<p><b>The power to make these Regs is contained in Section 16(2) of the Food and Environment Protection Act 1985.</b></p>	<p><b>Timing Uncertain.</b></p> <p><b>SO 23</b></p>

TITLE	INTENTION OF LEGISLATION			PROJECTED DATE FOR MAKING SI	PROCEDURE
	PURPOSE	EFFECT	SCOPE		

**FOOD & FARMING DEVELOPMENT**

56	<b>Environmental Impact Assessment (Uncultivated land and semi natural areas) (Wales) Regulations 2001</b>	<b>To implement the uncultivated land and semi natural areas provisions of the EIA Directive</b>	<b>Farmers will be required to seek permission from the National Assembly for Wales when they wish to change the character of uncultivated land.</b>	<b>Implementing Council Directive 85/337/EEC (as amended by Council Directive 97/11/EEC)</b>	<b>End of May-02</b>	<b>Transfer of function from DETR to NAW received 20th August. Further transfer of functions order subsequently made. SI likely at the end of May using the Executive procedure</b>
57	<b>Organic Products Regulations</b>	<b>to introduce revised standards for organic produce</b>	<b>Requiring producers to comply with the new organic standards</b>	<b>Some scope for distinctive action.</b>	<b>Summer 2002</b>	<b>SO 22</b>

58	<b>Agricultural Holdings (Units of Production) Order 2002</b>	<b>Used in Agricultural Land Tribunals to measure the productivity of agricultural land. An annual updating SI</b>	<b>In essence, the SI lays down the figures for agricultural incomes, which are used in cases of a possible succession to an agricultural tenancy. These figures are then used to decide whether a close relative is eligible to succeed to a tenancy.</b>	<b>Succession provisions are contained in the Agricultural Holdings Act 1986, section 6.</b>	<b>Sept 2002</b>	<b>SO 22</b>
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TITLE	INTENTION OF LEGISLATION			PROJECTED DATE FOR MAKING SI	PROCEDURE
	PURPOSE	EFFECT	SCOPE		

<b>59</b>	<b>Action Programme for Nitrate Vulnerable Zones (Wales) Regulations 2002</b>	<b>To establish active programmes for NVZ and monitoring arrangements in newly designated areas.</b>	<b>Occupiers of a farm or livestock unit required to implement action programme procedures outlined in Regs.</b>	<b>To give wider implementation to Council Directive 91/676/EEC</b>	<b>Dec-02</b>	<b>Will come into force about 6 months after the NVZs have been designated by a separate SI (by Environment Division)</b>  <b>SO 22</b>
<b>60</b>	<b>Farm Woodland Premium Scheme</b>	<b>To take account of any changes which emerge from the FWPS review</b>	<b>To provide levels of payment to reflect income forgone through separation of land for tree planting.</b>	<b>Section 2 of the Farm Land and Rural Development Act 1988</b>  <b>The Scheme complies with Title VIII of Council Regulation (EEC) No. 2328/91</b>	<b>Late 2002</b>	<b>The FWPS is currently being reviewed and should be concluded later in 2002.</b>  <b>SO 22</b>
<b>61</b>	<b>Tir Gofal (Amendment) Regulations 2002</b>	<b>to implement changes recommended by the stocktake</b>			<b>2002</b>	<b>SO 22</b>
<b>62</b>	<b>Fertiliser Regs</b>	<b>Consolidation of existing EU regulations</b>			<b>Timing Uncertain</b>	<b>Awaiting information from the Commission.</b>
<b>63</b>	<b>The Geographical Indications, Designations of Origin and Certificate of Specific Character</b>	<b>To implement EU decisions on the protection of Welsh food products</b>			<b>Timing uncertain</b>	<b>Not definite if this will require an SI. Awaiting legal advice.</b>