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Rural Economy and Connectivity Committee

Subordinate Legislation



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Rural Economy and Connectivity Committee

Remit: To consider and report on matters falling within the responsibility of the Cabinet Secretary for Rural Economy and Connectivity.



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Subordinate Legislation

The Committee reports to the Parliament as follows –

1. On 31 August 2016, the Prohibited Procedures on Protected Animals (Exemptions) (Scotland) [draft] was laid before Parliament and was subject to affirmative resolution procedure.

Purpose of the instrument

2. Under the Animal Health and Welfare (Scotland) Act 2006 it is an offence to carry out a prohibited procedure on a protected animal, unless the procedure is for medical treatment or is specified in regulations. The Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2010 (“the 2010 Regulations”) specify procedures which are not carried out for the purpose of medical treatment, but are permitted.
3. The instrument brings into force an amendment to the 2010 regulations. This authorises the ear tagging and taking of ear tissue samples from bovine animals for genetic analysis. Ear tagging of bovine animals is currently only authorised for identification and screening or routine or random testing for disease.

Delegated Powers and Law Reform Committee consideration

4. The Delegated Powers and Law Reform (DPLR) Committee considered the instrument at its meeting on 13 September 2016 and agreed not to draw the Parliament’s attention to the instrument on any grounds within its remit. The DPLR Committee’s report can be found at the following link:

<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/101049.aspx>

Rural Economy and Connectivity Committee consideration

5. At its 4th meeting of 2016, held on 21 September, the Rural Economy and Connectivity Committee took evidence on this instrument from Fergus Ewing, Cabinet Secretary for Rural Economy and Connectivity and his officials.
6. The Committee noted that the Cabinet Secretary would respond to it in writing to provide clarification on the procedure to be followed to obtain replacement tags when animals lose their ear tags, together with details of any penalties which might be incurred under these regulations.
7. The Committee also raised concerns about the increasing proliferation of ear tags on individual animals and the Cabinet Secretary indicated that he would keep this matter under review.

8. The Cabinet Secretary subsequently moved the following motion in his name—

S5M-01446—That the Rural Economy and Connectivity Committee recommends that the Prohibited Procedures on protected Animals (Exemptions) (Scotland) Amendment Regulations 2016 [draft] be approved.

9. The Committee agreed the motion without division.

10. The Official Report of the meeting is available at the following web page:

<http://www.scottish.parliament.uk/parliamentarybusiness/ReportSelectPage.aspx?type=committee&year=2016&page=0&meeting=266>

Recommendation

11. The Rural Economy and Connectivity Committee recommends to the Parliament that it approves the draft instrument.

