



**ENVIRONMENT AND RURAL DEVELOPMENT COMMITTEE**

**AGENDA**

**5th Meeting, 2004 (Session 2)**

**Wednesday 11 February 2004**

The Committee will meet at 11.00 am in the Chamber, Assembly Hall, The Mound, Edinburgh.

1. **Subordinate legislation:** The Committee will consider the following negative instrument—  
  
the Welfare of Animals (Slaughter or Killing) Amendment (Scotland) Regulations 2004, (SSSI 2004/13).
2. **Nature Conservation (Scotland) Bill:** The Committee will consider the Bill at Stage 2 (Day 3).
3. **2005-06 Budget (in private):** The Committee will consider its approach to the 2005-06 budget process, including—  
  
whether to seek the appointment of an adviser,  
  
the remit and person specification for an adviser, and  
  
possible candidates for the post.

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Clerk to the Committee  
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The following papers are attached:

<p><u>Agenda Item 1</u></p> <p><a href="#">The Welfare of Animals (Slaughter or Killing) Amendment (Scotland) Regulations 2004, (SSSI 2004/13).</a></p> <p>Extract from the Subordinate Legislation Committee's 5<sup>th</sup> Report 2004</p>	<p>ERD/S2/04/05/1a</p> <p>ERD/S2/04/05/1b</p>
<p><u>Agenda Item 2</u></p> <p>Members are reminded to bring with them copies of the <a href="#">Nature Conservation (Scotland) Bill</a>.</p> <p>The Marshalled List of amendments will be published on Tuesday. The groupings will be available from document supply on Wednesday morning and will also be available at the meeting.</p>	
<p><u>Agenda Item 3</u></p> <p>A paper from the Convener is attached (<i>for members only</i>)</p>	<p>ERD/S2/04/05/3a</p>

**Subordinate Legislation Committee  
Extract of 5<sup>th</sup> Report, 2004**

1. At its meeting on 3 February the Committee determined that it did not need to draw the attention of the Parliament to the instruments listed in the Annexe to this report on any of the grounds in its remit.
2. The report is also addressed to the following committees as the lead committees for the instruments specified:

Environment and Rural Development

SSI 2004/13

**Instruments subject to annulment**

The Welfare of Animals (Slaughter or Killing) Amendment (Scotland) Regulations 2004 (**SSI 2004/13**)

*Background*

1. Regulation 2(2) of these Regulations amend paragraph 9 of Schedule 1 to the Welfare of Animals (Slaughter or Killing) Regulation 1995 to oblige persons whose licence to slaughter animals has been suspended or revoked to surrender the licence to the Food Standards Agency. Paragraph 9(1) of Schedule 1 refers to two types of licence, a licence issued by the Food Standards Agency (FSA) on behalf of the Scottish Ministers and a provisional licence issued by an authorised veterinary surgeon. As the term "licence" is used in paragraph 9 to refer to both types of licence, the Committee asked whether new paragraph 9(3) (inserted by regulation 2(2)) is intended to apply to both types of licence or only to licences issued by the FSA.

*Report*

2. The FSA's reply is reproduced at the Appendix to this report. The FSA has confirmed that it is the intention that the new provision should apply to both types of licence. In the Committee's view, while it might have been clearer had this been indicated either in the text of the amendment or in the Explanatory Note, the drafting appears to meet the policy intention. **The Committee therefore simply draws the additional information to the attention of the lead committee and the Parliament.**

## **Appendix**

### **THE WELFARE OF ANIMALS (SLAUGHTER OR KILLING) AMENDMENT (SCOTLAND) REGULATIONS 2004, (SSI 2004/13)**

1. On 27<sup>th</sup> January 2004 the Subordinate Legislation Committee asked the following question in relation to the Welfare of Animals (Slaughter or Killing) Amendment (Scotland) Regulations 2004, (SSI 2004/13):

“The Committee notes that paragraph 9(1) of Schedule 1 to the principal Regulations refers to two types of licence, a licence issued by the Food Standards Agency (FSA) on behalf of the Scottish Ministers and a provisional licence issued by an authorised veterinary surgeon. As the term “licence” is used in paragraph 9 of that Schedule to refer to both types of licence, the Committee asks the Executive whether new paragraph 9(3) (inserted by regulation 2(2)) is intended to apply to both types of licence or only to licences issued by the FSA.”.

2. The Scottish Executive confirms that the new paragraph 9(3) of Schedule is intended to apply to both types of licence referred to in paragraph 9(1) of that Schedule. The policy intention is to ensure that all licences that are revoked, whether issued by the Scottish Ministers or by an authorised veterinary surgeon, are returned to a single point for monitoring and record-keeping purposes.

**Scottish Executive Environment and Rural Affairs Department**

29<sup>th</sup> January 2004