

# **Animals (Scientific Procedures) Act 1986 Amendment Regulations 2012**



## **Progress, Next Steps and Transitional Provisions**

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## **Progress - Regulations**

29/10 Regulations laid in Parliament

13/11 Cleared by the Secondary Legislation Committee

28/11 Cleared by the Joint Committee on Secondary Legislation

3/12 Considered by the Commons Delegated Legislation Committee

4/12 Signed off by the House of Commons

## **Next steps - Regulations**

13/12 Consideration by Lords Grand Committee

17/12 Sign off by the House of Lords

18/12 Minister signs the order and the regulations are 'made'

## **Next steps – Guidance**

Quick start guide – by Christmas

Draft Guidance – end January for comment

Further draft to ‘national committee’ – April

Final draft to Parliament – June/July

Complete Parliamentary process and publish - Autumn

## **Next steps – Code(s) of Practice**

### Care and accommodation and humane killing

- similar process and timescale
- quick start guides by Christmas
- consultation, etc, first half of 2013

## **Next steps – Statistics**

- Commission Implementing Decision (2012/707/EU) adopted 14/11/12
- New statistics to be collected in 2015 for 2014
- Information/consultation paper – early 2013

## **Next steps – Section 24 review**

Finally,

Section 24 review – first half of 2013

## Why are transitional provisions needed?

New ASPA introduces changes that will affect existing licences and certificates from 1/1/13

- Scope of ASPA (cephalopods, breeding activities)
- Establishment licences
- Transposition effected through conditions (e.g. requirement for individual history files for dogs, cats & NHPs)
- Additional assessment criteria for some activities

Transitional provisions needed to apply Directive requirements fully to existing licences & certificates



## **Why are transitional provisions needed?**

But surely Article 64 means that we don't apply the changes to project licences granted before 1/1/13 – or do we?

Answer: Yes and no!

No as far as anything pertaining to Articles 36-45 (Requirements for Projects) is concerned but all of the other articles do apply.

## **The main transitional provisions (Amendment Regulations Sch3)**

- Powers – will effect changes to licences and certificates from 1/1/13 without input from holders and with no section 12 appeal
- ‘Deeming’ effects e.g. certificate of designation becomes establishment licence
- Removal of existing authorities e.g. use of NMBA’s and provision for re-authorisation
- Legality, risk and work impact balanced

## Deeming provisions

- Certificate of designation (PCD) becomes establishment licence (PEL)
- PCD holder becomes PEL holder – and NTCO, NIO and person resp. for compliance
- ERP becomes AWERB
- New PEL, PPL & PIL standard conditions - some additional conditions annulled
- Any ongoing section 12 proceedings continue
- Severity: Unclassified -> non-recovery; substantial -> severe

## Provisions removing authorisation

### PCD:

- Exemptions from CoP standards
- Non-schedule 1 killing methods

### PPL:

- Use of certain types of animal (feral, wild-caught, F1 marmosets, Sch2 not PB)
- Use of primates and all endangered spp
- Use of NMBAs
- Re-use if any previous procedure was 'substantial'
- Setting free or re-homing at end of procedures

## **Other provisions**

- Existing PPL holders to meet new section 5C(2) E&T requirements
- New permissible purposes apply to existing work (NB GAA breeding)
- Non S1K methods in PPLs

## Timing

- Transitional provisions mostly take effect 1/1/13
- But re-authorisations may be given 1 day after regulations made (19/12/12).
- Amendments and new licence grants need to be post-dated to 1/1/13.

## **New authorisations 1**

- Where amendment regulations remove existing authorisations, re-authorisation will be required to maintain continuity
- Most will be issued by letter
- Most will not require reappraisal of authorities in individual projects or certificates
- Most require the dutyholder to note only

## **New authorisations 2**

- PPLs requiring individual review and re-authorisation (NHPs, endangered animals, breeding as sole purpose)
- Pro-forma requests
- Considered by small group of inspectors for consistency from 26/11/12





## Discussion & questions

