

**New Legislation  
Trading Standards Service  
December 2011**

<b>S. I. NUMBER</b>	<b>TITLE</b>	<b>ACT</b>	<b>EFFECT</b>	<b>DATE COMING INTO FORCE</b>	<b>DATE RECEIVED</b>
2011/2883	<a href="#"><u>Non-Commercial Movement of Pet Animals Order 2011</u></a>	Animal Health Act 1981, s. 10 & European Communities Act 1972, s. 2 (2), sch. 2, para. 1A	From 1 January 2012, the UK will implement a revised Pet Travel Scheme to align its rabies import requirements with those currently applied by other Member States under Regulation (EC) No 998/2003. The UK must also enforce requirements under separate EU legislation that protect against the risk of other diseases entering the UK via pet movements: highly pathogenic avian influenza, Nipah and Hendra disease, Monkey pox virus and the tapeworm <i>Echinococcus multilocularis</i> . The Non-Commercial Movement of Pet Animals Order 2011 (“the Order”) revokes and replaces existing pet legislation in England and Scotland (equivalent legislation is not in force in Wales) to enforce the revised import requirements that apply to pets (cats, dogs and ferrets) entering Great Britain. The Order also amends the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 (“the Rabies Order”) and the Zoonoses Order 1989.	01/01/2012	16/12/2011

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2011/2898	<a href="#">London Olympic Games and Paralympic Games (Advertising and Trading) (England) Regs 2011</a>	London Olympic Games and Paralympic Games Act 2006, ss. 19, 20 (1), 22 (8), 25, 26 (1), 28 (6)	These Regulations control advertising and outdoor trading around Olympic and Paralympic Games venues during periods when Games events take place. The Regulations neither authorise advertising or trading that is prohibited by the general law nor affect any legal requirement to hold a licence before engaging in advertising or trading activity. But the Regulations do override existing consents or permissions that entitle a person to advertise or trade in an area covered by the Regulations. This means that, to advertise or trade around Games venues when events are taking place, a person will need to be authorised by or under the Regulations and will also have to comply with the general law.		09/12/2011
2011/2936	<a href="#">Wine Regs 2011</a>	European Communities Act 1972, s. 2 (2), sch. 2, para. 1A	The Wine Regulations 2011 will provide a legislative basis to provide specified authorities in the UK with powers to enforce EU Wine rules and sets a system of penalties for non compliance with those rules. It also sets out wine quality schemes that apply in England and Wales.	30/12/2011	16/12/2011

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2011/2945	<a href="#">Charges for Residues Surveillance (Amendment) Regs 2011</a>	Food Safety Act 1990, ss. 45, 48 (1) (b)	This Statutory Instrument updates the charges that the Veterinary Medicines Directorate (VMD) makes to carry out surveillance for residues of veterinary medicines and certain other substances in food animals and animal products. This surveillance is a requirement under Community law, as is making a charge on the various livestock sectors to fund the surveillance.	09/01/2012	16/12/2011
2011/3012	<a href="#">Transfer of Functions (Food) Regs 2011</a>	Food Safety Act 1990, ss. 6 (4), 16 (1) (e) (f), 17 (1) (2), 26 (1) (a) (3), 48 (1)	The purpose is to change the designated competent authority under each statutory instrument, from the Food Standards Agency (FSA) to the Secretary of State for Health. The competent authority is required to be notified (under each of the instruments) before certain foods are placed on the market or, before certain health claims are made in respect of foods to be placed on the market. These amendments will bring the legislation into line with machinery of government changes and the consequent transfer of staff and areas of policy responsibility from the FSA to the Department of Health, which occurred on 1 October 2010. The policy areas transferred included nutrition and health claims issues and foods for particular nutritional uses both of which are dealt with in the instruments being amended. One drafting	16/01/2012	23/12/2011

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			error in the Notification of Food for Particular Nutritional Uses (England) Regulations 2007 is also corrected in Regulation 3(2) of the Regulations.		
2011/3037	<a href="#">Cosmetic Products (Safety) (Amendment) Regs 2011</a>	Consumer Protection Act 1987, s. 11	The main purpose of the instrument is to amend the Cosmetic Products (Safety) Regulations 2008 (SI 2008/1284) (“the Principal Regulations”) to give effect to Commission Directive 2011/59/EU (OJ No L 125, 14.5.2011, p 17). The Commission Directive amends Council Directive 76/768/EEC of 27 July 1976 (OJ No L 262, 27.9.1976, p 169) on the approximation of the laws of the Member States on cosmetic products (“the Cosmetics Directive”). The Cosmetics Directive (as previously amended) protects public health by prohibiting certain substances in cosmetics products, either for consumer or professional use, and imposing restrictions on the use of others and has been implemented by the Principal Regulations. The Commission Directive makes technical amendments to the Cosmetics Directive based on the latest conclusions of the Scientific Committee on Consumer Safety which has been assessing the safety of hair dye substances. The Regulations amend Schedule 4 to the Principal Regulations by including in the list of substances which	03/01/2012	23/12/2011

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			cosmetic products may include subject to specified restrictions and conditions certain substances used in hair dye products the use of which was previously only provisionally allowed. Additionally, to protect consumer health the Regulations prohibit one substance, o-aminophenol, from use in cosmetics products and the provisional use of two further substances is extended until 31st December 2011.		
2011/3039	<a href="#">Hallmarking (International Convention) (Amendment) Order 2011</a>	Hallmarking Act 1973, ss. 2 (1) (c) (3), 21	This Order amends the Hallmarking (International Convention) Order 2002 (“the 2002 Order”). Article 3 amends article 3 of the 2002 Order to provide for the correct standards of fineness to be applied to palladium items and updates the lists in respect of other precious metals. Article 4 makes amendments to article 6 of the 2002 Order which are consequential on the amendments made by article 3 of this Order. Article 5 adds in the shield to be used for palladium articles and article 6 adds an illustration of the Common Control Mark for a palladium article. The remainder of the order amends Schedule 2 to bring up to date the list of foreign assay office marks.	15/01/2012	23/12/2011

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2011/3065	<a href="#">Road Vehicles (Construction and Use) (Amendment No.2) Regs 2011</a>	Road Traffic Act 1988, s. 41 (1) (2) (5) & European Communities Act 1972, s. 2 (2) (b)	<p>This instrument contains two separate elements and amends the Road Vehicles (Construction and Use) Regulations 1986 (S.I. 1986/1078) (“the 1986 Regulations”). Regulation 61C of the 1986 Regulations provides exemptions from new EU emissions standards, for defined periods of time, for “end-of-series” light goods vehicles so that they may be sold for additional periods even though they do not meet those new EU emissions standards. Regulation 4 replaces Regulation 61C of the 1986 Regulations with an amended version which extends the categories of end-of-series light goods vehicles to include N1 class II and III vehicles (goods vehicles over 1305kg reference mass and below 3500kg maximum permissible laden mass) and N2 goods vehicles of less than 2610kg reference mass. Regulation 61C has the effect of deeming the end-of-series vehicles in question to meet the relevant EU emissions standards for set periods of time, at the end of which periods, the EU standards will in fact apply. As a result, these end-of-series vehicles may continue to be registered after the EU emissions standards initially take effect (as a matter of EU law). The period for which the end-of-series vehicles may continue to be</p>	14/01/2012	30/12/2011
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			<p>registered is a further 12 months in respect of “complete” vehicles manufactured in a single stage and 18 months in respect of “completed” vehicles manufactured in multiple stages. In the case of the new categories of end-of-series vehicles (N1 class II &amp; III and N2 vehicles of less than 2610kg reference mass), the emissions standard with which the vehicles are deemed to comply is Regulation (EC) No 715/2007, which requires new vehicles in these categories to meet the “Euro 5” emissions standard from 1st January 2012. Complete N1 class I vehicles are now removed from Regulation 61C as the period for which N1 class I vehicles which do not comply with Euro 5 can continue be registered expires on 1st January 2012, prior to the entry into force of this instrument. New Regulation 61C also makes consequential amendments to the end-of-series exemptions from Regulation (EC) No 595/2009 for category N2 vehicles to reflect the fact that N2 vehicles of less than 2610kg reference mass now fall within the scope of Regulation (EC) No 715/2007 rather than Regulation (EC) No 595/2009. The amendments to the exemption from Regulation (EC) No 595/2009 also extend the duration of the exemption to 18 months</p>		
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			in respect of completed multi stage build vehicles. Regulation 5 inserts a statutory obligation to review Regulations 61, 61A and 61B (which deal with vehicle emissions requirements) of the 1986 Regulations within 5 years of the new instrument coming into force.		
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