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Compliance and correspondence- general introduction to analysis of legislation

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OIE Veterinary Legislation Support Program



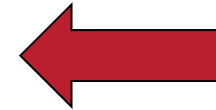
Training seminar on veterinary legislation, Gaborone, 2011





Outline

- What are correspondence tables?
- How are they used in the VLSP?
- When are they used in the VLSP?
- What does this mean for the country's legislation drafting team?



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What is a Correspondence Table?

Reference text				Analysis of correspondences				
Ref. (1)	Text (2)	Comments (3)	Relevance (4)	Ref. (5)	Text (6)	Difference (7)	Impact (8)	Level (9)

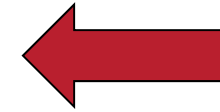


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How are they used in VLSP?

- See page 5 of the Guidelines # 4

Reference (1)	Text (2)	Comments (3) Breakdown
LD 4.1	The veterinary legislation should define the conditions for the classification, approval, operations and supervision of laboratories at each level.	Whereas the first paragraph defines the roles and responsibilities, this one recommends defining conditions and control procedures.
		Classification of laboratories
		Conditions required for classification
		Conditions for approval at each level
		Operating rules for laboratories
		Supervision procedures (who, what, where, when, how)



How are they used in VLSP?

Step 1 ANALYSIS (method)

Ref.	Text	Breakdown
R201-7	<p>1.1 Cut & paste and breakdown of reference text</p> <p>Communication of test results, as provided for in the first paragraph of Article L 201-2, relating to food products potentially injurious to health within the meaning of article 14 of Regulation 178/2002/EC of the European Parliament and of the Council of 28 January 2002 and potentially hazardous animal feed within the meaning of Article 15 of the said regulation must be made without delay by the owners or holders of food products of animal origin or animal feed to the designated administrative authority in application of Article L. 221-1-3 of the Consumer Code [...]</p>	<p>Communication of test results [...] relating to food products potentially injurious to health ...</p> <p>[...] potentially hazardous animal feed [...]</p> <p>[...] must be made without delay</p> <p>[...] by owners or holders of food products of animal origin</p> <p>[...] or animal feed to</p> <p>[...]the designated administrative authority in [...]</p> <p>Etc...</p>



How are they used in VLSP?

Step 1.2: If the measure/provision of the reference text is judged relevant or useful, then

Reference text				Analysis of correspondences				
Ref. (1)	Text (2)	Comments (3)	Relevance (4)		Difference (7)	Impact (8)	Level (9)	
			✓					

Step 1.3: all corresponding measures/provisions should be found in the local law



How are they used in VLSP?

Step 1.4 Compare each of the provisions to identify gaps or differences especially redundancies or omissions ...

Reference text				Analysis of correspondences				
Ref. (1)	Text (2)	Comments (3)	Relevance (4)	Ref. (5)	Text (6)	Difference (7)	Impact (8)	Level (9)



How are they used in VLSP?

Step 2 SYNTHESIS

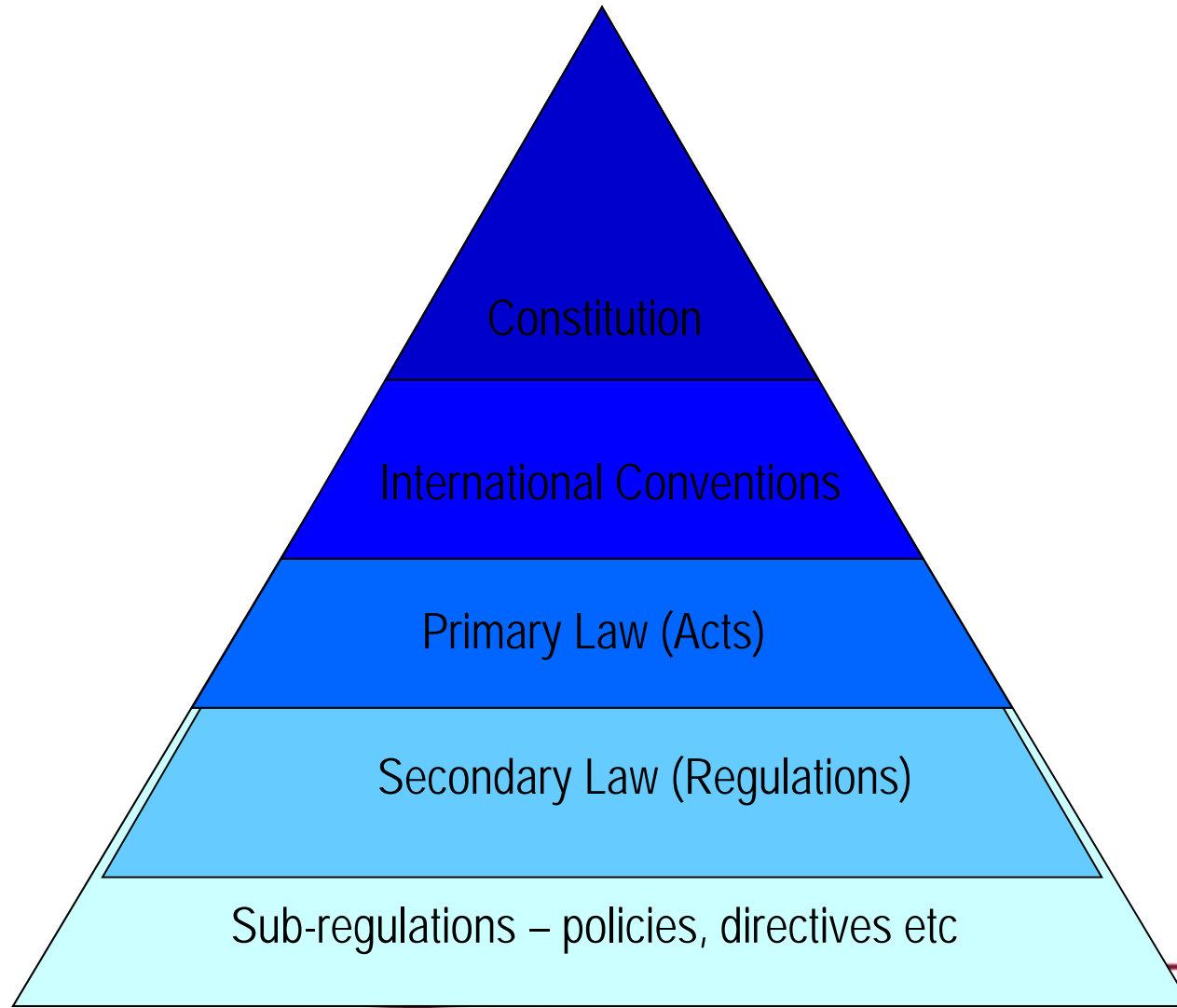
- Transcribe the conclusions into corrective provisions that meet the criteria for internal and external quality

Reference text				Analysis of correspondences				
Ref. (1)	Text (2)	Comments (3)	Relevance (4)	Ref. (5)	Text (6)	Difference (7)	Impact (8)	Level (9)

- Reference the relevant corrective draft provisions/ measures in column 8 & assess impact
- Determine the appropriate level in the hierarchy pyramid (9)



How are they used in VLSP?



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How are they used in VLSP?

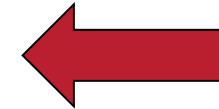
- **Internal Quality** (intrinsic)
 - Design fulfils stated purpose
 - Formulation complies with grammatical & legistic usage
 - Precision
 - Consistency with whole body of law
 - Simplicity & intelligibility
- **External Quality** (extrinsic)
 - Suitability of the chosen technical solution
 - Pertinent/Intelligibility
 - Accessibility
 - Acceptabability
 - Applicability(technical & legal)
 - Enforceable
 - Application
 - Cost for administration & beneficiaries





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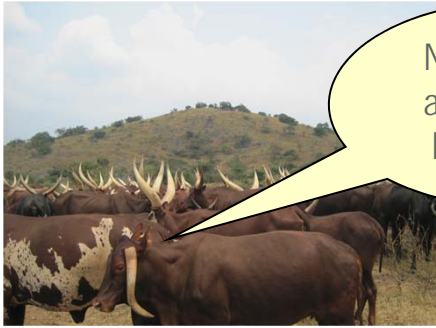


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When are they used in VLSP?

- Insufficient time in initial identification mission
- Approximated by Questionnaires # 1 & 2 which reflect the *Guidelines on Veterinary Legislation*
- Drafting proposals (column 8) requires a committed in-country team who know legal context
- Requires long term resource commitment by the Minister to reviewing veterinary legislation





Never worry
about being a
little different

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What does this mean for the country's legislation drafting team?

- Methodology has been shared with SADC in this OIE Sub-Regional Seminar on Veterinary Legislation

and/or

- Official agreement with the OIE for continued assistance on the development of veterinary legislation that serves the needs of the country and meets international standards



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Thank you for your attention ...questions..?



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