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STATUTORY RULES OF NORTHERN IRELAND

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**2004 No. 464**

**Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2004**

**PART X**

**CHARGES FOR VETERINARY CHECKS**

**Payment of charges**

**52.**—(1) A reasonable charge calculated in accordance with regulations 53 and 54 and Schedule 3 shall be made for veterinary checks carried out on a consignment at a border inspection post.

(2) A charge under this part in relation to any consignment shall be made by and payable to the Department, the district council or the Agency, which, pursuant to Regulations 4 and 5, executed and enforced these Regulations in relation to the consignment at the border inspection post where the veterinary checks are carried out.

**Calculation of charges**

**53.** The charge for veterinary checks shall cover the costs listed in Part I of Schedule 3 and shall be calculated in accordance with Part II, III, IV or V, as the case may be, of Schedule 3.

**Conversion of charges to sterling**

**54.** Charges expressed in euro in Schedule 3 shall be converted to pounds sterling at the rate of conversion published in the “C” Series of the Official Journal of the European Communities in September of the calendar year preceding that in which the relevant veterinary check was carried out.

**Liability for charges**

**55.** The person responsible for a consignment shall pay on demand the charge made for the veterinary checks carried out on the consignment.

**Information relating to charges**

**56.**—(1) The Department, or the district council shall, if so requested in writing, supply to any person who presents products pursuant to regulation 18, or to any organisation representing such persons, details of the calculations which it used to determine charges for veterinary checks and shall take into account any representations made by such person or organisation in determining such charges.

(2) If requested in writing so to do by the Department, a district council shall provide the Department with such information as it may require relating to the calculation of charges for veterinary checks, and with copies of any written representations made by persons or organisations referred to in paragraph (1).

### **Appeals against charges**

57.—(1) Any person who has paid a charge for veterinary checks to a district council, and any organisation representing such persons, may, within 21 days of the charge being made, appeal in writing to the Department on the ground that the amount of the charge is unreasonable.

(2) Where there is an appeal under paragraph (1), the Department shall consult with the district council and, if then satisfied that the amount of the charge is unreasonable, shall so inform the district council, and the district council shall recalculate the amount of the charge in accordance with any directions given by the Department and repay to the person who has paid the charge the difference between the original charge and the recalculated charge.

(3) Any person who has paid a charge for veterinary checks to the Department and any organisation representing such persons may, within 21 days of the charge being made, appeal to an independent person appointed by the Department on the ground that the amount of the charge is unreasonable.

(4) Where there is an appeal under paragraph (3), the independent person referred to in that paragraph shall consult with the Department and, if then satisfied that the amount of the charge is unreasonable, shall so inform the Department, who shall recalculate the amount of the charge in accordance with any directions given by the independent person and repay to the person who has paid the charge the difference between the original charge and the recalculated charge.

(5) The terms of appointment and the remuneration of the independent person referred to in paragraph (3) shall be determined by the Department.