

2008 No. 359

ANIMALS

ANIMAL HEALTH

**The Zoonoses and Animal By-Products (Fees) Regulations
(Northern Ireland) 2008**

Made - - - - 1st September 2008

Coming into operation - 26th September 2008

The Department of Agriculture and Rural Development being a Department designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Community in exercise of the powers conferred on it by the said section 2(2) and in exercise of the powers conferred on it by section 56(1), (2) and (5) of the Finance Act 1973(c) and with the consent of the Department of Finance and Personnel, makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the Zoonoses and Animal By-Products (Fees) Regulations (Northern Ireland) 2008 and shall come into operation on 26th September 2008.

Interpretation

2.—(1) In these regulations—

“the 2003 Regulations” means the Animal By-Products Regulations (Northern Ireland) 2003(d);

“the Department” means the Department of Agriculture and Rural Development;

“the European Regulation” means Regulation (EC) No. 2160/2003 of the European Parliament and of the Council on the control of salmonella and other specified food-borne zoonotic agents(e);

“official control samples” means samples taken under point 2.1.2.2 of the Annex to Commission Regulation (EC) No 1003/2005 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of certain salmonella serotypes in breeding flocks of *Gallus gallus* and amending Regulation (EC) No 2160/2003(f).

“the Scheme” means the Control of Salmonella in Poultry Scheme (Northern Ireland) 2008(g)

(a) S.I. 2000/2812

(b) 1972 c 68

(c) 1973 c 51

(d) S.R. 2003 No. 495

(e) O.J. No. L 325, 12.12.2003 p1, as last amended by Commission Regulation (EC) No. 1791/2006

(f) O.J. No. L 170, 1.7.2005 p12, as last amended by Commission Regulation (EC) No. 1168/2006

(g) S.R. 2008 No. 263

(2) The Interpretation Act (Northern Ireland) 1954(a) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Fees

3. There shall be paid to the Department in respect of the transactions specified in column (2) of the Schedule the fees specified in column (3), such fees being payable within 14 days of demand.

Revocation

4. The Breeding Flocks, Hatcheries and Animal By-Products (Fees) Order (Northern Ireland) 2004 is hereby revoked (b).

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 1st September 2008.

Elizabeth Redmond
A senior officer of the Department of Agriculture and Rural Development

Sealed with the Official Seal of the Department of Finance and Personnel on 1st September 2008.

Jack Layberry
A senior officer of the Department of Finance and Personnel

SCHEDULE

Regulation 3

PAYMENT TO THE DEPARTMENT

NOTE – the fees payable under the Zoonoses and Animal By-Products (Fees) (Northern Ireland) Regulations 2008 are shown below

<i>Item</i>	<i>Transaction</i>	<i>Fee</i>	<i>Old Fee</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
1.	Supervision by an inspector of the taking and submission of samples from breeding flocks under paragraph 14(1) & (2) of the Scheme.	£39.50 for the first ½ hour (or part thereof) of each visit plus £10.79 per ½ hour (or part thereof) thereafter.	£34.36 for the first ½ hour (or part thereof) of each visit plus £9.05 per ½ hour (or part thereof) thereafter.
2.	Testing by the Department of composite faeces samples taken from breeding flocks under paragraph 27(2) & (3) of the Scheme.	£18.50	£9.00

(a) 1954 c. 33 (N.I.)
(b) S.R. 2004 No 146

3.	Inspection of a laboratory which has applied for authorisation under paragraph 14(1) for the purposes of the Scheme for—		
	(a) 1 organism	£351.50	£362.00
	(b) 3 organisms	£373.00	£370.90
4.	Application Fee for the purposes of the control of salmonella in poultry under these Regulations consisting of additional administration of a first application.	£8.50	£10.60
5.	Annual Registration for the purposes of the Scheme or the 2003 Regulations consisting of—		
	(a) Administration of processing an application;	£20.00	£24.60
	(b) Distribution of 4 quality assurance samples to a laboratory authorised for the purposes of the Scheme, or the 2003 Regulations, or both, to enable the Department to assess the accuracy of its testing for those purposes, for—		
	(i) Salmonella	£32.00	£224.70
	(ii) Salmonella, Enterobacteriaceae and Clostridium Perfringens when such samples are sent at the same time.	£57.00	£510.40

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in Northern Ireland, revoke the Breeding Flocks, Hatcheries and Animal By-Products (Fees) Order (Northern Ireland) 2004.

They make provision for the Department to charge fees for activities required under Commission Regulation (EC) No 1003/2005, Regulation (EC) No 2160/2003 and the Animal By-Products Regulations (Northern Ireland) 2003. The activities are listed in the Schedule.

A regulatory impact assessment, which includes compliance cost assessment of the effect that these Regulations are likely to have on business costs, has been placed in the Library of the Assembly. Copies may be obtained from the Animal Disease Control and Trade Policy Branch, Room 715, Dundonald House, Stormont Estate, Upper Newtownards Road, Belfast, BT4 3SB.

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