

2002 No. 529

ANIMALS

ANIMAL HEALTH

**The Poultry Breeding Flocks, Hatcheries and Animal
By-Products (Fees) (Scotland) Order 2002**

Made 29th November 2002

Laid before the Scottish Parliament 2nd December 2002

Coming into force 1st January 2003

The Scottish Ministers, in exercise of the powers conferred by section 84(1) of the Animal Health Act 1981(a) and of all other powers enabling them in that behalf, hereby make the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Poultry Breeding Flocks, Hatcheries and Animal By-Products (Fees) (Scotland) Order 2002 and shall come into force on 1st January 2003.

(2) This Order extends to Scotland only.

Interpretation

2. In this Order “appropriate Order”, means the Poultry Breeding Flocks and Hatcheries Order 1993(b) or the Animal By-Products Order 1999(c).

Fees

3. There shall be paid to the Scottish Ministers in respect of each activity described in column 1 of the Schedule to this Order the fee prescribed in the corresponding entry in column 2 of that Schedule—

- (a) in the case of the activities in paragraphs 3, 4 and 5 of the Schedule, by the applicant when applying for authorisation or the operator when applying for approval under the appropriate Order; and
- (b) in any other case, by the person in whose name the holding or premises are registered or the operator approved under the appropriate Order, such fee being payable within 14 days of demand by the Scottish Ministers.

(a) 1981 c.22. See section 86(1) for the definition of “the Ministers”. The functions of the Ministers of the Crown were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46). The requirement for the approval of the Treasury was removed by section 55 of that Act.

(b) S.I. 1993/1898.

(c) S.I. 1999/646 as amended, in relation to Scotland, by S.S.I. 2001/171 and 2002/255.

Revocation

4. The Poultry Breeding Flocks, Hatcheries and Processed Animal Protein (Fees) Order 1993^(a) is revoked.

St Andrew's House,
Edinburgh
29th November 2002

ROSS FINNIE
A member of the Scottish Executive

(a) S.I. 1993/1998.

SCHEDULE

FEES

Column 1 Activity	Column 2 Fee
1. Supervision by an officer of the Scottish Ministers of taking samples under Schedule 2 of the Poultry Breeding Flocks and Hatcheries Order 1993.	£28.20 per ½ hour (or part thereof)
2. (a) Examination by an officer of the Scottish Ministers of samples of composite faeces taken under paragraph 3 of Part I of Schedule 2 to that Order; (b) examination by an officer of the Scottish Ministers of the following samples taken under paragraph 2 of Part II of Schedule 2 to that Order, of– (i) a composite meconium sample (ii) chicks dead in shell (up to a maximum of 50) (iii) culled chicks hatched from eggs (up to a maximum of 50).	£17.70 £17.70 £37.10 £37.10
3. Inspection of a laboratory for the purposes of the Poultry Breeding Flocks and Hatcheries Order 1993 and/or the Animal By-Products Order 1999 for– (i) 1 organism (ii) 2 organisms (iii) 3 organisms.	£348.40 £359.70 £370.90
4. Application: for the purposes of the Poultry Breeding Flocks and Hatcheries Order 1993 and/or the Annual By-Products Order 1999, consisting of: (a) additional administration of processing an application other than a renewal of annual registration; and (b) distribution of one set of quality assurance samples prior to the authorisation of a laboratory for the purposes of either of those Orders for– (i) Salmonella (ii) Enterobacteriaceae (iii) Clostridium Perfringens (iv) Enterobacteriaceae and Clostridium Perfringens when such samples are sent at the same time.	£10.60 £25.10 £48.90 £48.90 £93.80
5. Annual Registration: for the purposes of the Poultry Breeding Flocks and Hatcheries Order 1993 and/or the Animal By-Products Order 1999, consisting of: (a) administration of processing an application; and (b) distribution of annual (four sets) quality assurance samples for the purpose of either of those Orders for– (i) Salmonella (ii) Enterobacteriaceae (iii) Clostridium Perfringens (iv) Enterobacteriaceae and Clostridium Perfringens when such samples are sent at the same time.	£24.60 £106.90 £202.20 £202.20 £381.40

EXPLANATORY NOTE

(This note is not part of the Order)

This Order replaces the Poultry Breeding Flocks, Hatcheries and Processed Animal Protein (Fees) Order 1993 as it applies to Scotland. It provides for fees to recover the full costs of activities specified in the Schedule to this Order in respect of breeding flocks and hatcheries, and for the purposes of the authorisation of laboratories under the Poultry Breeding Flocks and Hatcheries Order 1993 and the approval of laboratories under the Animal By-Products Order 1999.

All fees have been calculated afresh and reflect the full economic cost of overheads and staff time in carrying out the activity. The fees specified under activity 1 and 2 in the Schedule to this Order have not been increased since 1993. Under the previous Order, the fees for activities 1 and 2 were—

Activity	Fee
1	£20.00 per half hour (or part thereof) of each visit
2a	£8.20
2(b)(i)	£8.20
2(b)(ii)	£20.00
2(b)(iii)	£20.00

Changes in the way the scheme is administered and the activities undertaken, means that the fees specified for activities 3-5 are different from those set out in the previous Order.

A Regulatory Impact Assessment, which includes a compliance cost assessment of the effect that this Order is likely to have on business costs, has been prepared and placed in the Scottish Parliament Information Centre. Copies can be obtained from the Scottish Executive Environment and Rural Affairs Department, Pentland House, 47 Robb's Loan, Edinburgh EH14 1TY.

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