
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Animals and Animal Products (Import and Export) (Scotland) Regulations 2000 (“the principal Regulations”).

The amendments provide a statutory basis for the Poultry Health Scheme, which is implemented by the Scottish Ministers in order to ensure compliance with the rules set out in Annex II to Council Directive [90/539/EEC](#) (on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs) (O.J. No. L 303, 31.10.90, p. 6) (“the Directive”) (regulation 2(3) and (7) and the Schedule). Hatching eggs, day-old chicks and poultry to which Article 6 of the Directive applies may only be exported to another Member State if they come from an establishment that is a member of the Poultry Health Scheme. Applications for establishments to join the Scheme must be accompanied by a registration fee and members of the Scheme must pay an annual membership fee. Provision is also made for establishments which have a distinguishing number allocated to them for purposes of Article 6.1(a) of the Directive on 29th October 2005 to be treated as members of the Poultry Health Scheme (regulation 2(3)). These Regulations also make arrangements for the approval of laboratories to undertake Mycoplasma testing under the Poultry Health Scheme, including the details of the annual approval fee (regulation 2(4) and (7) and the Schedule).

A definition of the Directive has been inserted into the principal Regulations (regulation 2(2)). Paragraph 6 of Part I of Schedule 3 and paragraph 8 of Part II of Schedule 5 to the principal Regulations have been updated to implement Community Instruments relevant to the Directive which have come into force since the principal Regulations were made (regulation 2(6) and (8)).

A Regulatory Impact Assessment has not been prepared for these Regulations.