
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 98

**The Meat (Official Controls Charges)
(Scotland) Regulations 2008**

Charges

3.—(1) The Agency shall, subject to the following provisions of this regulation, notify the operator of each slaughterhouse, game-handling establishment and cutting plant in which official controls have been exercised in any accounting period of an official controls charge in respect of those official controls as soon as practicable after the end of that period.

(2) Where the Agency cannot comply with paragraph (1) because it has insufficient information available to it to enable it to calculate the official controls charge for any accounting period in respect of any such premises as are specified in that paragraph, it shall notify the operator of those premises of an interim charge, being such amount as the Agency estimates (having regard to the information it has) the official controls charge to be.

(3) Where the Agency has notified an operator of an interim charge in accordance with paragraph (2), and sufficient information becomes available to the Agency to calculate the official controls charge, it shall calculate that charge and—

- (a) where it exceeds the interim charge, notify the operator of the final charge, being the amount by which the official controls charge exceeds the interim charge; or
- (b) subject to paragraph (6), where it is less than the interim charge, credit to the operator the amount by which the interim charge exceeds the official controls charge.

(4) Any charge notified to an operator under paragraph (1), (2) or (3) shall be payable by the operator to the Scottish Ministers and shall be recoverable on demand by the Scottish Ministers or by the Agency acting on their behalf, as a debt from the operator concerned.

(5) Where any agreed slaughterhouse staff costs have been used to calculate a charge falling to be notified under paragraph (1), (2) or (3), those costs shall be set off against the amount of that charge in calculating the actual charge notified thereunder, provided that no refund shall be made to the relevant operator.

(6) Where under paragraph (3)(b) a sum is to be credited to an operator, the Scottish Ministers may if they so determine pay such sum to the operator concerned instead of crediting such sum to the operator.