
STATUTORY INSTRUMENTS

1996 No. 3124

**The Products of Animal Origin
(Import and Export) Regulations 1996**

**PART VI
CHARGES**

Interpretation

28. For the purposes of this Part, a “health inspection and control exercise” means an inspection or supervisory function carried out by the Minister or local authority pursuant to any provision of these Regulations.

Payment of charges

29. A charge shall be made for health inspection and control exercises carried out by the Minister or by the local authority.

Calculation of charge

30. The charge for carrying out a health inspection and control exercise must be reasonable, and

- (a) in relation to imports, must cover the items specified in Schedule 4; and
- (b) in any other case, must cover the items listed in paragraphs 1, 3, 5 and 6 of Schedule 4.

Liability for charges

31. Charges under these Regulations shall be payable—

- (a) in the case of charges for a health inspection and control exercise carried out under regulation 11 or 12, by the person who has control of the establishment in relation to which those charges arise; and
- (b) in the case of charges for any other health inspection and control exercise, by the person who imports the products of animal origin in relation to which those charges arise.

Release of products

32. Products for which charges are due under these Regulations shall not be released by the person carrying out the checks until such charges are paid.

Information relating to charges

33.—(1) The Minister or the local authority as appropriate shall, if requested in writing, supply to any person who is liable to pay a charge under these Regulations, or any organisation representing such persons, details of the calculations used in deciding the amount of the charges, and shall take

into account any representations made to them by such person or organisation in determining the charge.

(2) If requested in writing to do so by the Minister, a local authority shall provide the Minister with such information as he may require relating to the calculation of charges, and with copies of any written representations made by the persons mentioned in paragraph (1) above.

Appeals

34.—(1) Any person who pays a charge to a local authority under these Regulations, or an organisation representing such persons, and who considers the charges to be unreasonably high may, within 28 days of the charge being levied, appeal to the Minister against the amount of the charge.

(2) Where an appeal is brought under paragraph (1) above, the Minister shall consult the local authority and if, after such consultation, he is satisfied that the amount charged is unreasonably high, he shall require the local authority to recalculate the amount of the charge in accordance with such directions as he shall give.

(3) Pending the recalculation of the charge by the local authority, the original charge shall continue, but after recalculation the new charge shall have effect from the date on which the original charge was made and the local authority shall re-imburse the person who has paid the charge accordingly.

(4) Any person who pays a charge to the Minister under these Regulations, or an organisation representing such persons, and who considers the charges to be unreasonably high may, within 28 days of the charge being levied, appeal to an independent person appointed by the Minister against the amount of the charge.

(5) The terms of appointment and the remuneration of the independent person shall be determined by the Minister.