

**2009 No. 839**

**ANIMALS, ENGLAND**

**ANIMAL HEALTH**

**The Diseases of Animals (Approved Disinfectants) (Fees)  
(England) Order 2009**

<i>Made</i>	- - - -	<i>31st March 2009</i>
<i>Laid before the House of Commons</i>		<i>3rd April 2009</i>
<i>Coming into force</i>	- -	<i>1st May 2009</i>

The Secretary of State, in exercise of the powers conferred by section 84(1) of the Animal Health Act 1981(a) and with the approval of the Treasury, makes the following Order.

**Title, application and commencement**

1. This Order may be cited as the Diseases of Animals (Approved Disinfectants) (Fees) (England) Order 2009, applies in England and comes into force on 1st May 2009.

**Fees for the testing of disinfectants**

2. A person who applies for a disinfectant to be approved under article 3 of the Diseases of Animals (Approved Disinfectants) (England) Order 2007(b) must, when applying, pay to the Secretary of State—

- (a) £1,715 for administrative services, plus
- (b) the fee for testing for the relevant purpose in the Schedule.

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(a) 1981 c. 22. Powers to make Orders under these sections were originally conferred on “the Ministers” by section 86 of the Act. These powers are now exercisable by the Secretary of State. Functions of “the Ministers” so far as exercisable within devolved competence became exercisable by the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46) So far as they were exercisable in relation to Wales by the Secretary of State for Wales they were transferred to the National Assembly for Wales by article 2(a) of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (SI 1999/672). So far as those functions remained exercisable by the Secretaries of State for Scotland and Wales, they were (except for section 57(1)) transferred to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Fisheries) Order 1999 (SI 1999/3141). Functions of the Minister of Agriculture, Fisheries and Food were transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (SI 2002/794). Functions of the Secretary of State so far as exercisable in relation to Wales were (except for Schedule 1) transferred to the National Assembly for Wales by article 2(a) of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 2004 (SI 2004/3044). By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32), these functions were transferred to the Welsh Ministers.

(b) S.I. 2007/448.

## Revocation

3. The Diseases of Animals (Approved Disinfectants) (Fees) (England) Order 2008(a) is revoked.

26th March 2009

*Jane Kennedy*  
Minister of State  
Department for Environment, Food and Rural Affairs

We approve

*Dave Watts*  
*Steve McCabe*  
Two of the Lords Commissioners of Her Majesty's Treasury

31st March 2009

## SCHEDULE

article 2

### Fee payable in respect of testing for specific purposes

	<i>Fee (£)</i>
Fee for testing for approval for use in relation to the following diseases—	
Diseases of Poultry (if one dilution rate is specified by the person applying for the approval of the disinfectant)	990
Diseases of Poultry (if three dilution rates are specified by the person applying for the approval of the disinfectant)	1,340
Tuberculosis (if one dilution rate is specified by the person applying for the approval of the disinfectant)	1,260
Tuberculosis (if three dilution rates are specified by the person applying for the approval of the disinfectant)	1,570
Foot-and-Mouth Disease	1,865
Swine Vesicular Disease	1,865
Fee for testing for approval for use in all other instances where there is a legislative requirement to use an approved disinfectant (if one dilution rate is specified by the person applying for the approval of the disinfectant)	690
Fee for testing for approval for use in all other instances where there is a legislative requirement to use an approved disinfectant (if three dilution rates are specified by the person applying for the approval of the disinfectant)	790

(a) S.I. 2008/652.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order revokes and replaces the Diseases of Animals (Approved Disinfectants) (Fees) (England) Order 2008 (S.I. 2008/652).

The Order with effect from 1st May 2009 amends the fee for testing for approval for use for—

- (a) diseases of poultry (if one dilution rate is requested) from £950 to £990;
- (b) diseases of poultry (if three dilution rates are requested) from £1,290 to £1,340;
- (c) tuberculosis (if one dilution rate is requested) from £1,210 to £1,260;
- (d) tuberculosis (if three dilution rates are requested) from £1,510 to £1,570;
- (e) foot-and-mouth diseases from £1,490 to £1,865;
- (f) swine vesicular disease from £1,490 to £1,865;
- (g) all other instances where there is a legislative requirement to use an approved disinfectant (if one dilution rate is requested) from £660 to £690; and
- (h) all other instances where there is a legislative requirement to use an approved disinfectant (if three dilution rates are requested) from £760 to £790.

The Order also amends the fee for administrative services from £1,650 to £1,715.

A full impact assessment has not been produced for this instrument as a minimal impact on the private or voluntary sectors is foreseen.

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STATUTORY INSTRUMENTS

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£4.00