
WELSH STATUTORY INSTRUMENTS

2005 No. 1393

**The Feeding Stuffs (Establishments and Intermediaries)
(Amendment) (Wales) Regulations 2005**

Title, commencement and application

1. The title of these Regulations is the Feeding Stuffs (Establishments and Intermediaries) (Amendment) (Wales) Regulations 2005, they come into force on 31 May 2005 and apply in relation to Wales.

Amendments to the Feeding Stuffs (Establishments and Intermediaries) Regulations 1999

2. The Feeding Stuffs (Establishments and Intermediaries) Regulations 1999 (“the principal Regulations”)(1) are amended in so far as they apply in relation to Wales in accordance with regulations 3 to 5.

3. Immediately after regulation 9 (procedure relating to the withdrawal of approvals) insert the following regulation —

“Fees

9A.—(1) Subject to paragraphs (2), (3), (5), (6) and (7), an eligible person who applies to the competent body under regulation 5 or 7 to approve an establishment which is located in Wales as an establishment on which an establishment activity may be exercised shall—

- (a) pay the relevant fee to the competent body; and
- (b) reimburse the competent body the cost of any laboratory analysis incurred by it in connection with the application.

(2) Any fee payable under paragraph (1)(a) shall be payable at the time the application is submitted to the competent body.

(3) Any reimbursement due under paragraph (1)(b) shall be payable to the competent body on demand.

(4) In relation to any application under regulation 5 or 7, the competent body need not—

- (a) take any step specified in regulation 6 until the relevant fee has been paid to it; or
- (b) take any step specified in regulation 6(2) until, in accordance with paragraph (1)(b), it has been reimbursed the cost of any laboratory analysis incurred by it in connection with the application.

(5) Where an eligible person makes an application under regulation 5 seeking approval of an establishment as one on which more than one establishment activity may be exercised, he shall be liable to pay a single relevant fee, which shall be the highest one otherwise payable.

(6) Where an eligible person makes an application under regulation 7 seeking approval of an establishment as one on which more than one new establishment activity may be

(1) S.I.1999/1872, to which there are amendments not relevant to these Regulations.

exercised, he shall be liable to pay a single relevant fee, which shall be the highest one otherwise payable.

(7) Any fee payable pursuant to paragraph (5) or (6) shall be treated, for the purposes of paragraphs (2) and (4)(a), as included among any fee payable under paragraph (1)(a).

(8) In this regulation “relevant fee” means the fee specified in Column 2 of Part I of Schedule 1A which is opposite to the reference in Column 1 of that Part to the application of the kind being made by the applicant.”.

4. Immediately after regulation 16 (procedure relating to the withdrawal of approvals) insert the following regulation —

“Fees

16A.—(1) Subject to paragraphs (2), (3), (5), (6) and (7), where the area of the competent body is in Wales, an eligible person who applies to it under regulation 12 or 14 to be approved as an intermediary who may exercise an intermediary activity shall —

- (a) pay the relevant fee to the competent body; and
- (b) reimburse the competent body the cost of any laboratory analysis incurred by it in connection with the application.

(2) Any fee payable under paragraph (1)(a) shall be payable at the time the application is submitted to the competent body.

(3) Any reimbursement due under paragraph (1)(b) shall be payable to the competent body on demand.

(4) In relation to any application under regulation 12 or 14, the competent body need not —

- (a) take any step specified in regulation 13(1) or (3) until the relevant fee has been paid to it; or
- (b) take any step specified in regulation 13(3) until, in accordance with paragraph (1)(b), it has been reimbursed the cost of any laboratory analysis incurred by it in connection with the application.

(5) Where an eligible person makes an application under regulation 12 seeking approval as a person who may exercise more than one intermediary activity, he shall be liable to pay a single relevant fee.

(6) Where an eligible person makes an application under regulation 14 seeking approval as a person who may exercise more than one new intermediary activity, he shall be liable to pay a single relevant fee.

(7) Any fee payable pursuant to paragraph (5) or (6) shall be treated, for the purposes of paragraphs (2) and (4)(a), as included among any fee payable under paragraph (1)(a).

(8) In this regulation “relevant fee” means the fee specified in Column 2 of Part II of Schedule 1A which is opposite to the reference in Column 1 of that Part to the application of the kind being made by the applicant.”.

5. Immediately after Schedule 1 (expressions having the same meaning as in Directive 70/524 or Directive 95/69) insert the Schedule set out in the Schedule to these Regulations.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(2)

24 May 2005

D. Elis-Thomas
The Presiding Officer of the National Assembly