

SCHEDULE 2

CALCULATION OF THE OFFICIAL CONTROLS CHARGE

The standard charge

8.—(1) An operator who does not agree that an additional charge is justified under paragraph 7 may request that the question be determined by a person nominated for the purpose pursuant to sub-paragraph (3)(a).

(2) A request under sub-paragraph (1) must be made within 1 week of the Agency giving the operator notice under paragraph 7(3).

(3) Where an operator makes a request under sub-paragraph (1) —

- (a) the Agency must nominate a person to determine the question from the list established under sub-paragraph (4);
- (b) the person so nominated must give the operator and the Agency an opportunity to make representations on the question to be determined; and
- (c) the person so nominated must, within 1 month of being nominated, decide whether an additional charge is payable and notify the operator and the Agency of his or her decision.

(4) The Agency must establish and maintain a list of people who may be nominated for the purposes of this paragraph and consult those organisations appearing to represent operators before including any person on the list.