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SCOTTISH STATUTORY INSTRUMENTS

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**2023 No. 198**

**ANIMALS**

**The Animal By-Products and Animal Health  
(Miscellaneous Fees) (Scotland) Regulations 2023**

*Made* - - - - 27th June 2023

*Coming into force* - - 1st July 2023

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 10(1) and (3)(c) of the Animal Health and Welfare Act 1984<sup>(1)</sup> and paragraph 7(2) of schedule 4 and paragraph 21 of schedule 7 of the European Union (Withdrawal) Act 2018<sup>(2)</sup> and all other powers enabling them to do so.

In accordance with paragraph 1(6) of schedule 7 of the European Union Withdrawal Act 2018 (as applied by paragraph 12(3) of that schedule of that Act), a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

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- (1) 1984 c. 40. Section 10(8) defines the “appropriate Minister” in relation to Scotland as the Secretary of State. The functions of the Secretary of State, so far as exercisable within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46). The requirement in section 10(3)(c) for the approval of the Treasury ceased to have effect by virtue of section 55 of the Scotland Act 1998.
- (2) 2018 c. 16. The Scottish Ministers are an appropriate authority within the meaning of paragraph 8 of schedule 4 of the Act. Paragraph 21 of schedule 7 of the Act was amended by paragraph 53(2) of schedule 5 of the European Union (Withdrawal Agreement) Act 2020 (c. 1). The powers to make these Regulations are exercised together by virtue of section 33(2) of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10) and these Regulations are subject to the affirmative procedure by virtue of section 33(3) of that Act.