

2022 No. 1121

ANIMALS, ENGLAND

ANIMAL HEALTH

**The Animal Health (Poultry Compartments, Approved
Disinfectants and Animal Gatherings) (Fees) (England)
(Amendment) Order 2022**

<i>Made</i> - - - -	<i>1st November 2022</i>
<i>Laid before the House of Commons</i>	<i>2nd November 2022</i>
<i>Coming into force</i> - -	<i>1st December 2022</i>

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

Citation, commencement and extent

1.—(1) This Order may be cited as the Animal Health (Poultry Compartments, Approved Disinfectants and Animal Gatherings) (Fees) (England) (Amendment) Order 2022.

(2) This Order comes into force on 1st December 2022.

(3) This Order extends to England and Wales.

Amendment to the Poultry Compartments (Fees) (England) Order 2010

2.—(1) The Poultry Compartments (Fees) (England) Order 2010(b) is amended as follows.

(2) In the table in the Schedule, in each place it occurs omit “+ VAT”.

Amendment to the Diseases of Animals (Approved Disinfectants) (Fees and Amendment) (England) Order 2011

3.—(1) The Diseases of Animals (Approved Disinfectants) (Fees and Amendment) (England) Order 2011(c) is amended as follows.

(2) In article 2 (fees payable on application), for paragraph (a) substitute—

“(a) in respect of administrative services relating to the application—

(a) 1981 c. 22. The expression “the Ministers” is defined in s.86(1)(c). Functions of “the Ministers” under the Act (except for s.57(1)), so far as exercisable in relation to England, were transferred to the Minister of Agriculture, Fisheries and Food by S.I. 1999/3141, and functions of the Minister of Agriculture, Fisheries and Food were transferred to the Secretary of State by article 2(2) of S.I. 2002/794.

(b) S.I. 2010/270.

(c) S.I. 2011/1509.

- (i) as regards applications received on or before 30th November 2023, a fee of £1,199;
- (ii) as regards applications received after 30th November 2023, a fee of £1,399; and”.

(3) In article 3 (annual fee)—

(a) in paragraph (1), for “an annual fee of £375”, substitute “the annual fee prescribed in paragraph (1A)”.

(b) after paragraph (1), insert—

“(1A) The annual fee is—

(a) as regards the year beginning on 1st September 2023 and ending on 31st August 2024, £482;

(b) as regards each subsequent year beginning on 1st September and ending on 31st August, £590.”.

(4) Omit article 4 (Value Added Tax).

(5) For the Schedule substitute the new Schedule contained in Schedule 1 to this Order.

Amendment to the Animal Gatherings (Fees) (England) Order 2018

4.—(1) The Animal Gatherings (Fees) (England) Order 2018(a) is amended as follows.

(2) In article 2, in the definitions of “collection centre” and “licensed premises”, for “a premises” substitute “premises”.

(3) In article 3(4), for “a premises” substitute “premises”.

(4) For the Schedule substitute the new Schedule contained in Schedule 2 to this Order.

Transitional provision

5.—(1) Paragraph (2) applies to any amendment made by this Order to a provision for a fee relating to an application received by the Secretary of State, so far as the amendment increases the fee payable.

(2) The amendment does not apply in respect of any fee charged in relation to an application received by the Secretary of State before the coming into force of this Order.

1st November 2022

Benyon
Minister of State
Department for Environment, Food and Rural Affairs

We consent

31st October 2022

Nigel Huddleston
Amanda Solloway
Two of the Lords Commissioners of His Majesty’s Treasury

(a) S.I. 2018/663.

SCHEDULE 1

Article 3(5)

“SCHEDULE

Article 2(b)

Fees payable on application

<i>Purpose</i>	<i>Fee (£) for applications received on or before 30th November 2023</i>	<i>Fee (£) for applications received after 30th November 2023</i>
Use in relation to diseases of poultry (if one dilution rate is specified by the person applying for the approval of the disinfectant)	2,409	3,778
Use in relation to diseases of poultry (if three dilution rates are specified by the person applying for the approval of the disinfectant)	2,786	4,172
Use in relation to tuberculosis (if one dilution rate is specified by the person applying for the approval of the disinfectant)	1,483	1,666
Use in relation to tuberculosis (if three dilution rates are specified by the person applying for the approval of the disinfectant)	1,835	2,050
Use in relation to foot-and-mouth disease	2,543	3,166
Use in relation to swine vesicular disease	2,543	3,166
Use in relation to 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)	874	1,032
Use in relation to 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)	973	1,131”

SCHEDULE 2

Article 4(4)

“SCHEDULE

Article 3

Table 1

Fees payable for the licensing of premises for animal sales or collection centres that are not exempt under article 3(4) of this Order

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Activity</i>	<i>Fee (£) for applications received, and renewals undertaken, on or before 30th November 2023</i>	<i>Fee (£) for applications received, and renewals undertaken, after 30th November 2023</i>
Application for the issue or (where the premises have been radically changed) amendment of a licence for sale premises or a collection centre where such premises are assessed by a veterinary inspector as presenting a low risk of disease. This fee includes up to 90 minutes of inspection time	318	379
Application for the issue or (where the premises have been radically changed) amendment of a licence for sale premises or for use as a collection centre, where such premises are assessed by a veterinary inspector as presenting more than a low risk of disease. This fee includes up to 2 x 90 minutes of inspection time	550	685
Annual licence renewal fee for premises used for animal sales or for use as a collection centre, where such premises are assessed by a veterinary inspector as presenting a low disease risk requiring only one inspection visit for the determination of the renewal. This fee includes up to 75 minutes of inspection time	279	340
Annual licence renewal fee for premises used for animal sales or for use as a collection centre, where such premises are assessed by a veterinary inspector as	414	486

presenting more than a low disease risk, and therefore requiring two inspection visits for the determination of the renewal. This fee includes up to 2 x 75 minutes of inspection time

Table 2

Fees payable for the licensing of premises for shows or exhibitions that are not exempt under article 3(4) of this Order

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Activity</i>	<i>Fee (£) for applications received, and renewals undertaken, on or before 30th November 2023</i>	<i>Fee (£) for applications received, and renewals undertaken, after 30th November 2023</i>
Application for a licence to organise shows or exhibitions on premises assessed by a veterinary inspector as presenting a low risk of disease. This fee includes up to 60 minutes of inspection time	175	236
Application for a licence to organise shows or exhibitions on premises assessed by a veterinary inspector as presenting more than a low risk of disease. This fee includes up to 90 minutes of inspection time	327	408
Annual licence renewal of show or exhibition premises where a veterinary inspector assesses no inspection visit is required	130	168
Annual licence renewal of a show or exhibition premises where a veterinary inspector assesses a basic inspection visit is required. This fee includes up to 60 minutes of inspection time	141	171
Annual licence renewal of show or exhibition premises where a veterinary inspector assesses more than a basic inspection visit is required. This fee includes up to 60 minutes of inspection time	193	229

Table 3

Additional fees payable for the licensing of premises

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Activity</i>	<i>Fee (£) for veterinary visits undertaken on or before 30th November 2023</i>	<i>Fee (£) for veterinary visits undertaken after 30th November 2023</i>
Extra veterinary visit for the purpose of consideration of an application for a licence, annual renewal of a licence or follow-up non-compliance visit, that includes up to 75 minutes of veterinary inspector time for such visit	246	318
A veterinary visit for the purpose of consideration of a request for an in-year operational change, that includes up to 75 minutes of veterinary inspector time for such visit	246	318
Additional charge on any visit where the veterinary inspection time exceeds the fixed time provided in this Schedule	22 per quarter hour or part quarter hour spent	22 per quarter hour or part quarter hour spent
Time spent by a veterinary inspector travelling to and from the licensed premises, or premises proposed to be licensed, for the purpose of licensing activities that are not exempt from fees under article 3(4) of this Order	22 per quarter hour or part quarter hour spent, up to a maximum of 132	22 per quarter hour or part quarter hour spent, up to a maximum of 132'

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends—

- (a) the Poultry Compartments (Fees) (England) Order 2010 (S.I. 2010/270) (“the Poultry Compartments Fees Order”);
- (b) the Diseases of Animals (Approved Disinfectants) (Fees and Amendment) (England) Order 2011 (S.I. 2011/1509) (“the Approved Disinfectants Fees Order”); and
- (c) the Animal Gatherings (Fees) (England) Order 2018 (S.I. 2018/663) (“the Animal Gatherings Fees Order”).

This Order increases fees payable to the Secretary of State under the Approved Disinfectants Fees Order and the Animal Gatherings Fees Order for services provided by the Animal and Plant Health Agency, an executive agency of the Department for Environment, Food and Rural Affairs. It also revokes provisions in the Poultry Compartments Fees Order and the Approved Disinfectants Fees Order which currently provide for Value Added Tax (VAT) to be added to fees charged under those Orders.

Article 2 amends the Poultry Compartments Fees Order to omit the words “+ VAT” each time they occur in the table in the Schedule, so that VAT is no longer payable in respect of the fees set out in the table.

Article 3 amends the Approved Disinfectants Fees Order to—

- (a) increase the fee payable under article 2(a) for administrative services on applications from £1,000 to £1,199 for applications received on or before 30th November 2023, and to £1,399 for applications received after 30th November 2023 (the latter fee representing a 40% increase on the current fee, rounded to the nearest integer);
- (b) increase the annual fee payable under article 3(1) for post-approval testing and administrative costs from £375 to £482 as regards the year beginning on 1st September 2023 and ending on 31st August 2024, and to £590 as regards each subsequent corresponding year (the latter fee representing a 57% increase on the current fee, rounded to the nearest integer);
- (c) omit article 4, so that VAT is no longer payable on fees payable under the Order;
- (d) substitute a new Schedule providing for increased fees for testing the efficacy and quality of disinfectants. Column 2 of the table in the new Schedule provides for an interim increase, ie for applications received on or before 30th November 2023. Column 3 of the table applies to applications received and renewals undertaken after 30th November 2023 and provides for a further increase. The fees set out in column 3 represent the following percentage increases on the current fees (rounded to the nearest integer): 263% (row 2), 198% (row 3), 28% (row 4), 27% (row 5), 65% (rows 6 and 7), 44% (row 8) and 39% (row 9).

Article 4 amends the Animal Gatherings Fees Order to substitute a new Schedule providing for increased fees for the licensing of premises for animal gatherings. The new Schedule provides as follows.

- (a) Table 1 sets out fees payable for the licensing of premises for animal sales or collection centres that are not exempt under article 3(4). Column 2 provides for an interim increase, ie for applications received and renewals undertaken on or before 30th November 2023. Column 3 applies to applications received and renewals undertaken after 30th November 2023 and provides for a further increase. The fees set out in column 3 represent the following percentage increases to the current fees (rounded to the nearest integer): 48% (row 3), 65% (row 4), 57% (row 5) and 42% (row 6).
- (b) Table 2 sets out fees payable for the licensing of premises for shows or exhibitions that are not exempt under article 3(4). Column 2 provides for an interim increase, ie for applications received and renewals undertaken on or before 30th November 2023. Column 3 applies to applications received and renewals undertaken after 30th November 2023 and provides for a further increase. The fees set out in column 3 represent the following percentage increases to the current fees (rounded to the nearest integer): 107% (row 3), 67% (row 4), 85% (row 5), 55% (row 6) and 46% (row 7).
- (c) Table 3 sets out additional fees payable for the licensing of premises. Column 2 provides for an interim increase, ie for veterinary visits undertaken on or before 30th November 2023. Column 3 applies to veterinary visits undertaken after 30th November 2023 and provides for a further increase. The fees set out in column 3 represent the following percentage increases to the current fees (rounded to the nearest integer): 84% (rows 3 and 4), 38% (row 5) and 5% (row 6).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

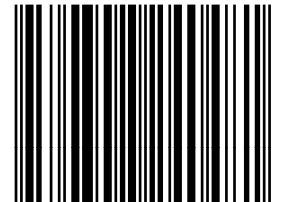
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