
WELSH STATUTORY INSTRUMENTS

2022 No. 1156 (W. 239)

ANIMALS, WALES

ANIMAL HEALTH

The Animal Health (Poultry Compartments and Animal Gatherings) (Fees) (Wales) (Amendment) Order 2022

Made - - - - 8 November 2022

Laid before Senedd Cymru 10 November 2022

Coming into force - - 1 December 2022

The Welsh Ministers make this Order in exercise of the powers conferred by section 84(1) of the Animal Health Act 1981⁽¹⁾.

Title, application and commencement

1.—(1) The title of this Order is the Animal Health (Poultry Compartments and Animal Gatherings) (Fees) (Wales) (Amendment) Order 2022.

(2) It applies in relation to Wales and comes into force on 1 December 2022.

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

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

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

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

3.—(1) The Animal Gatherings (Fees) (Wales) Order 2018⁽³⁾ is amended as follows.

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

(3) For the Schedule substitute the Schedule set out in the Schedule to this Order.

(1) 1981 c. 22. The term “the Ministers” is defined in section 86(1)(c). Functions conferred on “the Ministers” under the Act are, in so far as exercisable in relation to Wales, vested in the Welsh Ministers. Those functions were transferred to Senedd Cymru by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32) they were transferred to the Welsh Ministers. By virtue of paragraph 7 of Part 2 of Schedule 3 to the Government of Wales Act 2006, the requirement for Treasury approval in section 84(1) is dis-applied.

(2) S.I. 2010/1781 (W. 170).

(3) S.I. 2018/645 (W. 119).

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Transitional provision

4. The amendments made by articles 2 and 3 have no effect in relation to any fee charged in relation to an application received by the Welsh Ministers before the coming into force of this Order.

8 November 2022

Lesley Griffiths
Minister for Rural Affairs and North Wales, and
Trefnydd, one of the Welsh Ministers

SCHEDULE

Article 3(3)

“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 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 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 as a collection centre, where such premises are assessed by a veterinary inspector as presenting more than a low	414	486

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<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>
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	193	229

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<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>
more than a basic inspection visit is required. This fee includes up to 60 minutes of inspection time		

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) (Wales) Order 2010 (S.I. 2010/1781) (W. 170) (“the Poultry Compartments Fees Order”); and
- (b) the Animal Gatherings (Fees) (Wales) Order 2018 (S.I. 2018/645) (W. 119) (“the Animal Gathering Fees Order”).

This Order revokes provisions in the Poultry Compartments Fees Order which currently provide for Value Added Tax (VAT) to be added to fees charged under that Order. It also uplifts fees payable to the Welsh Ministers for services provided by the Animal and Plant Health Agency in relation to the Animal Gathering Fees Order.

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 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 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 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 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).

Article 4 makes transitional provision so that these amendments do not apply in relation to an application made before the coming into force of this Order.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Office of the Chief Veterinary Officer, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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