

**2013 No. 1240**

**ANIMALS**

**ANIMAL HEALTH**

**The Animal Health (Miscellaneous Fees) Regulations 2013**

<i>Made</i> - - - -	<i>20th May 2013</i>
<i>Laid before Parliament</i>	<i>31st May 2013</i>
<i>Coming into force</i> - -	<i>24th June 2013</i>

The Secretary of State is a Minister designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Union.

The Secretary of State, with the consent of the Treasury, makes these Regulations in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973(c) as read with paragraph 1A of Schedule 2 to the European Communities Act 1972, and so far as relating to regulations 7, 8 and 9 in exercise of the powers conferred by section 10(3)(c) of the Animal Health and Welfare Act 1984(d).

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Secretary of State that it is expedient for any reference to Regulation (EC) No 2160/2003 of the European Parliament and of the Council on the control of salmonella and other specified food-borne zoonotic agents(e), Council Directive 90/429/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species(f), or Council Directive 2009/158/EC on animal health conditions governing intra-Community trade in, and imports from

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- (a) S.I. 1972/1811. The function of the former Minister of Agriculture of making regulations under section 2(2) of the European Communities Act 1972 was transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).
- (b) 1972 c.68; section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 (c.51), section 27(1)(a), and the European Union (Amendment) Act 2008 (c.7), Part 1 of the Schedule. The power of the Secretary of State to make Regulations that extend to Scotland remains exercisable by virtue of section 57(1) of the Scotland Act 1998 (c.46). The power of the Secretary of State to make Regulations that extend to Northern Ireland remains exercisable by virtue of article 2(3) of the European Communities (Designation) (No 2) Order 1999 (S.I. 1999/2027) and article 2(a) of the European Communities (Designation) Order 2008 (S.I. 2008/301). The power of the Secretary of State to make Regulations in relation to Wales remains exercisable by virtue of paragraph 5 of Schedule 3 to the Government of Wales Act 2006 (c.32).
- (c) 1973 c.51. Subsection (6) of section 56 was repealed by the Statute Law (Repeals) Act 1977 (c.18).
- (d) 1984 c.40.
- (e) OJ No L325, 12.12.2003, p.1 as last amended by Commission Regulation (EU) No 1086/2011 (OJ No L 281, 28.10.2011, p.7).
- (f) OJ No L 224, 18.8.1990, p. 62 as last amended by Commission Implementing Regulation (EU) 176/2012 (OJ No L 61 2.3.2012 p.1).

third countries of, poultry and hatching eggs<sup>(a)</sup>, to be construed as a reference to that Regulation or that Directive as amended from time to time.

### **Title, extent, application and commencement**

1.—(1) These Regulations may be cited as the Animal Health (Miscellaneous Fees) Regulations 2013.

(2) Regulation 4 extends to England and Wales, Scotland and Northern Ireland.

(3) Subject to paragraph (2) these Regulations extend to England and Wales, but apply in relation to England only.

(4) These Regulations come into force on 24th June 2013.

### **Interpretation**

2.—(1) In these Regulations—

“veterinary officer” means a veterinary surgeon employed as such by the Secretary of State; and

“veterinary surgeon” means a person registered in the register of veterinary surgeons kept under the Veterinary Surgeons Act 1966<sup>(b)</sup>.

(2) In these Regulations, a reference to—

(a) Regulation (EC) No 2160/2003 of the European Parliament and of the Council on the control of salmonella and other specified food-borne zoonotic agents,

(b) Council Directive 90/429/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species, or

(c) Council Directive 2009/158/EC on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs,

is to be construed as a reference to that instrument as amended from time to time.

### **Refund of fees**

3. If any application for which a fee is payable under or by virtue of these Regulations is withdrawn before determination of the application, the Secretary of State must refund to the applicant such proportion of any fee paid in respect of that application as the Secretary of State thinks fit, having regard to any reasonable costs incurred by the Secretary of State in connection with the application.

### **Control of trade in endangered species: fees**

4.—(1) The Control of Trade in Endangered Species (Fees) Regulations 2009<sup>(c)</sup> are amended as follows.

(2) In regulation 3—

(a) for paragraph (1) substitute—

“(1) Except where regulation 4 applies, a person who wishes to obtain a permit, certificate or registration specified in an entry in column 1 of the Schedule must pay the fee specified corresponding to that entry in column 2 (for animals) or column 3 (for plants) as the case may be.”;

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(a) OJ No. L 343, 22.12.2009, p.74 as last amended by Commission Implementing Decision 2011/879/EU (OJ No. L 343, 12.12.2011 p. 105).

(b) 1966 c.36.

(c) S.I. 2009/496.

- (b) in paragraph (2) for “regulation 4(2)” substitute “regulation 4”; and
- (c) after paragraph (2) insert—

“(3) If any application for which a fee is payable under these Regulations is withdrawn before consideration of the application, the Secretary of State must refund to the applicant such proportion of any fee paid in respect of that application as the Secretary of State thinks fit, having regard to any reasonable costs incurred by the Secretary of State in connection with the application.”.

- (3) For regulation 4 substitute—

**“Fee for the issue of additional permits or certificates**

4. Where a single application covers more than one specimen and the issue of more than one permit or certificate is required, a fee of £1.50 is payable by the applicant for each additional permit or certificate issued.”.

- (4) In regulation 5(2)(b) for “4(2)” substitute “4”.
- (5) In regulation 6(8) for “18, 19, 29 or 63” substitute “18, 19 or 29”.
- (6) For the Schedule substitute the Schedule (fees) set out in Schedule 1 to these Regulations.

**Salmonella national control programmes (zoonoses): fees**

5.—(1) Schedule 2 sets out the fees payable for activities conducted by the Secretary of State in relation to the control of *Salmonella* in accordance with the relevant National Control Programme(a) established by or under Regulation (EC) No 2160/2003 of the European Parliament and of the Council(b).

- (2) In Schedule 2—
  - (a) the fees payable by the person in charge of a poultry holding for the activities specified in column 1 of Table 1 are specified in the corresponding entries in column 2 of that Table;
  - (b) the fees payable by the operator of a laboratory for the activities specified in column 1 of Table 2 are specified in the corresponding entries in column 2 of that Table; and
  - (c) the fees payable by the person in charge of poultry flocks for the activities specified in column 1 of Table 3 are specified in the corresponding entries in column 2 of that Table.

**Poultry health scheme: fees**

6. The following fees are specified in Schedule 3 for activities conducted by the Secretary of State in relation to the poultry health scheme(c) established under Articles 2 and 6 of, and Annex II to, Council Directive 2009/158/EC and implemented by paragraph 4 of Schedule 2 to the Trade in Animals and Related Products Regulations 2011(d)—

- (a) Table 1 sets out the fees payable by applicants for approval and registration activities specified in column 1 of that Table are specified in the corresponding entries in column 2 of that Table; and
- (b) Table 2 sets out the fees payable by the operator of a laboratory for activities specified in column 1 of that Table are specified in the corresponding entries in column 2 of that Table.

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(a) There are salmonella national control programmes for laying chickens producing eggs for human consumption, breeding chickens, broiler chickens and turkeys that are designed to reduce the prevalence of different types of *Salmonella* that are of public health significance in line with EU targets.

(b) OJ No L 325, 12.12.2003, p.1, as last amended by Commission Regulation (EU) No 1086/2011 (OJ No L 281, 28.10.2011, p.7).

(c) The poultry health scheme offers a system of registration and approval enabling establishments to verify compliance with EU legislation so that they are then eligible to export over 20 chicks or hatching eggs to other EU Member States. Additionally it provides for proficiency tests to be carried out on the laboratories that test samples on behalf of poultry health scheme members.

(d) S.I. 2011/1197.

### **Bovine semen: fees**

7.—(1) The Bovine Semen (England) Regulations 2007(a) (“the 2007 Regulations”) are amended in accordance with paragraphs (2) and (3).

(2) For regulation 41 substitute—

“41. The fees payable to the Secretary of State are as provided by regulation 7(4) of the Animal Health (Miscellaneous Fees) Regulations 2013.”.

(3) Omit regulation 42.

(4) The fees specified in column 2 of Schedule 4 to these Regulations are payable for the activities specified in column 1 of that Schedule and words and expressions used in that Schedule and the 2007 Regulations have the same meanings as in the 2007 Regulations.

### **Porcine semen: fees**

8.—(1) Schedule 5 sets out the fees payable to the Secretary of State in connection with the issue of licences or approvals and tests and examinations carried out under—

(a) the Artificial Insemination of Pigs (England and Wales) Regulations 1964(b) (“the 1964 Regulations”); or

(b) the Artificial Insemination of Pigs (EEC) Regulations 1992(c) (“the 1992 Regulations”).

(2) The fees payable by the applicant or holder of the licence or approval for activities specified in column 1 of the Table in Schedule 5 are specified in the corresponding entries in column 2 of that Table.

(3) In Schedule 5 “artificial insemination centre” means premises—

(a) in respect of which a licence is in force under regulation 4(1) of the 1964 Regulations, or

(b) which have been approved under regulation 2(2) or (3) of the 1992 Regulations.

### **Bovine embryo (collection, production and transfer): fees**

9.—(1) This regulation and Schedule 6 set out the fees payable to the Secretary of State for activities in relation to an application for an approval or a holder of an approval under the Bovine Embryo (Collection, Production and Transfer) Regulations 1995(d) (“the 1995 Regulations”).

(2) In Schedule 6, the fees payable by applicants for, or holders of, approvals under the 1995 Regulations for activities specified in column 1 of the Table are specified in the corresponding entries in column 2 of that Table.

### **Checking consignments of live animals at border inspection posts: fees**

10.—(1) The fees specified in this regulation and Schedule 7 are payable where inspections are carried out at border inspection posts of consignments of live animals from a third country in accordance with regulation 15 (procedure on importation) of the Trade in Animals and Related Products Regulations 2011.

(2) The fees payable in respect of the inspection of a consignment of live animals specified in column 1 of the Table in Schedule 7 are specified in the corresponding entry in column 2 of that Table.

(3) Paragraph (4) applies where the inspection of any live animal at a border inspection post is undertaken (whether in whole or in part)—

(a) during a weekend;

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(a) S.I. 2007/1319, to which there are amendments not relevant to these regulations.

(b) S.I. 1964/1172, to which there are amendments not relevant to these Regulations.

(c) S.I. 1992/3161.

(d) S.I. 1995/2478, to which there is an amendment not relevant to these regulations.

- (b) after 17.00 hours but before 08.30 hours on a weekday; or
- (c) during a public holiday.

(4) Where this paragraph applies, a fee of £80 is payable for every load subject to inspection (in addition to any fee payable under Schedule 7).

(5) In this regulation and Schedule 7—

- (a) “border inspection post” means a port or airport approved as such by the European Commission<sup>(a)</sup>;
- (b) “consignment” means a quantity of animals of the same species, covered by the same veterinary certificate or document;
- (c) “load” means one or more consignments of animals from the same country of origin that have arrived on the same means of transport and presented by a person responsible for their importation for checking at the border inspection post at the same time;
- (d) “public holiday” means Christmas Day, Good Friday or a bank holiday in England under the Banking and Financial Dealings Act 1971<sup>(b)</sup>; and
- (e) “third country” means a country other than a member State.

### Revocations

11. The following are revoked—

- (a) the Bovine Embryo (Collection, Production and Transfer) (Fees) Regulations 1995<sup>(c)</sup>;
- (b) the Animals (Third Country Imports) (Charges) Regulations 1997<sup>(d)</sup>;
- (c) the Porcine Semen (Fees) (England) Regulations 2007<sup>(e)</sup>;
- (d) the Zoonoses and Animal By-Products (Fees) (England) Regulations 2010<sup>(f)</sup>; and
- (e) the Poultry Health Scheme (Fees) Regulations 2011<sup>(g)</sup>.

14th May 2013

*David Heath*  
Minister of State  
Department for Environment, Food and Rural Affairs

We consent

20th May 2013

*Mark Lancaster*  
*Robert Goodwill*  
Two of the Lords Commissioners of Her Majesty’s Treasury

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(a) The European Commission periodically publishes lists of border inspection posts. The list of approved border inspection posts is laid down in Commission Decision 2009/821/EC (OJ No L 296, 12.11.2009, p.1) as last amended by Commission Implementing Decision 2012/762/EU (OJ No L 336, 8.12.2012, p.94).

(b) 1971 c.80.  
(c) S.I. 1995/2479.  
(d) S.I. 1997/639.  
(e) S.I. 2007/2586.  
(f) S.I. 2010/1668.  
(g) S.I. 2011/1194.

SCHEDULE 1

Regulation 4(6)

Control of trade in endangered species: fees

“SCHEDULE

Regulation 3

FEES

<i>Column 1 Type of permit, certificate or registration</i>	<i>Column 2 Fee for animals (£)</i>	<i>Column 3 Fee for plants (£)</i>
Certificate of origin issued under Article 4(3)(b) of the Council Regulation	31	31
Commercial use certificate issued under Article 10, in accordance with Article 8 of the Council Regulation	31	31
Export permit issued under Article 10, in accordance with Article 5 of the Council Regulation	63	74
Re-export certificate issued under Article 10, in accordance with Article 5 of the Council Regulation	37	59
Movement certificate issued under Article 10, in accordance with Article 9 of the Council Regulation	88	88
Pre-issued re-export certificate issued under Article 18 of the Commission Regulation (biological samples)	44	59
Pre-issued re-export certificate issued under Article 19 of the Commission Regulation (dead specimens)	44	59
Import permit issued under Article 4 of the Council Regulation	67	74
Pre-issued export permit issued under Article 18 of the Commission Regulation	72	74
Pre-issued export permit issued under Article 19 of the Commission Regulation	72	74
Pre-issued export permit issued under Article 29 of the Commission Regulation (nursery permits)	Not applicable	74
Personal ownership certificate	74	74

<i>Column 1 Type of permit, certificate or registration</i>	<i>Column 2 Fee for animals (£)</i>	<i>Column 3 Fee for plants (£)</i>
issued under Article 37 of the Commission Regulation		
Sample collection certificate issued under Article 44a of the Commission Regulation	74	74
Travelling exhibition certificate issued under Article 30 of the Commission Regulation	74	74
Scientific institution certificate issued under Article 60 of the Commission Regulation	146	195
CITES registration	221	221”

## SCHEDULE 2

Regulation 5

### Salmonella national control programme (zoonoses): Fees

**Table 1**

<b>Fees payable by the person in charge of chicken or turkey holding from which an official samples is taken, processed and examined</b>	
<i>Column 1</i> <i>Activity</i>	<i>Column 2</i> <i>Fee (£)</i>
Time spent in obtaining an official control sample for examination in a laboratory (in addition to the fees specified below)	23 per half hour or part half hour spent
Taking an official control sample from a chicken laying flock	60
Taking an official control sample from a chicken breeding flock	96
Taking an official control sample from a chicken broiler flock	89
Taking an official control sample from a turkey fattening and breeding flocks	87
Examination of an official control samples in a laboratory	15 per sample examined

**Table 2**

<b>Fees payable by the operator of a laboratory</b>		
<i>Column 1</i> <i>Activity</i>	<i>Column 2</i> <i>Fee (£)</i>	
Processing an application for an initial laboratory approval or an annual renewal of a laboratory approval	43	
Conducting inspections and quality assurance based upon the number of tests for which the laboratory is approved	one test	642
	two tests	661
	three tests	681
	four tests	700
Conducting collaborative testing for <i>Salmonella</i> as required to obtain and maintain approval as a testing laboratory	37 per test	

**Table 3**

<b>Fees payable by the person in charge of poultry flocks for conducting tests under point 4(b) of Part D of Annex II of Regulation (EC) No 2160/2003</b>	
<i>Column 1</i> <i>Activity</i>	<i>Column 2</i> <i>Fee (£)</i>
Conducting tests on seven dust and faecal samples taken from each flock	15 per sample tested
Conducting bacteriological sampling and testing of the caeca and oviducts of 300 birds from each flock	3,560
Conducting bacteriological sampling and testing of the shell and the content of 4,000 eggs from each flock	2,310



## SCHEDULE 3

Regulation 6

### Poultry health scheme: Fees

**Table 1**

<b>Fees for registration and approval of an establishment for the purposes of the poultry health scheme</b>	
<i>Column 1</i> <i>Activity</i>	<i>Column 2</i> <i>Fee (£)</i>
Time spent by a veterinary officer carrying out the licensing or approval activities in this Table (in this Table, the “time fee”) (in addition to the fees listed below unless otherwise specified in column 2 that this time fee does not apply)	23 per half hour or part half hour spent
Annual registration as a poultry health scheme member (in this table a “scheme member”)	61 (time fee does not apply)
Approval for first year approval of scheme member’s flock or hatchery	210
Approval for first year approval of a scheme member’s combined flock and hatchery on one site where the inspection is carried out by a veterinary officer	233
Annual re-approval of a scheme member’s flock or hatchery, where the inspection is carried out by a veterinary surgeon who is not a veterinary officer	74 (time fee does not apply)
Annual re-approval of a scheme member’s combined flock and hatchery on one site, where the inspection is carried out by a veterinary surgeon who is not a veterinary officer	78 (time fee does not apply)
Annual re-approval of a scheme member’s flock or hatchery, where inspection carried out by a veterinary officer	178
Annual re-approval of a scheme member’s combined flock and hatchery on one site, where inspection carried out by a veterinary officer	183

**Table 2**

<b>Fees payable by the operator of a laboratory in relation to approval for the purpose of the poultry health scheme</b>	
<i>Column 1</i> <i>Activity</i>	<i>Column 2</i> <i>Fee (£)</i>
Processing an application for an initial laboratory approval or an annual renewal of a laboratory approval	43
Proficiency test in respect of <i>Salmonella</i> bacteriology ( <i>pullorum, gallinarum and arizonae</i> )	131 per test
Proficiency test in respect of <i>Salmonella</i> serology ( <i>pullorum, gallinarum</i> )	336 per test
Proficiency test in respect of <i>Mycoplasma</i> chicken serology ( <i>gallisepticum</i> )	336 per test
Proficiency test in respect of <i>Mycoplasma</i> culture ( <i>gallisepticum and meleagridis</i> )	281 per test
Proficiency test in respect of <i>Mycoplasma</i> turkey serology ( <i>gallisepticum and meleagridis</i> )	336 per test

SCHEDULE 4

Regulation 7(4)

Bovine semen: Fees

<b>Fees payable by applicants and operators under the Bovine Semen (England) Regulations 2007 (“the 2007 Regulations”)</b>		
<i>Column 1</i> <i>Activity</i>	<i>Column 2</i> <i>Fee (£)</i>	
Time spent carrying out the licensing or approval activities in this Table (in addition to each of the fees listed below)	officer who is not a veterinary officer	12 per half hour or part half hour spent
	veterinary officer	23 per half hour or part half hour spent
Considering an application for approval under regulations 7 and 10 of the 2007 Regulations for use in domestic collection centre or at unlicensed premises	38	
Considering an application under regulation 7 of the 2007 Regulations for approval of a bovine animal for use in an EU collection centre	Bovine animal aged 6 months or under	187
	Bovine animal aged over 6 months and in the same sex group	187
	Bovine animal aged over 6 months and in a mixed sex group	368
Considering an application for a licence to operate an EU quarantine centre under regulation 4 of the 2007 Regulations	114	
Considering an application for a licence to operate an EU collection centre under regulation 4 of the 2007 Regulations	146	
Considering an application for a licence to operate an EU storage centre under regulation 4 of the 2007 Regulations	63	
Conducting an examination of a bovine semen centre under regulation 40 of the 2007 Regulations	14	

## SCHEDULE 5

Regulation 8

### Porcine semen: Fees

<b>Fees payable under the Artificial Insemination of Pigs (England and Wales) Regulations 1964 (“the 1964 Regulations”) and the Artificial Insemination of Pigs (EEC) Regulations 1992</b>		
<i>Column 1</i> <i>Activity</i>	<i>Column 2</i> <i>Fee (£)</i>	
Time spent carrying out the licensing or approval activities in this Table, in addition to each of the fees listed below (in this Table the “time fee”) unless specified in column 2 that this time fee is not applicable	officer who is not a veterinary officer	12 per half hour or part half hour spent
	veterinary officer	23 per half hour or part half hour spent
<b><i>Application for approval of boars to provide semen for the purpose of artificial insemination</i></b>		
Considering an application for the approval of a boar under regulation 2(1) of the 1964 Regulations for the purpose of the collection of semen which will not be subject to intra-EU trade	92	
Considering an application for the approval of each additional boar examined at the same time	19 (time fee does not apply)	
<b><i>Routine testing of boars</i></b>		
Compulsory routine testing of boars in accordance with Annex B, Chapter II, paragraph 1 of Council Directive 90/429/EEC on an artificial insemination centre from which semen may be subject to intra-EU trade	up to a maximum of 10 boars	201
	each additional boar tested on the premises	26
Routine testing of boars on an artificial insemination centre from which semen is not subject to intra-EU trade	up to a maximum of 10 boars	140
	each additional boar tested on the premises	19
<b><i>Operation of an artificial insemination centre</i></b>		
Considering an application from an operator for an artificial insemination centre licence or approval	29	
Considering an application for approval of an alteration to licensed premises (in accordance with conditions attached to the licence)	29	
Routine examination of artificial insemination centre	9	

## SCHEDULE 6

Regulation 9

### Bovine embryo (collection, production and transfer): fees

<b>Fees payable under the Bovine Embryo (Collection, Production and Transfer) Regulations 1995 (“the 1995 Regulations”)</b>	
<i>Column 1</i> <i>Activity</i>	<i>Column 2</i> <i>Fee (£)</i>
Time spent by veterinary officer when carrying out inspections and checks (in addition to the basic fees listed in this Table where the relevant facilities or premises require inspection or records require checking)	23 per half hour or part half hour spent
Considering an application for approval of a single bovine embryo collection or production team where there is inspection of one laboratory	131
Considering an application for approval of each additional laboratory or store from the same applicant where that laboratory or store is located more than 8 kilometres away from other embryo teams inspected for approval	86
Considering an application for approval of an additional laboratory or store from the same applicant when the inspection is done on the same day and the laboratory or store is located 8 kilometres or less from other embryo teams inspected for approval	27
Considering an application for approval of: - a bovine embryo transfer team; or - a store under regulation 13; - a store under regulation 16; or - a store and its supervisor under regulations 16 and 19, of the 1995 Regulations	60
Considering an application for re-approval of a laboratory or a store following any alterations	71
Carrying out routine inspection of records of a single bovine embryo production, collection or transfer team and re-inspection of a single laboratory or store	70
Carrying out routine inspection of records of each additional bovine embryo production, collection or transfer team, and re-inspection of each additional laboratory or store	41 for each additional team and laboratory or store
Considering an application for approval of a bovine embryo collection or production team with no inspection of a laboratory	168

SCHEDULE 7

Regulation 10

Checking consignments of live animals from third countries at border inspection posts: fees

<b>Fees for inspecting consignments of animals from third countries and checking importation documentation at border inspection posts in accordance with regulation 15 of the Trade in Animals and Related Products Regulations 2011(a)</b>	
<i>Column 1</i> <i>Inspection of type of animal and checking documents</i>	<i>Column 2</i> <i>Fee (£) per consignment</i>
Poultry, ratites and small game birds	44
Live fish, aquatic animals and reptiles	40
Rabbits and rodents	44
Captive birds	44
Bees, other insects and invertebrates	40
Pets unaccompanied	44
Equidae	54
Farmed livestock including cattle, sheep, goats, camelids, pigs and wild boar	54
Animals not covered by any other category	44
Transshipment check of documents	44

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(a) S.I. 2011/1197.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make provision for consolidation and increase of fees payable to the Secretary of State in the field of animal health into one statutory instrument. The fees are collected by the Animal Health and Veterinary Laboratories Agency (AHVLA), an executive agency of the Department for Environment, Food and Rural Affairs.

The Control of Trade in Endangered Species (Fees) Regulations 2009 (S.I. 2009/496) is amended by regulation 4. The fees in regulation 4 and Schedule 1 are payable in relation to certificates and permits issued under Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora. Regulation 4 extends to the whole of the United Kingdom; the other provisions of the instrument apply only in England.

The fees in regulation 5 and Schedule 2 are payable in relation to activities required under Regulation (EC) No 2160/2003 and in accordance with Salmonella National Control Programmes for poultry.

The fees in regulation 6 and Schedule 3 are payable in relation to approvals for the purpose of the poultry health scheme established under Council Directive 2009/158/EC and the Trade in Animals and Related Products Regulations 2011 (S.I. 2011/1197).

The fees in regulation 7 and Schedule 4 are payable in relation to approvals for the purpose of obtaining bovine semen in accordance with the Bovine Semen (England) Regulations 2007 (S.I. 2007/1319), which are amended by regulation 7.

The fees in regulation 8 and Schedule 5 are payable in relation to approvals for the purpose of obtaining porcine semen in accordance with the Artificial Insemination of Pigs (England and Wales) Regulations 1964 (S.I. 1964/1172) and the Artificial Insemination of Pigs (EEC) Regulations 1992 (S.I. 1992/3161).

The fees in regulation 9 and Schedule 6 are payable in relation to approvals for the purpose of collection, production and transfer of bovine embryos in accordance with the bovine Embryo (Collection, Production and Transfer) Regulations 1995 (S.I. 1995/2478).

The fees in regulation 10 and Schedule 7 are payable in relation to inspection of consignments of live animals at border inspection posts in accordance with the Trade in Animals and Related Products Regulations 2011.

These Regulations revoke existing fee instruments in relation to animal health (regulation 11).

The fee levels provided for in this instrument form part of a phased move towards full cost recovery of fees as explained in the Explanatory Memorandum. Some fees are substantially increased from existing fees because they have remained unchanged for many years. A detailed comparison of the existing and new fees is provided in an annex to the Explanatory Memorandum.

Full impact assessments of the effect that this instrument will have in relation to fees covered by this instrument are available on the [www.gov.uk/defra](http://www.gov.uk/defra) website.

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STATUTORY INSTRUMENTS

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