
SCOTTISH STATUTORY INSTRUMENTS

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(1) and paragraph 7(2) of schedule 4 and paragraph 21 of schedule 7 of the European Union (Withdrawal) Act 2018(2) 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.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Animal By-Products and Animal Health (Miscellaneous Fees) (Scotland) Regulations 2023 and come into force on 1 July 2023.

(2) These Regulations extend to Scotland only.

Interpretation

2. In these Regulations—

“veterinary officer” means a veterinary surgeon employed as such by the Scottish Ministers or the Secretary of State(3),

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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.
- (3) By virtue of an agreement under section 93 of the Scotland Act 1998, the Secretary of State may exercise specified functions as listed in the schedule of the Scotland Act 1998 (Agency Agreements) (Specification) Order 2013 (S.I. 2013/3157) on behalf of the Scottish Ministers.

“veterinary surgeon” means a person registered in the register of veterinary surgeons, or the supplementary veterinary register, kept under the Veterinary Surgeons Act 1966(4).

Refund of fees

3. Where an application, for which a fee is payable under these Regulations, is withdrawn before its determination, the Scottish Ministers must refund to the applicant such proportion of any fee paid in respect of that application as the Scottish Ministers think fit, having regard to any reasonable costs incurred by them in connection with the application.

Animal by-products and derived products: fees

4.—(1) This regulation and schedule 1 set out fees payable to the Scottish Ministers on demand for activities conducted by the Scottish Ministers for the purposes of the Control Regulation.

(2) In schedule 1—

- (a) the fees payable by an operator of an establishment or plant in relation to an activity specified in column 1 of Table 1 are specified in the corresponding entries in columns 2, 3 and 4 of that Table, and
- (b) the fees payable in respect of official controls, by an operator of an establishment or plant in relation to an activity specified in column 1 of Table 2 are specified in the corresponding entries in columns 2, 3 and 4 of that Table.

(3) In this regulation and schedule 1—

- (a) “the Control Regulation” means Regulation (EC) 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption(5),
- (b) words and expressions defined in Article 3 (definitions) of the Control Regulation have the same meaning as they have in the Control Regulation.

(4) In schedule 1—

- (a) “approval” includes a conditional approval under Article 44(2) (procedure for approval) of the Control Regulation,
- (b) words and expressions defined in Article 2 (definitions) of, and Annex 1 (definitions as referred to in Article 2) to, the Implementing Regulation(6) have the same meaning as they have in the Implementing Regulation.

Salmonella control programmes (zoonoses): fees

5.—(1) This regulation and schedule 2 set out fees payable to the Scottish Ministers on demand for activities conducted by the Scottish Ministers in relation to control programmes established by or under Regulation (EC) 2160/2003.

(2) In schedule 2—

- (a) the fees payable by the person in charge of a flock for the activities specified in column 1 of Table 1 are specified in the corresponding entries in columns 2, 3 and 4 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 columns 2, 3 and 4 of that Table, and
- (c) the fees payable by the person in charge of a flock for the activities specified in column 1 of Table 3 are specified in the corresponding entries in columns 2, 3 and 4 of that Table.

(4) 1966 c. 36.

(5) EUR 2009/1069 as amended by S.I. 2019/588 and S.I. 2020/1388.

(6) Annex 1 of the Implementing Regulation was amended by S.I. 2020/1388.

(3) In this regulation and in schedule 2 “Regulation (EC) 2160/2003” means Regulation (EC) 2160/2003 of the European Parliament and of the Council on the control of salmonella and other specified food-borne zoonotic agents(7).

Poultry health scheme: fees

6.—(1) This regulation and schedule 3 set out fees payable to the Scottish Ministers on demand for activities conducted by the Scottish Ministers in relation to the poultry health scheme.

(2) In schedule 3—

- (a) the fees payable by an applicant for approval and registration activities specified in column 1 of Table 1 are specified in the corresponding entries in columns 2, 3 and 4 of that Table, and
- (b) the fees payable by the operator of a laboratory for activities specified in column 1 of Table 2 are specified in the corresponding entries in columns 2 and 3 of that Table.

(3) In this regulation and in schedule 3 “poultry health scheme” means the scheme governing the export or movement of birds or hatching eggs to the EU, Northern Ireland or specified non-EU countries, as described in the Poultry Health Scheme (PHS) Handbook published by the Secretary of State on 22 July 2021(8).

Bovine semen: fees

7.—(1) This regulation and schedule 4 set out fees payable to the Scottish Ministers on demand for activities conducted by the Scottish Ministers for the purposes of the 2007 Regulations.

(2) In schedule 4, the fees payable by applicants and operators for the activities specified in column 1 of the Table are specified in the corresponding entries in columns 2, 3 and 4 of that Table.

(3) In this regulation and in schedule 4 “the 2007 Regulations” means the Bovine Semen (Scotland) Regulations 2007(9).

(4) In schedule 4 words and expressions used in the 2007 Regulations have the same meaning as they have in the 2007 Regulations.

Porcine semen: fees

8.—(1) This regulation and schedule 5 set out fees payable to the Scottish Ministers on demand for activities conducted by the Scottish Ministers for the purposes of the 1964 Regulations or the 1992 Regulations.

(2) In schedule 5, the fees payable by an applicant for, or the holder of, a licence or approval for the activities specified in column 1 of the Table are specified in the corresponding entries in columns 2, 3 and 4 of that Table.

(3) In this regulation and in schedule 5—

- (a) “the 1964 Regulations” means the Artificial Insemination of Pigs (Scotland) Regulations 1964(10),

(7) EUR 2003/2160, as amended by S.I. 2019/740.

(8) A copy of the Poultry Health Scheme (PHS) Handbook is accessible online at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1012365/phs-handbook.pdf. A hard copy can be obtained by writing to the Animal and Plant Health Agency, Poultry Health Scheme team, Customer Service Centre – One Health, Level 1, County Hall, Spetchley Road, Worcester, WR5 2NP or by emailing CSCOneHealthPHS@apha.gov.uk. By virtue of an agreement under section 93 of the Scotland Act 1998 (c. 46), the Secretary of State may exercise specified functions as listed in the schedule of the Scotland Act 1998 (Agency Agreements) (Specification) Order 2013 (S.S.I. 2013/3157) on behalf of the Scottish Ministers.

(9) S.S.I. 2007/330 as amended by S.S.I. 2013/151, S.S.I. 2019/71 and S.S.I. 2023/93.

(10) S.I. 1964/1171.

- (b) “the 1992 Regulations” means the Artificial Insemination of Pigs (EEC) Regulations 1992(11).
- (4) In schedule 5, “artificial insemination centre” means premises—
 - (a) licensed under regulation 4(1) (licensing of artificial insemination centres) of the 1964 Regulations, or
 - (b) approved under regulation 2(2) or (3) (trade in porcine semen) of the 1992 Regulations.

Bovine embryo (collection, production and transfer): fees

9.—(1) This regulation and schedule 6 set out fees payable to the Scottish Ministers on demand for activities conducted by the Scottish Ministers for the purposes of the 1995 Regulations.

(2) In schedule 6, the fees payable by an applicant for, or the holder of, an approval under the 1995 Regulations for activities specified in column 1 of the Table are specified in the corresponding entries in columns 2, 3 and 4 of that Table.

(3) In this regulation and in schedule 6, “the 1995 Regulations” means the Bovine Embryo (Collection, Production and Transfer) Regulations 1995(12).

(4) In schedule 6, words and expressions used in the 1995 Regulations have the same meaning as they have in the 1995 Regulations.

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

10.—(1) This regulation and schedule 7 set out fees payable to the Scottish Ministers on demand in relation to official controls performed on a consignment of live animals from a third country at a border control post in accordance with—

- (a) regulation 13 (procedure on importation) of the 2012 Regulations,
- (b) Chapter 5 (official controls on animals and goods entering Great Britain) of the Official Controls Regulation, together with relevant implementing and delegated acts, and
- (c) Article 37(1) (checks for entitlement to the conventional rate of duty for purebred breeding animals entering Great Britain from a third country) of Regulation (EU) 2016/1012.

(2) In schedule 7, the fees payable by the operator responsible for a consignment, or the operator’s representative, in relation to official controls performed on a consignment of live animals from a third country at a border control post specified in column 1 of Table 1 are specified in the corresponding entry in columns 2 and 3 of that Table.

(3) In addition to the fees payable in relation to official controls by virtue of paragraph (2), the fees payable by the operator responsible for the consignment, or the operator’s representative, for official controls performed during a period specified in column 1 of Table 2 in schedule 7 are specified in the corresponding entry in columns 2 and 3 of that Table.

(4) In addition to the fees payable in relation to official controls by virtue of paragraph (2), the fees payable by the operator responsible for the consignment, or the operator’s representative, in relation to an extra inspection check by a veterinary officer due to non-compliance or intensified official controls, specified in column 1 of Table 3 in schedule 7 are specified in the corresponding entry in columns 2 and 3 of that Table.

(5) The fees payable in relation to official controls by virtue of paragraphs (2) and (3) apply instead of the amounts provided for in Part 1 of Annex 4 (fees or charges for the official controls on consignments of live animals entering Great Britain from a third country) to the Official Controls Regulation.

(11) S.I. 1992/3161, as amended by S.I. 2019/782.

(12) S.I. 1995/2478, as amended by S.I. 2018/942 and S.I. 2019/782.

- (6) In this regulation and in schedule 7—
- (a) “the 2012 Regulations” means the Trade in Animals and Related Products (Scotland) Regulations 2012(**13**),
 - (b) “the Official Controls Regulation” means Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of feed and food law, rules on animal health and welfare, plant health and plant protection products(**14**),
 - (c) “Regulation (EU) 2016/1012” means Regulation (EU) 2016/1012 of the European Parliament and of the Council on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof(**15**),
 - (d) words and expressions defined in Articles 2 (official controls and other official activities) and 3 (definitions) of the Official Controls Regulation have the same meaning as they have in the Official Controls Regulation.
- (7) In schedule 7—
- (a) “load” means one or more consignments of animals, conveyed by the same means of transport and coming from the same territory or third country, and which are presented for official controls at a border control post at the same time by a person responsible for their importation,
 - (b) “out of office hours” means before 0830 hours or after 1700 hours on a weekday,
 - (c) “public holiday” means New Year’s Day, 2 January, Good Friday, the first Monday in May, the first Monday in August, Christmas Day and Boxing Day.

Revocations

- 11.** The following regulations are revoked—
- (a) the Animal By-Products and Pet Passport Fees (Scotland) Regulations 2018(**16**),
 - (b) the Animal Health (Miscellaneous Fees) (Scotland) Regulations 2018(**17**),
 - (c) regulation 25 of the Official Controls (Agriculture etc.) (Scotland) Regulations 2019(**18**),
 - (d) regulation 16 of the Zoonotic Disease Eradication and Control (Amendment) (EU Exit) Regulations 2019(**19**).

St Andrew’s House,
Edinburgh
27th June 2023

MAIRI GOUGEON
A member of the Scottish Government

(13) [S.S.I. 2012/177](#). Regulation 13 was substituted by [S.S.I. 2019/412](#), and amended or modified by [S.S.I. 2020/458](#), [S.S.I. 2021/297](#), [S.S.I. 2021/432](#) and [S.I. 2022/1322](#).

(14) [EUR 2017/625](#), as amended by [S.I. 2020/1481](#), [S.S.I. 2021/342](#), [S.S.I. 2022/90](#), [S.I. 2022/621](#)[S.I. 2022/846](#) and [S.I. 2022/1315](#).

(15) [EUR 2016/1012](#). Article 37 was amended by [S.I. 2019/117](#).

(16) [S.S.I. 2018/176](#).

(17) [S.S.I. 2018/177](#).

(18) [S.S.I. 2019/412](#).

(19) [S.I. 2019/740](#).

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SCHEDULE 1

Regulation 4

ANIMAL BY-PRODUCTS AND DERIVED PRODUCTS: FEES

Table 1

Fees payable by the operator of an establishment or plant for an application for approval under Articles 24 and 44 of the Control Regulation

| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for applications received before 1 July 2023</i> | <i>Column 3 Fee (£) for applications received on or after 1 July 2023</i> | <i>Column 4 Fee (£) for applications received on or after 1 July 2024</i> |
|---|--|---|---|
| Time spent by a veterinary officer travelling to and from premises for the purpose of carrying out the activities specified in this Table (in addition to any other fees specified) | 21 per quarter hour or part quarter hour spent, up to a maximum of 126 | 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 |
| Time spent by an officer employed by the Scottish Ministers or the Secretary of State other than a veterinary officer travelling to and from premises for the purposes of carrying out the activities specified in this Table (in addition to any other fees specified) | 14 per quarter hour or part quarter hour spent, up to a maximum of 84 | 12 per quarter hour or part quarter hour spent, up to a maximum of 72 | 12 per quarter hour or part quarter hour spent, up to a maximum of 72 |
| Consideration of an application for approval of a processing plant that includes a site visit of up to 60 minutes | 1,785 | 2,134.50 | 2,484 |
| Consideration of an application for approval of an incineration plant or co-incineration plant that includes a site visit of up to 60 minutes | 395 | 476 | 557 |
| Consideration of an application for approval of an establishment or plant manufacturing petfood that includes a site visit of up to 60 minutes | 395 | 476 | 557 |
| Consideration of an application for approval | 951 | 1,147 | 1,343 |

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| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for applications received before 1 July 2023</i> | <i>Column 3 Fee (£) for applications received on or after 1 July 2023</i> | <i>Column 4 Fee (£) for applications received on or after 1 July 2024</i> |
|---|--|---|---|
| of an establishment or plant carrying out the transformation of animal by-products and/or derived products into biogas or compost that includes a site visit of up to 60 minutes | | | |
| Consideration of an application for an establishment or plant carrying out the handling of animal by-products after their collection, by way of operations such as sorting, cutting, chilling, freezing, salting, removal of hides and skins or of specified risk material that includes a site visit of up to 60 minutes | 485 | 586 | 687 |
| Consideration of an application for approval of an establishment or plant carrying out the storage of animal by-products and/or derived products that includes a site visit of up to 60 minutes | 485 | 586 | 687 |
| Time spent by a veterinary officer for the purpose of carrying out activities specified in this Table after the first 60 minutes of a site visit to assess suitability for approval | 16 per quarter hour or part quarter hour spent | 22 per quarter hour or part quarter hour spent | 22 per quarter hour or part quarter hour spent |
| Time spent by an officer employed by the Scottish Ministers or the Secretary of State (other than a veterinary officer) for the purpose of the administration of additional visits and connected activities | 6 per quarter hour or part quarter hour spent | 11 per quarter hour or part quarter hour spent | 11 per quarter hour or part quarter hour spent |

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| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for applications received before 1 July 2023</i> | <i>Column 3 Fee (£) for applications received on or after 1 July 2023</i> | <i>Column 4 Fee (£) for applications received on or after 1 July 2024</i> |
|---|--|---|---|
| Additional administrative fee for production of invoices for additional visits and connected activities | 13 per invoice | 21 per invoice | 21 per invoice |

Table 2

Fees payable by the operator of an establishment or plant for official control inspection site visits undertaken under the Control Regulation or the Official Controls Regulation

| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for inspection site visits undertaken before 1 July 2023</i> | <i>Column 3 Fee (£) for inspection site visits undertaken on or after 1 July 2023</i> | <i>Column 4 Fee (£) for inspection site visits undertaken on or after 1 July 2024</i> |
|---|--|---|---|
| Time spent by a veterinary officer travelling to and from premises for the purpose of carrying out the activities specified in this Table (in addition to any other fees specified) | 21 per quarter hour or part quarter hour spent, up to a maximum of 126 | 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 |
| Time spent by an officer employed by the Scottish Ministers or the Secretary of State other than a veterinary officer travelling to and from premises for the purposes of carrying out the activities specified in this Table (in addition to any other fees specified) | 14 per quarter hour or part quarter hour spent, up to a maximum of 84 | 12 per quarter hour or part quarter hour spent, up to a maximum of 72 | 12 per quarter hour or part quarter hour spent, up to a maximum of 72 |
| Time spent by a veterinary officer for the purpose of an inspection site visit that lasts longer than 30 minutes | 16 per quarter hour or part quarter hour spent | 22 per quarter hour or part quarter hour spent | 22 per quarter hour or part quarter hour spent |
| Time spent by an officer employed by the Scottish Ministers or the Secretary of State | 8 per quarter hour or part quarter hour spent | 12 per quarter hour or part quarter hour spent | 12 per quarter hour or part quarter hour spent |

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| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for inspection site visits undertaken before 1 July 2023</i> | <i>Column 3 Fee (£) for inspection site visits undertaken on or after 1 July 2023</i> | <i>Column 4 Fee (£) for inspection site visits undertaken on or after 1 July 2024</i> |
|---|--|---|---|
| (other than a veterinary officer) for the purpose of an inspection site visit that lasts longer than 30 minutes | | | |
| Time spent organising an inspection site visit and dealing with any action points arising from the visit by an officer employed by the Scottish Ministers or the Secretary of State (other than a veterinary officer) | 6 per quarter hour or part quarter hour spent | 11 per quarter hour or part quarter hour spent | 11 per quarter hour or part quarter hour spent |
| Fee for the carrying out of the first 30 minutes of an inspection site visit where either an annual or biennial inspection of an approved or registered establishment or plant is required | 157 per visit | 188 per visit | 219 per visit |
| Annual fee for the carrying out of the first 30 minutes of each of 4 inspection site visits to inspect an approved or registered establishment or plant where quarterly inspections are required | 561 per year | 752 per year | 876 per year |
| Annual fee for the carrying out of the first 30 minutes of each of 12 inspection site visits of an approved or registered establishment or plant where monthly inspections are required | 1,658 per year | 2,256 per year | 2,628 per year |

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SCHEDULE 2

Regulation 5

SALMONELLA CONTROL PROGRAMMES (ZOOZOSES): FEES

Table 1

Fees payable by the person in charge of a flock from which an official control sample is taken, processed and examined for the purposes of Regulation (EC) 2160/2003

| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for activities commenced before 1 July 2023</i> | <i>Column 3 Fee (£) for activities commenced on or after 1 July 2023</i> | <i>Column 4 Fee (£) for activities commenced on or after 1 July 2024</i> |
|---|---|--|--|
| Time spent travelling to and from premises (in this Table “travelling time”) for the purposes of obtaining an official control sample (in addition to any other fees specified) | 14 per quarter hour or part quarter hour spent, up to a maximum of 84 | 12 per quarter hour or part quarter hour spent, up to a maximum of 72 | 12 per quarter hour or part quarter hour spent, up to a maximum of 72 |
| Time (other than travelling time) spent obtaining an official control sample for examination in a laboratory (in this Table “the time fee”) where specified in addition to the fee for that activity in columns 2, 3 or 4 | 9 per quarter hour or part quarter hour spent | 12 per quarter hour or part quarter hour spent | 12 per quarter hour or part quarter hour spent |
| Taking an official control sample from a flock of laying hens | 32 plus the time fee | 41 plus the time fee | 49 plus the time fee |
| Taking an official control sample from a chicken or turkey breeding flock | 52 plus the time fee | 68 plus the time fee | 83 plus the time fee |
| Taking an official control sample from a chicken broiler or turkey fattening flock | 72 plus the time fee | 95 plus the time fee | 117 plus the time fee |
| Examination of an official control sample in a laboratory | 14 per sample examined | 18 per sample examined | 21 per sample examined |

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Table 2

Fees payable by the operator of a laboratory in relation to an approval under Article 12 of Regulation (EC) 2160/2003

| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for applications received before 1 July 2023</i> | <i>Column 3 Fee (£) for activities received on or after 1 July 2023</i> | <i>Column 4 Fee (£) for applications received on or after 1 July 2024</i> |
|--|---|---|---|
| Processing an application for an initial laboratory approval or a biennial renewal of a laboratory approval | 73 | 86 | 86 |
| Conducting inspections for quality assurance | Number of tests for which the laboratory is approved: one test 350 two tests 361 three tests 372 four tests 384 | 688 | 1,025 |
| Conducting collaborative testing required to obtain and maintain approvals as a testing laboratory for <i>salmonella</i> | 34 per test | 44 per test | 44 per test |

Table 3

Fees payable by the person in charge of a flock for conducting tests under point 4 (b) of Part D of Annex 2 to Regulation (EC) 2160/2003

| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for activities commenced before 1 July 2023</i> | <i>Column 3 Fee (£) for activities commenced on or after 1 July 2023</i> | <i>Column 4 Fee (£) for activities commenced on or after 1 July 2024</i> |
|--|---|--|--|
| Conducting tests on seven dust and faecal samples taken from each flock | 99 | 123 | 146 |
| Conducting bacteriological sampling and testing of the caeca and oviducts of 300 birds in each flock | 2,470 | 3,203 | 3,936 |

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| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for activities commenced before 1 July 2023</i> | <i>Column 3 Fee (£) for activities commenced on or after 1 July 2023</i> | <i>Column 4 Fee (£) for activities commenced on or after 1 July 2024</i> |
|--|---|--|--|
| Conducting bacteriological sampling and testing of the shell and the content of 4,000 eggs of each flock | 3,080 | 3,517 | 3,954 |

SCHEDULE 3

Regulation 6

POULTRY HEALTH SCHEME: FEES

Table 1

Fees for registration and approval of an establishment for the purposes of the poultry health scheme

| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for applications received before 1 July 2023</i> | <i>Column 3 Fee (£) for applications received on or after 1 July 2023</i> | <i>Column 4 Fee (£) for applications received on or after 1 July 2024</i> |
|--|--|---|---|
| Time spent by a veterinary officer travelling (in this Table “travelling time”) to and from the premises of a poultry health scheme member (in this Table a ”scheme member”) for the purposes of carrying out the activities specified in the column below (in addition to any other fees specified) | 21 per quarter hour or part quarter hour spent, up to a maximum of 126 | 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 |
| Time (other than travelling time) spent by a veterinary officer carrying out the registration or approval activities specified in this column of this Table (in this Table the “time fee”) where specified in addition to | 16 per quarter hour or part quarter hour spent | 22 per quarter hour or part quarter hour spent | 22 per quarter hour or part quarter hour spent |

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| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for applications received before 1 July 2023</i> | <i>Column 3 Fee (£) for applications received on or after 1 July 2023</i> | <i>Column 4 Fee (£) for applications received on or after 1 July 2024</i> |
|---|--|---|---|
| the fee for that activity in columns 2, 3 or 4 | | | |
| Annual registration as a scheme member | 55 | 82 | 108 |
| Approval for the first year of a scheme member's flock or hatchery, or combined flock and hatchery on one site, where the inspection is carried out by a veterinary officer | 27 plus the time fee | 49 plus the time fee | 71 plus the time fee |
| Annual re-approval of a scheme member's flock or hatchery, or combined flock and hatchery on one site, where the inspection is carried out by a veterinary officer | 56 plus the time fee | 62 plus the time fee | 67 plus the time fee |
| Additional site re-approval of a scheme member's flock or hatchery, or a combined flock or hatchery, where the scheme member has applied at the same time for multiple sites, and the inspection is carried out by a veterinary officer | 31 plus the time fee | 35 plus the time fee | 39 plus the time fee |
| Annual re-approval of a scheme member's flock or hatchery, or combined flock and hatchery on one site, where the inspection is carried out by a veterinary surgeon who is not a veterinary officer | 54 | 61 | 67 |
| Additional site re-approval of a scheme member's flock or | 29 | 34 | 39 |

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| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for applications received before 1 July 2023</i> | <i>Column 3 Fee (£) for applications received on or after 1 July 2023</i> | <i>Column 4 Fee (£) for applications received on or after 1 July 2024</i> |
|--|--|---|---|
| hatchery or combined flock or hatchery, where the scheme member has applied at the same time for multiple sites, and the inspection is carried out by a veterinary surgeon who is not a veterinary officer | | | |

Table 2

Fee payable by the operator of a laboratory in relation to an approval for the purposes of the poultry health scheme

| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for applications received before 1 July 2023</i> | <i>Column 3 Fee (£) for applications received on or after 1 July 2023</i> |
|---|--|---|
| Processing an application for an initial laboratory approval or an annual renewal of a laboratory approval | 73 | 86 |
| Proficiency test in respect of <i>Salmonella</i> bacteriology (<i>pullorum</i> , <i>gallinarum</i> and <i>arizonae</i>) | 131 per test | 158 per test |
| Proficiency test in respect of <i>Salmonella</i> serology (<i>pullorum</i> and <i>gallinarum</i>) | 321 per test | 310 per test |
| Proficiency test in respect of <i>Mycoplasma</i> chicken serology (<i>gallisepticum</i>) | 321 per test | 310 per test |
| Proficiency test in respect of <i>Mycoplasma</i> culture (<i>gallisepticum</i> and <i>meleagridis</i>) | 281 per test | 280 per test |
| Proficiency test in respect of <i>Mycoplasma</i> turkey serology (<i>gallisepticum</i> and <i>meleagridis</i>) | 336 per test | 310 per test |

SCHEDULE 4

Regulation 7

BOVINE SEMEN: FEES

Table

Fees payable by applicants and operators in connection with activities for the purposes of the 2007 Regulations

| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for applications received and examinations commenced before 1 July 2023</i> | <i>Column 3 Fee (£) for applications received and examinations commenced on or after 1 July 2023</i> | <i>Column 4 Fee (£) for applications received and examinations commenced on or after 1 July 2024</i> |
|---|---|--|--|
| Time spent by a veterinary officer travelling to and from premises (in this Table “travelling time”) for the purposes of carrying out the licensing or approval activities specified in this column of this Table (in addition to any other fees specified) | 21 per quarter hour or part quarter hour spent, up to a maximum of 126 | 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 |
| Time spent (other than travelling time) by a veterinary officer carrying out the licensing or approval activities specified in this column of this Table (in addition to any other fees specified) | 16 per quarter hour or part quarter hour spent | 22 per quarter hour or part quarter hour spent | 22 per quarter hour or part quarter hour spent |
| Considering an application— | 20 | 27 | 33 |
| (a) under regulation 7 of the 2007 Regulations for approval of a bovine animal for use in a domestic collection centre or at unlicensed premises, or | | | |
| (b) under regulation 10 of the 2007 | | | |

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| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for applications received and examinations commenced before 1 July 2023</i> | <i>Column 3 Fee (£) for applications received and examinations commenced on or after 1 July 2023</i> | <i>Column 4 Fee (£) for applications received and examinations commenced on or after 1 July 2024</i> |
|---|---|--|--|
| Regulations for approval of the use of a bovine animal for the collection of its semen or for use as a teaser animal at unlicensed premises | | | |
| Considering an application under regulation 7 of the 2007 Regulations for approval of a bovine animal for use in a licensed collection centre | 26 | 35 | 44 |
| Considering an application under regulation 4 of the 2007 Regulations for a licence to operate a licensed quarantine centre | 29 | 39 | 48 |
| Considering an application under regulation 4 of the 2007 Regulations for a licence to operate— | 27 | 37 | 46 |
| (a) a licensed collection centre; | | | |
| (b) a domestic collection centre; | | | |
| (c) a licensed storage centre; or | | | |
| (d) a domestic storage centre. | | | |
| Conducting an examination of a bovine semen centre under regulation 40 of the 2007 Regulations | 17 | 23 | 28 |

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| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for applications received and examinations commenced before 1 July 2023</i> | <i>Column 3 Fee (£) for applications received and examinations commenced on or after 1 July 2023</i> | <i>Column 4 Fee (£) for applications received and examinations commenced on or after 1 July 2024</i> |
|---|---|--|--|
| Conducting a routine examination of an approved bovine animal for domestic use or for use for trade with a member State | 23 | 31 | 38 |

SCHEDULE 5

Regulation 8

PORCINE SEMEN: FEES

Table

Fees payable in connection with activities for the purposes of the 1964 Regulations or the 1992 Regulations

| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for applications received and routine testing or examination commenced before 1 July 2023</i> | <i>Column 3 Fee (£) for applications received and routine testing or examination commenced on or after 1 July 2023</i> | <i>Column 4 Fee (£) for applications received and routine testing or examination commenced on or after 1 July 2024</i> |
|--|---|--|--|
| Time spent by a veterinary officer travelling to and from premises (in this Table “travelling time”) for the purpose of carrying out the licensing or approval activities specified in this column (in addition to any other fees specified) | 21 per quarter hour or part quarter hour spent, up to a maximum of 126 | 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 |
| Time (other than travelling time) spent by a veterinary officer carrying out the licensing or approval activities specified in this column (in this Table the “time fee”) where specified in addition to the fee for | 16 per quarter hour or part quarter hour spent | 22 per quarter hour or part quarter hour spent | 22 per quarter hour or part quarter hour spent |

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| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for applications received and routine testing or examination commenced before 1 July 2023</i> | <i>Column 3 Fee (£) for applications received and routine testing or examination commenced on or after 1 July 2023</i> | <i>Column 4 Fee (£) for applications received and routine testing or examination commenced on or after 1 July 2024</i> |
|--|---|--|--|
| that activity in columns 2, 3 or 4 | | | |
| 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 | 31 per boar | 42 per boar | 53 per boar |
| Routine testing of a boar at an artificial insemination centre | 23 per boar | 31 per boar | 38 per boar |
| Considering an application from an operator for a licence or approval for an artificial insemination centre | 27 plus the time fee | 37 plus the time fee | 46 plus the time fee |
| Considering an application for approval of an alteration to licensed premises or approved premises | 25 plus the time fee | 34 plus the time fee | 42 plus the time fee |
| Routine examination of an artificial insemination centre | 17 plus the time fee | 23 plus the time fee | 28 plus the time fee |

SCHEDULE 6

Regulation 9

BOVINE EMBRYO (COLLECTION, PRODUCTION AND TRANSFER): FEES

Table

Fees payable in connection with activities for the purposes of the 1995 Regulations

| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for applications received and routine inspections commenced before 1 July 2023</i> | <i>Column 3 Fee (£) for applications received and routine inspections commenced on or after 1 July 2023</i> | <i>Column 4 Fee (£) for applications received and routine inspections commenced on or after 1 July 2024</i> |
|---|--|---|---|
| Time spent by a veterinary officer travelling to and from premises (in this Table “travelling time”) for the purpose of the activities specified in this column (in addition to any other fees specified) | 21 per quarter hour or part quarter hour spent, up to a maximum of 126 | 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 |
| Time (other than travelling time) spent by a veterinary officer carrying out the activities specified in this column (in addition to any other fees specified) | 16 per quarter hour or part quarter hour spent | 22 per quarter hour or part quarter hour spent | 22 per quarter hour or part quarter hour spent |
| Considering an application for approval of or re-approval of— | 28 | 38 | 47 |
| (a) a single bovine embryo collection or production team under regulation 6 or 7 of the 1995 Regulations (with or without an inspection of a laboratory) | | | |
| (b) a bovine embryo transfer team under regulation 8 of the 1995 Regulations, | | | |

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| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for applications received and routine inspections commenced before 1 July 2023</i> | <i>Column 3 Fee (£) for applications received and routine inspections commenced on or after 1 July 2023</i> | <i>Column 4 Fee (£) for applications received and routine inspections commenced on or after 1 July 2024</i> |
|--|--|---|---|
| (c) a store under regulation 16 of the 1995 Regulations, or | | | |
| (d) a store and its supervisor under regulations 16 and 19 of the 1995 Regulations. | | | |
| Considering an application for approval of each additional laboratory or store from the same applicant where the inspection is completed on the same day | 9 | 13 | 16 |
| Considering an application for re-approval of a laboratory or a store following any alterations | 25 | 34 | 42 |
| Carrying out a routine inspection of records of a single bovine embryo production, collection or transfer team, and re-inspection of a single laboratory or store | 17 | 23 | 28 |
| Carrying out a routine inspection or records of each additional bovine embryo production, collection or transfer team, and re-inspection of each additional laboratory or store. | 4 for each additional store | 6 for each additional store | 7 for each additional store |

SCHEDULE 7

Regulation 10

CHECKING CONSIGNMENTS OF LIVE ANIMALS FROM
THIRD COUNTRIES AT A BORDER CONTROL POST: FEES

Table 1

Fees for performance of official controls on consignments of live animals from third countries at border control posts in accordance with regulation 13 of the 2012 Regulations, Chapter 5 of the Official Controls Regulation and Article 37 of Regulation (EU) 2016/1012

| <i>Column 1 Official Controls on consignment by type</i> | <i>Column 2 Fee (£) per consignment, for consignments presented before 1 July 2023</i> | <i>Column 3 Fee (£) per consignment, for consignments presented on or after 1 July 2023</i> |
|---|--|---|
| Poultry, ratites and small game birds | 65 | 53 |
| Captive birds | 64 | 61 |
| Live fish and aquatic animals | 32 | 48 |
| Rabbits and rodents | 29 | 44 |
| Bees | 32 | 40 |
| Other insects and invertebrates | 26 | 40 |
| Reptiles and amphibians | 26 | 48 |
| Pets unaccompanied by an identification document containing a written declaration confirming that the movement is a non-commercial movement | 57 | 63 |
| Equidae | 62 | 79 |
| Farmed livestock including cattle, sheep, goats, camelids, pigs and wild boar | 146 | 190 |
| Animals not covered by any other category | 55 | 50 |
| Documentary check on consignment of animals staying on the same means of transport for onward travel | 52 | 79 |

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Table 2

Additional fees for carrying out official controls as mentioned in Table 1 when carried out during certain periods

| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for loads presented before 1 July 2023</i> | <i>Column 3 Fee (£) for loads presented on or after 1 July 2023</i> |
|--|---|---|
| Out of hours official controls | 140 per load | 261 per load |
| Official controls during a weekend or public holiday | 185 per load | 346 per load |
| Time spent by a veterinary officer travelling to and from premises | 16 per quarter hour or part quarter hour spent, up to a maximum of 64 | 16 per quarter hour or part quarter hour spent, up to a maximum of 96 |

Table 3

Fees for extra checks due to non-compliance or intensified official controls

| <i>Column 1 Activity</i> | <i>Column 2 Fee (£) for consignments presented before 1 July 2023</i> | <i>Column 3 Fee (£) for consignments presented on or after 1 July 2023</i> |
|--|---|--|
| Checks by a veterinary officer out of hours | 17 per quarter hour or part quarter hour spent | 21 per quarter hour or part quarter hour spent |
| Checks by a veterinary officer during a weekend or public holiday | 23 per quarter hour or part quarter hour spent | 28 per quarter hour or part quarter hour spent |
| Checks by a veterinary officer at all other times | 11 per quarter hour or part quarter hour spent | 14 per quarter hour or part quarter hour spent |
| Time spent by a veterinary officer travelling to and from premises | 16 per quarter hour or part quarter hour spent, up to a maximum of 64 | 16 per quarter hour or part quarter hour spent, up to a maximum of 96 |

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace, with modified fees and minor amendments, the Animal By-Products and Pet Passport Fees (Scotland) Regulations 2018 and the Animal Health (Miscellaneous Fees) (Scotland) Regulations 2018. They make provision for the fees payable to the Scottish Ministers in relation to activities conducted to verify compliance with rules on the prevention and minimisation of risks to human and animal health arising from animal by-products and derived products, and to verify compliance with rules on animal health requirements.

Regulation 3 sets out the circumstances in which the Scottish Ministers must refund to an applicant fees paid in respect of an application.

Regulation 4 and schedule 1 set out fees payable by operators of establishments and plants that are required to be approved for the purposes Regulation (EC) 1069/2009 laying down health rules as regards animal by-products and derived products not intended for human consumption.

Regulation 5 and schedule 2 set out fees payable in relation to control programmes under Regulation (EC) 2160/2003 on the control of salmonella and other specified food-borne zoonotic agents.

Regulation 6 and schedule 3 set out fees payable in relation to registrations and approvals for the purpose of the poultry health scheme and the export of poultry or hatching eggs to Northern Ireland, the EU and certain other third countries.

Regulation 7 and schedule 4 set out fees payable in relation to considering applications and carrying out routine examinations for the purposes of the Bovine Semen (Scotland) Regulations 2007.

Regulation 8 and schedule 5 set out fees payable in relation to licence applications, approvals and testing for the purposes of the Artificial Insemination of Pigs (Scotland) Regulations 1964 and the Artificial Insemination of Pigs (EEC) Regulations 1992.

Regulation 9 and schedule 6 set out fees payable in relation to approvals and inspections for the purposes of the Bovine Embryo (Collection, Production and Transfer) Regulations 1995.

Regulation 10 and schedule 7 set out fees payable in relation to the performance of official controls on imported consignments of live animals at border control posts.

Regulation 11 revokes the Animal By-Products and Pet Passport Fees (Scotland) Regulations 2018 and the Animal Health (Miscellaneous Fees) (Scotland) Regulations 2018 (and provisions of instruments which amended those Regulations). Provision for fees for the delivery of pet passport identification documents is not re-enacted in these Regulations.

A Business and Regulatory Impact Assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.