

SCHEDULE

THE NORTHERN IRELAND POULTRY HEALTH ASSURANCE SCHEME

PART II

THE NORTHERN IRELAND POULTRY HEALTH ASSURANCE SCHEME

Membership

6.—(1) Any application for an establishment to become a member of the Northern Ireland Poultry Health Assurance Scheme shall be accompanied by the registration fee, as set out in the Fees Order.

(2) The Department shall grant membership of the Northern Ireland Poultry Health Assurance Scheme to an establishment if—

- (a) it is satisfied, following an inspection by a veterinary inspector directly employed by the Department, that—
 - (i) the operator of the establishment will comply, and ensure that the establishment complies, with the requirements of point 1 of Chapter I of Annex II to the Directive; and
 - (ii) the establishment meets the requirements regarding facilities in Chapter II of Annex II to the Directive; and
- (b) the operator of the establishment, having been notified that the Department is satisfied that the requirements in sub-paragraph (a) are met and has paid the registration fee, which includes the first year membership fee as set out in the Fees Order.

Commencement Information

II Sch. para. 6 in operation at 1.1.2012, see [art. 1](#)

7.—(1) The disease surveillance programme referred to in paragraph (b) of point 1 of Chapter I of Annex II to the Directive shall—

- (a) consist of the disease surveillance measures specified in Chapter III of Annex II to the Directive; and
- (b) any additional testing requirements that a veterinary inspector notifies in writing to an establishment as being requirements that he believes are necessary to avoid the spreading of contagious disease through [^{F1}trade with member States] taking into account the particular circumstances at that establishment.

Textual Amendments

F1 Words in Sch. para. 7(1)(b) substituted (31.12.2020) by [The Trade in Animals and Related Products \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/811\)](#), regs. 1(1), **11(4)**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I2 Sch. para. 7 in operation at 1.1.2012, see [art. 1](#)

8. On acceptance of membership to the Northern Ireland Poultry Health Assurance Scheme the Department shall issue the establishment's membership certificate which shall include the establishment's membership number.

Commencement Information

I3 Sch. para. 8 in operation at 1.1.2012, see [art. 1](#)

9. The operator of an establishment that is a member of the Northern Ireland Poultry Health Assurance Scheme shall pay the annual membership fee each year and shall pay any re-inspection fee, when it becomes due.

Commencement Information

I4 Sch. para. 9 in operation at 1.1.2012, see [art. 1](#)

Textual Amendments

F1 Words in Sch. para. 7(1)(b) substituted (31.12.2020) by [The Trade in Animals and Related Products \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/811\)](#), regs. 1(1), **11(4)**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I1 Sch. para. 6 in operation at 1.1.2012, see [art. 1](#)

I2 Sch. para. 7 in operation at 1.1.2012, see [art. 1](#)

I3 Sch. para. 8 in operation at 1.1.2012, see [art. 1](#)

I4 Sch. para. 9 in operation at 1.1.2012, see [art. 1](#)

Annual Inspection and Supplementary Audit Inspection

10.—(1) In order to ensure that operators and their establishments continue to meet the requirements for membership of the Northern Ireland Poultry Health Assurance Scheme, and generally to ensure compliance with the requirements of point 1 of Chapter I of Annex II to the Directive, an annual inspection of the establishment shall be carried out by an Authorised Veterinary Inspector (AVI).

(2) Any supplementary audit inspection to meet the requirements of Chapter I of Annex II to the Directive shall be carried out by a veterinary inspector directly employed by the Department.

(3) The number of supplementary audit inspections to be carried out each year shall be determined by the Department.

(4) The supplementary audit inspection fee, as set out in the Fees Order, shall be paid to the Department.

(5) In this paragraph “AVI” means a private veterinary practitioner authorised by the Department for the purposes of this Order.

Commencement Information

I5 Sch. para. 10 in operation at 1.1.2012, see [art. 1](#)

Re-inspection

11.—(1) Without prejudice to any action which may be taken under paragraph 12, where, at the annual veterinary inspection of an operator’s establishment, that operator or the establishment, do not appear to the Department to meet the requirements—

- (i) for membership of the Scheme; or
- (ii) of the Directive,

a veterinary inspector directly employed by the Department shall carry out such re-inspections as the Department considers necessary to ensure compliance on the part of that operator and his establishment with those requirements.

(2) A re-inspection fee, as set out in the Fees Order, shall—

- (a) be charged for each such re-inspection; and
- (b) become due upon the receipt of an invoice for that fee by the operator concerned.

Commencement Information

I6 Sch. para. 11 in operation at 1.1.2012, see [art. 1](#)

Withdrawal of membership

12. The Department shall by notice—

- (a) suspend, withdraw or restore membership in accordance with Chapter IV of Annex II to the Directive;
- (b) suspend or withdraw membership if—
 - (i) the operator or the establishment is in breach of any of the requirements in point 1 of Chapter I of Annex II to the Directive;
 - (ii) an establishment is in breach of any of the requirements regarding facilities in Chapter II of Annex II to the Directive;
 - (iii) ownership or control of an establishment changes; or
 - (iv) the operator has not paid the registration fee, the annual membership fee or if a re-inspection fee remains unpaid 30 days after becoming due.

Commencement Information

I7 Sch. para. 12 in operation at 1.1.2012, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Northern Ireland Poultry Health Assurance Scheme Order (Northern Ireland) 2011, PART II.