
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Registration of Establishments Keeping Laying Hens (Scotland) Regulations 2003 (“the principal Regulations”). The amendments come into force on 1st March 2004.

The amendments are as follows:–

- (a) a definition of “local authority” is added to the list of definitions in regulation 2(1) of the principal Regulations (regulation 2(2));
- (b) regulation 4 of the principal Regulations is amended to make it clear that where the Scottish Ministers have issued a distinguishing number to an establishment prior to the commencement of the principal Regulations (31 December 2003), that establishment does not require to re-apply for a distinguishing number under the principal Regulations (regulation 2(3)(b)). Regulation 4(2) has been replaced to incorporate minor amendments to clarify the conditions upon which a distinguishing number will be allocated to an establishment (regulation 2(3)(a));
- (c) regulation 5 of the principal Regulations is amended to ensure that where the person who would otherwise be obliged to notify a change of information under regulation 5(2) is no longer connected to the establishment, the requirement to notify that change will fall to the new owner or keeper (regulation 2(4)). A consequential amendment is made to regulation 7(2) to make it clear that an offence is committed, following failure to notify a change of information, by whoever the duty to notify the changes falls upon under regulation 5(2) of the principal Regulations (regulation 2(5)(a));
- (d) a new offence of continuing to operate an establishment following removal from the register is added to regulation 7 of the principal Regulations (regulation 2(5)(b));
- (e) regulation 8(2) of the principal Regulations is amended to clarify that it is the establishment which has been allocated a distinguishing number and not the person applying for it (regulation 2(6));
- (f) the penalties for committing an offence under the principal Regulations are amended. Offences are to be triable only by way of summary conviction. An offence under regulation 11 of the principal Regulations is to be subject to a maximum fine not exceeding level 3 of the standard scale (regulation 2(7)).