
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 27

The Registration of Establishments Keeping Laying Hens (Scotland) Amendment Regulations 2004

Amendment of the Registration of Establishments Keeping Laying Hens (Scotland) Regulations 2003

2.—(1) The Registration of Establishments Keeping Laying Hens (Scotland) Regulations 2003⁽¹⁾ are amended in accordance with the following paragraphs.

(2) In regulation 2(1) (interpretation), after the definition of “laying hens” insert—

““local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994⁽²⁾”.

(3) In regulation 4 (register of establishments and provision of distinguishing number)—

(a) for paragraph (2), substitute—

“(2) The Scottish Ministers shall, within 21 days of receipt of an application which complies with regulation 5(1) below, record the establishment to which the application refers on the register, allocate to that establishment a distinguishing number in accordance with paragraph 2 of the Annex to the Directive, record that number on the register and intimate that number in writing to the owner or keeper who made the application.”;

(b) insert at the end—

“(3) Where, prior to 31st December 2003, the Scottish Ministers have allocated a distinguishing number (in accordance with paragraph 2 of the Annex to the Directive) to an establishment—

(a) the Scottish Ministers shall record the establishment and, in relation to that establishment, that number on the register of establishments; and

(b) unless that establishment is removed from the register of establishments and the owner or keeper subsequently seeks to re-apply, no further application for registration is required in respect of that establishment.”.

(4) In regulation 5(2) (procedure for application for registration), insert at the end—

“; except where that person is no longer the owner or keeper of the establishment, in which case any such change shall be so notified by the person who is the owner or keeper”.

(5) In regulation 7 (removal from register)—

(a) in paragraph (2), for “If the person who submitted the application for registration fails to notify changes of information in terms of regulation 5(2)” substitute—

“If a person is required by regulation 5(2) to notify a change of information and fails to do so,”;

(b) insert at the end—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“(3) It shall be an offence for a person to use an establishment for the keeping of laying hens following removal of that establishment from the register of establishments unless subsequent to that removal the establishment has been registered in accordance with these Regulations and a distinguishing number has been allocated to that establishment.”.

(6) In regulation 8(2) (prohibition on operation or bringing into use of establishments), for “that person has received” substitute “the Scottish Ministers have allocated to that establishment”.

(7) For regulation 12(1) (penalties and offences by bodies corporate) substitute—

“(1) A person guilty of an offence under these Regulations, except regulation 11, shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(1A) A person guilty of an offence under regulation 11 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.”.