

SCHEDULE 5

Regulation 10

APPROVAL OF LABORATORIES UNDER THE POULTRY HEALTH SCHEME

PART I

Approval

1. The Scottish Ministers may approve any laboratory that they consider to be suitable for the purpose of carrying out Mycoplasma and Salmonella testing under the Poultry Health Scheme and may charge a fee for the provision of samples for quality assurance testing for the purposes of assessing an application for such an approval.

2. The operator of a laboratory approved under paragraph 1 shall, by such date specified by the Scottish Ministers, pay the annual approval fee determined under Part II of this Schedule.

3. For the purpose of deciding whether to grant, revoke or suspend an approval under paragraph 1, the Scottish Ministers may require the laboratory to undergo such inspections and quality assurance testing as they consider necessary.

4. In so far as such costs have not been taken into account in determining the annual approval fee, the Scottish Ministers may make a charge, at the veterinary inspector rate, for carrying out inspections at laboratories.

5. The Scottish Ministers may, by notice in writing to the operator, revoke or suspend an approval under paragraph 1, where—

- (a) the annual approval fee remains unpaid for 30 days or more after becoming due;
- (b) it appears to them that inspection or testing of the laboratory for the purpose of this Schedule has been obstructed by the operator or any staff of the operator of the laboratory; or
- (c) following any inspection or testing, the Scottish Ministers consider that the laboratory is no longer suitable for the purpose of carrying out the purpose specified.

PART II

Annual Approval Fee

1. The Scottish Ministers—

- (a) shall determine the annual approval fee on the basis of available information as to the cost attributable to each laboratory of the items listed in paragraph 3 of this Part;
- (b) may determine different annual approval fees depending on whether the approval relates to—
 - (i) bacteriological testing for Mycoplasma only;
 - (ii) serological testing for Mycoplasma only;
 - (iii) bacteriological testing for salmonella only;
 - (iv) serological testing for salmonella only;
 - (v) a combination of (i) to (iv); and
- (c) shall publish the current annual approval fee on the website of the Scottish Executive.

Status: This is the original version (as it was originally made).

2. The annual approval fee shall be payable to the Scottish Ministers in respect of each approved laboratory and shall be non refundable.
3. The items referred to in paragraph 1(a) of this Part are—
 - (a) the salaries and fees, together with overtime payments and employers' national insurance and superannuation contributions, of—
 - (i) any person directly involved in the administration of the approval of laboratories;
 - (ii) any person engaged in the management or administration of this work; and
 - (iii) any person who carries out inspections of laboratories;
 - (b) recruiting and training the staff referred to in sub-paragraph (a);
 - (c) travel and related incidental expenses incurred in the administration of the approval of laboratories (including carrying out inspections), except where incurred by a person attending his normal place of work;
 - (d) office accommodation, equipment and services for staff involved in the administration of approval of laboratories, including depreciation of office furniture and equipment and the cost of information technology and stationery;
 - (e) provision of protective clothing and equipment used in carrying out inspections of laboratories, and laundering, cleansing or disinfecting such protective clothing;
 - (f) provision of quality assurance testing samples, assessment of the results and provision of advice about the results;
 - (g) provision of payroll and personnel services in connection with the employment of staff involved in the administration of approval of laboratories; and
 - (h) any other incidental expenses incurred in connection with the administration of the approval of laboratories.