

SCHEDULE 8

APPROVAL OF QUARANTINE CENTRES AND QUARANTINE FACILITIES AND SPECIFIC REQUIREMENTS FOR THE QUARANTINE OF CAPTIVE BIRDS

PART I

General

Approvals

1. Any reference to “the Decision” in this Schedule is a reference to Commission Decision [2000/666/EC](#).
2. The Scottish Ministers may, if they are satisfied in all the circumstances that it is appropriate to do so, grant an approval in respect of—
 - (a) a quarantine centre which at least meets the minimum conditions set out in Annex B of the Decision in relation to quarantine centres and quarantine units; and
 - (b) a quarantine facility which at least meets the minimum conditions set out in Annex B of the Decision in relation to quarantine facilities.
3. Subject to the provisions of paragraph 4 of this Part, an approval shall expire at the end of 12 months from the date it was granted unless—
 - (a) the transitional arrangements of Part IV apply;
 - (b) an earlier expiry date is provided for; or
 - (c) it is revoked under regulation 1(5).
4. The Scottish Ministers shall give reasons in writing—
 - (a) for refusing to grant an approval provided for in this Schedule;
 - (b) for providing that such an approval shall expire earlier than 12 months from the date on which it was granted.
5. Notice of a revocation or suspension of an approval granted under this Schedule shall—
 - (a) state—
 - (i) the reasons for the revocation, and
 - (ii) the time and date when it is to take effect;
 - (b) be served upon the quarantine manager—
 - (i) in person, or
 - (ii) by leaving it at the quarantine centre or quarantine facility concerned; or
 - (iii) by post addressed to the quarantine manager at the quarantine centre or quarantine facility concerned; and
 - (c) be copied to the importer and if the importer is not the owner of the birds concerned, so far as is practicable, to the owner of birds kept at the quarantine centre or quarantine facility at the date the revocation or suspension is to take effect.
6. Where an approval is revoked and the continuation of quarantine at the quarantine centre or quarantine facility concerned would, in the opinion of a veterinary inspector, cause a significant public or animal health risk, the veterinary inspector may issue directions by notice as to the movement or disposal of birds held in quarantine at the time the notice of revocation is stated to take

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effect, and such notice shall be served upon the quarantine manager and copied to any importer and owner concerned as if it were a notice to which paragraph 5(b) and (c) applied.

7.—(1) The Scottish Ministers may charge fees in accordance with this paragraph.

(2) The approval administration fee may be charged in relation to the receipt and processing of an application for—

- (a) an approval;
- (b) the renewal of an approval;
- (c) the lifting of the suspension of an approval; and
- (d) the lifting of or amendment of conditions attached to an approval.

(3) The Scottish Ministers shall from time to time determine the approval administration fee for each type of application described in sub paragraph (2)(a) to (d) and shall publish the current fee on the Scottish Executive website.

(4) The approval administration fee for any type of application shall represent costs and expenses which the Scottish Ministers reasonably consider attributable to the receipt and processing of an application of that type.

(5) The veterinary inspector's rate may be charged for time spent by a veterinary inspector inspecting premises to assess compliance with the minimum approval conditions.

(6) The Scottish Ministers may make a charge at no more than the veterinary inspector rate for the purposes of this Part for time spent by a veterinary inspector travelling to or from premises for purposes of inspecting them to assess compliance with minimum approval conditions.

(7) In this Part –

- (a) “approval” means an approval as provided for in regulation 20 and this Schedule;
- (b) “approval administration fee” has the meaning given in sub paragraphs (3) and (4); and
- (c) “minimum approval conditions” means the minimum conditions referred to in sub paragraphs 2 (a) and (b) of this Part of this Schedule.