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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 421**

**AGRICULTURE**  
**LIVESTOCK INDUSTRIES**

**The Porcine Semen (Fees) (Scotland) Regulations 2007**

*Made* - - - - *6th September 2007*  
*Laid before the Scottish*  
*Parliament* - - - - *7th September 2007*  
*Coming into force* - - *1st October 2007*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 10(1) and (3) and 11(3) of the Animal Health and Welfare Act 1984<sup>(1)</sup> and all other powers enabling them to do so.

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Porcine Semen (Fees) (Scotland) Regulations 2007 and come into force on 1st October 2007.

(2) These Regulations extend to Scotland only.

**Interpretation**

2. In these Regulations—

“artificial insemination centre” means premises—

- (a) in respect of which a licence is in force under regulation 4(1) of the Artificial Insemination of Pigs (Scotland) Regulations 1964<sup>(2)</sup>; or
- (b) approved under regulation 2(2) or (3) of the Artificial Insemination of Pigs (EEC) Regulations 1992<sup>(3)</sup>; and

“principal pig Regulations” means the Artificial Insemination of Pigs (Scotland) Regulations 1964 and the Artificial Insemination of Pigs (EEC) Regulations 1992.

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(1) 1984 c. 40. See section 10(8) for the definition of appropriate Ministers. The functions, in so far as exercisable within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46). The requirement to obtain the consent of the Treasury was removed by section 55 of that Act.

(2) S.I.1964/1171(S.79).

(3) S.I. 1992/3161.

### **Payment of fees**

3. The fees set out in the Schedule to these Regulations must be paid by the applicant or the licensee to the Scottish Ministers on invoice, in connection with—

- (a) the issue of licences or approvals; and
- (b) tests or examinations carried out,

under the principal pig Regulations.

### **Refund of fees**

4. If an application under the principal pig Regulations is withdrawn before determination of the application, the Scottish Ministers must refund to the applicant such proportion of any fee paid under regulation 3 in respect of that application as the Scottish Ministers thinks appropriate, having regard to any reasonable costs incurred by the Scottish Ministers in connection with the application.

### **Revocation**

5. The following Regulations are revoked—

- (a) the Artificial Insemination (Cattle and Pigs) (Fees) Regulations 1987(4); and
- (b) the Artificial Insemination (Cattle and Pigs) (Fees) (Amendment) Regulations 1992(5).

St Andrew's House,  
Edinburgh  
6th September 2007

*RICHARD LOCHHEAD*  
A member of the Scottish Executive

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(4) S.I. 1987/390, amended by S.I. 1992/2592.  
(5) S.I. 1992/2592.

## SCHEDULE

Regulation 3

## Fees in respect of matters arising under the principal pig Regulations

<b>Matter</b>	<b>Fee £</b>
<i>Approval of Boars for use in artificial insemination</i>	
<b>1</b>	117
(a) Application for approval of a boar for the collection of semen which will not be subject to intra-Community trade;	
(b) (b) Application for approval of 34 each additional boar examined at the same time.	34
<b>2</b>	127
(a) Application to carry out on one boar the tests specified in Annex B, Chapter I, paragraphs 1(c) and (d) of Council Directive <a href="#">90/429/EEC</a> laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species(6);	
(b) (b) Application for such tests on 44 each additional boar tested at the same time.	44
<i>Licensing of artificial insemination centres</i>	
<b>3</b> Application for an artificial insemination centre licence or approval.	327
<b>4</b> Application for approval of alteration to licensed premises (in accordance with conditions attached to the licence).	83
<i>Routine examination of artificial insemination centres and testing of boars</i>	
<b>5</b> Examination of an artificial insemination centre.	86
<b>6</b> Routine testing of boars in accordance with paragraph 1 of Chapter II of Annex B to Council Directive <a href="#">90/429/EEC</a> , on an artificial insemination centre from which semen may be subject to intra-Community trade:	
(a) (a) up to a maximum of 10 boars;	67

(6) O.J. No. L 224, 18.8.1990, p.62, as amended by Commission Decision [1999/608/EC](#) (O.J. No. L 242, 14.9.1999, p.20), Commission Decision [2000/39/EC](#) (O.J. No. L 13, 19.1.2000, p.21) and Council Regulation (EC) No. [806/2003](#) (O.J. No. L 122, 16.5.2003, p.1).

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

<b>Matter</b>	<b>Fee £</b>
(b) (b) each additional boar on the 6 premises tested at the same time.	
7 Routine testing of boars on an artificial insemination centre from which semen may not be subject to intra-Community trade:	
(a) (a) up to a maximum of 10 boars;	67
(b) (b) each additional boar on the 6 premises tested at the same time.	

### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations make provision for the payment of fees in connection with the issue of licences or approvals under the Artificial Insemination of Pigs (Scotland) Regulations 1964 and the Artificial Insemination of Pigs (EEC) Regulations 1992. They also make provision for the payment of fees in connection with tests or examinations carried out for the purposes of those Regulations.

They revoke the Artificial Insemination (Cattle and Pigs) (Fees) Regulations 1987 and the Artificial Insemination (Cattle and Pigs) (Fees) (Amendment) Regulations 1992.

The Regulations introduce a fee (in paragraph 2 of the Schedule) to be paid in respect of tests carried out on boars under Annex B, Chapter I, paragraph 1(d) of Council Directive [90/429/EEC](#). They otherwise re-enact the fees payable under Schedule 2 to the Artificial Insemination (Cattle and Pigs) (Fees) Regulations 1987. Paragraph 6 of Schedule 2 to the Artificial Insemination (Cattle and Pigs) (Fees) Regulations 1987 has been re enacted as paragraphs 6 and 7 of the Schedule to these Regulations.

A full regulatory impact assessment has not been carried out.