

2009 No. 416

ANIMALS

ANIMAL HEALTH

**The Zoonoses and Animal By-Products (Fees) (Scotland)
Amendment Regulations 2009**

<i>Made</i> - - - -	<i>24th November 2009</i>
<i>Laid before the Scottish Parliament</i>	<i>25th November 2009</i>
<i>Coming into force</i> - -	<i>1st January 2010</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Zoonoses and Animal By-Products (Fees) (Scotland) Amendment Regulations 2009 and come into force on 1st January 2010.

Amendments to the Zoonoses and Animal By-Products (Fees) (Scotland) Regulations 2009

2.—(1) The Zoonoses and Animal By-Products (Fees) (Scotland) Regulations 2009(b) are amended in accordance with the following paragraphs.

(2) In regulation 2 (interpretation)—

(a) after the definition of “the 2003 Regulations”, insert—

““the Commission Regulation” means Commission Regulation (EC) No. 584/2008 of 20 June 2008 implementing Regulation (EC) No. 2160/2003 of the European Parliament and of the Council as regards a Community target for the reduction of the prevalence of *Salmonella enteritidis* and *Salmonella typhimurium* in turkeys(c);”;

(b) at the end of the definition of “official control samples”, insert—

“; or

(d) point 1(b) of the Annex to the Commission Regulation”.

(a) 1973 (c.51). The reference to a Government department in section 56(1) is to be read as a reference to the Scottish Administration by virtue of article 2(2) of the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999 (S.I. 1999/1820). The functions of the Minister in charge of the department were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46) and the requirement to obtain the consent of the Treasury was removed by section 55 of that Act.

(b) S.S.I. 2009/230.

(c) O.J. No. L 162, 21.6.2008, p.3.

(3) In the Schedule—

- (a) in entry 7 (conducting tests under point 4(b)(i) of part D of Annex II to the European Regulation), in column 1, at the end insert “or under points 2 and 3 of the Annex to the Commission Regulation”;
- (b) in entry 8 (conducting tests under point 4(b)(ii) of part D of Annex II to the European Regulation), in column 1, at the end insert “or under points 2 and 3 of the Annex to the Commission Regulation”; and
- (c) in entry 9 (conducting tests under point 4(b)(iii) of part D of Annex II to the European Regulation), in column 1, at the end insert “or under points 2 and 3 of the Annex to the Commission Regulation”.

St Andrew’s House,
Edinburgh
24th November 2009

R CUNNINGHAM
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Zoonoses and Animal By-Products (Fees) (Scotland) Regulations 2009 (“the principal Regulations”).

They make provision for the Scottish Ministers to charge fees for conducting tests required under Commission Regulation (EC) No. 584/2008 which is implemented by the Control of Salmonella in Turkey Flocks (Scotland) Order 2009 (S.S.I. 2009/417).

Regulation 2(2) inserts a definition for Commission Regulation (EC) No. 584/2008 into the principal Regulations. Regulation 2(3) amends the Schedule to the principal Regulations to include the tests required under Commission Regulation (EC) No. 584/2008 in the activities for which fees are payable.

A regulatory impact assessment in relation to the control of salmonella in turkey flocks, including the costs of sampling has been prepared. A copy has been placed in the Scottish Parliament Reference Centre. Copies can be obtained from the offices of the Scottish Government Rural Directorate at Pentland House, 47 Robb’s Loan, Edinburgh EH14 1TY.

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