
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision to consolidate and increase fees payable to the Scottish Ministers in the field of animal health. The powers in section 2(2) of the European Communities Act 1972 are exercised in relation to regulation 5 and 11 of these Regulations.

Regulation 4 and Schedule 1 set out the fees payable in relation to activities required under Regulation (EC) No 2160/2003 and in accordance with Salmonella National Control Programmes for poultry.

Regulation 5 amends the Control of Salmonella in Poultry (Breeding, Laying and Broiler Flocks) (Scotland) Order 2009 to update references to relevant EU instruments.

Regulation 6 and Schedule 2 set out the fees payable in relation to approvals for the purpose of the poultry health scheme established under Council Directive 2009/158/EC, which is partially transposed by the Trade in Animals and Related Products (Scotland) Regulations 2012, Schedule 2, Part 1, paragraph 3.

Regulation 7 and Schedule 3 set out the fees payable in relation to approvals for the purpose of obtaining bovine semen in accordance with the Bovine Semen (Scotland) Regulations 2007.

Regulation 8 and Schedule 4 set out the fees payable in relation to licences and approvals for the purpose of obtaining porcine semen in accordance with the Artificial Insemination of Pigs (Scotland) Regulations 1964 and the Artificial Insemination of Pigs (EEC) Regulations 1992.

Regulation 9 and Schedule 5 set out the fees payable in relation to approvals for the purpose of the collection, production and transfer of bovine embryos in accordance with the Bovine Embryo (Collection, Production and Transfer) Regulations 1995.

Regulation 10 and Schedule 6 set out the fees payable in relation to inspections of consignments of live animals at border inspection posts in accordance with the Trade in Animals and Related Products (Scotland) Regulations 2012.

Regulation 11 enables the Scottish Ministers to enter into agency arrangements with the Secretary of State in respect of any of their functions under these Regulations of requiring payment of fees.

Regulation 12 and Schedule 7 revoke the Bovine Embryo (Collection, Production and Transfer) (Fees) Regulations 1995, the Animals (Third Country Imports) (Charges) Regulations 1997, the Porcine Semen (Fees) (Scotland) Regulations 2007, the Zoonoses and Animal By-Products (Fees) (Scotland) Regulations 2009, the Zoonoses and Animal By-Products (Fees) (Scotland) Amendment Regulations 2009, the Zoonoses and Animal By-Products (Fees) (Scotland) Amendment Regulations 2010, the Poultry Health Scheme (Fees) (Scotland) Regulations 2012, and particular fees provisions of the Bovine Semen (Scotland) Regulations 2007 and the Animal By-Products (Enforcement) (Scotland) Regulations 2011.

The fees set out in this instrument form part of a phased move towards full cost recovery, as explained in the Policy Note. Some fees are substantially increased from existing fees. A detailed comparison of the existing and new fees is provided in an annex to the Policy Note.

A Business Regulatory Impact Assessment has been prepared and placed in the Scottish Parliament Information Centre. Copies can be obtained from the Scottish Government Directorate for Agriculture, Food and Rural Communities, Animal Health and Welfare Division, Saughton House, Broomhouse Drive, Edinburgh EH11 3XG.

Changes to legislation:

There are currently no known outstanding effects for the The Animal Health (Miscellaneous Fees and Amendments) (Scotland) Regulations 2013.