
STATUTORY INSTRUMENTS

1995 No. 361

**The Meat (Hygiene, Inspection and Examinations
for Residues) (Charges) Regulations 1995**

**PART IV
GENERAL**

Calculation of general charge

- 10.**—(1) The general charge for carrying out a health inspection and control exercise—
- (a) must be reasonable; and
 - (b) must cover the items specified in paragraph (2) below.
- (2) The items mentioned in paragraph (1) above are—
- (a) salary costs other than PIA salary costs;
 - (b) administrative costs, which may include the expenditure required for in-service training; and
 - (c) the costs resulting from monitoring the rules laid down in Directive 93/119/EC⁽¹⁾ on the protection of animals at the time of slaughter or killing.
- (3) In calculating the cost of carrying out a health inspection and control exercise at a slaughterhouse the Minister shall assume that the administrative costs are not lower than ECU 0.725 per tonne of unboned meat.

Recovery of and liability for charges

- 11.**—(1) Charges under these Regulations shall be payable to and recoverable by the Minister.
- (2) Charges under these Regulations shall be payable by the operator or owner of the slaughterhouse, cutting premises, rewrapping centre or cold store in relation to which they arise, but he shall have the option of passing on the cost of any such charge which he has paid to any natural or legal person on whose behalf the operations in relation to which he made the payment were carried out.

Determination and variation of charges

- 12.**—(1) Charges under these Regulations are to be fixed by the Minister in accordance with the provisions of these Regulations.
- (2) Before determining and, subject to paragraph (3) below, before varying charges under these Regulations the Minister shall give any person who appears to him to be affected notice in writing—
- (a) of the charges that he proposes to fix; and
 - (b) of the date on which they are to commence.

⁽¹⁾ OJ No. L340, 31.12.93, p.21.

(3) Notice is not required where a proposed variation is the result of a change in the published rate for conversion of the ECU.

(4) The date specified in a notice must be a date after the end of the period of 14 days commencing with the day on which the notice is given.

(5) If not later than the end of the period of 14 days commencing with the day on which notice is given a person to whom it was given makes a written request to the Minister for details of how he calculated the proposed charges, the Minister shall supply him with those details.

(6) If not later than the end of the period of 14 days commencing with the day on which the Minister supplies a person with such details in pursuance of the duty imposed on him by paragraph (5) above that person, or a person acting on his behalf, makes representations to the Minister concerning the proposed charges, the Minister shall have regard to the representations.

(7) The Minister shall give all persons to whom notice of the charges was given under paragraph (2) above written notice of the charges which he fixes.

(8) When a charge is fixed, it shall be payable in respect of any health inspection and control exercise carried out on or after the date notified under paragraph (2) above, and the reference in that paragraph to the date on which charges are to commence is to be construed accordingly.

(9) Pending the fixing of the amount of a charge in accordance with this regulation the charge notified under paragraph (2) above shall be payable.

(10) When the charge is fixed, such payments shall be made by or to the Minister as will secure that the person liable to pay the charge does not pay more or less than the amount fixed.

Power of Minister to determine or take steps towards determination of charges before 1st April 1995

13. The Minister may determine charges under these Regulations before the date specified in regulation 1(1) and may accordingly take any step for which regulation 12 provides before that date.

Information

14. A person shall, on demand by the Minister, supply—

- (a) such information as the Minister may reasonably require for the purpose of calculating charges under these Regulations; and
- (b) such evidence as the Minister may reasonably require to enable him to verify information supplied under paragraph (a) above.

Revocations

15. The Regulations specified in Schedule 3 are hereby revoked to the extent specified in column 3 of that Schedule.