
STATUTORY INSTRUMENTS

1997 No. 639

ANIMALS

ANIMAL HEALTH

The Animals (Third Country Imports)(Charges) Regulations 1997

<i>Made</i>	- - - -	<i>5th March 1997</i>
<i>Laid before Parliament</i>		<i>10th March 1997</i>
<i>Coming into force</i>	- -	<i>1st April 1997</i>

The Minister of Agriculture, Fisheries and Food, and the Secretary of State, being Ministers designated⁽¹⁾ for the purposes of Section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the common agricultural policy of the European Community, acting jointly, in exercise of the powers conferred on them by the said section 2(2), hereby make the following Regulations:

Title and commencement

1. These Regulations may be cited as the Animals (Third Country Imports) (Charges) Regulations 1997 and shall come into force on 1 April 1997.

Interpretation

2. In these Regulations—

“Border Inspection Post” has the meaning given to it by article 1(2) and Schedule 2 of the Animals and Animal Products (Import and Export) Regulations 1995⁽³⁾

“the Minister” means the Minister of Agriculture, Fisheries and Food.

“public holiday” means a Bank Holiday within the meaning of the Banking and Financial Dealings Act 1971⁽⁴⁾, Christmas Day and Good Friday.

(1) S.I.1972/1811.

(2) 1972 c. 68.

(3) S.I. 1995/2428 as amended by S.I. 1996/1111.

(4) 1971 c. 80.

Inspection of animals at a Border Inspection Post

3. Any person who imports an animal into Great Britain in accordance with the provisions of Part III of the Animals and Animal Products (Import and Export) Regulations 1995 shall pay to the Minister a charge for the veterinary and health inspection carried out on the animal, in accordance with Council Directive [96/43/EEC\(5\)](#) (amending and consolidating Directive [85/73/EEC](#) in order to ensure financing of veterinary inspections and controls on live animals and certain animal products and amending Directives [90/675/EEC](#) and [91/496/EEC](#)).

Payment of charges

4.—(1) Subject to paragraphs (2) and (3) below, the charge for an inspection of an animal at a Border Inspection Post shall be in accordance with the Schedule to these Regulations.

(2) Where an inspection begins after 5.00pm and before 8.30am on any day other than a Saturday or a Sunday, the charge shall be increased by 50%.

(3) Where an inspection takes place on a Saturday, a Sunday or a public holiday the charge shall be increased by 100% and an additional sum of £50.00.

(4) For the purposes of these Regulations payment of the charge shall be in sterling and may be made by means of cash, a cheque drawn on a United Kingdom clearing bank, a bank guarantee or a bank deposit.

Detention of animals at the Border Inspection Post

5.—(1) An animal in respect of which a charge is due in accordance with Regulation 4 above, may be detained at the Border Inspection Post until such time as the person importing it has paid the charge in full.

(2) The person importing an animal detained in accordance with paragraph 1 above, shall be liable for the cost of detaining it until the charge is paid.

(3) Where the charge remains unpaid, the Minister may, at any time, serve a notice on the person importing the animal requiring him to pay the charge within a specified period.

Detention of animals at premises other than Border Inspection Posts

6. The Minister may, at any time, serve a notice on a person importing an animal into Great Britain in respect of which a charge under Regulation 4 is due, requiring him to—

- (a) pay the charge within a specified period, and
- (b) detain the animal, at his own expense at such premises, other than a Border Inspection Post, as a veterinary inspector may deem appropriate.

Power of seizure

7.—(1) Where a notice has been served in accordance with Regulations 5 or 6 above, and the person on whom it was served has failed to comply with it, the Minister may seize, and sell or otherwise dispose of the animal to which the notice relates.

(2) The proceeds of sale will be used to discharge any sum which may be due to the Minister and any balance will be paid to the person importing the animal.

Power of recovery

8. The Minister may recover any sum due to him by virtue of these Regulations.

(5) O.J. No. 162, 1.7.96, p. 1.

4th March 1997

Angela Browning
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

5th March 1997

Lindsay
Parliamentary Under-Secretary of State, Scottish
Office

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SCHEDULE

Regulation 4

<i>Category of animals</i>	<i>Charge</i>
• Bovine animals	
Basic fee per animal	£9.00
Fee per additional animal in the consignment after first 50 animals	£6.00
Minimum fee	£25.00
• Equidae (horses, asses, mules and hinnies)	
Basic fee per animal	£7.00
Fee per additional animal in the consignment after first 50 animals	£5.00
Minimum fee	£25.00
• Pigs and wild boar	
Basic fee per animal	£8.00
Fee per additional animal in the consignment after first 50 animals	£6.00
Minimum fee	£25.00
• Sheep, goats, alpaca and cria	
Basic fee per animal	£5.00
Fee per additional animal in the consignment after first 50 animals	£3.00
Minimum fee	£25.00
• Poultry, rabbits and small game birds	
Basic fee per large consignment (5 or more boxes)	£49.00
Basic fee per small consignment (less than 5 boxes)	£25.00
• Captive birds, and rodents (excluding rabbits)	
Basic fee per box	£10.00
Maximum fee per consignment	£49.00
• Ratites	
Basic fee per animal	£5.00
Fee per additional animal in the consignment after first 50 animals	£3.00
• Live fish, other aquatic animals and reptiles	
Basic fee per box	£0.30

<i>Category of animals</i>	<i>Charge</i>
Minimum fee	£5.00
• Bees and other insects	
Basic fee per consignment	£5.00
• Dangerous zoo animals	
Basic fee per animal	£9.00
Fee per additional animal in the consignment after first 50 animals	£6.00
• Ungulates (other than bovine, equine, porcine, ovine and caprine animals)	
Basic fee per animals	£8.00
Fee per additional animal in the consignment after first 50 animals	£6.00
Minimum fee	£25.00
• Ferrets, minks and foxes; and cats and dogs which are commercially traded under Council Directive 92/65/EEC	The greater of £25.00 or the actual cost of inspecting the animal

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement in Great Britain, Council Directive [96/43/EC](#) (amending and consolidating Directive [85/73/EEC](#) in order to ensure financing of veterinary inspections and controls on live animals and certain animal products and amending directives [90/675/EEC](#) and [91/496/EEC](#)) (O.J. No. L162 of 1/7/96, pp. 1-3.)

Any person importing an animal into Great Britain from a country outside the European Union shall pay the Minister of Agriculture, Fisheries and Food (“the Minister”) a charge for the veterinary and health inspection carried out on that animal at the Border Inspection Post (“BIP”). The charges vary according to the species of animal inspected and are set out in the Schedule to the Regulations. The charge is increased by 50% where the inspection takes place between 5.00pm and 8.30am on any week day. The charge is increased by 100% and by an additional sum of £50.00 where the inspection takes place on a Saturday, a Sunday or a public holiday (Regulation 4(2) and 4(3)).

The charge must be paid at the time the inspection is carried out. If the charge is not paid at that time, the Minister is empowered to detain an animal at the BIP until such time as it is paid. The person importing the animal is liable for the full cost of detaining the animal at the BIP until the charge is paid. Where a person has imported an animal in respect of which a charge is due, the Minister may at any time serve a notice on him requiring him to pay the charge within a specified period (Regulation 5).

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The Minister is also empowered to serve a notice on a person importing an animal, requiring him pay the charge for an inspection which took place at the Border Inspection Post within a specified period and to detain an animal at such place, other than a BIP, as a veterinary inspector may deem appropriate (Regulation 6).

Where a notice is served in accordance with Regulations 5 or 6 and the person on whom the notice was served fails to comply with it, the Minister may seize the animal to which the notice relates and sell or otherwise dispose of it. The proceeds of sale, if any, will be used to discharge whatever sum may be due to the Minister and any balance will be paid to the person importing the animal (Regulation 7).

The Minister is entitled to recover any sum due to him by civil proceedings (Regulation 8).