
STATUTORY INSTRUMENTS

2000 No. 224**FOOD, ENGLAND****The Meat (Hygiene and Inspection) (Charges)
(Amendment) (England) Regulations 2000**

<i>Made - - - -</i>	<i>3rd February 2000</i>
<i>Laid before Parliament</i>	<i>8th February 2000</i>
<i>Coming into force</i>	<i>1st March 2000</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State acting jointly in exercise of the powers conferred on them by sections 17(1), 45 and 48(1) of the Food Safety Act 1990(a) after consultation in accordance with section 48(4) of the Food Safety Act 1990 with such organisations as appear to them to be representative of interests likely to be substantially affected by the Regulations, and (insofar as these Regulations impose charges in relation to the monitoring of the requirements of the Welfare of Animals (Slaughter or Killing) Regulations 1995(b)) the Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated(c) for the purposes of section 2(2) of the European Communities Act 1972(d) in relation to the common agricultural policy of the European Community, make the following Regulations:

Title, extent and commencement

1. These Regulations may be cited as the Meat (Hygiene and Inspection) (Charges) (Amendment) (England) Regulations 2000, shall extend to England only and shall come into force on 1st March 2000.

Amendments to the Meat (Hygiene and Inspection) (Charges) Regulations 1998

2.—(1) Insofar as they extend to England, the Meat (Hygiene and Inspection) (Charges) Regulations 1998(e) are amended in accordance with the following paragraphs of this regulation.

(2) In the definition of “occupier” in paragraph (1) of regulation 2 (interpretation) the phrase “, cold store or a re-packaging centre,” is substituted for the phrase “or a cold store,”.

(3) In the definition of “premises” in paragraph (1) of regulation 2 the phrase “, cold store or re-packaging centre” is substituted for the words “or cold store”.

(4) In the table in paragraph (2) of regulation 2 the words “re-packaging centre” are inserted below the words “cold store” in each of columns (1) and (2).

(a) 1990 c. 16; “the Ministers” is defined in relation to England and Wales in section 4(1) of the Act. Functions of “the Ministers” so far as exercisable in relation to Wales were transferred to the National Assembly for Wales by S.I. 1999/672. Functions of “the Ministers” were further modified in relation to England by S.I. 1999/3141.

(b) S.I. 1995/731, amended by S.I. 1999/400.

(c) S.I. 1972/1811.

(d) 1972 c. 68.

(e) S.I. 1998/2095.

(5) In paragraph (1) of regulation 3 (charges) the phrase “slaughterhouse, cutting premises, cold store and re-packaging centre” is substituted for the phrase “slaughterhouse, cutting premises and cold store”.

(6) The following regulation is inserted between regulation 3 and regulation 4 (information)—

“Withdrawal of inspections

3A. Where the Minister has had judgment entered against an occupier for any sum which is recoverable by the Minister as a debt from that occupier under regulation 3(4) above and the occupier fails within a reasonable time thereafter to satisfy the judgment the Minister may (regardless of any other legal remedy open to him) refuse to carry out any further inspections at the premises in respect of which the debt accrued until the judgment has been satisfied.”.

(7) In paragraph 2 of the Schedule (calculation of the inspection charge)—

(a) the word “and” at the end of sub-paragraph (b) is revoked; and

(b) the following sub-paragraph is inserted between sub-paragraphs (b) and (c)—

“(bA) at a re-packaging centre; or”.

Hayman

Minister of State,

23rd January 2000

Ministry of Agriculture, Fisheries and Food

Signed by authority of the Secretary of State for Health

Gisela Stuart

Parliamentary Under Secretary of State for

3rd February 2000

Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations (which extend to England only) amend the Meat (Hygiene and Inspection) (Charges) Regulations 1998 (S.I. 1998/2095) in their application to England. Those Regulations implemented in Great Britain the provisions relating to charges for meat inspections of Council Directive 85/73/EEC, an amended and consolidated text of which is annexed to Council Directive 96/43/EC (OJ No. L162, 1.7.96, p. 1).

2. The amendments have effect to permit charges to be made for the carrying out of health inspections at re-packaging centres (as defined in regulation 2(1) of the Fresh Meat (Hygiene and Inspection) Regulations 1995 (S.I. 1995/539, as amended)).

3. The amendments also have effect to allow the Minister to withdraw inspection services where (despite a court order requiring him to pay the inspection charges for which he is liable under S.I. 1998/2095) the occupier of licensed premises fails to comply with the order.

4. A regulatory impact assessment has been prepared for these Regulations and placed in the library of each House of Parliament. Copies of that assessment can be obtained from the Meat Hygiene Division of the Ministry of Agriculture, Fisheries and Food, Ergon House, 17 Smith Square, London SW1P 3JR.

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