

SCHEDULE 4

THE POULTRY HEALTH SCHEME

PART I

MEMBERSHIP

1. Any reference to 'the Directive' in this Part of this Schedule is a reference to Council Directive 90/539/EEC (on animal health conditions governing intra-Community trade in, and imports from third countries, of poultry and hatching eggs)(1).

2. An application for an establishment to become a member of the Poultry Health Scheme must be accompanied by the registration fee, the details of which are set out in Part 2 of this Schedule.

3. The Secretary of State shall only grant membership of the Poultry Health Scheme to an establishment if—

- (a) she is satisfied, following an inspection by a veterinary inspector, that—
 - (i) the establishment meets the requirements regarding facilities in Chapter II of Annex II to the Directive; and
 - (ii) the operator of the establishment will comply, and ensure that the establishment complies, with the requirements of point 1 of Chapter I of Annex II to the Directive; and
- (b) the operator of the establishment, having been notified that the Secretary of State is satisfied that the requirements in sub-paragraph (a) are met, has paid the annual membership fee, the details of which are set out in Part III of this Schedule.

4. The disease surveillance programme referred to in paragraph (b) of point 1 of Chapter I of Annex II to the Directive shall consist of the disease surveillance measures specified in Chapter III of Annex II to the Directive, together with any additional testing requirements that a veterinary inspector notifies in writing to an establishment as being requirements that he believes are necessary to avoid the spreading of contagious disease through intra-Community trade, taking into account the particular circumstances at that establishment.

5. On receipt of the first annual membership fee, the Secretary of State shall issue the establishment's membership certificate, which shall include the establishment's membership number.

6. The operator of an establishment that is a member of the Poultry Health Scheme shall pay the annual membership fee each year.

7. In order to ensure that operators and their establishments continue to meet the requirements for membership of the Poultry Health Scheme, and generally to ensure compliance with the Directive, a veterinary inspector shall carry out an annual inspection of the establishment, and any additional inspections the Secretary of State considers necessary.

8. The Secretary of State—

- (a) shall suspend, revoke or restore membership in accordance with Chapter IV of Annex II to the Directive (references to 'withdrawal' in that Chapter shall be read as references to 'revocation' for the purposes of this paragraph);
- (b) may suspend or revoke membership if—

(1) OJ No. L303, 30.10.90, p. 6), as amended by and as read with the provisions listed in paragraph 6 of Part I of Schedule 3.

Status: This is the original version (as it was originally made).

- (i) an establishment is in breach of any of the requirements regarding facilities in Chapter II of Annex II to the Directive;
- (ii) the operator or the establishment is in breach of any of the requirements in point 1 of Chapter I of Annex II to the Directive;
- (iii) if ownership or control of an establishment changes; or
- (iv) if the operator has not paid the annual membership fee.