

2007 No. 2586

AGRICULTURE, ENGLAND

LIVESTOCK INDUSTRIES

The Porcine Semen (Fees) (England) Regulations 2007

<i>Made</i> - - - -	<i>30th August 2007</i>
<i>Laid before Parliament</i>	<i>6th September 2007</i>
<i>Coming into force</i> - -	<i>1st October 2007</i>

The Secretary of State, with the approval of the Treasury, makes the following Regulations, in exercise of the powers conferred by section 10(1) and (3) of the Animal Health and Welfare Act 1984(a) and now vested in him(b).

Title, commencement, and application

1. These Regulations—

- (a) may be cited as the Porcine Semen (Fees) (England) Regulations 2007;
- (b) come into force on 1st October 2007; and
- (c) apply in England only.

Interpretation

2. In these Regulations—

“artificial insemination centre” means premises in respects of which a licence is in force under regulation 4(1) of the Artificial Insemination of Pigs (England and Wales) Regulations 1964(c), or under regulation 2(2) or 2(3) of the Artificial Insemination of Pigs (EEC) Regulations 1992(d); and

the “principal pig Regulations” means the Artificial Insemination of Pigs (England and Wales) Regulations 1964 and the Artificial Insemination of Pigs (EEC) Regulations 1992.

Payment of fees

3. The fees set out in the Schedule to these Regulations must be paid by the applicant or the licensee to the Secretary of State on invoice, in connection with—

- (a) the issue of licences or approvals; and
- (b) tests or examinations carried out,

(a) 1984 c. 40.

(b) Functions conferred under the Act on “the Minister” and “the Ministers” were transferred to the Secretary of State by article 2(2) of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

(c) S.I. 1964/1172, to which there is a modification not relevant to these Regulations.

(d) S.I. 1992/3161.

under the principal pig Regulations.

Refund of fees

4. If an application under the principal pig Regulations is withdrawn before determination of the application, the Secretary of State must refund to the applicant such proportion of any fee paid under regulation 3 in respect of that application as the Secretary of State thinks fit, having regard to any reasonable costs incurred by him in connection with the application.

Revocation

5. The following Regulations are revoked in so far as they apply in England—

- (a) the Artificial Insemination (Cattle and Pigs) (Fees) Regulations 1987(a); and
- (b) the Artificial Insemination (Cattle and Pigs) (Fees) (Amendment) Regulations 1992(b).

16th August 2007

Phil Woolas
Minister of State
Department for Environment, Food and Rural Affairs

We approve

30th August 2007

Steve McCabe
Claire Ward
Two of the Lords Commissioners of Her Majesty's Treasury

SCHEDULE

Regulation 3

Fees in respect of matters arising under the principal pig Regulations

Matter	Fee £
<i>Approval of Boars for use in artificial insemination</i>	
1(a) Application for approval of a boar for the collection of semen which will not be subject to intra-Community trade;	117
(b) Application for approval of each additional boar examined at the same time.	34
2(a) Application to carry out on one boar the tests specified in Annex B, Chapter I, paragraphs 1(c) and (d) of Council Directive 90/429/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species(c);	127
(b) Application for such tests on each additional boar tested at the same time.	44
<i>Licensing of artificial insemination centres</i>	
3 Application for an artificial insemination centre licence.	327
4 Application for approval of alteration to licensed premises (in accordance with conditions attached to the licence).	83
<i>Routine examination of artificial insemination centres and testing of boars</i>	
5 Examination of an artificial insemination centre.	86

(a) S.I. 1987/390, amended by S.I. 1992/2592.

(b) S.I. 1992/2592.

(c) OJ No. L 224, 18.8.1990, p.62, as amended by Commission Decision 1999/608/EC (OJ No. L 242, 14.9.1999, p.20), Commission Decision 2000/39/EC (OJ No. L 13, 19.1.2000, p.21) and Council Regulation (EC) No 806/2003 (OJ No. L 122, 16.5.2003, p.1).

6 Routine testing of boars in accordance with paragraph 1 of Chapter II of Annex B to Council Directive 90/429/EEC, on an artificial insemination centre from which semen may be subject to intra-Community trade:	
(a) up to a maximum of 10 boars;	67
(b) each additional boar on the premises tested at the same time.	6
7 Routine testing of boars on an artificial insemination centre from which semen may not be subject to intra-Community trade:	
(a) up to a maximum of 10 boars;	67
(b) each additional boar on the premises tested at the same time.	6

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the payment of fees in connection with the issue of licences or approvals under the Artificial Inseminating of Pigs (England and Wales) Regulations 1964 (S.I. 1964/1172) and the Artificial Insemination of Pigs (EEC) Regulations 1992 (S.I. 1992/3161) and in connection with tests or examinations carried out for the purposes of those Regulations.

They revoke the Artificial Insemination (Cattle and Pigs) (Fees) Regulations 1987 (S.I. 1987/390) and the Artificial Insemination (Cattle and Pigs) (Fees) (Amendment) Regulations 1992 (S.I. 1992/2592).

The Regulations introduce a fee (in paragraph 2 of the Schedule) to be paid in respect of tests carried out on boars under Annex B, Chapter I, paragraph 1(d) of Council Directive 90/429/EEC. These Regulations otherwise re-enact the fees payable under Schedule 2 to the Artificial Insemination (Cattle and Pigs) (Fees) Regulations 1987. For clarity, paragraph 6 of Schedule 2 to the Artificial Insemination (Cattle and Pigs) (Fees) Regulations 1987 has been re-enacted as paragraphs 6 and 7 of the Schedule to these Regulations.

A full regulatory impact assessment has not been produced for this instrument since it is foreseen that the impact on the costs of business and the voluntary sector will be negligible.

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