

This Statutory Instrument has been made in consequence of a defect in SI 2008/1881 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2008 No. 2269

ANIMALS, ENGLAND

ANIMAL HEALTH

**The Transmissible Spongiform Encephalopathies (Fees)
(England) Regulations 2008**

Made - - - - - *22nd August 2008*

Laid before Parliament *28th August 2008*

Coming into force - - *22nd September 2008*

The Secretary of State makes the following Regulations under the powers conferred by section 56(1) and (2) of the Finance Act 1973(a).

In accordance with section 56(1) of the Finance Act 1973, the Treasury consents to the making of these Regulations.

Title and commencement

1. These Regulations may be cited as the Transmissible Spongiform Encephalopathies (Fees) (England) Regulations 2008 and come into force on 22nd September 2008.

Amendment of the Transmissible Spongiform Encephalopathies (England) Regulations 2008

2.—(1) The Transmissible Spongiform Encephalopathies (England) Regulations 2008(b) are amended as follows.

(2) For sub-paragraph (2) of paragraph 4 of Schedule 2 substitute—

“(2) The Secretary of State may charge the fees set out in the following table for the initial approval and ongoing quality assessment of a laboratory—

(a) 1973 c. 51.
(b) S.I. 2008/1881.

Fees for laboratory approvals and quality assessment

	<i>Fee (£)</i>
Initial approval	29,770
Annual proficiency testing and follow-up inspection for the first year after approval	8,834
Annual proficiency testing from the second year after approval	4,135
Single proficiency test (in the event of a failure in the annual proficiency testing)	1,385
Hourly rate of an inspector (for any additional inspections that are necessary to check for compliance with the matters set out at sub-paragraphs (1)(a) to (c))	87.24"

31st July 2008

Joan Ruddock
Parliamentary Under-Secretary of State
Department for Environment, Food and Rural Affairs

We consent

Dave Watts
Alan Campbell
Two of the Lord Commissioners of
Her Majesty's Treasury

22nd August 2008

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace paragraph 4(2) of Schedule 2 to the Transmissible Spongiform Encephalopathies (England) Regulations 2008 (SI 2008/1881) (the “Principal Regulations”). That provision introduced fees for the approval of laboratories that test the brain stem samples of specified bovine animals, but the Principal Regulations were not signed by two of the Lord Commissioners of Her Majesty’s Treasury Department.

These Regulations reintroduce those fees as follows—

- (a) £29,770 for the initial approval of a laboratory;
- (b) £8,834 for annual proficiency testing and a follow-up inspection for the first year after approval;
- (c) £4,135 for annual proficiency testing from the second year after approval;
- (d) £1,385 for a single proficiency test (in the event of failure in the annual proficiency testing); and
- (e) £87.24 per hour for an inspector (for any additional inspections that are necessary to check for compliance with the terms of the approval).

An impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the TSE Testing Section of the Department for Environment, Food and Rural Affairs, Area 7E, 9 Millbank c/o 17 Smith Square, London SW1P 3JR.

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