

STATUTORY INSTRUMENTS

2018 No. 664

The Animal Health (Miscellaneous Fees) (England) Regulations 2018

Citation, extent, application and commencement

1.—(1) These Regulations may be cited as the Animal Health (Miscellaneous Fees) (England) Regulations 2018.

(2) These Regulations extend to England and Wales, but apply in relation to England only.

(3) These Regulations come into force on 30th June 2018.

Interpretation

2. In these Regulations—

“the 1964 Regulations” means the Artificial Insemination of Pigs (England and Wales) Regulations 1964 ^{F1};

“the 1992 Regulations” means the Artificial Insemination of Pigs (EEC) Regulations 1992 ^{F2};

“the 1995 Regulations” means the Bovine Embryo (Collection, Production and Transfer) Regulations 1995 ^{F3};

“the 2007 Regulations” means the Bovine Semen (England) Regulations 2007 ^{F4};

“the 2011 Regulations” means the Trade in Animals and Related Products Regulations 2011 ^{F5};

“^{F6}border control post]” has the meaning given by regulation 11 of the 2011 Regulations;

“consignment” means a quantity of animals of the same species, covered by the same veterinary certificate or document;

[^{F7}“poultry health scheme” means the scheme established by the Secretary of State governing the export or movement of birds or hatching eggs to the EU, Northern Ireland or specified non-EU countries, published on 22nd July 2021;]

[^{F8}“third country” means a country or territory other than the British Islands;]

“veterinary officer” means a veterinary surgeon employed as such by the Secretary of State;

“veterinary surgeon” means a person registered in the register of veterinary surgeons kept under the Veterinary Surgeons Act 1966 ^{F9}.

Textual Amendments

F1 [S.I. 1964/1172](#), to which there are amendments not relevant to these Regulations.

F2 [S.I. 1992/3161](#).

F3 [S.I. 1995/2478](#), to which there is an amendment not relevant to these Regulations.

F4 [S.I. 2007/1319](#), amended by [S.I. 2011/454](#) and 2013/1240.

F5 [S.I. 2011/1197](#), to which there are amendments not relevant to these Regulations.

- F6** Words in reg. 2 substituted (1.7.2023) by [The Animal By-Products, Pet Passport and Animal Health \(Fees\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/714\)](#), regs. 1(1), **3(2)(a)**
- F7** Words in reg. 2 substituted (1.7.2023) by [The Animal By-Products, Pet Passport and Animal Health \(Fees\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/714\)](#), regs. 1(1), **3(2)(b)**
- F8** Words in reg. 2 substituted (13.12.2022) by [The Animals and Animal Health, Feed and Food, Plants and Plant Health \(Amendment\) Regulations 2022 \(S.I. 2022/1315\)](#), regs. 1(1), **23**
- F9** 1966 c.36.

[^{F10}Fees payable where an activity is carried out over a period during which different fees apply

2A. If any activity for which a fee is payable under these Regulations is carried out over a period during which different fees apply, the fee payable in relation to that activity is—

- (a) where the activity is carried out as part of an application, the fee that applied on the date the application is received;
- (b) otherwise, the fee that applied on the date the activity is commenced.]

Textual Amendments

- F10** [Reg. 2A](#) inserted (1.7.2023) by [The Animal By-Products, Pet Passport and Animal Health \(Fees\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/714\)](#), regs. 1(1), **3(3)**

Refund of fees

3. If any application for which a fee is payable under these Regulations is withdrawn before determination of the application, the Secretary of State must refund to the applicant such proportion of any fee paid as the Secretary of State thinks fit, having regard to any reasonable costs incurred by the Secretary of State in connection with the application.

Salmonella^{F11} ... control programmes (zoonoses): fees

4.—(1) Schedule 1 sets out the fees payable for activities conducted by the Secretary of State in relation to the control of *Salmonella* in accordance with the relevant^{F12}... Control Programme established by or under Regulation (EC) No 2160/2003 of the European Parliament and of the Council on the control of salmonella and other specified food-borne zoonotic agents^{F13}; and accordingly—

- (a) the fees payable by the person in charge of a poultry holding for the activities specified in column 1 of Table 1 in that Schedule are specified in the corresponding entries in column 2 [^{F14}or column 3] of that table;
- (b) the fees payable by the operator of a laboratory for the activities specified in column 1 of Table 2 in that Schedule are specified in the corresponding entries in column 2 [^{F15}or column 3] of that table;
- (c) the fees payable by the person in charge of poultry flocks for the activities specified in column 1 of Table 3 in that Schedule are specified in the corresponding entries in column 2 [^{F16}or column 3] of that table.

(2) Words and expressions used in schedule 1 have the same meanings as they have in Regulation (EC) No 2160/2003.

Textual Amendments

- F11** Word in reg. 4 heading omitted (31.12.2020) by virtue of The Zoonotic Disease Eradication and Control (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/740), regs. 1, **17(2)**; 2020 c. 1, Sch. 5 para. 1(1)
- F12** Word in reg. 4(1) omitted (31.12.2020) by virtue of The Zoonotic Disease Eradication and Control (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/740), regs. 1, **17(3)**; 2020 c. 1, Sch. 5 para. 1(1)
- F13** OJ No L 325, 12.12.2003, p.1, as last amended by Council Regulation (EU) No 517/2013 (OJ No L 158, 10. 06.2013, p.1).
- F14** Words in reg. 4(1)(a) inserted (1.7.2023) by The Animal By-Products, Pet Passport and Animal Health (Fees) (England) (Amendment) Regulations 2023 (S.I. 2023/714), regs. 1(1), **3(4)**
- F15** Words in reg. 4(1)(b) inserted (1.7.2023) by The Animal By-Products, Pet Passport and Animal Health (Fees) (England) (Amendment) Regulations 2023 (S.I. 2023/714), regs. 1(1), **3(4)**
- F16** Words in reg. 4(1)(c) inserted (1.7.2023) by The Animal By-Products, Pet Passport and Animal Health (Fees) (England) (Amendment) Regulations 2023 (S.I. 2023/714), regs. 1(1), **3(4)**

Poultry health scheme: fees

5. Schedule 2 sets out the fees payable for activities conducted by the Secretary of State in relation to the poultry health scheme; and accordingly—

- (a) the fees payable by applicants for approval and registration activities specified in column 1 of Table 1 in that Schedule are specified in the corresponding entries in column 2 [^{F17}or column 3] of that table;
- (b) the fees payable by the operator of a laboratory for activities specified in column 1 of Table 2 in that Schedule are specified in the corresponding entries in column 2 of that table.

Textual Amendments

- F17** Words in reg. 5(a) inserted (1.7.2023) by The Animal By-Products, Pet Passport and Animal Health (Fees) (England) (Amendment) Regulations 2023 (S.I. 2023/714), regs. 1(1), **3(4)**

Bovine semen: fees

6.—(1) Schedule 3 sets out the fees payable for activities conducted by the Secretary of State under the 2007 Regulations; and accordingly the fees payable by applicants and operators for the activities specified in column 1 of the table in that Schedule are specified in the corresponding entries in column 2 [^{F18}or column 3] of that table.

(2) In regulation 41 of the 2007 Regulations, for “regulation 7(4) of the Animal Health (Miscellaneous Fees) Regulations 2013 ^{F19}” substitute “ regulation 6(1) of the Animal Health (Miscellaneous Fees) (England) Regulations 2018 ”.

(3) Words and expressions used in schedule 3 have the same meanings as they have in the 2007 Regulations.

Textual Amendments

- F18** Words in reg. 6(1) inserted (1.7.2023) by The Animal By-Products, Pet Passport and Animal Health (Fees) (England) (Amendment) Regulations 2023 (S.I. 2023/714), regs. 1(1), **3(4)**
- F19** S.I. 2013/1240.

Porcine semen: fees

7. Schedule 4 sets out the fees payable to the Secretary of State in connection with the issue of licences or approvals and tests and examinations carried out under the 1964 Regulations or the 1992 Regulations; and accordingly the fees payable by the applicant or holder of the licence or approval for the activities specified in column 1 of the table in that Schedule are specified in the corresponding entries in column 2 [^{F20}or column 3] of that table.

Textual Amendments

F20 Words in [reg. 7](#) inserted (1.7.2023) by [The Animal By-Products, Pet Passport and Animal Health \(Fees\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/714\)](#), regs. 1(1), **3(4)**

Bovine embryo (collection, production and transfer): fees

8.—(1) Schedule 5 set out the fees payable to the Secretary of State for activities in relation to an application for an approval or in relation to a holder of an approval under the 1995 Regulations; and accordingly the fees payable by applicants for, or holders of, approvals under the 1995 Regulations for the activities specified in column 1 of the table in that Schedule are specified in the corresponding entries in column 2 [^{F21}or column 3] of that table.

(2) Words and expressions used in schedule 5 have the same meanings as they have in the 1995 Regulations.

Textual Amendments

F21 Words in [reg. 8\(1\)](#) inserted (1.7.2023) by [The Animal By-Products, Pet Passport and Animal Health \(Fees\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/714\)](#), regs. 1(1), **3(4)**

Checking consignments of live animals from third countries [^{F22}border control posts]: fees

9. Schedule 6 sets out the fees payable where inspections and checks of import documentation are carried out at [^{F23}border control posts] of consignments of live animals from a third country in accordance with regulation 15 of the 2011 Regulations; and accordingly—

- (a) the fees payable in respect of the inspection of a consignment of live animals specified in column 1 of Table 1 in that Schedule are specified in the corresponding entries in column 2 of that table;
- (b) the fees payable in respect of inspection undertaken during a period specified in column 1 of Table 2 in that Schedule are specified in the corresponding entry in column 2 of that table, and are payable in addition to any fees payable by virtue of paragraph (a);
- (c) the fees payable in respect of an extra inspection and check of documentation due to non-compliance or additional control measures by a person specified in column 1 of Table 3 in that Schedule are specified in the corresponding entry in column 2 of that table, and are payable in addition to any fees payable by virtue of paragraph (a).

Textual Amendments

F22 Words in [reg. 9](#) heading substituted (1.7.2023) by [The Animal By-Products, Pet Passport and Animal Health \(Fees\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/714\)](#), regs. 1(1), **3(5)**

F23 Words in reg. 9 substituted (1.7.2023) by The Animal By-Products, Pet Passport and Animal Health (Fees) (England) (Amendment) Regulations 2023 (S.I. 2023/714), regs. 1(1), **3(5)**

Revocation

10. The Animal Health (Miscellaneous Fees) Regulations 2013 are revoked with the exception of regulations 1, 4, and 7(1) to (3) and Schedule 1.

Department for Environment, Food and Rural
Affairs

Gardiner of Kimble
Parliamentary Under Secretary of State

We consent

Andrew Stephenson
Rebecca Harris
Two of the Lords Commissioners of Her
Majesty's Treasury

Changes to legislation:

There are currently no known outstanding effects for the The Animal Health (Miscellaneous Fees) (England) Regulations 2018.