
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations implement in relation to Wales the provisions relating to charges for carrying out official controls under Regulation (EC) 853/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption.

2. These Regulations—

- (a) set out the types of costs which may be incurred in exercising official controls required under Annex III to Regulation 854/2004 (regulation 3);
- (b) provide the rates to calculate the sterling equivalent of any sums which are specified in Euros in the Regulations (regulation 4);
- (c) set out the account period for the purposes of the Regulations (regulation 5);
- (d) provide that where charges are imposed on more than one person they may be enforced jointly or separately against such persons (regulation 6);
- (e) provide for the calculation of charges by food authorities and the subsequent payment and charges in the event of underpayment and recovery of charges in the event of overpayments (regulation 7);
- (f) provide for appeals against the decision of authorities imposing charges under the Regulations (regulation 8);
- (g) provide for the payment of charges by one food authority to another (regulation 9);
- (h) set out charges payable in respect of general landings of relevant landed fishery products (products which have not or had not been on land prior to landing in Wales) and provide for reductions of such charges in certain circumstances (regulations 10 and 11);
- (i) provide for the manner in which charges relating to general landings of relevant landed fishery products are to be collected and the returns which the vendor must supply to the food authority in relation to transactions to which such charges relate (regulation 12);
- (j) set out the charges payable in respect of fishery products landed from factory vessels and provide for reduction of such charges in certain circumstances (regulations 13 and 14);
- (k) provide for the manner in which charges relating to fishery products landed from factory vessels are to be collected and the returns which the vendor must supply to the food authority in relation to transactions to which such charges relate (regulation 15);
- (l) provide that the master of a factory vessel must pay the actual costs incurred by a competent authority in exercising certain official controls (regulation 16);
- (m) set out the charges payable in respect of expenditure incurred by a relevant food authority in exercising official controls in respect of a preparation or processing establishment and provide for the reduction of such charges in certain circumstances (regulations 17 and 18);
- (n) provide for the manner in which charges relating to carrying out official controls under regulation 17 are to be collected and the returns which the vendor must supply to the relevant food authority in relation to transactions to which such charges relate (regulation 19);

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (o) set out the charges payable in respect of expenditure incurred by a relevant food authority in carrying out a programmed inspection for the purposes of official controls in respect of establishments in which fishery products are only chilled, frozen, packaged or stored (regulation 20);
- (p) set out charges payable in respect of direct landings from third country vessels of relevant fishery products (products originating from third countries which have or had not been on land prior to their importation into the European Community) and provide for reductions of such charges in certain circumstances (regulations 21 and 22); and
- (q) provide for the manner in which charges relating to direct landings of relevant fishery products are to be collected and the returns which the vendor must supply to the relevant food authority in relation to transactions to which such charges relate (regulation 23).

3. A full Regulatory Appraisal on the effect that these Regulations will have on the costs of business has been prepared and placed in the library of the National Assembly for Wales. Copies may be obtained from the Food Standards Agency, 11th Floor, Southgate House, Wood Street, Cardiff CF10 1EW.