

WELSH STATUTORY INSTRUMENTS

2018 No. 645 (W. 119)

ANIMALS, WALES

ANIMAL HEALTH

The Animal Gatherings (Fees) (Wales) Order 2018

<i>Made</i>	- - - -	<i>22 May 2018</i>
<i>Laid before before the National Assembly for Wales</i>	- -	<i>30 May 2018</i>
<i>Coming into force</i>	- -	<i>30 June 2018</i>

The Welsh Ministers make this Order in exercise of the powers conferred by section 84 of the Animal Health Act 1981⁽¹⁾.

Title, application and commencement

1. The title of this Order is the Animal Gatherings (Fees) (Wales) Order 2018. It applies in relation to Wales and comes into force on 30 June 2018.

Commencement Information

II [Art. 1](#) in force at 30.6.2018, see [art. 1](#)

Interpretation

2. In this Order—

“the 2010 Order” (“*Gorchymyn 2010*”) means the Animal Gatherings (Wales) Order 2010⁽²⁾;

“animals” (“*anifeiliaid*”) means cattle (excluding bison and yak), deer, goats, sheep and pigs;

“animal gathering” (“*crynhoad anifeiliaid*”) means an occasion at which animals are gathered for one or more of the following purposes—

- (a) a sale, show or exhibition;
- (b) collection for onward consignment within Great Britain;

(1) 1981 c. 22. Functions conferred on “the Ministers” under section 84 of the Animal Health Act 1981, insofar as they are exercisable in relation to Wales, were transferred to the National Assembly for Wales by virtue of S.I. 1999/672. Those functions are now exercisable by the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

(2) S.I. 2010/900 (W. 93), to which there are amendments not relevant to this Order.

- (c) inspection to confirm the animals possess specific breed characteristics;
- “collection centre” (*canolfan gasglu*) means [^{F1}premises] where animals are collected for onward consignment within Great Britain;
- “licensed premises” (“*mangre drwyddedig*”) means premises licensed under article 5(1) of the 2010 Order.

F1 Word in art. 2 substituted (1.12.2022) by The Animal Health (Poultry Compartments and Animal Gatherings) (Fees) (Wales) (Amendment) Order 2022 (S.I. 2022/1156), arts. 1(2), 3(2) (with art. 4)

Commencement Information

I2 Art. 2 in force at 30.6.2018, see art. 1

Fees payable

3.—(1) The fees payable to the Welsh Ministers for the issue, amendment or renewal of a licence under the 2010 Order are to be determined in accordance with Table 1 of the Schedule.

(2) The fees payable to the Welsh Ministers for the issue and renewal of a licence to organise shows or exhibitions under the 2010 Order are to be determined in accordance with Table 2 of the Schedule.

(3) Additional fees related to travel time and extra veterinary visits payable to the Welsh Ministers are to be determined in accordance with Table 3 of the Schedule.

(4) A person is exempt from a licence fee where—

- (a) the animal gathering on premises, or on part of the premises to which the licence relates, involves only a show or exhibition that is open to the public for not more than one day at a time; and
- (b) no public sale or auction of animals takes place at such a show or exhibition.

(5) A person is exempt from fees under this Order where the licence relates to premises, or part of a premises, used solely for the purpose of an animal gathering for inspection to confirm that animals possess specific breed characteristics.

Commencement Information

I3 Art. 3 in force at 30.6.2018, see art. 1

Lesley Griffiths
Cabinet Secretary for Energy, Planning and
Rural Affairs, one of the Welsh Ministers

[F²SCHEDULE

Article 3

F2 Sch. substituted (1.12.2022) by [The Animal Health \(Poultry Compartments and Animal Gatherings\) \(Fees\) \(Wales\) \(Amendment\) Order 2022 \(S.I. 2022/1156\)](#), art. 1(2), **Sch.** (with art. 4)

Table 1

Fees payable for the licensing of premises for animal sales or collection centres that are not exempt under article 3(4) of this Order

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Activity</i>	<i>Fee (£) for applications received, and renewals undertaken, on or before 30th November 2023</i>	<i>Fee (£) for applications received, and renewals undertaken, after 30th November 2023</i>
Application for the issue or (where the premises have been radically changed) amendment of a licence for sale premises or a collection centre where such premises are assessed by a veterinary inspector as presenting a low risk of disease. This fee includes up to 90 minutes of inspection time.	318	379
Application for the issue or (where the premises have been radically changed) amendment of a licence for sale premises or a collection centre, where such premises are assessed by a veterinary inspector as presenting more than a low risk of disease. This fee includes up to 2 x 90 minutes of inspection time.	550	685
Annual licence renewal fee for premises used for animal sales or as a collection centre, where such premises are assessed by a veterinary inspector as presenting a low disease risk requiring only one inspection visit for the determination of the renewal. This fee includes up to 75 minutes of inspection time.	279	340
Annual licence renewal fee for premises used for animal sales or as a collection centre, where such premises are assessed	414	486

Changes to legislation: There are currently no known outstanding effects for the The Animal Gatherings (Fees) (Wales) Order 2018. (See end of Document for details)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Activity</i>	<i>Fee (£) for applications received, and renewals undertaken, on or before 30th November 2023</i>	<i>Fee (£) for applications received, and renewals undertaken, after 30th November 2023</i>
by a veterinary inspector as presenting more than a low disease risk, and therefore requiring two inspection visits for the determination of the renewal. This fee includes up to 2 x 75 minutes of inspection time.		

Table 2

Fees payable for the licensing of premises for shows or exhibitions that are not exempt under article 3(4) of this Order

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Activity</i>	<i>Fee (£) for applications received, and renewals undertaken, on or before 30th November 2023</i>	<i>Fee (£) for applications received, and renewals undertaken, after 30th November 2023</i>
Application for a licence to organise shows or exhibitions on premises assessed by a veterinary inspector as presenting a low risk of disease. This fee includes up to 60 minutes of inspection time.	175	236
Application for a licence to organise shows or exhibitions on premises assessed by a veterinary inspector as presenting more than a low risk of disease. This fee includes up to 90 minutes of inspection time	327	408
Annual licence renewal of show or exhibition premises where a veterinary inspector assesses no inspection visit is required.	130	168
Annual licence renewal of a show or exhibition premises where a veterinary inspector assesses a basic inspection visit is required. This fee includes up to 60 minutes of inspection time.	141	171

Changes to legislation: There are currently no known outstanding effects for the The Animal Gatherings (Fees) (Wales) Order 2018. (See end of Document for details)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Activity</i>	<i>Fee (£) for applications received, and renewals undertaken, on or before 30th November 2023</i>	<i>Fee (£) for applications received, and renewals undertaken, after 30th November 2023</i>
Annual licence renewal of show or exhibition premises where a veterinary inspector assesses more than a basic inspection visit is required. This fee includes up to 60 minutes of inspection time	193	229

Table 3

Additional fees payable for the licensing of premises

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Activity</i>	<i>Fee (£) for veterinary visits undertaken on or before 30th November 2023</i>	<i>Fee (£) for veterinary visits undertaken after 30th November 2023</i>
Extra veterinary visit for the purpose of consideration of an application for a licence, annual renewal of a licence or follow-up non-compliance visit, that includes up to 75 minutes of veterinary inspector time for such visit.	246	318
A veterinary visit for the purpose of consideration of a request for an in year operational change, that includes up to 75 minutes of veterinary inspector time for such visit.	246	318
Additional charge on any visit where the veterinary inspection time exceeds the fixed time provided in this Schedule.	22 per quarter hour or part quarter hour spent	22 per quarter hour or part quarter hour spent
Time spent by a veterinary inspector travelling to and from the licensed premises, or premises proposed to be licensed, for the purpose of licensing activities that are not exempt from fees under article 3(4) of this Order.	22 per quarter hour or part quarter hour spent, up to a maximum of 132	22 per quarter hour or part quarter hour spent, up to a maximum of 132]

Changes to legislation: There are currently no known outstanding effects for the The Animal Gatherings (Fees) (Wales) Order 2018. (See end of Document for details)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order sets out the fees payable to the Welsh Ministers in the field of animal health relating to the licensing of certain animal gatherings in Wales.

The fees are collected by the Animal and Plant Health Agency on behalf of the Welsh Ministers.

The fees are set at 50% of the full cost recovery of costs incurred by the Welsh Ministers in the period from the coming into force of this Order up to and including 30 June 2019, and then set at 100% of the full cost recovery thereafter. The exception is travel time in Table 3 which is set at 100% of the full cost recovery from the coming into force of this Order.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a Regulatory Impact Assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Welsh Government, Cathays Park, Cardiff CF10 3NQ

Changes to legislation:

There are currently no known outstanding effects for the The Animal Gatherings (Fees) (Wales) Order 2018.