

2007 No. 2496 (W.215)

ANIMALS, WALES

ANIMAL HEALTH

**The Zoonoses and Animal By-
Products (Fees) (Wales)
Regulations 2007**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to Wales, make provision for the Welsh Ministers to charge fees for activities required under Commission Regulation (EC) No. 1003/2005, Regulation (EC) No. 2160/2003 and the Animal By-Products (Wales) Regulations 2006. The activities are listed in regulation 3(1).

A regulatory impact assessment of the effect that these Regulations will have has been prepared and is annexed to the Explanatory Memorandum. Copies may be obtained from the Welsh Assembly Government, Cathays Park, Cardiff, CF10 3NQ.

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**The Zoonoses and Animal By-
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Regulations 2007**

Made 28 August 2007

Laid before the National Assembly for Wales

29 August 2007.

Coming into force 24 September 2007

The Welsh Ministers, in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973⁽¹⁾ and now vested in them by section 59(5) of the Government of Wales Act 2006, and with the consent of the Treasury, make the following Regulations.

Title, application and commencement

1.—(1) The title of these Regulations is The Zoonoses and Animal By-Products (Fees) (Wales) Regulations 2007.

(2) These Regulations apply in relation to Wales.

(3) These Regulations come into force on 24 September 2007.

Interpretation

2. In these Regulations—

“the 2006 Regulations” (“*Rheoliadau 2006*”) means the Animal By-Products (Wales) Regulations 2006⁽²⁾;

“the European Regulation” (“*y Rheoliad Ewropeaidd*”) means Regulation (EC) No.

⁽¹⁾ 1973 c.51.

⁽²⁾ S.I. 2006/1293 (W.127).

2160/2003 of the European Parliament and of the Council on the control of salmonella and other specified food-borne zoonotic agents⁽¹⁾;

“official control samples” (*samplau rheoli swyddogol*)” means samples taken under point 2.1.2.2 of the Annex to Commission Regulation (EC) No. 1003/2005 implementing Regulation (EC) No. 2160/2003 as regards a Community target for the reduction of the prevalence of certain salmonella serotypes in breeding flocks of *Gallus gallus* and amending Regulation (EC) No. 2160/2003⁽²⁾.

Fees

3.—(1) The Welsh Ministers may charge such fees as they consider will enable them to meet any reasonable expenses incurred by them in performing the following activities—

- (a) taking or supervising the taking of official control samples;
- (b) examining official control samples;
- (c) processing of an application for approval of a laboratory under regulation 21 of the 2006 Regulations or Article 12 of the European Regulation;
- (d) processing of the approval documentation further to an application referred to in subparagraph (c);
- (e) processing of an annual renewal application from a laboratory approved under regulation 21 of the 2006 Regulations or Article 12 of the European Parliament Regulation;
- (f) inspecting a laboratory for the purpose of regulation 21 of the 2006 Regulations or Article 12 of the European Regulation;
- (g) administering a quality control test under regulation 21 of the 2006 Regulations or Article 12 of the European Regulation.

(2) Fees are payable to the Welsh Ministers by—

- (a) the person in charge of a holding where official control samples are taken in respect of the activities in paragraph (2)(a) and (b); and
- (b) the operator of the laboratory in respect of the activities in paragraph (2)(c) to (g).

⁽¹⁾ OJ No. L325, 12.12.2003, p.1, as last amended by Council Regulation (EC) No.1791/2006 of 20 November 2006.

⁽²⁾ OJ No L 170, 1.7.2005, p.12.

Elin Jones

Minister for Rural Affairs, one of the Welsh Ministers

28 August 2007