

2011 No. 435

ANIMALS

ANIMAL HEALTH

**The Northern Ireland Poultry Health Assurance Scheme (Fees)
Order (Northern Ireland) 2011**

Made - - - - *21st December 2011*

Coming into operation - *1st January 2012*

The Department of Agriculture and Rural Development is designated for the purposes of section 2(2) of the European Communities Act 1972^(a) in relation to the common agricultural policy of the European Union^(b).

The Department of Agriculture and Rural Development makes the following Order in exercise of the powers conferred by Article 8(1),(2) and (5) of the Diseases of Animals (Northern Ireland) Order 1981^(c) and section 2(2) of the European Communities Act 1972 having consulted with the bodies which appeared to it to be substantially representative of the interests concerned and with the approval of the Department of Finance and Personnel.

Citation and commencement

1. This Order may be cited as the Northern Ireland Poultry Health Assurance Scheme (Fees) Order (Northern Ireland) 2011 and shall come into operation on 1st January 2012.

Interpretation

2.—(1) In this Order—

“the Department” means the Department of Agriculture and Rural Development.

Fees

3.—(1) The Schedule shall have effect.

(2) The fees specified in column (2) of the table in Part II of the Schedule shall be paid to the Department by the person specified in column (3) in respect of the activities specified in column (1) and shall be paid within 14 days of demand.

(a) 1972 c.68
(b) S. I. 2000/2812
(c) S.I. 1981/1115 (N.I. 22)

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 21st December 2011



C. McMaster

A senior officer of the Department of Agriculture and Rural Development

Sealed with the Official Seal of the Department of Finance and Personnel on 21st December 2011



Jack Layberry

A senior officer of the Department of Finance and Personnel

PART I

FEES

Registration fee

1.—(1) The Department shall charge a registration fee based on the cost of inspection by a Departmental veterinary inspector and associated administrative costs.

(2) The registration fee shall be payable to the Department in respect of each establishment for which an application is made and shall be non-refundable.

(3) For first time applicants the registration fee will include the first year membership fee.

Annual membership fee

2.—(1) An AVI shall carry out an annual inspection of the establishment.

(2) For inspections carried out by an AVI the cost of the inspection is payable directly to the AVI by the operator.

(3) The administration fee shall be payable to the Department in respect of each establishment and shall be non-refundable.

In this paragraph “AVI” means a private veterinary practitioner authorised by the Department for the purposes of this Order.

Re-inspection fee

3.—(1) The Department shall charge a re-inspection fee based on a case-by-case basis and shall comprise of—

- (a) a charge for the veterinary inspector’s time, which includes—
 - (i) time spent at the operator’s establishment carrying out the re-inspection;
 - (ii) time spent report writing; and
 - (iii) travelling to and from the operator’s establishment,

the rate for which charge will be £48.14 per hour or part thereof; and

- (b) a charge for mileage, that is, for each mile travelled by the veterinary inspector to and from the operator’s establishment in order to carry out the re-inspection, the rate for which is 45 pence per mile.

(2) The re-inspection fee shall become payable to the Department within 14 days of receipt of an invoice for that fee by the operator concerned.

Supplementary audit inspection fee

4.—(1) The Department shall—

- (a) determine the supplementary audit inspection fee on the basis of the cost of a supplementary audit inspection by a veterinary inspector directly employed by the Department and associated administrative costs;
- (b) include the cost of a supplementary audit inspection with the annual membership fee.

(2) The supplementary audit inspection fee shall be payable to the Department in respect of each establishment and shall be non-refundable.

PART II
THE NORTHERN IRELAND POULTRY HEALTH ASSURANCE SCHEME
FEES

Activity (1)	Fee (2)	Fee to be paid by (3)
Registration and 1st year membership	£209.24	The operator of the establishment
Annual membership fee	£9.36	The operator of the establishment
Re-inspection fee	Case-by-case	The operator of the establishment
Supplementary audit inspection fee	£13.48	The operator of the establishment

EXPLANATORY NOTE

(This note is not part of Order)

This Order makes provision for the Department to charge fees for activities required under Council Directive 2009/158/EC (on animal health conditions governing intra-Community trade in, and imports from third countries, of poultry and hatching eggs). The activities and fees are listed in the Schedule.

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STATUTORY RULES OF NORTHERN IRELAND

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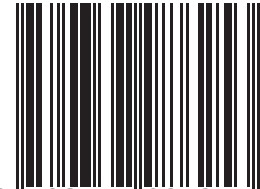
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