EXECUTIVE NOTE

THE ANIMALS AND ANIMAL PRODUCTS (IMPORT AND EXPORT) (SCOTLAND) (NO 2) AMENDMENT REGULATIONS (SSI 2005/502)

The above Instrument was made in exercise of powers conferred by Section 2(2) of the European Communities Act 1972 and section 56 of the Finance Act 1973. The Instrument is subject to negative resolution procedure.

Policy Objectives

The main objective of this Instrument is to provide a statutory basis for the Poultry Health Scheme ("the Scheme") and, accordingly, to enable charges to be made in connection with membership of the Scheme. This will be achieved by amending the Animals and Animal Products (Import and Export) Regulations 2000.

The Scheme implements Article 6(1) of Council Directive 90/539/EEC. This requires that that no one may export to another Member State any hatching eggs, day-old chicks or poultry unless the exporting establishment is a member of an approved monitoring scheme. Currently, although the Scheme is in operation, as it is not on a statutory footing charges cannot be made in respect of the administrative costs associated with membership. .

The Instrument also provides for the approval of laboratories to carry out testing for Mycloplasma infections and associated charges.

Consultation

There has been no formal consultation on these changes but the industry has been kept informed of our intentions and has had the opportunity to comment.

Financial Effects

There are no cost implications for Central Government arising from the making of these Regulations. There will be some additional costs for the industry as they will now have to pay an administration charge. Through our discussions with them the industry is well aware of this and accepts the need for these charges.

Other Amendments

The opportunity has also been taken to update the Regulations to implement Community Instruments relating to intra-Community trade in poultry etc. which have come into force since the principal Regulations were made in 2000.

There are a number of other changes that require to be made to the principal Regulations to implement Community Instruments that have come into force over the past 5 years. It is the intention to pick up all of these in a major revision of the principal Regulations later this year.

Scottish Executive Environment and Rural Affairs Department
October 2005