EXPLANATORY MEMORANDUM TO

THE POULTRY COMPARTMENTS (FEES) (ENGLAND) ORDER 2010

2010 No. 270

1. This explanatory memorandum has been prepared by Defra and is laid before the House of Commons by Command of Her Majesty.

This memorandum contains information for the Select Committee on Statutory Instruments.

2. Purpose of the instrument

2.1 To set fees associated with the implementation of Commission Regulation 616/2009 (which are in turn implemented by the Poultry Compartments (England) Order 2010, and set out a system for approving poultry breeding companies as "compartments" based on strict bio-security controls, which may be considered separately in the event of avian disease outbreaks).

3. Matters of special interest to the [Joint Committee on Statutory Instruments *or* the Select Committee on Statutory Instruments]

3.1 None

4. Legislative Context

4.1 Introducing fees associated with the implementation of the new Commission Regulation (EC) 616/2009.

5. Territorial Extent and Application

5.1 This instrument applies to England.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

- ***What is being done and why***

7.1 Fees are being set for the process of poultry breeding companies gaining approval under Commission Regulation 616/2009 as a compartment based on strict bio-security standards. The Regulation gives companies the option to become approved as a compartment, but none are obliged to do so.

- ***Consolidation***

8. Consultation outcome

8.1 The scheme for which the fees are chargeable, and the fees themselves have been developed in close co-operation with and with the consent of the poultry breeding industry.

9. Guidance

9.1 Systems for payment have been set up.

10. Impact

10.1 The impact on business, charities or voluntary bodies is negligible. Poultry breeding business may subscribe to the scheme set out in Commission Regulation 616/2009 and incur the associated costs set out in this Fees order if they choose, but there is no obligation to do so.

10.2 There is no impact on the public sector.

10.3 An Impact Assessment has not been prepared for this instrument because the scheme for which the fees are chargeable is entirely voluntary.

11. Regulating small business

11.1 The legislation applies to small business, but the scheme to which the fees apply is entirely voluntary and businesses may choose whether or not to subscribe to it.

12. Monitoring & review

12.1 Fees will be revised annually.

13. Contact

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