

SL(5)222 – The Animal Health (Miscellaneous Fees) (Wales) Regulations 2018

Background and Purpose

These Regulations set out fees payable to the Welsh Ministers (collected on their behalf by the Animal and Plant Health Agency) in the field of animal health and replace the existing fees that are set out in the Animal Health (Miscellaneous Fees) (Wales) Regulations 2013.

The Regulations provide for fees payable in relation to:

- activities under Regulation (EC) No 2160/2003 on the control of salmonella and other food-borne zoonotic agents (Regulation 4);
- approvals for the purpose of the poultry health scheme established under Council Directive 2009/158/EC on animal health conditions regarding trade in and imports from third countries of poultry and hatching eggs and the Trade in Animals and Related Products (Wales) Regulations 2011 (Regulation 5);
- approvals for the purpose of obtaining bovine semen in accordance with the Bovine Semen (Wales) Regulations 2008 (Regulation 6);
- approvals for the purpose of obtaining porcine semen in accordance with the Artificial Insemination of Pigs (England and Wales) Regulations 1964 and the Artificial Insemination of Pigs (EEC) Regulations 1992 (Regulation 7);
- approvals for the purpose of collection, production and transfer of bovine embryos in accordance with the Bovine Embryo (Collection, Production and Transfer) Regulations 1995 (Regulation 8); and
- inspection of consignments of live animals at border inspection posts in accordance with the Trade in Animals and Related Products (Wales) Regulations 2011 (Regulation 9).

The fee levels provided for in the Regulations represent full cost recovery of fees and some of the fees are increased from existing fees.

Procedure

Negative.



Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Implications arising from exiting the European Union

These Regulations are made under section 2(2) of the European Communities Act 1972. Regulations 4 and 5 arise from EU obligations under EU Regulation 2160/2003 and Council Directive 2009/158/EC respectively. The other Regulations referred to in these Regulations (see Background and Purpose section of this report) are also derived from EU obligations. These Regulations will therefore form part of retained EU law after exit day.

The Intergovernmental Agreement on the European Union (Withdrawal) Bill and the Establishment of Common Frameworks states that "animal health and traceability" is a policy area likely to be subject to clause 15 regulations under the EU (Withdrawal) Bill. Therefore, the law to which these Regulations relate is likely to be an area of EU law that is frozen while common frameworks are put in place.

Government Response

No government response is required.

Legal Advisers

Constitutional and Legislative Affairs Committee

7 June 2018

