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STATUTORY RULES OF NORTHERN IRELAND

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**2008 No. 456**

**EUROPEAN COMMUNITIES**

**ANIMALS**

**The Scrapie (Fees) Regulations (Northern Ireland) 2008**

*Made - - - - 19th November 2008*

*Coming into operation 1st January 2009*

The Department of Agriculture and Rural Development—

- (a) being a Department designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy of the European Community in exercise of the powers conferred on it by the said section 2(2); and
- (b) in exercise of the powers conferred on it by section 56(1), (2) and (5) of the Finance Act 1973<sup>(3)</sup>; and
- (c) with the consent of the Department of Finance and Personnel in respect of the powers conferred by that section 56,

makes the following Regulations.

**Citation and commencement**

1. These Regulations may be cited as the Scrapie (Fees) Regulations (Northern Ireland) 2008 and shall come into operation on 1st January 2009.

**Commencement Information**

II [Reg. 1](#) in operation at 1.1.2009, see [reg. 1](#)

**Interpretation**

2.—(1) In these regulations—

“the Community TSE Regulation” means Regulation [\(EC\) No 999/2001](#) of the European Parliament and of the Council laying down rules for the prevention, control and eradication

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(1) [S.I. 2000/2812](#)  
(2) [1972 c 68](#)  
(3) [1973 c 51](#)

**Changes to legislation:** *The Scrapie (Fees) Regulations (Northern Ireland) 2008 is up to date with all changes known to be in force on or before 08 February 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

of certain transmissible spongiform encephalopathies [<sup>F1</sup>, as last amended by [<sup>F2</sup>Commission Regulation (EU) [<sup>F3</sup>2020/1593]] 9](4);

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

(2) Expressions that are not defined in these Regulations and occur in the Community TSE Regulation have the same meaning in these Regulations as they have for the purposes of the Community TSE Regulation.

(3) The Interpretation Act (Northern Ireland) 1954(5) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

- F1** Words in [reg. 2\(1\)](#) inserted (11.4.2019) by [The Animal Health and Welfare \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/82\)](#), [reg. 1](#), [Sch. 4 para. 9](#)
- F2** Words in [reg. 2\(1\)](#) substituted (30.10.2019) by [The Animal Health and Welfare \(Amendment\) \(No. 2\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/197\)](#), [reg. 1](#), [Sch. 2 para. 2](#)
- F3** Word in [reg. 2\(1\)](#) substituted (31.12.2020) by [The Animals \(Health, Identification, Trade and Veterinary Medicines\) \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/353\)](#), [regs. 1\(3\), 4](#)

#### Commencement Information

- I2** [Reg. 2](#) in operation at 1.1.2009, see [reg. 1](#)

#### Appointment of competent authority

3. The Department is the competent authority for the purposes of the Community TSE Regulation.

#### Commencement Information

- I3** [Reg. 3](#) in operation at 1.1.2009, see [reg. 1](#)

#### Fees

4.—(1) Where the Department carries out an activity mentioned in column (2) of the Schedule for the purposes of ascertaining whether animals fulfil the requirements of [<sup>F4</sup>Point 1 of Section A] of Annex VIII to the Community TSE Regulation, there shall be payable to it the fee specified in column (3) opposite the activity.

(2) The fees referred to in paragraph (1) shall be payable by the person in charge of a holding who requests the Department to carry out the activity in question.

(3) The fee shall be payable to the Department at the time the request referred to in paragraph (2) is made.

- F4** Words in [reg. 4\(1\)](#) substituted (11.4.2019) by [The Animal Health and Welfare \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/82\)](#), [reg. 1](#), [Sch. 4 para. 10](#)

#### Commencement Information

- I4** [Reg. 4](#) in operation at 1.1.2009, see [reg. 1](#)

(4) O.J. No. L 147, 31.5.2001, p. 1, as last amended by [Commission Regulation \(EC\) No. 727/2007](#) (O.J. No. L 165, 27.6.2007, p.8)

(5) 1954 c. 33 (N.I.)

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 19th November 2008



*John Speers*  
A senior officer of the Department of Agriculture  
and Rural Development

Sealed with the Official Seal of the Department of Finance and Personnel on 19th November 2008



*Jack Layberry*  
A senior officer of the Department of Finance  
and Personnel

**Changes to legislation:** *The Scrapie (Fees) Regulations (Northern Ireland) 2008 is up to date with all changes known to be in force on or before 08 February 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make provision for the Department to charge a fee to meet the costs incurred by it for activities required, as regards scrapie, under point 1(a)(ii) of Part I of Chapter A of Annex VIII to the Community TSE Regulation which specifies the conditions for intra-Community trade in live animals, semen and embryos.

The Regulations provide that the Department is the competent authority for the purposes of the Community TSE Regulation.

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- Sch. substituted by [S.R. 2010/57 Sch.](#)
- reg. 4(1) text amended by [S.R. 2010/57 reg. 3\(2\)](#)