STATUTORY RULES OF NORTHERN IRELAND

2009 No. 326

ANIMALS

ANIMAL HEALTH

The Zoonoses and Animal By-Products (Fees) (Amendment) Regulations (Northern Ireland) 2009

Made - - - -	*25th September 2009*
Coming into operation	*22nd October 2009*

The Department of Agriculture and Rural Development is a department designated (**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the common agricultural policy of the European Community.

These Regulations make provision for a purpose mentioned in section 2(2) of that Act and it appears to the Department that it is expedient for references to Regulation (EC) No 2160/2003 of the European Parliament and of the Council on the control of salmonella and other specified food-borne zoonotic agents(**3**) and for certain provisions of other Community instruments to be construed as references to that Regulation and those provisions as amended from time to time.

The Department of Agriculture and Rural Development makes the following Regulations in exercise of the powers conferred by section 2(2) of, as read with paragraph 1A of Schedule 2(**4**) to, the European Communities Act 1972 and section 56(1), (2) and (5) of the Finance Act 1973(**5**).

In accordance with section 56(1) and (5) of the Finance Act 1973, the Department of Finance and Personnel consents to the making of these Regulations.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Zoonoses and Animal By-Products (Fees) (Amendment) Regulations (Northern Ireland) 2009 and shall come into operation on 22nd October 2009.

(2) The Interpretation Act (Northern Ireland) 1954(**6**) applies to these Regulations as it applies to an Act of the Assembly.

(**1**) S.I. 2000/2812
(**2**) 1972 c 68
(**3**) O.J. No.L 325, 12.12.2003, p.1 as last amended by Commission Regulation (EC) No. 213/2009
(**4**) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c.51).
(**5**) 1973 c. 51.
(**6**) 1954 c. 33 (N.I.)

Amendment of the Zoonoses and Animal By-Products (Fees) Regulations (Northern Ireland) 2008

2.—(1) The Zoonoses and Animal By-Products (Fees) Regulations 2008(**7**) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 2(1) (interpretation)—

(a) for the definition of "the European Regulation" substitute—

> ""the European Regulation" means Regulation (EC) No. 2160/2003 of the European Parliament and of the Council on the control of salmonella and other specified food-borne zoonotic agents as last amended by Commission Regulation (EC) No. 213/2009 and as amended from time to time;"

(b) for the definition of "official control samples" substitute—

> ""official control samples" means samples taken by the Department under—
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> (i) point 2.1.2.2 of the Annex to Commission Regulation (EC) No. 1003/2005 implementing Regulation (EC) No. 2160/2003 as regards a Community target for the reduction of the prevalence of certain salmonella serotypes in breeding flocks of *Gallus gallus* and amending Regulation (EC) No. 2160/2003 as last amended by Commission Regulation (EC) No. 213/2009 and as amended from time to time; or
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> (ii) point 2.1 of the Annex to Commission Regulation (EC) No. 1168/2006 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of certain salmonella serotypes in laying hens of *Gallus gallus* and amending Regulation (EC) No. 1003/2005 as amended from time to time; or
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> (iii) point 1 of the Annex to Commission Regulation (EC) No. 646/2007 implementing Regulation (EC) No. 2160/2003 as regards a Community target for the reduction of the prevalence of *Salmonella enteritidis* and *Salmonella typhimurium* in broilers and repealing Regulation (EC) No. 1091/2005 as amended from time to time.".

(c) omit the definition of "the Scheme".

(3) For regulation 3 (fees) substitute—

"**Fees**

3. The fees specified in column (2) 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.".

(4) For the Schedule substitute the Schedule set out in the Schedule.

(**7**) S.R.2008 No. 359