STATUTORY RULES OF NORTHERN IRELAND

2005 No. 556

FOOD

Meat (Examinations for Residues) (Charges) Regulations (Northern Ireland) 2005

Made - - - - 13th December 2005

Coming into operation 1st January 2006

The Department of Agriculture and Rural Development(**1**), being a Department designated(**2**) for the purposes of section 2(2) of the European Communities Act 1972(**3**) 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 of every other power enabling it in that behalf, after consultation as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(**4**), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Meat (Examinations for Residues) (Charges) Regulations (Northern Ireland) 2005 and shall come into operation on 1st January 2006.

Interpretation

2.—(1) In these Regulations—

"the Department" means the Department of Agriculture and Rural Development;

"meat" has the meaning given to it in point 1.1 of Annex I to Regulation 853/2004;

"operator" means a food business operator who is carrying on the business of a slaughterhouse or his duly authorised representative;

"published", in relation to rates of conversion of the Euro, means published annually in the C Series of the Official Journal of the European Communities normally on the first working day of the month of September;

(**1**) Formerly the Department of Agriculture for Northern Ireland; *see*S.I.1999/283 (N.I. 1) Article 3(4)
(**2**) S.I. 2003/2812
(**3**) 1972 c. 68
(**4**) O.J. No. L31, 1.2.2002, p. 1. That Regulation was last amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council (O.J. No. L245, 29.9.2003, p. 4)

"Regulation 853/2004" means Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin(**5**);

"residues examination charge" means the charge under regulation 5;

"the Residues Regulations" means the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) Regulations (Northern Ireland) 1998(**6**);

"slaughterhouse" has the meaning given to it in point 1.16 of Annex I to Regulation 853/2004; and

"verify" means checking, by examination and the provision of objective evidence.

(2) The Interpretation Act (Northern Ireland) 1954(**7**) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Euro conversion

3.—(1) Any amount expressed in these Regulations as a number of Euros shall be converted to sterling at the official rate.

(2) The official rate is, in relation to each calendar year, the rate published in the preceding calendar year.

Duty to charge for residues examinations

4. The Department shall make a charge in respect of functions performed by it at a slaughterhouse in relation to examinations for the presence of residues for the purposes of the Residues Regulations.

Residues Examination charge

5. The residues examination charge to be levied by the Department in accordance with regulation 4 shall be 1.35 Euros per tonne of meat.

Liability for and recovery of charges

6.—(1) A charge made by the Department under these Regulations shall be payable to it.

(2) A charge payable to the Department under these Regulations shall be payable by the operator of the slaughterhouse in relation to which the charge arises.

(3) A charge payable to the Department under these Regulations shall be recoverable by it as a civil debt.

Determination and variation of charges

7.—(1) Charges under these Regulations shall be fixed by the Department in accordance with the provisions of these Regulations.

(2) Before determining and, subject to paragraph (3), before varying charges under these Regulations the Department shall give any person who appears to it to be affected notice in writing—

(a) of the charges that it proposes to fix; and

(b) of the date on which they are to commence.

(**5**) O.J. No. L139, 30.4.2004, p. 55. The revised text of Regulation (EC) No. 853/2004 is now set out in a Corrigendum (O.J. No. L226, 25.6.2004, p. 22)
(**6**) S.R.1998 No. 237
(**7**) 1954 c. 33 (N.I.)