
W E L S H S T A T U T O R Y
I N S T R U M E N T S

2024 No. 967 (W. 162)

FOOD, WALES

**The Charges for Residues
Surveillance (Amendment) (Wales)
Regulations 2024**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Charges for Residues Surveillance Regulations 2006 (“the 2006 Regulations”) in relation to Wales.

These Regulations amend regulations 2, 3 and 4 of the 2006 Regulations to substitute the Secretary of State with competent authorities in Wales. The amendments made by these Regulations will enable the competent authorities performing official controls to recover the charge incurred in carrying out the inspections and controls in relation to surveillance of animals and animal products for residues of veterinary medicinal products and other substances.

Regulation 2(4) amends the enforcement provisions of the 2006 regulations to confer functions in respect of enforcement on the Welsh Ministers.

These Regulations also vary the fees required to be paid in respect of the surveillance of animals and animal products for residues of veterinary medicinal products and other substances.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

W E L S H S T A T U T O R Y
I N S T R U M E N T S

2024 No. 967 (W. 162)

FOOD, WALES

**The Charges for Residues
Surveillance (Amendment) (Wales)
Regulations 2024**

Made 18 September 2024

Laid before Senedd Cymru 20 September 2024

Coming into force 1 October 2024

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 6(4), 45 and 48(1)(b) and (c) of the Food Safety Act 1990⁽¹⁾ and now vested in them⁽²⁾.

In accordance with section 48(4A)⁽³⁾ of that Act, the Welsh Ministers have had regard to advice given by the Food Standards Agency on the proposal to make these Regulations.

There has been 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

(1) 1990 c. 16. Section 6(4) was amended by paragraph 6 of Schedule 9 to the Deregulation and Contracting Out Act 1994 (c. 40), paragraph 10(1) and (3)(a) and (b) of Schedule 5, and Schedule 6 to the Food Standards Act 1999 (c. 28) ("the 1999 Act") and Schedule 2 to S.I. 2002/794. Sections 45(1) and (2) and 48(1) of the Act were amended by paragraphs 7, 8 and 20 of Schedule 5 to the 1999 Act.

(2) The functions, formerly exercisable by "the Ministers", so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) as read with section 40(3) of the 1999 Act. Those functions are now exercisable by the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

(3) Section 48(4A) was inserted by paragraph 21 of Schedule 5 to the Food Standards Act 1999 (c. 28).

the European Food Safety Authority and laying down procedures in matters of food safety⁽¹⁾.

Title, application and coming into force

1.—(1) The title of these Regulations is the Charges for Residues Surveillance (Amendment) (Wales) Regulations 2024.

(2) These Regulations apply in relation to Wales.

(3) These Regulations come into force on 1 October 2024.

Amendment to the Charges for Residues Surveillance Regulations 2006

2.—(1) The Charges for Residues Surveillance Regulations 2006⁽²⁾ are amended as follows.

(2) In regulation 2 (interpretation)—

(a) after the definition of “carcase” insert—

““competent authority” has the meaning given in Article 3(3)(a) of the Official Controls Regulation;”;

(b) before the definition of “animal” insert—

““the Official Controls Regulation” means Regulation 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products⁽³⁾;”.

(3) In regulation 3 (liability for and recovery of charges for residues surveillance)—

(a) for paragraph (1) substitute—

“(1) In respect of the costs incurred by a competent authority in carrying out the official controls required by Article 150(1) of the Official Controls Regulation on the animals, fish and animal products listed in the first column of Schedule 1, the competent authority must, except where paragraph (7) applies—

(a) for animals slaughtered, wild game prepared, fish marketed, milk collected or eggs packed within the period beginning with 1 October 2024 and ending with 31 March 2025, charge the amount specified in the relevant entry

(1) EUR 2002/178, to which there are amendments not relevant to these Regulations.

(2) S.I. 2006/2285, amended by S.I. 2007/2439, 2008/2999, 2009/2779 and 2011/2945.

(3) EUR 2017/625. Article 3(3)(a) was amended by S.I. 2020/1481, 2022/1315.

in the second column of that Schedule,
and

(b) for animals slaughtered, wild game prepared, fish marketed, milk collected or eggs packed on or after 1 April 2025, charge the amount specified in the relevant entry in the third column of that Schedule.”;

(b) in paragraph (2)—

(i) for “the Secretary of State” substitute “the competent authority”;

(ii) for “him”, in both places it occurs, substitute “the competent authority”;

(c) in paragraph (5)—

(i) for “The Secretary of State” substitute “A competent authority”;

(ii) for “he” substitute “the competent authority”;

(iii) for “his” substitute “the”;

(d) in paragraph (6)—

(i) in the words before sub-paragraph (a)—

(aa) for “If the Secretary of State” substitute “If a competent authority”;

(bb) for “he” substitute “the competent authority”;

(ii) in sub-paragraph (c), for “he” substitute “the competent authority”;

(e) in paragraph (8)—

(i) for “the Secretary of State” substitute “a competent authority”;

(ii) for “his agent” substitute “the competent authority’s agent”;

(iii) for “his inspection” substitute “the inspection”;

(f) in paragraph (9)—

(i) in the words before sub-paragraph (a), for “Secretary of State” substitute “competent authority”;

(ii) in sub-paragraph (c), for “he” substitute “the competent authority”;

(g) omit paragraph (10).

(4) In regulation 4 (information, offences and enforcement)—

(a) in paragraph (1)—

(i) in the words before sub-paragraph (a), for “the Secretary of State” substitute “a competent authority”;

- (ii) in sub-paragraph (a), for “Secretary of State” substitute “competent authority”;
- (iii) in sub-paragraph (b), for “the Secretary of State requires to enable him” substitute “a competent authority requires”;
- (b) in paragraph (3)—
 - (i) for “the Secretary of State” substitute “a competent authority”;
 - (ii) for “him” substitute “the competent authority”;
- (c) for paragraph (4) substitute—

“(4) These Regulations are enforced by the Welsh Ministers.”
- (5) For Schedule 1 (Residues Surveillance charges)(1) substitute—

Regulation 3(1)

“SCHEDULE 1
Residues Surveillance Charges

<i>Type of creature or animal product</i>	<i>Charge (£) from 1 October 2024 to 31 March 2025</i>	<i>Charge (£) from 1 April 2025</i>
Bovine	0.7007 per carcass	0.7617 per carcass
Goat	0.0691 per carcass	0.0751 per carcass
Sheep	0.0691 per carcass	0.0751 per carcass
Soliped	0.04287 per carcass	0.4660 per carcass
Swine	0.0676 per carcass	0.0735 per carcass
Game and wild game	1.0461 per tonne	1.0461 per tonne
Poultry	0.5917 per tonne	0.6432 per tonne
Eggs	0.0206 per case of 360	0.0206 per case of 360
Milk	0.0373 per 1000 litres	0.0405 per 1000 litres
Fish other than trout	2.1660 per tonne of marketed product	2.3546 per tonne of marketed product
Trout	2.5963 per tonne of fish	2.8222 per tonne of fish

(1) Schedule 1 was substituted by S.I. 2011/2945.

food food”.

Huw Irranca-Davies

Deputy First Minister and Cabinet Secretary for
Climate Change and Rural Affairs, one of the Welsh
Ministers.

18 September 2024