



STATUTORY INSTRUMENTS.

S.I. No. 216 of 2009

FINANCIAL EMERGENCY MEASURES IN THE PUBLIC INTEREST
(REDUCTION IN PAYMENTS TO VETERINARY PRACTITIONERS)
REGULATIONS 2009

(Prn. A9/0799)

FINANCIAL EMERGENCY MEASURES IN THE PUBLIC INTEREST
(REDUCTION IN PAYMENTS TO VETERINARY PRACTITIONERS)
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I, BRENDAN SMITH, Minister for Agriculture, Fisheries and Food, in exercise of the powers conferred on me by sections 9 and 10 of the Financial Emergency Measures in the Public Interest Act 2009 (No. 5 of 2009), having complied with subsections (4) and (7) of section 9 and subsections (4) and (5) of section 10, with the consent of the Minister for Finance hereby make the following regulations:

1. These Regulations may be cited as the Financial Emergency Measures in the Public Interest (Reduction in Payments to Veterinary Practitioners) Regulations 2009.

2. In these Regulations “veterinary practitioner” means a person registered under Part 4 of the Veterinary Practice Act 2005 (No. 22 of 2005).

3. These Regulations do not apply to a veterinary practitioner who does not engage electronically with the Department of Agriculture Fisheries and Food through the Animal Health Computer System.

4. (1) These Regulations shall apply to payments made to—

(a) a veterinary practitioner in respect of services duly rendered at—

(i) an export approved meat plant,

(ii) a port, or

(iii) an airport,

and include any service so rendered as a consequence of special leave provisions.

(b) a veterinary practitioner in respect of services rendered under a Bovine TB and Brucellosis Eradication scheme.

(2) In this Regulation—

“airport” means Dublin Airport, Shannon Airport and Cork Airport, within the meanings respectively assigned by the State Airports Act 2004 (No. 32 of 2004);

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 19th June, 2009.*

“Bovine TB and Brucellosis Eradication scheme” means a scheme under—

- (a) the Bovine Tuberculosis (Attestation of the State and General Provisions) Order 1989 (S.I. No. 308 of 1989), or
- (b) the Brucellosis in Cattle (General Provisions) Order 1991 (S.I. No. 114 of 1991);

“export approved meat plant” means a meat plant registered as a food business in accordance with Regulation 3(1) of the European Communities (Food and Feed Hygiene) Regulations 2005 (S.I. No. 910 of 2005);

“port” means the harbour (within the meaning of the Harbours Act 1996 (No. 11 of 1996)) under the management, control, operation and development of Dublin Port Company, Dún Laoghaire Harbour Company or Port of Waterford Company, as the case may be;

“special leave provisions” means provisions provided for—

- (a) by Regulations made under the Maternity Protection Acts 1994 and 2004, or
- (b) under any of the following circulars issued by the Department of Finance:
 - (i) Circular 18/1998: Special Leave without pay for career break (Reference No. E109/92/84);
 - (ii) Circular 31/2001: Civil Service Worksharing Scheme (Reference No. E109/103/97);
 - (iii) Circular 13/2009: Special Civil Service Incentive Career Break Scheme 2009 (Reference No. E109/28/09);
 - (iv) Circular 14/2009: Shorter Working Year Scheme (Reference No. E109/27/09);
 - (v) any other circular to the extent that it amends, or has like effect as, a circular referred to in this paragraph.

5. (1) In respect of each time a service referred to in Regulation 4(1)(a) is rendered between 1 June 2009 and 31 December 2009, the amount to be paid shall be at the appropriate rate as set out in the second column of Part 1 of the Schedule opposite the reference in the first column to the veterinary practitioners concerned.

(2) In respect of each time a service referred to in Regulation 4(1)(b) is rendered between 1 June 2009 and 31 December 2009 to the extent specified in Part 2 of the Schedule, the amount to be paid shall be at the appropriate rate as set out in that Part in respect of the extent so specified.

6. (1) In respect of each time a service referred to in Regulation 4(1)(a) is rendered on or after 1 January 2010, the amount to be paid shall be at the rate as set out in the second column of Part 3 of the Schedule opposite the reference in the first column to the veterinary practitioners concerned.

(2) In respect of each time a service referred to in Regulation 4(1)(b) is rendered on or after 1 January 2010 to the extent specified in Part 4 to the Schedule, the amount to be paid shall be at the appropriate rate as set out in that Part in respect of the extent so specified.

7. Where a veterinary practitioner who for services rendered—

(a) between 1 March 2009 and 31 May 2009 is or has been paid at the rate of €78.73, and

(b) between 1 June 2009 and 31 December 2009 is payable at the rate of €69.73,

and the aggregate of the amounts paid or payable to which paragraphs (a) and (b) relate would be less than the amount payable to him or her had the services rendered during the 2 periods concerned been paid at the rate of €72.43, then there shall be paid to the veterinary practitioner the amount of the difference.

SCHEDULE

Part 1

Hourly rates for services rendered between 1 June 2009
and 31 December 2009

Category	New Hourly rate (€)
A veterinary practitioner in respect of whom an hourly rate of €78.73 was or is payable for services rendered between 1 March 2009 and 31 May 2009 and that rate was or is paid in respect of that period.	69.73
All other veterinary practitioners to whom these Regulations relate.	72.43

Part 2

Rates for tests and sampling carried out between 1 June 2009
and 31 December 2009

Animals tested or sampled	Rate, per animal tested, payable for tuberculosis skin test	Additional rate, per animal, for combined tuberculosis skin test and brucellosis sampling	Rate, per animal, payable for brucellosis sampling only
	€	€	€
1st animal	47.307	0	26.272
2nd to the 7th animal	3.866	0	3.672
8th and the 9th animal	3.866	2.334	3.672
10th to the 29th animal	3.350	2.334	2.124
30th and each additional animal	2.813	2.334	1.863
Minimum Fee	47.307	0	26.272
No stock visit fee	23.653	0	0
Blood handling fee	0	0	10.497

Part 3

Hourly rate for services rendered on or after 1 January 2010

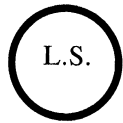
Category	New Hourly rate (€)
All veterinary practitioners to whom these Regulations relate	72.43

Part 4

Rates for tests and sampling carried out on or after 1 January 2010

Animals tested or sampled	Rate, per animal tested, payable for tuberculosis skin test	Additional rate, per animal, for combined tuberculosis skin test and brucellosis sampling	Rate, per animal, payable for brucellosis sampling only
	€	€	€
1st animal	48.930	0	27.173
2nd to the 7th animal	3.998	0	3.798
8th and the 9th animal	3.998	2.414	3.798
10th to the 29th animal	3.465	2.414	2.197
30th and each additional animal	2.909	2.414	1.927
Minimum Fee	48.930	0	27.173
No stock visit fee	24.464	0	0
Blood handling fee	0	0	10.857

The Minister for Finance consents to the making of the foregoing Regulations.



GIVEN under the Official Seal of the Minister for Finance,
29 May 2009

BRIAN LENIHAN.

A person authorised under section 15 of the Ministers and Secretaries Act 1924 to authenticate the Seal of the Minister for Finance.



GIVEN under the Official Seal of the Minister for Agriculture,
Fisheries and Food,
29 May 2009

TONY BURKE.

A person authorised under section 15 of the Ministers and Secretaries Act 1924 to authenticate the Seal of the Minister for Agriculture, Fisheries and Food.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Regulations provide for a reduction of payments to veterinary practitioners in respect of services rendered to or on behalf of the Minister for Agriculture, Fisheries and Food. These Regulations do not apply to a veterinary practitioner who does not engage electronically with the Department of Agriculture, Fisheries and Food through the Animal Health Computer System.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
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TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
nó tríd an bpost ó
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