

**DRAFT LETTER FROM HSC CHAIR TO THE MINISTER**

**PROPOSALS FOR THE BIOCIDAL PRODUCTS (AMENDMENT) REGULATIONS 2005**

At its meeting on 26 July 2005 the Health and Safety Commission agreed that these draft regulations should be recommended to you. They correct an error in the statutory charging regime under which an annual levy is imposed on the biocidal products industry. People currently supplying biocidal products (broadly, non-agricultural pesticides, disinfectants and preservatives) to the UK market should be paying the levy, but have been accidentally excluded. The charge is an essential part of our implementation of the Biocidal Products Directive 98/8/EC, and the correction is necessary if we are not remain in breach of Community law and endure a shortfall in our recovery of costs.

The submission and regulatory impact assessment accompanying this letter explain that the amendment merely puts in place the charging regime that everyone already assumed to exist, and that it will therefore not perturb the industry. Some money had been collected from the excluded group before the error was spotted, and it has been repaid.

The levy arrangements were set up on a UK-wide basis by an amendment in 2003 that simultaneously altered the principal regulations in Great Britain and Northern Ireland. The present proposal works in the same way.

May I invite you to consider the proposals and if content to approve the amending regulations.

Chairman

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