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WELSH STATUTORY INSTRUMENTS

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**2001 No. 2533 (W.210)**

**SEEDS, WALES**

**The Seeds (Fees) (Amendment) (Wales) Regulations 2001**

*Made* - - - - *10th July 2001*

*Coming into force* - - *16th July 2001*

The National Assembly for Wales, in relation to Wales, in exercise of the powers conferred by sections 16(1) and (1A)(e) and 36 of the Plant Varieties and Seeds Act 1964(1) after consultation in accordance with the said section 16(1) with representatives of such interests as appear to it to be concerned, hereby makes the following Regulations:

**Title, commencement and application**

1. These Regulations may be cited as the Seeds (Fees) (Amendment) (Wales) Regulations 2001, shall apply to Wales and shall come into force on 16th July 2001.

**Amendment**

2. For Schedules 1 to 6 to the Seeds (Fees) Regulations 1985(2) there shall be substituted the Schedules set out in the Schedule to these Regulations.

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(1) 1964 c. 14; section 16 was amended by the European Communities Act 1972 (c. 68) section 4(1) and Schedule 4, paragraph 5(1), (2) and (3); see section 38(1) (as amended by S.I. 1978/272) for a definition of “the Minister”. Under the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272), article 2(1) and Schedule 1, the functions of the Minister of Agriculture, Fisheries and Food under the Plant Varieties and Seeds Act 1964 were, so far as they are exercisable in relation to Wales, transferred to the Secretary of State; and under article 2(a) and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (SI 1999/672) these functions, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales.

(2) S.I. 1985/981; relevant amending instruments are S.I. 1990/610 and 1999/1553 and 1865.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(3)

10th July 2001

*John Marek*  
The Deputy Presiding Officer of the National  
Assembly

## SCHEDULE

Regulation 2

**PROVISIONS TO BE SUBSTITUTED FOR THE SCHEDULES TO THE SEEDS (FEES) REGULATIONS 1985**

## “SCHEDULE 1

Regulation 3

**MATTERS ARISING UNDER THE CEREAL SEEDS REGULATIONS 1993(4)**

(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	(4) <i>Old fee</i> £ (5)
<i>Initial fees</i>	On application for registration		
<b>A.</b> Initial fee per hectare or part thereof for crops intended to produce:			
(i) pre-basic or basic seed		25.85	(24.60)
(ii) certified seed of the first generation of wheat, durum wheat, spelt wheat, barley, triticale and oats or certified seed of rye and maize		6.50	(6.20)
(iii) certified seed of the second generation of wheat, durum wheat, spelt wheat, barley and oats		5.80	(5.50)
<i>Crop inspection fees</i>	On application	12.90	(12.30)
<b>B.</b> Fee for official examination or re-examination of crops intended to produce pre-basic or basic seed, per hectare or part thereof examined.			

(4) **S.I. 1993/2005, amended by S.I. 1995/1482, 1997/616 and 1999/1860.**

(5) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001; where no figure is stated no fee was previously charged for the matter.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	(4) <i>Old fee</i> £ <i>(5)</i>
Fee for official examination or re-examination of crops produced from seed of a variety entered for but not added to the National List (or to the equivalent list in another Member State) intended to produce certified seed, certified seed of the first generation or certified seed of the second generation, per hectare or part thereof examined.	On application	12.90	( — )
<i>Seed lot fee</i>	On application		
C. Fee for the issue of an official certificate (other than in the circumstances described under F. below) in respect of a seed lot entered as:—			
(i) breeder's, pre-basic or basic seed, certified seed of the first generation of wheat, durum wheat, spelt wheat, barley, triticale, oats or certified seed of rye and maize		42.70	(40.65)
(ii) certified seed of the second generation of wheat, durum wheat, spelt wheat, barley and oats		21.30	(20.30)

(5) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001; where no figure is stated no fee was previously charged for the matter.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	(4) <i>Old fee</i> £ (5)
<i>Seed testing fees</i> <b>D.</b> Fee for an official examination of seed for loose smut infection of wheat, durum wheat, spelt wheat and barley (per thousand embryos examined)	Within one month of demand by or on behalf of the the appropriate Minister	37.50	(35.70)
<i>Fees for additional tests</i> <b>E.</b> Fee for a Tetrazolium seed viability test in C1 Winter Wheat and C1 Winter Barley	Within one month of demand by or on behalf of the appropriate Minister	44.00	(41.90)
<i>Seed lot re-entry fee</i> <b>F.</b> Fee for the issue of an official certificate in respect of a seed lot which was entered for one category and has been withdrawn and is being re-entered as:—	On application		
(i) pre-basic or basic seed, certified seed of the first generation of wheat, durum wheat, spelt wheat, barley, triticale and oats or certified seed of rye and maize		29.85	(28.45)
(ii) certified seed of the second generation of wheat, durum wheat, spelt wheat, barley and oats		14.90	(14.20)

(5) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001; where no figure is stated no fee was previously charged for the matter.

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## SCHEDULE 2

Regulation 3

## MATTERS ARISING UNDER THE FODDER PLANT SEEDS REGULATIONS 1993(6)

(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	(4) <i>Old fee</i> £(7)
<i>Initial fees</i>	On application for registration		
<b>A.</b> Initial fee per hectare or part thereof for crops intended to produce:			
(i) pre-basic or basic seed of—			
(a) grasses, legumes (except field beans and field peas) and crucifers		19.45	(18.50)
(b) field beans and field peas		16.80	(16.00)
(ii) certified seed of grasses, legumes (except field beans and field peas) and crucifers		9.10	(8.65)
(iii) certified seed of the first and second generation of field beans and field peas		7.75	(7.40)
<i>Crop inspection fee</i>	On application	12.90	(12.30)
<b>B.</b> Fee for official examination or re-examination of crops intended to produce pre-basic or basic seed, per hectare or part thereof examined (including crops of			

(6) S.I. 1993/2009, amended by S.I. 1993/2529, 1996/1453, 1997/616 and 1999/1864.

(7) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001; where no figure is stated no fee was previously charged for the matter.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	(4) <i>Old fee</i> £(7)
hybrid swede rape and hybrid turnip rape).			
Fee for official examination or re-examination of crops produced from seed of a variety entered for but not added to the National List (or the equivalent list in another Member State) intended to produce certified seed of grasses, legumes (except field beans and field peas) and crucifers or certified seed of the first generation and certified seed of the second generation of field beans and field peas per hectare or part thereof examined.	On application	12.90	(—)
<i>Seed lot fee</i>	On application		
C. Fee for the issue of an official certificate (other than in the circumstances described under D. below) in respect of a seed lot entered as:—			
(i) breeder's seed of—			
(a) grasses, legumes (except field beans and field peas) and crucifers		34.95	(33.30)
(b) field beans and field peas		56.90	(54.20)
(ii) pre-basic or basic seed of—			

(7) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001; where no figure is stated no fee was previously charged for the matter.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	(4) <i>Old fee</i> £(7)
(a) grasses, legumes (except field beans and field peas) and crucifers		66.00	(62.85)
(b) field beans and field peas		56.90	(54.20)
(iii) certified seed of grasses, legumes (except field beans and field peas) and crucifers		66.00	(62.85)
(iv) certified seed of the first and second generation of field beans and field peas		53.05	(50.50)
(i) commercial seed of the kinds for the time being specified in regulation 3(3) of the Fodder Plant Seeds Regulations 1993		58.20	(55.45)
<i>Seed lot re-entry fee</i>	On application		
<p><b>D.</b> Fee for the issue of an official certificate in respect of a seed lot which was entered for one category and has been withdrawn and is being re-entered as:—</p>			
(i) pre-basic or basic seed of—			
(a) grasses, legumes (except field beans and field peas) and crucifers		46.20	(44.00)

(7) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001; where no figure is stated no fee was previously charged for the matter.



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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	(4) <i>Old fee</i> £(7)
(b) field beans and peas		39.85	(37.97)
(ii) certified seed of grasses, legumes (except field beans and field peas) and crucifers		46.20	(44.00)
(iii) certified seed of the first and second generation of field beans and peas		37.10	(35.35)
(iv) commercial seed of the kinds for the time being specified in regulation 3(3) of the Fodder Plant Seeds Regulations 1993		40.75	(38.80)

### SCHEDULE 3

Regulation 3

#### MATTERS ARISING UNDER THE OIL AND FIBRE PLANT SEEDS REGULATIONS 1993(8)

(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>fee</i>	(4) <i>Old fee</i> £(9)
<i>Initial fees</i> A. Initial fee per hectare or part thereof for crops intended to produce:	On application for registration		

(7) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001; where no figure is stated no fee was previously charged for the matter.

(8) S.I. 1993/2007, amended by S.I. 1994/1423, 1996/1451, 1997/616 and 1999/1862.

(9) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001; where no figure is stated no fee was previously charged for the matter.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>fee</i>	(4) <i>Old fee</i> £(9)
(i) pre-basic or basic seed		28.50	(27.15)
(ii) all other categories of seed		13.60	(12.95)
<i>Crop inspection fees</i>	On application	12.90	(12.30)
<p><b>B. Fee for official examination or re-examination of crops intended to produce pre-basic or basic seed, per hectare or part thereof examined.</b></p>			
<i>Fee for official examination or re-examination of crops produced from seed of a variety entered for but not added to the National List (or to the equivalent list in another Member State) intended to produce certified seed, certified seed of the first generation, certified seed of the second generation or certified seed of the third generation, per hectare or part thereof examined.</i>	On application	12.90	( — )
<i>Seed lot fee</i>	On application		
<p><b>C. Fee for the issue of an official certificate (other than in the circumstances described under E. below) in respect of a seed lot entered as:—</b></p>			

(9) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001; where no figure is stated no fee was previously charged for the matter.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>fee</i>	(4) <i>Old fee</i> £(9)
(i) breeder's, pre-basic or basic seed		51.75	(49.30)
(ii) all other categories of seed		51.75	(49.30)
<i>Seed testing fees</i>	Within one month of demand by or on behalf of the appropriate Minister		
<b>D.</b> Fees for an official examination of seed for:—			
(i) sunflower for <i>Botrytis</i> spp		43.95	(41.85)
(ii) flax and linseed for:—			
(a) <i>Alternaria</i> spp			
(b) <i>Phoma exigua</i> var. <i>linicola</i>			
(c) <i>Colletotrichum lini</i>			
(d) <i>Fusarium</i> spp			
(e) <i>Botrytis</i> spp		36.15	(34.45)
(iii) soya bean for <i>Pseudomonas syringae</i> pv. <i>glycinea</i> spp			
for one sub-sample test		63.00	(60.00)
for five sub-sample tests		210.00	(200.00)
(iv) soya bean for <i>Diaporthe phaselorum</i> spp		39.40	(37.50)
<i>Seed lot re-entry fee</i>	On application	36.25	(34.50)
<b>E.</b> Fee for the issue of an official certificate in respect of a seed lot which was entered for one category and has been withdrawn and is			

(9) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001; where no figure is stated no fee was previously charged for the matter.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>fee</i>	(4) <i>Old fee</i> £(9)
being re-entered in any category			

**SCHEDULE 4**

**Regulation 3**

**MATTERS ARISING UNDER THE BEET SEEDS REGULATIONS 1993(10)**

(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	(4) <i>Old fee</i> £(11)
<i>Initial fees</i>	On application for registration		
<b>A.</b> Initial fee per hectare or part thereof for crops intended to produce:			
(i) pre-basic or basic seed		33.65	(32.05)
(ii) certified seed		15.55	(14.80)
<i>Crop inspection fees</i>	On application	12.90	(12.30)
<b>B.</b> Fee for official examination or re-examination of crops intended to produce pre-basic or basic seed per hectare or part thereof examined.			
Fee for official examination or re-examination of crops produced from seed of a variety entered for but not added to the National List (or to the equivalent list in another Member State) intended to produce	On application	12.90	( — )

(9) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001; where no figure is stated no fee was previously charged for the matter.

(10) **S.I. 1993/2006, amended by S.I. 1997/616 and 1999/1861.**

(11) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001; where no figure is stated no fee was previously charged for the matter.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	(4) <i>Old fee</i> £( <b>11</b> )
certified seed, per hectare or part thereof examined.			
<i>Seed lot fee</i>	On application		
C. Fee for the issue of an official certificate (other than in the circumstances described under D. below) in respect of a seed lot entered as:—			
(i) pre-basic or basic seed		63.40	(60.40)
(ii) certified seed		62.05	(59.10)
<i>Seed lot re-entry fee</i>	On application		
D. Fee for the issue of an official certificate in respect of a seed lot which was entered for one category and has been withdrawn and is being re-entered as:—			
(i) pre-basic or basic seed		44.40	(42.30)
(ii) certified seed		43.45	(41.40)

## SCHEDULE 5

Regulation 3

### MATTERS ARISING UNDER THE VEGETABLE SEEDS REGULATIONS 1993(12)

(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	(4) <i>Old fee</i> £( <b>13</b> )
<i>Initial fees</i>	On application for registration		
A. Initial fee for crops intended to produce:			

(11) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210)) on 16 July 2001; where no figure is stated no fee was previously charged for the matter.

(12) S.I. 1993/2008, amended by S.I. 1996/1452, 1997/616 and 1999/1863.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	(4) <i>Old fee</i> £ <b>(13)</b>
(i) pre-basic or basic seed of—			
(a) all kinds, except peas, broad beans, cucumber, gherkin and tomato, per hectare or part thereof entered		45.25	(43.10)
(b) peas and broad beans per hectare or part thereof entered		28.50	(27.15)
(c) cucumber, gherkin and tomato, per crop entered		45.25	(43.10)
(ii) certified seed of—			
(a) all kinds, except peas, broad beans, cucumber, gherkin and tomato, per hectare or part thereof entered		24.50	(23.35)
(b) peas and broad beans per hectare or part thereof entered		11.65	(11.10)
(c) cucumber, gherkin and tomato, per crop entered		24.50	(23.35)
<i>Crop inspection fees</i>	On application		

**B. Fee for official examination or re-**

(13) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001; where no figure is stated no fee was previously charged for the matter.

(13) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001; where no figure is stated no fee was previously charged for the matter.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	(4) <i>Old fee</i> £(13)
examination of crops intended to produce:			
(i) A(i)(a) or (b) above, per hectare or part thereof examined		12.90	(12.30)
(ii) A(i)(c) above, per crop examined		12.90	(12.30)
Fee for official examination or re-examination of crops produced from seed of a variety entered for but not added to the National List (or to the equivalent list in another Member State) intended to produce:	On application		
(i) A(ii)(a) or (b) above, per hectare or part thereof examined		12.90	(—)
(ii) A(ii)(c) above, per crop examined		12.90	(—)
<i>Seed lot fee</i>	On application	103.50	(98.55)
<b>C.</b> Fee for the issue of an official certificate (other than in the circumstances described under D. below) in respect of a seed lot entered			
<i>Seed lot re-entry fee</i>	On application	72.45	(69.00)
<b>D.</b> Fee for the issue of an official certificate in respect of a seed lot which was entered for one category and has been withdrawn and is			

(13) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001; where no figure is stated no fee was previously charged for the matter.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	(4) <i>Old fee</i> £(13)
being re-entered in any category			

**SCHEDULE 6**

**Regulation 3**

**MATTERS ARISING UNDER THE SEEDS (REGISTRATION, LICENSING AND ENFORCEMENT) REGULATIONS 1985(14)**

(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	(4) <i>Old fee</i> £(15)
<i>Representations by, and hearings of, a seed merchant, processor or packer</i>			
<b>A</b>			
(i) Fee for making written representations to the Minister	On making representations	32.35	(30.80)
(ii) Fee for being heard by a person appointed by the Minister	On applying to be heard	64.70	(61.60)
<i>Licensed Seed Testing Stations</i>			
<b>B</b>			
(i) Annual fee payable during the currency of the licence (or a proportion thereof in respect of a part of a year)	Within one month of demand by the Minister, annually in advance	2,135.00	(2,033.00)

(13) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001; where no figure is stated no fee was previously charged for the matter.

(14) **S.I. 1985/980, amended by S.I. 1987/1098, 1990/611 and 1993/2530.**

(15) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001.



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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	(4) <i>Old fee</i> £(15)
(ii) Fee payable by a Licensed Seed Testing Station in respect of an official examination of seed	Within one month of demand by the Minister, annually in arrears	9.20	(8.75)
<i>Examination fees</i>			
<b>C</b>			
(i) Examination for crop inspector in respect of			
— cereals,			
— field beans, field peas and pulses,			
or			
— grasses and herbage legumes,			
(a) examination	Before the examination	149.95	(142.80)
(b) re-sit of examination (other than cereals)	Before the examination	149.95	(142.80)
(c) re-sit of either part of cereals examination	Before the examination	74.95	(71.40)
(d) re-test	Before the examination	74.95	(71.40)
(ii) Examination for crop inspector in respect of			
— sugar beet,			
or			
— fodder and oil crucifers;			
turnips;			
fodder beet and mangels;			
flax and			

(15) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	(4) <i>Old fee</i> £(15)
	linseed; soya bean,		
(a) examination	Before the examination	93.70	(89.25)
(b) re-sit of examination	Before the examination	93.70	(89.25)
(c) re-test	Before the examination	74.95	(71.40)
(iii) Examination for seed sampler	Before the examination	93.70	(89.25) <sup>15</sup>

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Seeds (Fees) Regulations 1985 (as amended). They prescribe revised fees in respect of matters arising under the Cereal Seeds Regulations 1993 (as amended), the Fodder Plant Seeds Regulations 1993 (as amended), the Oil and Fibre Plant Seeds Regulations 1993 (as amended), the Beet Seeds Regulations 1993 (as amended), the Vegetable Seeds Regulations 1993 (as amended) and the Seeds (Registration, Licensing and Enforcement) Regulations 1985 (as amended) (regulation 2). They also provide for fees to be charged for examinations for crop inspectors and seed samplers.

The matters in respect of which the revised fees are prescribed are listed in the Schedule to these Regulations, and the fees which were chargeable before these Regulations came into force are printed in italics beside the revised fees. New fees have been introduced for crop examinations of crops produced from seed of a variety entered for but not added to the National List (or to the equivalent list in another Member State) intended to produce certified seed, certified seed of the first generation, certified seed of the second generation or certified seed of the third generation.

All fees have been increased by five per cent. rounded to the nearest five pence except in the case of the annual fee for Licensed Seed Testing Stations which has been rounded to the nearest £1.

A Regulatory Appraisal has been prepared in accordance with section 65 of the Government of Wales Act 1998. Copies can be obtained from the National Assembly for Wales Agriculture Department, Cathays Park, Cardiff CF10 3NQ.

<sup>(15)</sup> The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) Regulations 2001 (S.I. 2001/2533 (W.210) on 16 July 2001.