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STATUTORY RULES OF NORTHERN IRELAND

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**1998 No. 322**

**SEEDS**

**Seeds (Fees) Regulations (Northern Ireland) 1998**

*Made* - - - - *15th September 1998*

*Coming into operation* *19th October 1998*

The Department of Agriculture, in exercise of the powers conferred on it by sections 1(1), 1(2A)(1), 2(2) and (4) of the Seeds Act (Northern Ireland) 1965(2) and of every other power enabling it in that behalf, after consultation with representatives of such interests as appear to it to be concerned and with the approval of the Department of Finance and Personnel(3) with regard to the licensing fee for licensed testing establishments, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Seeds (Fees) Regulations (Northern Ireland) 1998 and shall come into operation on 19th October 1998.

**Revocation**

2. The Seeds (Fees) Regulations (Northern Ireland) 1997(4) are hereby revoked.

**Fees**

3. Subject to the provisions of these Regulations there shall be paid to the Department in respect of matters arising under the Regulations referred to in Schedules 1 to 6 the fees set out in Column (3) of each of those Schedules opposite the respective references to such matters in Column (1), and in accordance with Column (2), of each of those Schedules.

**Exemption**

4. The Department may exempt any person or class of persons, or persons generally, from compliance with any of the provisions of these Regulations and the exemptions may be made subject to conditions.

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(1) As inserted by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 3  
(2) 1965 c. 22 (N.I.)  
(3) Formerly the Department of Finance: *see* S.I. 1982/338 (N.I. 6) Art. 3  
(4) S.R. 1997 No. 413

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Sealed with the Official Seal of the Department of Agriculture on

L.S.

14th September 1998.

*Liam McKibben*  
Assistant Secretary

The Department of Finance and Personnel hereby approves the foregoing Regulations in regard to the licensing fee for licensed testing establishments.

Sealed with the Official Seal of the Department of Finance and Personnel on

L.S.

15th September 1998.

*David Thomson*  
Assistant Secretary

## SCHEDULE 1

**Matters arising under the Cereal Seeds Regulations (Northern Ireland) 1994(5)**

(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i> £	£(6)
<i>Initial fees</i>	On application for registration		
A. Initial fee per hectare or part thereof for crops intended to produce:—			
(i) pre-basic or basic seed		23·45	(22·35)
(ii) certified seed of the first generation of wheat, durum wheat, spelt wheat, barley, triticale and oats or certified seed of rye and maize		5·90	(5·60)
(iii) certified seed of the second generation of wheat, durum wheat, spelt wheat, barley and oats		5·25	(5·00)
<i>Crop inspection fees</i>	Within one month of demand by the Department	11·70	(11·15)
B. Fee for official examination or re-examination of crops intended to produce seed as set out in A(i), (ii) or (iii) per hectare or part thereof examined			
<i>Seed lot fee</i>	On application		
C. Fee for the issue of an official certificate in respect of a seed lot entered as:—			

(5) [S.R. 1994 No. 254](#) as amended by [S.R. 1995 No. 366](#) and [S.R. 1997 No. 240](#)(6) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1997 ([S.R. 1997 No. 413](#))

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(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i> £	£(6)
(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		38·70	(36·85)
(ii) certified seed of the second generation of wheat, durum wheat, spelt wheat, barley and oats		19·35	(18·45)
<i>Seed testing fees</i> D. 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 the Department	34·00	(32·40)

## SCHEDULE 2

### Matters arising under the Fodder Plant Seeds Regulations (Northern Ireland) 1994(7)

(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i> £	£(8)
<i>Initial fees</i> A. Initial fee per hectare or part thereof	On application for registration		

(6) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1997 (S.R. 1997 No. 413)

(7) S.R. 1994 No. 252 as amended by S.R. 1996 No. 311 and S.R. 1997 No. 240

(8) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1997 (S.R. 1997 No. 413)

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(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i> £	£(8)
for crops intended to produce:—			
(i) pre-basic or basic seed of—		17·60	(16·75)
(a) grasses, legumes (except field beans and field peas) and crucifers			
(b) field beans and field peas		15·25	(14·50)
(ii) certified seed of grasses, legumes (except field beans and field peas) and crucifers		8·25	(7·85)
(iii) certified seed of the first and second generation of field beans and field peas		7·05	(6·70)
<i>Crop inspection fees</i>	Within one month of demand by the Department	11·70	(11·15)
B. Fee for official examination or re-examination of crops intended to produce seed as set out in A(i), (ii) or (iii) per hectare or part thereof examined			
<i>Seed lot fee</i>	On application		
C. Fee for the issue of an official certificate in respect of a seed lot entered as:—			
(i) breeder's seed of—		31·70	(30·20)

(8) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1997 (S.R. 1997 No. 413)

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(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i> £	£(8)
(a) grasses, legumes (except field beans and field peas) and crucifers			
(b) field beans and field peas		51·60	(49·15)
(ii) pre-basic or basic seed of—		59·85	(57·00)
(a) grasses, legumes (except field beans and field peas) and crucifers			
(b) field beans and field peas		51·60	(49·15)
(iii) certified seed of grasses, legumes (except field beans and field peas) and crucifers		59·85	(57·00)
(iv) certified seed of the first and second generation of field beans and field peas		48·10	(45·80)
(v) commercial seed of the kinds for the time being specified in regulation 3(2) of the Fodder Plant Seeds Regulations		52·80	(50·30)

(8) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1997 (S.R. 1997 No. 413)

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(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i>	
		£	£(8)
(Northern Ireland) 1994			

## SCHEDULE 3

**Matters arising under the Oil and Fibre Plant Seeds Regulations (Northern Ireland) 1994(9)**

(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i>	
		£	£(10)
<i>Initial fees</i>	On application for registration		
A. Initial fee per hectare or part thereof for crops intended to produce:—			
(i) pre-basic or basic seed		25·85	(24·60)
(ii) all other categories of seed		12·35	(11·75)
<i>Crop inspection fees</i>	Within one month of demand by the Department	11·70	(11·15)
B. Fee for official examination or re-examination of crops intended to produce seed as set out in A(i) or (ii) per hectare or part thereof examined			
<i>Seed lot fee</i>	On application		
C. Fee for the issue of an official certificate in respect of a seed lot entered as:—			
(i) breeder's, pre-basic or basic seed		46·95	(44·70)

(8) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1997 (S.R. 1997 No. 413)

(9) S.R. 1994 No. 255 as amended by S.R. 1996 No. 312 and S.R. 1997 No. 240

(10) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1997 (S.R. 1997 No. 413)

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(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i>	<b>£(10)</b>
(ii) all other categories of seed		46·95	(44·70)
<i>Seed testing fees</i>	Within one month of demand by the Department		
D. Fees for an official examination of seed for:—			
(i) sunflower for <i>Botrytis</i> spp		39·85	(37·95)
(ii) flax and linseed for—		32·80	(31·25)
(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			

#### SCHEDULE 4

##### Matters arising under the Beet Seeds Regulations (Northern Ireland) 1994(11)

(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i>	<b>£(12)</b>
<i>Initial fees</i>	On application for registration		
A. Initial fee per hectare or part thereof for crops intended to produce:—			

(10) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1997 (S.R. 1997 No. 413)

(11) S.R. 1994 No. 251 as amended by S.R. 1997 No. 240

(12) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1997 (S.R. 1997 No. 413)



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(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i> £	£(12)
(i) pre-basic or basic seed		30·50	(29·05)
(ii) certified seed		14·10	(13·45)
<i>Crop inspection fees</i>	Within one month of demand by the Department	11·70	(11·15)
B. Fee for official examination or re-examination of crops intended to produce seed as set out in A(i) or (ii) per hectare or part thereof examined			
<i>Seed lot fee</i>	On application		
C. Fee for the issue of an official certificate in respect of a seed lot entered as:—			
(i) pre-basic or basic seed		57·50	(54·75)
(ii) certified seed		56·30	(53·60)

#### SCHEDULE 5

#### Matters arising under the Vegetable Seeds Regulations (Northern Ireland) 1994(13)

(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i> £	£(14)
<i>Initial fees</i>	On application for registration		
A. Initial fee for crops intended to produce:—			
(i) pre-basic or basic seed of—		41·05	(39·10)
(a) all kinds, except peas,			

(12) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1997 (S.R. 1997 No. 413)

(13) S.R. 1994 No. 250 as amended by S.R. 1996 No. 313 and S.R. 1997 No. 240

(14) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1997 (S.R. 1997 No. 413)

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(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i> £	£(14)
	broad beans, cucumber, gherkin and tomato, per hectare or part thereof entered		
(b)	peas and broad beans per hectare or part thereof entered	25·85	(24·60)
(c)	cucumber, gherkin and tomato, per crop entered	41·05	(39·10)
(ii)	certified seed of—	22·25	(21·20)
	(a) all kinds, except peas, broad beans, cucumber, gherkin and tomato, per hectare or part thereof entered		
(b)	peas and broad beans per hectare or part thereof entered	10·55	(10·05)
(c)	cucumber, gherkin and	22·25	(21·20)

(14) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1997 (S.R. 1997 No. 413)

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(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i>	<b>£(14)</b>
tomato, per crop entered			
<i>Crop inspection fees</i>	Within one month of demand by the Department		
B. Fee for official examination or re- examination of crops intended to produce:—			
(i) A(i)(a) or (b) and A(ii)(a) or (b) above, per hectare or part thereof examined		11·70	(11·15)
(ii) A(i)(c) and A(ii) (c) above, per crop examined		11·70	(11·15)
<i>Seed lot fee</i>	On application	93·85	(89·40)
C. Fee for the issue of an official certificate in respect of a seed lot entered			

## SCHEDULE 6

**Matters arising under the Seeds (Registration, Licensing  
and Enforcement) Regulations (Northern Ireland) 1994(15)**

(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i>	<b>£(16)</b>
<i>Representations by, and hearings of, a seed merchant, processor or packer</i>	On making representations	29·35	(27·95)
(i) Fee for making written representations			

(14) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1997 (S.R. 1997 No. 413)

(15) [S.R. 1994 No. 253](#)

(16) The figures in brackets are the equivalent fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1997 (S.R. 1997 No. 413)

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(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i>	<b>£(16)</b>
	to the Department		
(ii) Fee for being heard by a person appointed by the Department	On applying to be heard	58.65	(55.85)
<i>Licensed Seed Testing Establishments</i>	Within one month of demand by the Department, annually in advance	1,936.00	(1,844.00)
	(i) Annual fee payable during the currency of the licence (or a proportion thereof in respect of a part of a year)		
(ii) Fee payable by the owner or person in charge of a Licensed Seed Testing Station in respect of an official examination of seed	Within one month of demand by the Department, annually in arrears	4.65	(4.45)

(16) The figures in brackets are the equivalent fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1997 (S.R. 1997 No. 413)

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## EXPLANATORY NOTE

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

Regulations controlling the marketing of cereal seeds, fodder plant seeds, beet seeds, oil and fibre plant seeds, and vegetable seeds (“seed regulations”) provide that, with certain exceptions, seeds of these categories may only be marketed if they are derived from crops which on inspection are found to meet certain standards and if upon subsequent testing samples of the seed also meet certain standards.

These Regulations which are made under the Seeds Act (Northern Ireland) 1965 prescribe fees for certain initial applications, crop inspection fees, seed lot fees, seed testing fees and fees in relation to licensed seed testing establishments. Fees are also prescribed in relation to the making of written representations by, and hearings involving, seed merchants, processors or packers.

The matters in respect of which the revised fees are prescribed are listed in Schedules 1 to 6, and the fees which were chargeable by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1997 are indicated in brackets.

A uniform increase of 5% has been applied to all fees and has been 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.

The Regulations revoke and replace the Seeds (Fees) Regulations (Northern Ireland) 1997 (regulation 2).