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STATUTORY RULES OF NORTHERN IRELAND

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**2008 No. 60**

**PLANT HEALTH**

**The Plant Health (Import Inspection Fees)  
(Amendment) Regulations (Northern Ireland) 2008**

*Made* - - - - *18th February 2008*

*Coming into operation* *31st March 2008*

The Department of Agriculture and Rural Development<sup>(1)</sup>, being a Department makes the following Regulations in exercise of the powers conferred on it by section 2(2) of the European Communities Act<sup>(2)</sup> and section 56(1), (2) and (5) of the Finance Act 1973<sup>(3)</sup>, with the consent of the Department of Finance and Personnel.

The Department is designated<sup>(4)</sup> for the purposes of the said section 2(2) in relation to the Common Agricultural Policy of the European Community.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Plant Health (Import Inspection Fees) (Amendment) Regulations (Northern Ireland) 2008 and come into operation on 31st March 2008.

(2) In these Regulations—

“the principal Regulations” means the Plant Health (Import Inspection Fees) (Northern Ireland) 2005<sup>(5)</sup>.

(3) The Interpretation Act (Northern Ireland) 1954<sup>(6)</sup> shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

**Amendments to the Plant Health (Import Inspection Fees) Regulations (Northern Ireland) 2005**

2. The principal Regulations shall be amended in accordance with regulations 3 to 5.

3. In regulation 2, after “identity check”—

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(1) Formerly the Department of Agriculture for Northern Ireland; *see* S.I. 1999/283 (N.I.1), Art. 3(4).

(2) 1972 c. 68.

(3) 1973 c. 51

(4) S.I. 2000/2812.

(5) S.R. 2005/373, amended by S.R. 2007/21 and S.R. 2007/252

(6) 1954 c. 33 (N.I.)

““ official body of point of entry” has the same meaning as in Article 2(1)(k) of the Directive;”.

4. For regulation 3, substitute—

“3. These Regulations apply in relation to consignments of plants, plant products and other objects of a description specified in the first column of Schedule 1 that are:

- (a) listed in Annex V, Part B of the Directive; or
- (b) seeds of Solanaceae whether or not listed in Annex V, Part B of the Directive;

and which are landed in Northern Ireland from a third country or are the subject of a agreement made under Article 12(6) of the Plant Health Order (Northern Ireland) 2006(7), to be responsible for certain matters.”.

5. For Schedule 2, substitute—

“SCHEDULE 2

Regulation 4(3)

IMPORT INSPECTION FEES (REDUCED RATES)

<i>Genus</i>	<i>Quantity</i>	<i>Country of origin</i>	<i>Fee</i>	<i>Fee (non-daytime working hours)</i>
<b><i>Cut flowers</i></b>				
Dianthus	Per consignment			
	— up to 20,000 in number	Colombia	£0.40	£0.60
		Ecuador	£1.98	£2.97
		Turkey	£3.31	£4.96
		Israel	£4.63	£6.95
	— for each additional 1,000 units or part thereof	Colombia	£0.003	£0.004
		Ecuador	£0.01	£0.02
		Turkey	£0.02	£0.03
		Israel	£0.03	£0.05
	— maximum price	Colombia	£3.17	£4.75
		Ecuador	£15.88	£23.83
		Turkey	£26.48	£39.72
Israel		£37.07	£55.60	
Rosa	Per consignment			
	— up to 20,000 in number	Ecuador	£0.40	£0.60
		Colombia, Ethiopia, Kenya	£0.66	£0.99

Where the total amount of any fee comprises an amount of less than £0.01, that amount shall be excluded.

<i>Genus</i>	<i>Quantity</i>	<i>Country of origin</i>	<i>Fee</i>	<i>Fee (non-daytime working hours)</i>
		Uganda, Zambia	£1.32	£1.98
		Tanzania	£1.98	£2.97
		India, Zimbabwe	£6.62	£9.93
	— for each additional 1,000 units or part thereof	Ecuador	£0.003	£0.004
		Colombia, Ethiopia, Kenya	£0.005	£0.007
		Uganda, Zambia	£0.01	£0.015
		Tanzania	£0.01	£0.02
		India, Zimbabwe	£0.05	£0.07
	— maximum price	Ecuador	£3.17	£4.75
		Colombia, Ethiopia, Kenya	£5.29	£7.94
		Uganda, Zambia	£10.59	£15.89
		Tanzania	£15.88	£23.83
		India, Zimbabwe	£52.96	£79.44
<b><i>Fruit</i></b>				
Malus	Per consignment			
		Chile	£0.93	£1.39
	— up to 25,000 kg in weight	New Zealand, South Africa	£1.32	£1.98
		Argentina	£1.98	£2.97
		Brazil, USA	£3.31	£4.96
		China	£4.63	£6.95
	— for each additional 1,000 kg or part thereof	Chile	£0.03	£0.05
		New Zealand, South Africa	£0.05	£0.07
		Argentina	£0.07	£0.11
		Brazil, USA	£0.13	£0.19
		China	£0.18	£0.27
Mangifera	Per consignment			
	— up to 25,000 kg in weight	Brazil	£0.66	£0.99
		Peru	£6.62	£9.93

Where the total amount of any fee comprises an amount of less than £0.01, that amount shall be excluded.

*Status: This is the original version (as it was originally made).*

<i>Genus</i>	<i>Quantity</i>	<i>Country of origin</i>	<i>Fee</i>	<i>Fee (non-daytime working hours)</i>
	— for each additional 1,000 kg or part thereof	Brazil	£0.02	£0.03
		Peru	£0.26	£0.39
Prunus	Per consignment			
	— up to 25,000 kg in weight	South Africa, Turkey	£1.32	£1.98
		Chile	£1.98	£2.97
		Argentina	£3.31	£4.96
		USA	£6.62	£9.93
	— for each additional 1,000 kg or part thereof	South Africa, Turkey	£0.05	£0.07
		Chile	£0.07	£0.11
		Argentina	£0.13	£0.19
		USA	£0.26	£0.39
Pyrus	Per consignment			
	— up to 25,000 kg in weight	South Africa	£1.98	£2.97
		Argentina	£3.31	£4.96
		Chile	£4.63	£6.95
		China	£6.62	£9.93
	— for each additional 1,000 kg or part thereof	South Africa	£0.07	£0.11
		Argentina	£0.13	£0.19
		Chile	£0.18	£0.27
		China	£0.26	£0.39
Citrus	Per consignment			
	— up to 25,000 kg in weight	Morocco, Turkey	£0.66	£0.99
		USA	£1.32	£1.98
		Uruguay	£1.98	£2.97
		Egypt, Israel, Mexico, Peru	£3.31	£4.96
	— for each additional 1,000 kg or part thereof	Morocco, Turkey	£0.02	£0.03
		USA	£0.05	£0.07
		Uruguay	£0.07	£0.11

Where the total amount of any fee comprises an amount of less than £0.01, that amount shall be excluded.

<i>Genus</i>	<i>Quantity</i>	<i>Country of origin</i>	<i>Fee</i>	<i>Fee (non-daytime working hours)</i>
		Egypt, Israel, Mexico, Peru	£0.13	£0.19
Momordica	Per consignment			
	— up to 25,000 kg in weight	Suriname	£6.62	£9.93
	— for each additional 1,000 kg or part thereof	Suriname	£0.26	£0.39
Passiflora	Per consignment			
	— up to 25,000 kg in weight	Kenya	£1.32	£1.98
		Colombia	£1.98	£2.97
		Zimbabwe	£4.63	£6.95
		South Africa	£6.62	£9.93
	— for each additional 1,000 kg or part thereof	Kenya	£0.05	£0.07
		Colombia	£0.07	£0.11
		Zimbabwe	£0.18	£0.27
		South Africa	£0.26	£0.39
<b><i>Vegetables</i></b>				
Solanum melongena	Per consignment			
	— up to 25,000 kg in weight	Turkey	£3.31	£4.96
	— for each additional 1,000 kg or part thereof	Turkey	£0.13	£0.19 <sup>7</sup> .

Where the total amount of any fee comprises an amount of less than £0.01, that amount shall be excluded.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 18th February 2008.



*John Speers*  
A senior officer of the Department of Agriculture  
and Rural Development

The Department of Finance and Personnel consents to the foregoing Regulations.  
Sealed with the Official Seal of the Department of Finance and Personnel on 18th February 2008.



*Jack Layberry*  
A senior officer of the Department of Finance  
and Personnel

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## EXPLANATORY NOTE

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

These Regulations amend the Plant Health (Import Inspection Fees) Regulations (Northern Ireland) 2005 (S.R. 2005/373) (“the principal Regulations”). The principal Regulations implement Article 13d of Council Directive 2000/29/EC (OJNo. L169, 10.7.00, P.1) as amended by Council Directive 2002/89/EC (O.J. No. L355, 30.12.02, P.45-60), which requires Member States to charge fees to cover the costs occasioned by the documentary checks, identity checks and plant health checks of certain imports of plants, plant products and other objects from third countries. These minimum fees are revised annually by the EC.

These Regulations: (a) extend the application of the principal Regulations to consignments consisting of EU transit goods in respect of which the Department has agreed with the official body of point of entry for those goods, in accordance with the Plant Health Order (Northern Ireland) 2006 (S.R. 2006/82), to be responsible for certain matters, which was omitted from the original Regulations; and (b) substitute a new Schedule 2 to the principal Regulations, to give effect to the latest annual EC agreement in respect of reduced rate fees. (Schedule 2 to the principal Regulations includes provision for reduced rates for certain plants and plant products agreed under the procedure provided for in Articles 13d(2) and 18(2) of the Directive).

Genus	Country of origin	Previous rate of inspection	Initial fee <sup>(1)</sup>	New rate of inspection	Initial fee, specified in Schedule 2
<b>Cut Flowers</b>					
<i>Aster</i>	Zimbabwe	50%	£6.62	100% <sup>(2)</sup>	
<i>Dianthus</i>	Israel	25%	£3.31	35%	£4.63
<i>Dianthus</i>	Morocco	50%	£6.62	100%	
<i>Rosa</i>	Ecuador	5%	£0.66	3%	£0.40
<i>Rosa</i>	Ethiopia	25%	£3.31	5%	£0.66
<i>Rosa</i>	Israel	10%	£1.32	100%	
<i>Rosa</i>	Kenya	1%	£0.13	5%	£0.66
<i>Rosa</i>	Tanzania	25%	£3.31	15%	£1.98
<i>Rosa</i>	Uganda	5%	£0.66	10%	£1.32
<i>Rosa</i>	Zimbabwe	25%	£3.31	50%	£6.62
<b>Fruit</b>					
<i>Fortunella</i>	Israel	50%	£6.62	100%	

(1) Initial fee per consignment for cut flowers (up to 20,000 in number) and fruit and vegetables (up to 25,000 kg in weight). Corresponding fees are set in the Regulations for additional quantities, maximum price per consignment and non-daytime working hours.

(2) Consignments subject to an inspection rate of 100% are excluded from the reduced rate inspection scheme and are subject to the import inspection fees specified in Schedule 1 to the principal Regulations.

**Status:** This is the original version (as it was originally made).

<i>Fortunella</i>	South Africa	75%	£9.93	100%	
<i>Malus</i>	USA	15%	£1.98	25%	£3.31
<i>Mangifera</i>	Brazil	10%	£1.32	5%	£0.66
<i>Passiflora</i>	South Africa	75%	£9.93	50%	£6.62
<i>Prunus</i>	Argentina	15%	£1.98	25%	£3.31
<i>Prunus</i>	Chile	10%	£1.32	15%	£1.98
<i>Prunus</i>	Turkey	15%	£1.98	10%	£1.32
<i>Prunus</i>	USA	35%	£4.63	50%	£6.62
<i>Pyrus</i>	Argentina	15%	£1.98	25%	£3.31
<i>Pyrus</i>	Chile	25%	£3.31	35%	£4.63
<i>Pyrus</i>	South Africa	10%	£1.32	15%	£1.98
<i>Citrus</i>	Israel	15%	£1.98	25%	£3.31
<i>Citrus</i>	Peru	75%	£9.93	25%	£3.31
<i>Citrus</i>	Turkey	15%	£1.98	5%	£0.66
<i>Citrus</i>	USA	15%	£1.98	10%	£1.32
<i>Citrus</i>	Zimbabwe	75%	£9.93	100%	
<b>Vegetables</b>					
<i>Solanum melongena</i>	Turkey	75%	£9.93	25%	£3.31

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- (1) Initial fee per consignment for cut flowers (up to 20,000 in number) and fruit and vegetables (up to 25,000 kg in weight). Corresponding fees are set in the Regulations for additional quantities, maximum price per consignment and non-daytime working hours.
- (2) Consignments subject to an inspection rate of 100% are excluded from the reduced rate inspection scheme and are subject to the import inspection fees specified in Schedule 1 to the principal Regulations.