
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 423

PLANT HEALTH

**The Plant Health (Import Inspection Fees) (Amendment
No 2) Regulations (Northern Ireland) 2009**

Made - - - - 16th December 2009

Coming into operation 1st February 2010

The Department of Agriculture and Rural Development makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(1) and section 56(1), (2) and (5) of the Finance Act 1973(2), with the consent of the Department of Finance and Personnel(3).

The Department of Agriculture and Rural Development is a Northern Ireland department designated(4) 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 No.2) Regulations (Northern Ireland) 2009 and come into operation on 1st February 2010.

(2) The Interpretation Act (Northern Ireland) 1954(5) shall apply to these Regulations as it applies to an Act of the Assembly.

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

2. The Plant Health (Import Inspection Fees) Regulations (Northern Ireland) 2005(6) shall be amended as follows.

3. For Schedule 2, substitute—

(1) 1972 c. 68

(2) 1973 c. 51

(3) The Department of Finance was renamed the Department of Finance and Personnel by Article 3 of the Departments (Northern Ireland) Order 1982 (S.I. 1982/338). (N.I.6) which was repealed by Article 9(2) and Schedule 3 to the Departments (Northern Ireland) Order 1999 (S.I.1999/283 (N.I.1))

(4) S.I. 2000/2812

(5) 1954 c. 33 (N.I.)

(6) S.R. 2005/373, amended by S.R. 2007/21, S.R. 2007/252, S.R. 2008/60 and S.R.2009/134

Status: This is the original version (as it was originally made).

"SCHEDULE 2

Regulation 4

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>
<i>Cut flowers</i>				
<i>Dianthus</i>	Per consignment			
	— up to 20,000 in number	Colombia	£0.39	£0.59
		Ecuador	£1.98	£2.97
		Kenya, Turkey	£3.31	£4.96
		Israel	£6.62	£9.93
	— for each additional 1,000 units or part thereof	Colombia	£0.003	£0.004
		Ecuador	£0.01	£0.02
		Kenya, Turkey	£0.02	£0.03
		Israel	£0.05	£0.07
	— maximum price	Colombia	£3.17	£4.76
		Ecuador	£15.88	£23.83
		Kenya, Turkey	£26.48	£39.72
		Israel	£52.96	£79.44
<i>Rosa</i>	Per consignment			
	— up to 20,000 in number	Ecuador	£0.39	£0.59
		Colombia	£0.66	£0.99
		Ethiopia, Kenya	£1.32	£1.98
		Tanzania	£1.98	£2.97
		Zambia	£6.62	£9.93
		— for each additional 1,000 units or part thereof	Ecuador	£0.003
	Colombia		£0.005	£0.007
	Ethiopia, Kenya		£0.01	£0.015
	Tanzania		£0.01	£0.02
	Zambia		£0.05	£0.07
	— maximum price	Ecuador	£3.17	£4.76
		Colombia	£5.30	£7.94

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

<i>Genus</i>	<i>Quantity</i>	<i>Country of origin</i>	<i>Fee</i>	<i>Fee (non-daytime working hours)</i>
		Ethiopia, Kenya	£10.59	£15.88
		Tanzania	£15.88	£23.83
		Zambia	£52.96	£79.44
<i>Fruit</i>				
<i>Citrus</i>	Per consignment			
	— up to 25,000 kg in weight	Turkey	£0.39	£0.59
		Morocco	£0.66	£0.99
		Israel, Uruguay, USA	£1.98	£2.97
		Egypt, Mexico	£3.31	£4.96
		Peru	£4.63	£6.95
		Honduras	£6.62	£9.93
	— for each additional 1,000 kg or part thereof	Turkey	£0.01	£0.02
		Morocco	£0.02	£0.03
		Israel, Uruguay, USA	£0.07	£0.11
		Egypt, Mexico	£0.13	£0.19
		Peru	£0.18	£0.27
		Honduras	£0.26	£0.39
<i>Malus</i>	Per consignment			
	— up to 25,000 kg in weight	Chile	£0.92	£1.39
		Argentina, New Zealand, South Africa	£1.32	£1.98
		Brazil	£1.98	£2.97
		China, USA	£3.31	£4.96
	— for each additional 1,000 kg or part thereof	Chile	£0.03	£0.05
		Argentina, New Zealand, South Africa	£0.05	£0.07
		Brazil	£0.07	£0.11
		China, USA	£0.13	£0.19

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

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<i>Genus</i>	<i>Quantity</i>	<i>Country of origin</i>	<i>Fee</i>	<i>Fee (non-daytime working hours)</i>
<i>Mangifera</i>	Per consignment			
	— up to 25,000 kg in weight	Brazil	£1.32	£1.98
	— for each additional 1,000 kg or part thereof	Brazil	£0.05	£0.07
<i>Passiflora</i>	Per consignment			
	— up to 25,000 kg in weight	Columbia, Kenya	£1.32	£1.98
		Zimbabwe	£4.63	£6.95
		South Africa	£6.62	£9.93
	— for each additional 1,000 kg or part thereof	Columbia, Kenya	£1.32	£1.98
		Zimbabwe	£0.18	£0.27
South Africa		£0.26	£0.39	
<i>Prunus</i>	Per consignment			
	— up to 25,000 kg in weight	Chile, South Africa, Turkey	£1.32	£1.98
		Argentina	£4.63	£6.95
		USA	£6.62	£9.93
	— for each additional 1,000 kg or part thereof	Chile, South Africa, Turkey	£0.05	£0.07
		Argentina	£0.18	£0.27
USA		£0.26	£0.39	
<i>Psidium</i>	Per consignment			
	— up to 25,000 kg in weight	Brazil	£9.93	£14.89
	— for each additional 1,000 kg or part thereof	Brazil	£0.39	£0.58
<i>Pyrus</i>	Per consignment			
	— up to 25,000 kg in weight	Argentina, South Africa	£1.98	£2.97
		Chile, China	£4.63	£6.95

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

<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	Argentina, South Africa	£0.07	£0.11
		Chile, China	£0.18	£0.27
<i>Vegetables</i>				
<i>Solanum melongena</i>	Per consignment			
	— up to 25,000 kg in weight	Turkey	£1.32	£1.98
	— for each additional 1,000 kg or part thereof	Turkey	£0.05	£0.07 ² .

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

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 16th December 2009.



Norman Fulton
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 16th December 2009.



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) (Northern Ireland) Regulations 2005 (S.R. 2005/373) (“the principal Regulations”). The principal Regulations implement Article 13d of Council Directive 2000/29/EC (OJ No L 169, 10.7.00, p1) (“the Directive”), 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.

The Directive contains a procedure (Articles 13a(2), 13d(2) and 18(2)) for setting reduced rates of inspection for imports of certain plants and plant products and for charging fees at a proportionately reduced rate. Schedule 2 to the principal Regulations sets out the fees for reduced rate inspections and these Regulations amend that Schedule to set out the fees corresponding to the latest rates of inspection. The changes to the fees made by these Regulations, which are set at a proportion of the standard fee (described in Schedule 1 to the principal Regulations) corresponding to the rate of inspection, are based on the agreed inspection rates set out below:

Genus	Country of origin	Previous rate of inspection	Initial fee ⁽¹⁾	New rate of inspection	Initial fee, specified in Schedule 2
Cut Flowers					
<i>Dianthus</i>	Israel	35%	£4.63	50%	£6.62
<i>Dianthus</i>	Kenya	10%	£1.32	25%	£3.31
<i>Rosa</i>	India	50%	£6.62	100% ⁽²⁾⁽³⁾	
<i>Rosa</i>	Uganda	50%	£6.62	100% ⁽²⁾⁽³⁾	
<i>Rosa</i>	Zambia	25%	£3.31	50%	£6.62
Fruit					
<i>Mangifera</i>	Brazil	5%	£0.66	10%	£1.32
<i>Psidium</i>	Brazil	100%	£13.24	75%	£9.93
<i>Prunus</i>	Argentina	25%	£3.31	35%	£4.63
<i>Pyrus</i>	Argentina	25%	£3.31	15%	£1.98
<i>Pyrus</i>	China	50%	£6.62	35%	£4.63
<i>Citrus</i>	Honduras	75%	£9.93	50%	£6.62

(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.

(3) New rates apply from 1st January 2010.

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<i>Citrus</i>	Israel	25%	£3.31	15%	£1.98
<i>Citrus</i>	Peru	25%	£3.31	35%	£4.63
Vegetables					
<i>Solanum melongena</i>	Turkey	15%	£1.98	10%	£1.32

- (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.
- (3) New rates apply from 1st January 2010.