

SCOTTISH STATUTORY INSTRUMENTS

2015 No. 392

PLANT HEALTH

**The Plant Health (Import Inspection Fees)
(Scotland) Amendment Regulations 2015**

Made - - - - *18th November 2015*
Laid before the Scottish
Parliament - - - - *20th November 2015*
Coming into force - - *1st January 2016*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973^{M1} and all other powers enabling them to do so.

Marginal Citations

M1 1973 c.51. The reference to a Government department in section 56(1) is to be read as a reference to the Scottish Administration by virtue of article 2(2) of the [Scotland Act \(Consequential Modifications\) \(No. 2\) Order 1999 \(S.I. 1999/1820\)](#) and the functions of the Minister transferred to the Scottish Ministers by virtue of section 53 of the [Scotland Act 1998 \(c.46\)](#). The requirement to obtain the consent of the Treasury was removed by section 55 of the Scotland Act 1998.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2015 and come into force on 1st January 2016.

(2) These Regulations extend to Scotland only.

Amendment of the Plant Health (Import Inspection Fees) (Scotland) Regulations 2014

2. In the Plant Health (Import Inspection Fees) (Scotland) Regulations 2014^{M2}—

^{F1}(a)

(b) for Schedule 3 (additional fees) substitute—

Changes to legislation: There are currently no known outstanding effects for the *The Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2015*. (See end of Document for details)

“SCHEDULE 3

Regulation 5

ADDITIONAL FEES

<i>Item</i>	<i>Plants, plant products or other objects</i>	<i>Quantity¹</i>	<i>Fee</i>
1	Potatoes originating in Egypt or Lebanon	in up to 25,000 kg in weight	£158
		for each 25,000 kg (or part thereof)	£158 ²

¹ A sample of 200 tubers will be taken for each 25,000 kg lot.

F1 [Reg. 2\(a\)](#) revoked (11.2.2017) by [The Plant Health \(Import Inspection Fees\) \(Scotland\) Amendment Regulations 2017 \(S.S.I. 2017/6\)](#), regs. 1(1), **3**

Marginal Citations

M2 1S.S.I 2014/338.

St Andrew's House,
Edinburgh

AILEEN McLEOD
Authorised to sign by the Scottish Ministers

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

These Regulations amend the Plant Health (Import Inspection Fees) (Scotland) Regulations 2014 (“the principal Regulations”).

Article 13d of Council Directive [2000/29/EC](#) (OJ L 169, 10.7.2000, p.1) (“the Directive”) requires a member State to ensure the collection of 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 which are required by Article 13a(1) of the Directive. Pursuant to Article 2 of Commission Regulation [\(EC\) 1756/2004](#) (OJ L 313, 12.10.2004, p.6), the European Commission notifies member States of plants and plant products which should be subject to reduced inspection and of the rate of such inspection. Regulation 2(a) substitutes Schedule 2 to the principal Regulations to take account of the most recent Commission Notification on reduced inspection rates, available at http://ec.europa.eu/food/plant/plant_health_biosafety/trade_non_eu/reduced_frequency_checks_en.htm.

The Table provides a comparison of changes made to the fees in Schedule 2 to the principal Regulations:

TABLE**Schedule 2**

<i>Genus</i>	<i>Country of origin</i>	<i>Previous rate of inspection</i>	<i>Previous fee¹</i>	<i>New rate of inspection</i>	<i>New fee, specified in Schedule 2</i>
Cut Flowers					
<i>Dianthus</i>	Kenya	5%	£24.90	10%	£25.80
<i>Rosa</i>	Ethiopia	10%	£25.80	5%	£24.90
Fruit					
<i>Citrus</i>	Tunisia	75%	£37.50	50%	£33.00
<i>Citrus</i>	Uruguay	75%	£37.50	100% ²	–
<i>Passiflora</i>	Kenya	10%	£25.80	15%	£26.70
<i>Prunus</i>	Argentina	50%	£33.00	75%	£37.50
<i>Prunus</i>	USA	10%	£25.80	50%	£33.00
<i>Psidium</i>	Brazil	75%	£37.50	100% ²	–
<i>Pyrus</i>	China	50%	£33.00	75%	£37.50

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 principal Regulations for additional quantities, maximum price per consignment and inspections carried out outside normal 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.

Changes to legislation: There are currently no known outstanding effects for the The Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2015. (See end of Document for details)

Vegetables

<i>Capsisum</i>	Morocco	10%	£25.80	5%	£24.90
<i>Momordica</i>	Surinam	35%	£30.30	25%	£28.50

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 principal Regulations for additional quantities, maximum price per consignment and inspections carried out outside normal 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.

Regulation 2(b) substitutes Schedule 3 to the principal Regulations, to increase the additional fees for sampling potatoes originating in Egypt or Lebanon from £152 to £158 for quantities of up to 25,000kg in weight and, thereafter, for each 25,000kg or part thereof.

No business and regulatory impact assessment has been prepared for this instrument as it has limited impact on the cost of business.

Changes to legislation:

There are currently no known outstanding effects for the The Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2015.