

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(a) and all other powers enabling them to do so.

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(b)—

(a) for Schedule 2 (import inspection fees for applicable checks (reduced rates)), substitute—

(a) 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.

(b) S.S.I.2014/338.

“SCHEDULE 2

Regulations 3 and 4(2)

IMPORT INSPECTION FEES FOR APPLICABLE CHECKS
(REDUCED RATES)

<i>Item</i>	<i>Plants/plant Products</i>	<i>Quantity</i>	<i>Country of Origin</i>	<i>Fees(*)</i>		
				<i>Normal working hours</i>	<i>Outside normal working hours</i>	
Cut Flowers	<i>Dianthus</i>	up to 20,000 in number	Columbia	£24.60	£31.10	
			Ecuador	£26.70	£35.40	
			Kenya	£25.80	£33.60	
			Turkey	£28.50	£39.00	
		for each additional 1,000 units	Columbia	£0.01	£0.01	
			Ecuador	£0.03	£0.05	
			Kenya	£0.02	£0.03	
			Turkey	£0.05	£0.08	
		maximum price	Columbia	£28.40	£38.70	
	Ecuador		£45.60	£73.20		
	Kenya		£38.40	£58.80		
	<i>Phoenix</i>	up to 20,000 in number	Costa Rica	£30.30	£42.60	
				for each additional 1,000 units	£0.07	£0.11
				maximum price	£74.40	£130.80
	<i>Rosa</i>	up to 20,000 in number	Columbia, Ecuador	£24.60	£31.10	
Ethiopia			£24.90	£31.80		
Kenya			£24.90	£31.80		
Tanzania, Zambia			£26.70	£35.40		
for each additional 1,000 units		Columbia, Ecuador	£0.01	£0.01		
		Ethiopia, Kenya	£0.01	£0.02		
		Tanzania, Zambia	£0.03	£0.05		
maximum price		Columbia, Ecuador	£28.40	£38.70		
		Ethiopia, Kenya	£31.20	£44.40		
	Tanzania, Zambia	£45.60	£73.20			

Fruit	<i>Citrus</i>	up to 25,000kg in weight	Egypt, USA Israel, Mexico, Peru Morocco Tunisia Turkey	£26.70 £25.80 £24.90 £33.00 £24.60	£35.40 £33.60 £31.80 £48.00 £31.10
		for each additional 1,000kg	Egypt, USA Israel, Mexico, Peru Morocco Tunisia Turkey	£0.12 £0.08 £0.04 £0.40 £0.03	£0.23 £0.15 £0.08 £0.75 £0.05
		up to 25,000kg in weight	Argentina, Brazil Chile, South Africa New Zealand USA	£28.50 £24.90 £25.80 £33.00	£39.00 £31.80 £33.60 £48.00
			for each additional 1,000kg	Argentina, Brazil Chile, South Africa New Zealand USA	£0.20 £0.04 £0.08 £0.40
	<i>Passiflora</i>	up to 25,000kg in weight	Columbia Kenya South Africa Zimbabwe	£25.80 £26.70 £30.30 £37.50	£33.60 £35.40 £42.60 £57.00
			for each additional 1,000kg	Columbia Kenya South Africa Zimbabwe	£0.08 £0.12 £0.28 £0.60
		up to 25,000kg in weight	Argentina Morocco, USA Chile, South Africa, Turkey	£37.50 £33.00 £25.80	£57.00 £48.00 £33.60
			for each additional 1,000kg	Argentina Morocco, USA Chile, South Africa, Turkey	£0.60 £0.40 £0.08
	<i>Prunus</i>	up to 25,000kg in weight	Argentina Morocco, USA Chile, South Africa, Turkey	£37.50 £33.00 £25.80	£57.00 £48.00 £33.60
		for each additional 1,000kg	Argentina Morocco, USA Chile, South Africa, Turkey	£0.60 £0.40 £0.08	£1.13 £0.75 £0.15

	<i>Pyrus</i>	up to 25,000kg in weight	Argentina, South Africa	£25.80	£33.60
			Chile	£26.70	£35.40
			China	£37.50	£57.00
		for each additional 1,000kg	Argentina, South Africa	£0.08	£0.15
		Chile	£0.12	£0.23	
		China	£0.60	£1.13	
	<i>Vaccinium</i>	up to 25,000kg in weight	Argentina	£28.50	£39.00
		for each additional 1,000kg		£0.20	£0.38
Vegetables	<i>Capsicum</i>	up to 25,000kg in weight	Israel, Morocco	£24.90	£31.80
		for each additional 1,000kg	Israel, Morocco	£0.04	£0.08
	<i>Momordica</i>	up to 25,000kg in weight	Surinam	£28.50	£39.00
		for each additional 1,000kg		£0.20	£0.38
	<i>Solanum Melongena</i>	up to 25,000kg in weight	Kenya, Turkey	£25.80	£33.60
		for each additional 1,000kg		£0.08	£0.15

(*) Fee includes a documentary check and an identity check.

Note: fees are rounded up to the nearest decimal point, with the exception of the additional quantity values, which are rounded up to the nearest penny.”; and

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

“SCHEDULE 3 ADDITIONAL FEES

Regulation 5

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

(*) A sample of 200 tubers will be taken for each 25,000 kg lot.”

St Andrew’s House,
Edinburgh
18th November 2015

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 fee⁽¹⁾</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
Vegetables					
<i>Capsicum</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.

© Crown copyright 2015

Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, the Queen's Printer for Scotland.

£6.00

S201511187 11/2015 19585

<http://www.legislation.gov.uk/id/ssi/2015/392>

ISBN 978-0-11-102993-0



9 780111 029930