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STATUTORY INSTRUMENTS

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1982 No. 698

SEEDS

**The Seed Potatoes (Fees) Regulations 1982**

<i>Made</i>	- - -	13th May 1982
<i>Laid before Parliament</i>		21st May 1982
<i>Coming into Operation</i>		11th June 1982

The Minister of Agriculture, Fisheries and Food in relation to England and the Secretary of State for Wales in relation to Wales, in exercise of the powers conferred by section 16(1) and (1A)(e) of the Plant Varieties and Seeds Act 1964(a), and now vested in them (b), and of all other powers enabling them in that behalf, after consultation in accordance with section 16(1) of the said Act with representatives of such interests as appear to them to be concerned, hereby make the following regulations:—

*Title and commencement*

1. These regulations may be cited as the Seed Potatoes (Fees) Regulations 1982 and shall come into operation on 11th June 1982.

*Revocation of previous regulations*

2. The Seed Potatoes (Fees) Regulations 1981(c) are hereby revoked.

*Fees*

3. There shall be paid in advance, in respect of the matters referred to in the first column of the Schedule hereto arising under the Seed Potatoes Regulations 1978(d), the fees respectively specified in the second column of the said Schedule opposite the references to those matters.

4. The said fees shall be payable to the Minister of Agriculture, Fisheries and Food (hereinafter referred to as "the Minister").

5. If an application for the certification of a crop of seed potatoes is withdrawn before the arrival of an inspector for the purpose of inspecting the crop for the first time any fee paid in respect of that crop in accordance with regulation 3 of these regulations, less an amount of £1 in respect of each half-hectare or part thereof of that crop, shall be repaid to the applicant.

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(a) 1964 c.14; section 16 was amended by the European Communities Act 1972 (c. 68), section 4(1) and Schedule 4, paragraph 5(1) and (2).

(b) In the case of the Secretary of State for Wales by virtue of the Transfer of Functions (Wales)(No.1) Order 1978 (S.I. 1978/272).

(c) S.I. 1981/490.

(d) S.I. 1978/215.

6. The Minister may refund in whole or in part fees paid under regulation 3 of these regulations if, in his opinion, an effective health assessment of a crop or part of a crop is not possible for reasons beyond the control of the grower.

In Witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 12th May 1982.



*Peter Walker,*  
Minister of Agriculture, Fisheries and Food.

*Nicholas Edwards,*  
Secretary of State for Wales.

13th May 1982.

**SCHEDULE** *Regulation 3*

Matter	Total Fee	
	£	£(a)
Crop inspection and provision of seals and labels in respect of crops entered to produce:		
A. Basic Seed Potatoes		
(a) VTSC grade per half-hectare or part thereof . . . . .	34.00	<i>(30.58)</i>
(b) FS grade per half-hectare or part thereof . . . . .	30.00	<i>(26.83)</i>
Minimum fee . . . . .	60.00	<i>(53.66)</i>
(c) SS grade per half-hectare or part thereof . . . . .	29.00	<i>(25.77)</i>
Minimum fee . . . . .	58.00	<i>(51.54)</i>
(d) AA 1 grade per half-hectare or part thereof . . . . .	19.00	<i>(16.68)</i>
Minimum fee . . . . .	38.00	<i>(33.36)</i>
(e) AA grade per half-hectare or part thereof . . . . .	19.00	<i>(16.68)</i>
Minimum fee . . . . .	38.00	<i>(33.36)</i>
B. Certified Seed Potatoes per half-hectare or part thereof . . . .	19.00	<i>(16.68)</i>
Minimum fee . . . . .	38.00	<i>(33.36)</i>

(a) The figures in italics are the fees which were charged under the Seed Potatoes (Fees) Regulations 1981 which are revoked by these Regulations.

## EXPLANATORY NOTE

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

These Regulations, which revoke and supersede the Seed Potatoes (Fees) Regulations 1981, prescribe the fees payable in respect of certain matters arising under the Seed Potatoes Regulations 1978. All the fees have been increased, those in relation to crops entered to produce lower grade seed potatoes by a slightly larger percentage than those in relation to crops entered to produce higher grade seed potatoes.

The other changes in these regulations are as follows—

- (1) a new provision has been added to Regulation 5 to the effect that where an application for the certification of a crop of seed potatoes is withdrawn before the arrival of an inspector for the purpose of inspecting the crop for the first time, and a fee in respect of that crop is repaid, the repayment shall be subject to a deduction of £1 to cover administrative costs in respect of each half-hectare or part thereof of that crop, and
- (2) the Minister of Agriculture, Fisheries and Food no longer has a power to exempt persons from compliance with the provisions of the regulations but has a power to refund fees in whole or in part where, in his opinion, an effective health assessment of a crop or part of a crop is not possible for reasons beyond the control of the grower.