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STATUTORY INSTRUMENTS

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**1997 No. 1415**

**SEEDS**

**The Seeds (Fees) (Amendment) Regulations 1997**

<i>Made</i>	- - - -	<i>4th June 1997</i>
<i>Laid before Parliament</i>		<i>6th June 1997</i>
<i>Coming into force</i>	- -	<i>1st July 1997</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 16(1), (1A)(e) and (8) and 36 of the Plant Varieties and Seeds Act 1964(1) and of all other powers enabling them in that behalf, after consultation in accordance with the said section 16(1) 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 Seeds (Fees) (Amendment) Regulations 1997 and shall come into force on 1st July 1997.

**Amendment**

2. For Schedules 1 to 6 to the Seeds (Fees) Regulations 1985(2) there shall be substituted the Schedules set out in the Schedule to these Regulations.

2nd June 1997

*Lord Donoghue*  
Parliamentary Secretary, Ministry of Agriculture,  
Fisheries and Food

3rd June 1997

*Sewel*  
Parliamentary Under Secretary of State, Scottish  
Office

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(1) 1964 c. 14; section 16 was amended by the European Communities Act 1972 (c. 68) section 4(1) and Schedule 4, paragraph 5(1), (2) and (3); see section 38(1) (as amended by S.I.1978/272) for a definition of “the Ministers”.

(2) S.I. 1985/981; relevant amending instruments are S.I. 1990/610 and 1996/1486.

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Signed by authority of the Secretary of State for Wales

4th June 1997

*Win Griffiths*  
Parliamentary Under Secretary of State, Welsh  
Office

## SCHEDULE

Regulation 2

PROVISIONS TO BE SUBSTITUTED FOR THE  
SCHEDULES TO THE SEEDS (FEES) REGULATIONS 1985

## “SCHEDULE 1

Regulation 3

## MATTERS ARISING UNDER THE CEREAL SEEDS REGULATIONS 1993(3)

(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	£(4)
<b>A. Initial fees</b>			
Initial fee per hectare or part thereof for crops intended to produce:	On application for registration	22.35	<i>(21.80)</i>
(i) pre-basic or basic seed			
(ii) certified seed of the first generation of wheat, durum wheat, spelt wheat, barley, triticale and oats or certified seed of rye and maize		5.60	<i>(5.45)</i>
(iii) certified seed of the second generation of wheat, durum wheat, spelt wheat, barley and oats		5.00	<i>(4.90)</i>
<b>B. Crop inspection fees</b>			
Fee for official examination or re-examination of crops intended to produce pre-basic or basic seed, per hectare or part thereof examined	On application	11.15	<i>(10.90)</i>
<b>C. Seed lot fee</b>			

(3) S.I. 1993/2005, amended by S.I. 1995/1482 and 1997/616.

(4) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1997 (S.I. 1997/1415) on 1st July 1997.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	£(4)
Fee for the issue of an official certificate in respect of a seed lot entered as:—	On application	36.85	(35.95)
(i) breeder's, pre-basic or basic seed, certified seed of the first generation of wheat, durum wheat, spelt wheat, barley, triticale, oats or certified seed of rye and maize			
(ii) certified seed of the second generation of wheat, durum wheat, spelt wheat, barley and oats		18.45	(18.00)
<b>D. Seed testing fees</b>			
Fee for an official examination of seed for loose smut infection of wheat, durum wheat, spelt wheat and barley (per thousand embryos examined)	Within one month of demand by or on behalf of the appropriate Minister	32.40	(31.60)
<b>E. Fees for additional tests</b>			
Fee for Tetrazolium seed viability test in C1 Winter Wheat and C1 Winter Barley	Within one month of demand by or on behalf of the appropriate Minister	38.00	(37.05)

(4) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1997 (S.I. 1997/1415) on 1st July 1997.

## SCHEDULE 2

Regulation 3

MATTERS ARISING UNDER THE FODDER PLANT SEEDS REGULATIONS 1993<sup>(5)</sup>

(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	£ <sup>(6)</sup>
<b>A. Initial fees</b>			
Initial fee per hectare or part thereof for crops intended to produce:	On application for registration	16.75	<i>(16.35)</i>
(i) pre-basic or basic seed of—			
(a) grasses, legumes (except field beans and field peas) and crucifers			
(b) field beans and field peas		14.50	<i>(14.15)</i>
(ii) certified seed of grasses, legumes (except field beans and field peas) and crucifers		7.85	<i>(7.65)</i>
(iii) certified seed of the first and second generation of field beans and field peas		6.70	<i>(6.55)</i>
<b>B. Crop inspection fee</b>			
Fee for official examination or re-examination of crops intended to produce pre-basic or basic seed, per hectare or part thereof examined (including crops of	On application	11.15	<i>(10.90)</i>

(5) S.I. 1993/2009, amended by S.I. 1993/2529, 1996/1453 and 1997/616.

(6) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1997 (S.I. 1997/1415) on 1st July 1997.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	£(6)
hybrid swede rape and hybrid turnip rape)			
<i>C. Seed lot fee</i>			
Fee for the issue of an official certificate in respect of a seed lot entered as:—	On application	30.20	(29.45)
(i) breeder's seed of—			
(a) grasses, legumes (except field beans and field peas) and crucifers			
(b) field beans and field peas		49.15	(47.95)
(ii) pre-basic or basic seed of—		57.00	(55.60)
(a) grasses, legumes (except field beans and field peas) and crucifers			
(b) field beans and field peas		49.15	(47.95)
(iii) certified seed of grasses, legumes (except field beans and field peas) and crucifers		57.00	(55.60)
(iv) certified seed of the first and second generation of field beans and field peas		45.80	(44.70)

(6) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1997 (S.I. 1997/1415) on 1st July 1997.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	£(6)
(v) commercial seed of the kinds for the time being specified in regulation 3(3) of the Fodder Plant Seeds Regulations 1993		50.30	(49.05)

## SCHEDULE 3

Regulation 3

## MATTERS ARISING UNDER THE OIL AND FIBRE PLANT SEEDS REGULATIONS 1993(7)

(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	£(8)
<b>A. Initial fees</b>			
Initial fee per hectare or part thereof for crops intended to produce:	On application for registration	24.60	(24.00)
(i) pre-basic or basic seed			
(ii) all other categories of seed		11.75	(11.45)
<b>B. Crop inspection fees</b>			
Fee for official examination or re-examination of crops intended to produce pre-basic or basic seed, per hectare or part thereof examined	On application	11.15	(10.90)
<b>C. Seed lot fee</b>			
Fee for the issue of an official certificate in respect of a seed lot entered as:—	On application	44.70	(43.60)

(6) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1997 (S.I. 1997/1415) on 1st July 1997.

(7) S.I. 1993/2007, amended by S.I. 1994/1423, 1996/1451 and 1997/616.

(8) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1997 (S.I. 1997/1415) on 1st July 1997.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	£(8)
(i) breeder's, pre-basic or basic seed			
(ii) all other categories of seed		44.70	<i>(43.60)</i>
<b>D. Seed testing fees</b>			
Fees for an official examination of seed for:—	Within one month of demand by or on behalf of the appropriate Minister	37.95	<i>(37.05)</i>
(i) sunflower for <i>Botrytis</i> spp			
(ii) flax and linseed for:—			
(a) <i>Alternaria</i> spp			
(b) <i>Phoma exigua</i> var. <i>linicola</i>			
(c) <i>Colletotrichum lini</i>			
(d) <i>Fusarium</i> spp		31.25	<i>(30.50)</i>
(e) <i>Botrytis</i> spp			

## SCHEDULE 4

Regulation 3

## MATTERS ARISING UNDER THE BEET SEEDS REGULATIONS 1993(9)

(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	£(10)
<b>A. Initial fees</b>			
Initial fee per hectare or part thereof for crops intended to produce:	On application for registration	29.05	<i>(28.35)</i>

(8) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1997 (S.I. 1997/1415) on 1st July 1997.

(9) S.I. 1993/2006, amended by S.I. 1997/616.

(10) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1997 (S.I. 1997/1415) on 1st July 1997.



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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	£ <b>(10)</b>
(i) pre-basic or basic seed			
(ii) certified seed		13.45	<i>(13.10)</i>
<b>B. Crop inspection fees</b>			
Fee for official examination or re-examination of crops intended to produce pre-basic or basic seed, per hectare or part thereof examined	On application	11.15	<i>(10.90)</i>
<b>C. Seed lot fee</b>			
Fee for the issue of an official certificate in respect of a seed lot entered as:—	On application	54.75	<i>(53.40)</i>
(i) pre-basic or basic seed			
(ii) certified seed		53.60	<i>(52.30)</i>

## SCHEDULE 5

Regulation 3

MATTERS ARISING UNDER THE VEGETABLE SEEDS REGULATIONS 1993**(11)**

(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	£ <b>(12)</b>
<b>A. Initial fees</b>			
Initial fee for crops intended to produce:	On application for registration	39.10	<i>(38.15)</i>
(i) pre-basic or basic seed of—	(a) all kinds, except peas, broad beans, cucumber, gherkin and tomato, per hectare or		

**(10)** The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1997 (S.I. 1997/1415) on 1st July 1997.

**(11)** S.I. 1993/2008, amended by S.I. 1996/1452 and 1997/616.

**(12)** The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1997 (S.I. 1997/1415) on 1st July 1997.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	<i>£(12)</i>
	part thereof entered		
(b) peas and broad beans per hectare or part thereof entered		24.60	<i>(24.00)</i>
(c) cucumber, gherkin and tomato, per crop entered		39.10	<i>(38.15)</i>
(ii) certified seed of—	21.20	<i>(20.70)</i>	
(a) all kinds, except peas, broad beans, cucumber, gherkin and tomato, per hectare or part thereof entered			
(b) peas and broad beans per hectare or part thereof entered		10.05	<i>(9.80)</i>
(c) cucumber, gherkin and tomato, per crop entered		21.20	<i>(20.70)</i>
<b>B. Crop inspection fees</b>			
Fee for official examination or re- examination of crops intended to produce:	On application	11.15	<i>(10.90)</i>
(i) A(i)(a) or (b) <u>above, per</u>			

(12) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1997 (S.I. 1997/1415) on 1st July 1997.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	£(12)
hectare or part thereof examined			
(ii) A(i)(c) above, per crop examined		11.15	<i>(10.90)</i>
<b>C. Seed lot fee</b>			
Fee for the issue of an official certificate in respect of a seed lot entered	On application	89.40	<i>(87.20)</i>

## SCHEDULE 6

Regulation 3

## MATTERS ARISING UNDER THE SEEDS (REGISTRATION, LICENSING AND ENFORCEMENT) REGULATIONS 1985(13)

(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i> £	£(14)
<b>A. Representations by, and hearings of, a seed merchant, processor or packer</b>			
(i) Fee for making written representations to the Minister	On making representations	27.95	<i>(27.25)</i>
(ii) Fee for being heard by a person appointed by the Minister	On applying to be heard	55.85	<i>(54.50)</i>
<b>B. Licensed Seed Testing Stations</b>			
(i) Annual fee payable during the currency of the licence (or a proportion thereof in respect	Within one month of demand by the Minister, annually in advance	1,844.00	<i>(1,799.00)</i>

(12) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1997 (S.I. 1997/1415) on 1st July 1997.

(13) S.I. 1985/980, amended by S.I. 1987/1098, 1990/611 and 1993/2530.

(14) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1997 (S.I. 1997/1415) on 1st July 1997.

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(1) <i>Matter</i>	(2) <i>When payable</i>	(3) <i>Fee</i>	<i>£(14)</i>
of a part of a year)			
(ii) Fee payable by a Licensed Seed Testing Station in respect of an official examination of seed	Within one month of demand by the Minister, annually in arrears	4.45	<i>(4.35)</i> ”

#### EXPLANATORY NOTE

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

These Regulations, which come into force on 1st July 1997, amend the Seeds (Fees) Regulations 1985 (as amended). They prescribe revised fees in respect of matters arising under the Cereal Seeds Regulations 1993 (as amended), the Fodder Plant Seeds Regulations 1993 (as amended), the Oil and Fibre Plant Seeds Regulations 1993 (as amended), the Beet Seeds Regulations 1993 (as amended), the Vegetable Seeds Regulations 1993 (as amended) and the Seeds (Registration, Licensing and Enforcement) Regulations 1985 (as amended) (regulation 2).

The matters in respect of which the revised fees are prescribed are listed in the Schedule to these Regulations, and the fees which were chargeable before these Regulations came into force are printed in italics beside the revised fees.

A uniform increase of 2.5% has been applied to all fees and has been rounded to the nearest five pence except in the case of the annual fee for Licensed Seed Testing Stations, which has been rounded to the nearest £1.

A Compliance Cost Assessment has been prepared and placed in the libraries of both Houses of Parliament. Copies can be obtained from the Plant Variety Rights Office and Seeds Division of the Ministry of Agriculture, Fisheries and Food, White House Lane, Huntingdon Road, Cambridge CB3 0LF.

(14) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1997 (S.I. 1997/1415) on 1st July 1997.