

1999 No. 1090

SEEDS

**The Seeds (National Lists of Varieties) (Fees) (Amendment)
Regulations 1999**

<i>Made - - - -</i>	<i>8th April 1999</i>
<i>Laid before Parliament</i>	<i>8th April 1999</i>
<i>Coming into force</i>	<i>30th April 1999</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland, the Secretary of State for Wales and the Secretary of State for Northern Ireland, acting jointly, in exercise of the powers conferred on them by sections 16(1), (1A)(e) and (8) and 36 of the Plant Varieties and Seeds Act 1964(a), as extended to Northern Ireland(b), after consultation with representatives of such interests as appear to them to be concerned in accordance with section 16(1) of that Act, hereby make the following Regulations:

Title and commencement

1. These Regulations may be cited as the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1999 and shall come into force on 30th April 1999.

Amendment of the Seeds (National Lists of Varieties) (Fees) Regulations 1994

2. For the Schedules to the Seeds (National Lists of Varieties) (Fees) Regulations 1994(c) there shall be substituted the Schedules set out in the Schedule to these Regulations.

1st April 1999

Jeff Rooker
Parliamentary Secretary,
Ministry of Agriculture, Fisheries and Food

1st April 1999

Sewel
Parliamentary Under Secretary of State,
Scottish Office

(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), (2) and (3); see section 38(1) (as amended by S.I. 1978/272 and as read with section 39(3)(a)(ii)) for the definition of "the Ministers".

(b) S.I. 1964/1574 and S.I. 1973/609.

(c) S.I. 1994/676, amended by S.I. 1995/607, 1997/383 and 1998/1022.

Signed by authority of the Secretary of State for Wales

7th April 1999

Peter Hain
Parliamentary Under Secretary of State,
Welsh Office

8th April 1999

Paul Murphy
Secretary of State, Northern Ireland Office

SCHEDULE**Regulation 2****SCHEDULES TO BE SUBSTITUTED FOR THE SCHEDULES TO THE SEEDS (NATIONAL LISTS OF VARIETIES) (FEES) REGULATIONS 1994****“SCHEDULE 1****Regulation 3(1)(a)****FEES PAYABLE ON AN APPLICATION FOR ENTRY OF A PLANT VARIETY IN A NATIONAL LIST**

<i>Plant Variety</i>	<i>Amount</i>	
	<i>New Fee</i>	<i>Old Fee</i>
	£	£(*)
1. Any variety	275	(260)

(*) The figure in italics is the fee which was charged under these Regulations before the coming into force of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1999 (S.I. 1999/1090) on 30th April 1999.

SCHEDULE 2**Regulation 3(1)(b)****FEES PAYABLE IN RESPECT OF TESTS FOR DISTINCTNESS, UNIFORMITY AND STABILITY OF A PLANT VARIETY WHICH IS THE SUBJECT OF AN APPLICATION FOR ENTRY IN A NATIONAL LIST**

<i>Plant Variety</i>	<i>Amount</i>	
	<i>New Fee</i>	<i>Old Fee</i>
	£	£(*)
1. A cereal (excluding maize) variety	745	(710)
2. A maize variety	455	(435)
3. A potato variety	695	(660)
4. A beetroot, Brussels sprout, cabbage, carrot, celery, curly kale, leek, onion, radish, turnip or fodder variety	645	(615)
5. A field pea, vegetable pea, field bean or broad bean variety	555	(530)
6. A herbage variety	455	(435)
7. An oil and fibre (including oilseed rape) variety	455	(435)
8. A sugar beet or fodder beet variety	180	(170)
9. Any other variety	230	(220)

(*) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1999 (S.I. 1999/1090) on 30th April 1999.

SCHEDULE 3**Regulation 3(1)(c)****FEES PAYABLE IN RESPECT OF TRIALS FOR VALUE FOR CULTIVATION AND USE OF A PLANT VARIETY WHICH IS THE SUBJECT OF AN APPLICATION FOR ENTRY IN A NATIONAL LIST**

	<i>Plant Variety</i>	<i>Amount</i>	
		<i>New Fee</i>	<i>Old Fee</i>
		£	£(*)
1.	A maize variety	535	(510)
2.	A potato variety	945	(900)
3.	A ryegrass, timothy or white clover variety	380	(360)
4.	A field pea variety	770	(735)
5.	A flax or linseed variety	360	(345)
6.	A sugar beet variety	415	(395)
7.	A festulolium variety	380	(360)
8.	A wheat (excluding durum wheat and spelt wheat), barley or oat variety	1,220	(1,160)
9.	A field bean variety	355	(340)
10.	A spring oilseed rape variety	760	(725)
11.	A winter oilseed rape variety	800	(760)

(*) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1999 (S.I. 1999/1090) on 30th April 1999.

SCHEDULE 4**Regulation 3(1)(d)****RENEWAL FEES**

	<i>Plant Variety</i>	<i>Amount</i>	
		<i>New Fee</i>	<i>Old Fee</i>
		£	£(*)
1.	A vegetable variety (excluding a vegetable pea or broad bean variety)	170	(160)
2.	Any other variety (including a vegetable pea or broad bean variety)	275	(260)

(*) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1999 (S.I. 1999/1090) on 30th April 1999.

SCHEDULE 5**Regulation 3(1)(e)****FEES PAYABLE IN RESPECT OF OTHER MATTERS**

<i>Matter</i>	<i>When payable</i>	<i>Amount</i>	
		<i>New Fee</i> £	<i>Old Fee</i> £(*)
1. Application for the substitution of a name in a National List	On making the application	30	(30)
2. Making written representations to the Ministers	On delivering the representations	30	(30)
3. Attending to be heard by a person appointed by the Ministers	Before the hearing	60	(55)
4. Purchase of a report from a testing authority in another country	Within 14 days of demand by the Minister	160	(150)
5. Observation plot-trials for value for cultivation and use	Within 14 days of demand by the Minister	135	(130)
6. Entry in a National List	Before entry in a National List	120	(115)

(*) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1999 (S.I. 1999/1090) on 30th April 1999.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Seeds (National Lists of Varieties) (Fees) Regulations 1994 (as amended) so as to prescribe revised fees in respect of matters arising under the Seeds (National Lists of Varieties) Regulations 1982 (as amended) (regulation 2 and the Schedule).

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.

Application, test, trial and renewal fees have been increased by 5 per cent., rounded to the nearest £5. The fees in Schedule 5 have been similarly increased apart from the fees for an application for the substitution of a name in a National List and for making written representations to the Ministers which remain unchanged.

A Regulatory Impact Assessment has been prepared and placed in the library 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.

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