
STATUTORY INSTRUMENTS

2005 No. 3480

**The Plant Health (Export Certification)
(England) (Amendment) Order 2005**

Amendment of the Plant Health (Export Certification) (England) Order 2004

2.—(1) The Plant Health (Export Certification) (England) Order 2004(1) shall be amended in accordance with the following paragraphs of this article.

(2) In article 2(1)—

(a) for the definition of “authorised officer” there shall be substituted—

““authorised officer” means—

(a) a person authorised by the Secretary of State to be an inspector for the purposes of this Order or the Plant Health (England) Order 2005(2); or

(b) any other officer of the Secretary of State;”;

(b) in the definition of “certificate” for “reforwarding phytosanitary certificate” there shall be substituted “phytosanitary certificate for re-export”;

(c) after the definition of “phytosanitary certificate” there shall be inserted—

““phytosanitary certificate for re-export” means a certificate duly completed in the form set out in Schedule 2 or in such other similar form as may be agreed between the Secretary of State and the third country whose phytosanitary requirements the certificate is intended to meet;

“pre-export service” means any plant health inspection or examination, including by the taking of samples, which is required to be carried out in order to satisfy the phytosanitary requirements of a third country, other than any such service required for the issue of a certificate under this Order;”;

(d) the definition of “reforwarding phytosanitary certificate” shall be deleted.

(3) After article 3 there shall be inserted—

“Pre-export services

3A.—(1) A person who intends exporting plants, plant products or other objects to one or more third countries may apply to the Secretary of State for a pre-export service under this Order.

(2) Where the Secretary of State has received an application made under paragraph (1), an authorised officer shall—

(a) carry out any pre-export service which he considers necessary to determine whether the import requirements of the country or countries of export specified in the application are met; and

(b) provide the applicant with the results of any inspection or examination carried out.”.

(1) S.I.2004/1404.

(2) S.I. 2005/2530.

(4) For article 4 there shall be substituted—

“Charges for the issue of certificates and the provision of services

4.—(1) Subject to paragraph (2), there shall be paid to the Secretary of State—

- (a) in respect of the services referred to in the first column of Schedule 3, the fee set out opposite in the second column of that Schedule; and
- (b) in respect of a pre-export service, the fee set out in the second column of Schedule 4.

(2) A small exporter shall pay to the Secretary of State—

- (a) in respect of the services referred to in the first column of Schedule 3 either—
 - (i) the fee set out opposite in the third column of Schedule 3; or
 - (ii) if the sum total of fees in respect of any services under this Order for which he has become liable during the financial year in which his application is made exceeds £250, the fee set out in the second column of Schedule 3; and
- (b) in respect of a pre-export service either—
 - (i) the fee set out in the third column of Schedule 4; or
 - (ii) if the sum total of fees in respect of any services under this Order for which he has become liable during the financial year in which his application is made exceeds £250, the fee set out in the second column of Schedule 4.

(3) In this article, “small exporter” means a person who, in the financial year in which his application is made—

- (a) is not a taxable person for the purposes of the Value Added Tax Act 1994⁽³⁾; or
- (b) makes no taxable supply of plants, plant products, seeds, soil or agricultural machinery for the purposes of the Value Added Tax Act 1994; or
- (c) did not export in the previous financial year goods accompanied by a certificate the total value of which was £5,000 or more.”.

(5) For Schedule 2 there shall be substituted—

(3) 1994 c. 23.

“SCHEDULE 2

Article 2

FORM OF A PHYTOSANITARY CERTIFICATE FOR RE-EXPORT

1 Name and address of exporter		2 PHYTOSANITARY CERTIFICATE FOR RE-EXPORT [No. EC//]	
3 Declared name and address of consignee		4 Plant Protection Organisation of	
6 Declared means of conveyance		to Plant Protection Organisation(s) of	
7 Declared point of entry		5 Place of origin	
8 Distinguishing marks: number and description; name of produce; botanical name of plants		9 Quantity declared	
10 This is to certify —that the plants or plant products described above were imported into (country of re-export) from (country of origin) covered by Phytosanitary Certificate No. * <input type="checkbox"/> original <input type="checkbox"/> certified true copy of which is attached to this Certificate, that they are * <input type="checkbox"/> packed <input type="checkbox"/> repacked in <input type="checkbox"/> original <input type="checkbox"/> new containers, —that based on the * <input type="checkbox"/> original Phytosanitary Certificate and <input type="checkbox"/> additional inspection, they are considered to conform with the current Phytosanitary regulations of the importing country, and —that during storage in (country of re-export) the consignment has not been subjected to the risk of infestation or infection. * Insert tick in the appropriate boxes.			
11 Additional declaration			
DISINFESTATION AND/OR DISINFECTION TREATMENT		Place of issue:	
12 Treatment		Date:	
13 Chemical (active ingredient)	14 Duration and temperature		
15 Concentration	16 Date	Name and signature of authorised officer:	Stamp of Organisation:
17 Additional information.			

(6) After Schedule 3 there shall be added—

“SCHEDULE 4

Article 4

Service

Fee

Fee (small exporter)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Plant Health (Export Certification) (England) (Amendment) Order 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Pre-export service	£20.25 for each quarter hour or part thereof with a minimum fee of £40.50.	£10.13 for each quarter hour or part thereof with a minimum fee of £20.25.”
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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- [Order revoked by S.I. 2019/1517 Sch. 6](#)