
WELSH STATUTORY INSTRUMENTS

2006 No. 171 (W.22)

PLANT HEALTH, WALES

The Plant Health (Import Inspection Fees) (Wales) Regulations 2006

Made - - - - 31 January 2006

Coming into force - - 1 February 2006

The National Assembly for Wales, in exercise of the powers conferred on it by section 56(1) of the Finance Act 1973⁽¹⁾ and by section 29(4) of the Government of Wales Act 1998⁽²⁾, with the consent of the Treasury, hereby makes the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Plant Health (Import Inspection Fees) (Wales) Regulations 2006 and come into force on 1 February 2006.

(2) These Regulations apply in relation to Wales.

Interpretation

2. In these Regulations—

“consignment” (“*llwyth*”) has the same meaning as in article 2(1)(p) of the Directive;

“daytime working hours” (“*oriau gwaith yn ystod y dydd*”) means any time between the hours of 8.30 a.m. to 5.00 p.m. on any day except a Saturday, Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971⁽³⁾ in Wales;

“the Directive” (“*y Gyfarwyddeb*”) means Council Directive 2000/29/EC of 8 May 2000⁽⁴⁾ on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community as last amended by Commission Directive 2005/15/EC of 28 February 2005⁽⁵⁾;

“documentary check” (“*gwiriad dogfennoł*”) has the same meaning as in article 13a(1)(b)(i) of the Directive;

(1) 1973 c. 51.

(2) 1998 c. 38.

(3) 1971 c. 80.

(4) OJ No. L 169, 10.7.00, p. 1.

(5) OJ No. L 56, 2.3.2005, p. 12.

“identity check” (“*gwiriad adnabod*”) has the same meaning as in article 13a(1)(b)(ii) of the Directive;

“plant” (“*planhigyn*”) has the same meaning as in article 2(1)(a) of the Directive;

“plant health check” (“*gwiriad iechyd planhigion*”) has the same meaning as in article 13a(1)(b)(iii) of the Directive;

“plant intended for planting” (“*planhigyn a fwriedir ar gyfer ei blannu*”) has the same meaning as in article 2(1)(d) of the Directive;

“plant product” (“*cynnyrch planhigyn*”) has the same meaning as in Article 2(1)(b) of the Directive; and

“third country” (“*trydedd wlad*”) means a country or territory other than one within the European Community.

Consignments to which these Regulations apply

3. These Regulations apply to consignments of plants, plant products and other objects of a description specified in the first column of Schedule 1, landed in Wales from a third country, in respect of which article 13d(1) of the Directive requires member States to charge phytosanitary fees to cover the costs occasioned by documentary checks, identity checks and plant health checks.

Fees

4.—(1) An importer of a consignment to which these Regulations apply must pay to the National Assembly for Wales the fees specified in this regulation.

(2) In respect of a plant health check carried out on any consignment of plants, plant products or other objects, other than a consignment of a plant or plant product to which paragraph (3) applies, the fee payable must be—

- (a) the fee specified in the third column of Schedule 1 in respect of a check carried out during daytime working hours; or
- (b) the fee specified in the fourth column of that Schedule in respect of a check carried out outside those hours.

(3) In respect of a plant health check carried out, or which, but for article 13a(2) of the Directive (providing for such checks to be carried out at reduced frequency), would have been required to be carried out, on a consignment of any plant or plant product listed in the first column of Schedule 2 and originating from a country listed in the third column of that Schedule, the fee payable, in accordance with Article 13d(2) of the Directive, must be—

- (a) the fee specified in the fourth column of Schedule 2 in respect of a check carried out during daytime working hours; and
- (b) the fee specified in the fifth column of that Schedule in respect of a check carried out outside those hours.

(4) In respect of a documentary check or an identity check carried out on any consignment the fee payable must be the fee specified for that check in the third column of Schedule 3.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(6)

31 January 2006

D. Elis-Thomas
The Presiding Officer of the National Assembly

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

Regulations 3 and 4(2)

IMPORT INSPECTION FEES FOR PLANT HEALTH CHECKS

<i>Plant, plant product or other object</i>	<i>Quantity</i>	<i>Fee (daytime working hours)</i>	<i>Fee (non-daytime working hours)</i>
Cuttings, seedlings (except forestry reproductive material), young plants of strawberries or of vegetables	Per consignment		
	— up to 10,000 in number	£13.24	£19.86
	— for each additional 1,000 units	£0.52	£0.78
	— maximum price	£105.92	£158.88
Shrubs, trees (other than cut Christmas trees), other woody nursery plants including forest reproductive material (other than seed)	Per consignment		
	— up to 1,000 in number	£13.24	£19.86
	— for each additional 100 units	£0.33	£0.49
	— maximum price	£105.92	£158.88
Bulbs, corms, rhizomes, tubers, intended for planting (other than tubers of potatoes)	Per consignment		
	— up to 200 kg in weight	£13.24	£19.86
	— for each additional 10 kg	£0.12	£0.18
	— maximum price	£105.92	£158.88
Seeds, tissue cultures	Per consignment		
	— up to 100 kg in weight	£5.67	£8.50
	— for each additional 10 kg	£0.13	£0.19
	— maximum price	£105.92	£158.88

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<i>Plant, plant product or other object</i>	<i>Quantity</i>	<i>Fee (daytime working hours)</i>	<i>Fee (non-daytime working hours)</i>
Other plants intended for planting, not specified elsewhere in this Schedule	Per consignment		
	— up to 5,000 in number	£13.24	£19.86
	— for each additional 100 units	£0.13	£0.19
	— maximum price	£105.92	£158.88
Cut flowers	Per consignment		
	— up to 20,000 in number	£13.24	£19.86
	— for each additional 1,000 units	£0.10	£0.15
	— maximum price	£105.92	£158.88
Branches with foliage, parts of conifers (other than cut Christmas trees)	Per consignment		
	— up to 100 kg in weight	£13.24	£19.86
	— for each additional 100 kg	£1.32	£1.98
	— maximum price	£105.92	£158.88
Cut Christmas trees	Per consignment		
	— up to 1,000 in number	£13.24	£19.86
	— for each additional 100 units	£1.32	£1.98
	— maximum price	£105.92	£158.88
Leaves of plants, such as herbs, spices and leafy vegetables	Per consignment		
	— up to 100 kg in weight	£13.24	£19.86
	— for each additional 10 kg	£1.32	£1.98
	— maximum price	£105.92	£158.88

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<i>Plant, plant product or other object</i>	<i>Quantity</i>	<i>Fee (daytime working hours)</i>	<i>Fee (non-daytime working hours)</i>
Fruits, vegetables (other than leafy vegetables)	Per consignment		
	— up to 25,000 kg in weight	£13.24	£19.86
	— for each additional 1,000 kg	£0.52	£0.78
Tubers of potatoes	Per lot		
	— up to 25,000 kg in weight	£39.72	£59.58
	— for each additional 25,000 kg	£39.72	£59.58
Soil and growing medium, bark	Per consignment		
	— up to 25,000 kg in weight	£13.24	£19.86
	— for each additional 1,000 kg	£0.52	£0.78
	— maximum price	£105.92	£158.88
Grain	Per consignment		
	— up to 25,000 kg in weight	£13.24	£19.86
	— for each additional 1,000 kg	£0.52	£0.78
	— maximum price	£529.60	£794.40
Other plants or plant products not specified elsewhere in this Schedule, except forest trees	Per consignment	£13.24	£19.86

SCHEDULE 2

Regulation 4(3)

REDUCED IMPORT INSPECTION FEES FOR PLANT HEALTH CHECKS

<i>Genus</i>	<i>Quantity</i>	<i>Country of origin</i>	<i>Fee (daytime working hours)</i>	<i>Fee (non-daytime working hours)</i>
Cut flowers				

Where the total amount of any fee comprises an amount of less than £0.01, that amount shall be excluded.

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<i>Genus</i>	<i>Quantity</i>	<i>Country of origin</i>	<i>Fee (daytime working hours)</i>	<i>Fee (non-daytime working hours)</i>
Aster	Per consignment			
	— up to 20,000 in number	Zimbabwe	£3.31	£4.96
	— for each additional 1,000 units	Zimbabwe	£0.02	£0.03
	— maximum price	Zimbabwe	£26.48	£39.72
Dianthus	Per consignment			
	— up to 20,000 in number	Colombia	£0.40	£0.60
		Ecuador	£1.98	£2.97
		Morocco, Turkey	£3.31	£4.96
	— for each additional 1,000 units	Colombia	£0.003	£0.004
		Ecuador	£0.01	£0.015
		Morocco, Turkey	£0.02	£0.03
	— maximum price	Colombia	£3.17	£4.75
		Ecuador	£15.88	£23.82
	Morocco, Turkey	£26.48	£39.72	
Rosa	Per consignment			
	— up to 20,000 in number	Ecuador, Kenya, Uganda, Zimbabwe	£0.66	£0.99
		Colombia	£1.32	£1.98
	— for each additional 1,000 units	Ecuador, Kenya, Uganda, Zimbabwe	£0.005	£0.007
		Colombia	£0.01	£0.015
	— maximum price	Ecuador, Kenya, Uganda, Zimbabwe	£5.29	£7.94
	Colombia	£10.59	£15.89	
Fruit				
Malus	Per consignment			

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<i>Genus</i>	<i>Quantity</i>	<i>Country of origin</i>	<i>Fee (daytime working hours)</i>	<i>Fee (non-daytime working hours)</i>
	— up to 25,000 kg in weight	Chile, South Africa	£1.32	£1.98
		Argentina, New Zealand	£1.98	£2.97
		Brazil	£3.31	£4.96
		China	£6.62	£9.93
	— for each additional 1,000 kg	Chile, South Africa	£0.05	£0.07
		Argentina, New Zealand	£0.07	£0.10
		Brazil	£0.13	£0.19
		China	£0.26	£0.39
Mangifera	Per consignment			
	— up to 25,000 kg in weight	Brazil	£1.32	£1.98
		South Africa	£6.62	£9.93
	— for each additional 1,000 kg	Brazil	£0.05	£0.07
		South Africa	£0.26	£0.39
Prunus	Per consignment			
	— up to 25,000 kg in weight	Chile, South Africa, Turkey	£1.32	£1.98
		Argentina	£1.98	£2.97
	— for each additional 1,000 kg	Chile, South Africa, Turkey	£0.05	£0.07
		Argentina	£0.07	£0.10
Pyrus	Per consignment			
	— up to 25,000 kg in weight	South Africa	£1.32	£1.98
		Argentina	£1.98	£2.97
		Chile	£3.31	£4.96
		China	£6.62	£9.93

Where the total amount of any fee comprises an amount of less than £0.01, that amount shall be excluded.

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<i>Genus</i>	<i>Quantity</i>	<i>Country of origin</i>	<i>Fee (daytime working hours)</i>	<i>Fee (non-daytime working hours)</i>
	— for each additional 1,000 kg	South Africa	£0.05	£0.07
		Argentina	£0.07	£0.10
		Chile	£0.13	£0.19
		China	£0.26	£0.39
Citrus	Per consignment			
	— up to 25,000 kg in weight	Morocco	£0.66	£0.99
		Turkey	£0.92	£1.38
		USA	£1.32	£1.98
		Israel, Mexico, Uruguay	£1.98	£2.97
	— for each additional 1,000 kg	Morocco	£0.02	£0.03
		Turkey	£0.03	£0.04
		USA	£0.05	£0.07
		Israel, Mexico, Uruguay	£0.07	£0.10

Where the total amount of any fee comprises an amount of less than £0.01, that amount shall be excluded.

SCHEDULE 3

Regulation 4(4)

IMPORT INSPECTION FEES FOR DOCUMENTARY CHECKS AND IDENTITY CHECKS

<i>Check</i>	<i>Quantity</i>	<i>Fee</i>
Documentary check	Per consignment	£5.29
Identity check	Per consignment	
	— up to a size of a truck load, a railway wagon load or the load of a container of comparable size	£5.29
	— bigger than the above size	£10.58

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to Wales and come into force on 1 February 2006, give effect to Article 13d of Council Directive [2000/29/EC](#) of 8 May 2000 (OJNo. L 169, 10.7.00, p.1), as last amended by Commission Directive [2005/15/EC](#) of 28 February 2005 (OJ No. L 56, 2.3.2005, p.12), (“the Directive”), which requires member States to charge 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 provided for in Article 13a(1) of the Directive.

An importer is required to pay the fee specified in Schedule 1 for plant health checks which are carried out, except where reduced import inspection fees apply (regulation 4(2) and (3)). Schedule 2 specifies reduced fees which apply, whether or not an inspection is in fact carried out, in respect of plant health checks of certain cut flowers and fruits originating in the countries specified in that Schedule (regulation 4(3)).

An importer is required to pay the fee specified in Schedule 3 for documentary checks and identity checks (regulation 4(4)).

A Regulatory Appraisal has been prepared for these Regulations. Copies can be obtained from the Department for Environment, Planning and Countryside, Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ.