
WELSH STATUTORY INSTRUMENTS

2006 No. 2961 (W.267)

SEEDS, WALES

The Seed Potatoes (Fees) (Wales) (No 2) Regulations 2006

Made - - - - 7 November 2006

Coming into force - - 16 November 2006

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred by section 16(1) and (1A)(e) of the Plant Varieties and Seeds Act 1964⁽¹⁾ and now vested in it⁽²⁾.

In accordance with section 16(1) of that Act it has consulted with representatives of such interests as appear to it to be concerned by the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Seed Potatoes (Fees) (Wales) (No 2) Regulations 2006.

(2) These regulations come into force on 16 November 2006.

(3) These Regulations apply in relation to Wales.

Fees

2.—(1) An applicant for—

(a) certification of seed potatoes in accordance with regulation 9 of the Seed Potatoes (Wales) Regulations 2006⁽³⁾, or

(b) authorisation to market seed potatoes in accordance with regulation 8 of those Regulations, must pay to the National Assembly for Wales in respect of any of its functions under the Seed Potatoes (Wales) Regulations 2006 or to any person authorised by it to carry out such functions on its behalf the fees listed in the Schedule in respect of such functions.

(2) The fee specified in the Schedule as payable in respect of each function is subject to any minimum fee specified in relation to that function.

(1) 1964 c. 14; section 16 was amended by section 4(1) of, and paragraph 5(1), (2) and (3) of Schedule 4 to, the European Communities Act 1972 (c. 68), S.I.1977/1112, and section 2 of the Agriculture Act 1986 (c. 49); see section 38(1) for a definition of “the Minister”.

(2) Under the National Assembly for Wales (Transfer of Functions) Order 1999 S.I. 1999/672 the functions of the Minister of Agriculture, Fisheries and Food under the Plant Varieties and Seeds Act 1964, which had been transferred to the Secretary of State by the Transfer of Functions (Wales) (No. 1) Order 1978, were transferred to the National Assembly for Wales.

(3) S.I. 2006/2929 (W.264)

Status: This is the original version (as it was originally made).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

Revocations

3. The Seed Potatoes (Fees) (Wales) Regulations 2006⁽⁴⁾ are revoked.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998⁽⁵⁾.

7 November 2006

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

⁽⁴⁾ S.I. 2006/519 (W. 63).
⁽⁵⁾ 1998 c. 38.

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SCHEDULE

Regulation 2

<i>Function</i>	<i>Fee⁽¹⁾</i>	<i>(Previous fee)</i>	<i>Minimum fee</i>	<i>(Previous minimum fee)</i>
Inspection of growing crops and provision of seals and labels in respect of applications—				
for certification as pre-basic seed potatoes	£81.00*	(£81.00)	N/A	(N/A)
for certification as basic seed potatoes, classified as—				
Super Elite 1, Super Elite 2 or Super Elite 3	£40.50	(£40.50)	£81.00	(£81.00)
Elite 1, Elite 2 or Elite 3	£40.50	(£40.50)	£81.00	(£81.00)
A	£38.50	(£38.50)	£77.00	(£77.00)
for certification as certified seed potatoes	£35.00	(£35.00)	£70.00	(£70.00)
for authorisation to market seed potatoes in accordance with regulation 8 of the Seed Potatoes (Wales) Regulations 2006	£81.00*	(£81.00) ⁽¹⁾	N/A	(N/A)
Inspection of harvested tubers				
Up to two inspections	£12.00	(£12.00)	£24.00	(£24.00)
Third and subsequent inspections	£81.00*	(£81.00)	N/A	(N/A)
(1) Of the rates listed in this column those that are marked with an asterisk are per hour or part thereof and those not so marked are per half-hectare or part thereof.				
(1) Fee payable under the previous scheme for unlisted varieties (under paragraph 4(c)(ii) of Part II of Schedule 1 to the Seed Potatoes Regulations 19916).				

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Seed Potatoes (Fees) (Wales) Regulations 2006 (SI 2006/519 (W. 63), in order to reflect changes made by the [Seed Potatoes \(Wales\) Regulations 2006 \(SI 2006/ 2929 \(W.264\)](#) in the approach taken to official certification of seed potatoes as pre-basic seed potatoes, basic seed potatoes and certified seed potatoes and to the inspection of and provision of seals and labels for seed potatoes belonging to varieties for which an application for entry in a National List has been submitted but not yet determined (which potatoes are now permitted to be marketed for test and trial purposes). The changes primarily reflect changes in terminology and there are no changes to the amount of fees currently payable.

A Regulatory Appraisal in relation to these Regulations has been prepared. A copy is available from the Department for Environment, Planning and Countryside, Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ.