
WELSH STATUTORY INSTRUMENTS

2007 No. 1765 (W.154)

PLANT HEALTH, WALES

The Plant Health (Plant Passport Fees) (Wales) Regulations 2007

<i>Made</i>	- - - -	<i>19 June 2007</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>20 June 2007</i>
<i>Coming into force</i>	- -	<i>13 July 2007</i>

The Welsh Ministers, with the consent of the Treasury, make the following Regulations in exercise of the powers conferred by section 56 of the Finance Act 1973(1) and now vested in them:

Title, commencement and application

1.—(1) The title of these Regulations is the Plant Health (Plant Passport Fees) (Wales) Regulations 2007.

(2) These Regulations come into force on 13 July 2007 and apply in relation to Wales.

Interpretation

2. In these Regulations—

“authority” (“*awdurdodiad*”) means an authority to issue plant passports conferred under article 8 of the Plant Health (*Phytophthora ramorum*) (Wales) Order 2006(2) or, as the case may be, under article 29 of the Plant Health (Wales) Order 2006(3); and

“plant passport” (“*pasbort planhigion*”) has the meaning given by—

- (a) article 2 of the Plant Health (*Phytophthora ramorum*) (Wales) Order 2006 in respect of an authority under that Order; or
- (b) article 2(1) of the Plant Health (Wales) Order 2006 in respect of an authority under that Order.

(1) 1973 c. 51. The Welsh Ministers may exercise this power by virtue of section 59(5) of the Government of Wales Act 2006 (2006 c. 32).
(2) S.I. 2006/1344 (W. 134).
(3) S.I. 2006/1643 (W. 158).

Fee for inspections for plant passporting purposes

3.—(1) The fee specified in paragraph (2) is to be paid to the Welsh Ministers in respect of any inspection (including a check of business records) carried out in connection with—

- (a) an application for an authority; or
- (b) ensuring compliance with any requirements imposed on the holder of an authority by virtue of article 8 of the Plant Health (Phytophthora ramorum) (Wales) Order 2006 Order or article 29 of the Plant Health (Wales) Order 2006 .

(2) The fee is £20.25 for each quarter of an hour or part thereof spent on site by an inspector with a minimum of £40.50 in respect of any visit.

Revocations

4. The following Regulations are revoked insofar as they apply to Wales—

- (a) the Plant Passport (Plant Health Fees) (England and Wales) Regulations 1993⁽⁴⁾; and
- (b) the Plant Passport (Plant Health Fees) (England and Wales) (Amendment) Regulations 1997⁽⁵⁾.

19 June 2007

Jane Davidson
Minister for Sustainability and Rural
Development one of the Welsh Ministers

(4) S.I. 1993/1642.
(5) S.I. 1997/1961.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to Wales, prescribe fees in respect of inspections carried out for the purpose of conferring authority to issue plant passports (including check of business records) under either the Plant Health (Wales) Order 2006 (S.I.2006/1643 (W. 158)) or the Plant Health (*Phytophthora ramorum*) (Wales) Order 2006 (S.I. 2004/1344 (W. 134)) (“the Orders”).

Under the Orders, certain listed plants, certain plant products and other objects require a plant passport for movement within the European Community including any trade within the United Kingdom. Producers, traders and importers of such material may be authorised to issue plant passports by the Welsh Ministers. The initial authorisation process involves an inspection of premises and the listed plant material and includes a check on business records and further inspections may be carried out subsequent to the grant of authority to ensure compliance with relevant requirements.

The fees payable in respect of such inspections are specified in regulation 3(2).

Regulation 4 revokes the Plant Passport (Plant Health Fees) (England and Wales) Regulations 1993 (S.I. 1993/1642) and the Plant Passport (Plant Health Fees) (England and Wales) (Amendment) Regulations 1997 (S.I. 1997/1961). The level of fees remains unchanged from S.I. 1997/1961 but now apply also to authorisations under the Plant Health (*Phytophthora ramorum*) (Wales) Order 2006.

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