

## SCHEDULE 1

Regulations 5(1) and (3), 6(1) and 8(c)

### REGISTERED PERSONS

#### PART I

##### REGISTRATION: MATTERS TO BE TAKEN INTO ACCOUNT

1. The premises that are available to the applicant.
2. The machinery, equipment and facilities that are available to the applicant.
3. The personnel that are available to the applicant.
4. Where the applicant is a body corporate or a partnership, the person who is to be the responsible person within the organisation.
5. Where the activities carried out by the applicant include the preparation of seed mixtures to which the Fodder Plant Seed (Scotland) Regulations 2005 apply<sup>(1)</sup>, the person who has direct responsibility for the mixing operations.
6. Whether the procedures employed by the applicant in carrying out mixing operations in relation to seed mixtures to which the Fodder Plant Seed (Scotland) Regulations 2005 apply are sufficient to ensure that mixed or blended seed lots are as homogeneous as is practicable.
7. Any previous revocation of a registration held by the applicant—
  - (a) under the Seeds (Registration, Licensing and Enforcement Regulations) 1985<sup>(2)</sup>;
  - (b) under these Regulations; or
  - (c) granted by the Secretary of State, the National Assembly for Wales or the Department of Agriculture and Rural Development,and the circumstances leading to the suspension or revocation.
8. Any circumstances which led to the applicant, the person who has direct responsibility for the mixing operations in relation to seed mixtures to which the Fodder Plant Seed (Scotland) Regulations 2005 apply or, in the case of a body corporate or partnership, the responsible person, being convicted of an offence under section 16(7) of the Act.

#### PART II

##### CONDITIONS WHICH SHALL BE IMPOSED ON A REGISTERED PERSON

9. In the case of a body corporate or a partnership, to notify the Scottish Ministers within 21 days of any change of the body corporate or partnership's name or the address of its registered or principal office or any premises being used by it for the purpose of carrying on the business of seed merchant, seed packer or seed processor.
10. In the case of a body corporate or a partnership, to notify the Scottish Ministers within 21 days of any change regarding the responsible person.
11. In the case of a registered person other than a body corporate or a partnership, to notify the Scottish Ministers within 21 days of any change of name or address of that person or of premises

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(1) [S.S.I. 2005/329](#) as amended by regulation 44 of these Regulations.

(2) [S.I. 1985/980](#) as amended by S.I. [1987/1098](#), [1990/611](#) and [1993/2530](#).

**Status:** This is the original version (as it was originally made).

being used by that person for the purpose of the carrying on the business of seed merchant, seed packer or seed processor.

**12.** To notify the Scottish Ministers within 21 days of any change regarding the person with direct responsibility for the mixing operation in relation to the preparation of seed mixtures to which the Fodder Plant Seed (Scotland) Regulations 2005 apply.

**13.** To keep such records as the Scottish Ministers may require of transactions in seed and of the treatment, testing and other operations undertaken by the registered person or on that person's behalf in relation to any seed or its disposal including records relating to—

- (a) seedcrops;
- (b) the date on which official labels are used, the unique label number and the seed lots for which they are used;
- (c) in the case of seed intended for marketing, the number and weight of seed lots processed and the date on which they are processed together with species, category and level;
- (d) the date on which official samples are taken from seed lots and the identity of the authorised officer or licensed seed sampler who obtained the samples;
- (e) the date on which official samples are despatched to the Official Seed Testing Station or a licensed seed testing station for testing;
- (f) in the case of a seed lot that is marketed by way of early movement such records as are required to be kept by virtue of the Seed Marketing Regulations;
- (g) the date on which and from whom the seed was bought by the registered person and the date on which the registered person sold it (by crop identity number or seed lot reference number) together with the weight of the seed bought or sold; and
- (h) in the case of any seed chemically treated by the registered person, the date on which the seed is so treated and details of the treatment applied.

**14.** To keep a register of seed mixtures to which the Fodder Plant Seed (Scotland) Regulations 2005 apply.

**15.** To permit, at any reasonable time, an authorised officer to inspect and take copies of the records specified in paragraph 13 and of the register specified in paragraph 14.

**16.** To permit, at any reasonable time, an authorised officer to inspect the premises, machinery, equipment and facilities used by, or available to, the registered person for the carrying on of the business in respect of which that person is registered.

**17.** To give the Scottish Ministers such other information as they may require in connection with the business in respect of which the registered person is registered.