

SCOTTISH STATUTORY INSTRUMENTS

2018 No. 152

The Seed (Fees) (Scotland) Regulations 2018

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Seed (Fees) (Scotland) Regulations 2018 and come into force on 1st July 2018.

(2) These Regulations extend to Scotland only.

Interpretation

2.—(1) In these Regulations—

“the 2016 Regulations” means the Seed (Licensing and Enforcement etc.) (Scotland) Regulations 2016 ^{M1};

“the relevant person” means—

- (a) a licensed crop inspector, where the fee is for an official examination carried out by a licensed crop inspector;
- (b) a licensed seed sampler, where the fee is for the sampling of a seed lot for the purposes of an official examination carried out by a licensed seed sampler; or
- (c) in any other case, the Scottish Ministers; and

“the Seed Marketing Regulations” means—

- (a) in relation to vegetable seed, the Vegetable Seeds Regulations 1993 ^{M2};
- (b) in relation to oil and fibre plant seed, the Oil and Fibre Plant Seed (Scotland) Regulations 2004 ^{M3};
- (c) in relation to cereal seed, the Cereal Seed (Scotland) Regulations 2005 ^{M4};
- (d) in relation to fodder plant seed, the Fodder Plant Seed (Scotland) Regulations 2005 ^{M5}; and
- (e) in relation to beet seed, the Beet Seed (Scotland) (No. 2) Regulations 2010 ^{M6}.

(2) Other words and expressions used in these Regulations have the same meaning as they do in the Seed Marketing Regulations or, as the case may be, the 2016 Regulations.

Marginal Citations

M1 [S.S.I. 2016/68](#), amended by [S.S.I. 2016/434](#) and [S.S.I. 2017/179](#).

M2 [S.I. 1993/2008](#), amended by [S.I. 1996/1452](#), [S.I. 1997/616](#), [S.I. 1999/1863](#), [S.S.I. 2000/250](#), [S.I. 2001/3510](#), [S.S.I. 2007/305](#), [S.S.I. 2010/219](#), [S.S.I. 2010/425](#), [S.I. 2011/1043](#), [S.S.I. 2013/326](#) and [S.S.I. 2016/434](#).

M3 [S.S.I. 2004/317](#), amended by [S.S.I. 2006/313](#), [S.S.I. 2007/224](#), [S.S.I. 2007/536](#), [S.S.I. 2009/223](#), [S.S.I. 2010/219](#), [S.I. 2011/1043](#), [S.S.I. 2016/68](#) and [S.S.I. 2016/434](#).

M4 [S.S.I. 2005/328](#), amended by [S.S.I. 2006/313](#), [S.S.I. 2006/448](#), [S.S.I. 2007/224](#), [S.S.I. 2007/536](#), [S.S.I. 2009/223](#), [S.S.I. 2010/219](#), [S.I. 2011/1043](#), [S.S.I. 2016/68](#) and [S.S.I. 2016/434](#).

- M5** S.S.I. 2005/329, amended by S.S.I. 2006/313, S.S.I. 2006/448, S.S.I. 2007/224, S.S.I. 2007/536, S.S.I. 2009/223, S.S.I. 2009/330, S.S.I. 2010/219, S.I. 2011/1043, S.S.I. 2012/5, S.S.I. 2013/326, S.S.I. 2016/68, S.S.I. 2016/434 and S.S.I. 2017/384.
- M6** S.S.I. 2010/148, as amended by S.S.I. 2011/413, S.I. 2011/1043, S.S.I. 2016/68 and S.S.I. 2016/434.

Fees for matters set out in schedule 1

3.—(1) Paragraph (2) applies to matters set out in schedule 1 relating to the Seed Marketing Regulations.

(2) Where this paragraph applies—

- (a) the relevant person must charge the appropriate fee for the matter set out in schedule 1; and
- (b) the fee must be paid to the relevant person within one month of demand.

(3) Where paragraph A(ii) of schedule 1 applies, any initial fee which has been paid under paragraph A(i) must be repaid to the extent that it exceeds the fee payable under paragraph A(ii).

Fees for matters set out in schedule 2

4.—(1) Paragraph (2) applies to matters set out in schedule 2 relating to the 2016 Regulations.

(2) Where this paragraph applies—

- (a) the Scottish Ministers must charge the appropriate fee for the matter set out in schedule 2; and
- (b) the fee must be paid to the Scottish Ministers within the relevant timescale set out in schedule 2.

Exemptions

5. The Scottish Ministers may exempt any person or class of persons, or persons generally, from compliance with any of the provisions of these Regulations, subject to any conditions the Scottish Ministers think appropriate.

Revocations and savings

6.—(1) The following provisions of the Seed (Fees etc.) (Scotland) Regulations 2017^{M7} are revoked—

- (a) regulation 3(1) (except for the definition of “the 2016 Regulations”) and (2);
- (b) regulations 4 to 7; and
- (c) schedules 1 and 2.

(2) Regulation 3 of the Seed (Miscellaneous Amendments) (Scotland) Regulations 2017^{M8} is revoked.

Marginal Citations

- M7** S.S.I. 2017/179 as amended by S.S.I. 2017/384.
- M8** S.S.I. 2017/384.

Changes to legislation:

There are currently no known outstanding effects for the The Seed (Fees) (Scotland) Regulations 2018.