



Plant Varieties and Seeds Act 1964

1964 CHAPTER 14

PART II

SEEDS AND SEED POTATOES

Official testing stations

24 Official testing stations and certificates of test.

- (1) Subject to this section, the Minister of Agriculture, Fisheries and Food and the Secretary of State shall respectively continue to maintain the official seed testing stations established for England and Wales and for Scotland under the ^{M1}Seeds Act 1920.
- (2) The Ministers may unite in establishing and maintaining, on such terms as may be agreed between them, a common official seed testing station for the whole of Great Britain.
- (3) Either or both of the Ministers may at any time alter the arrangements made by them for official seed testing stations for England and Wales and for Scotland respectively, and any official seed testing station established by either or both of them may be established in conjunction with any other bodies or persons.
- (4) The Minister or Ministers concerned may, subject to the approval of the Treasury, authorise the charging of fees for the services given at an official seed testing station.
- (5) A certificate of the result of a test at an official seed testing station of a sample taken by an authorised officer for the purposes of this Part of this Act shall be in the form prescribed by seeds regulations.
- (6) A certificate of the result of a test at an official seed testing station of a sample taken for the purposes of this Act, and purporting to be issued by an officer of an official seed testing station,—
 - (a) if the sample was taken by an authorised officer, shall, if a copy of the certificate has been served on the accused with the summons or complaint, be

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Changes to legislation: There are currently no known outstanding effects for the Plant Varieties and Seeds Act 1964, Cross Heading: Official testing stations. (See end of Document for details)

sufficient evidence of the facts stated in the certificate in any proceedings for an offence under this Part of this Act, and

- (b) if the sample was taken by a person other than an authorised officer in order to obtain the test for the purposes of section 17(3) of this Act, shall be sufficient evidence of the facts stated in the certificate in any such legal proceedings as are mentioned in that subsection,

unless, in either case, either party to the proceedings requires that the person under whose direction the test was made be called as a witness; and in that event, in the case of proceedings in Scotland, the evidence of that person shall be sufficient evidence of the facts stated in the certificate.

- (7) In any proceedings for an offence under this Part of this Act in which a copy of a certificate of the result of a test has been served with the summons or complaint in pursuance of paragraph (a) of the last foregoing subsection, the accused, unless the court otherwise directs, shall not be entitled to require that the person under whose direction the test was made be called as a witness unless he has, at least three clear days before the day on which the summons is returnable or, in Scotland, the case proceeds to trial, given notice to the prosecutor that he intends to do so.

Modifications etc. (not altering text)

- C1** Ss. 24-30 extended (with modifications) (1.8.2016) by [The Plant Varieties and Seeds \(Isle of Man\) Order 2016 \(S.I. 2016/758\)](#), arts. 1, 2(2)(a), **Sch. 1**
- C2** S. 24(4) functions modified (W.) (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **8(2)**
- C3** S. 24(5) modified (S.) (1.7.2016) by [The Seed \(Licensing and Enforcement etc.\) \(Scotland\) Regulations 2016 \(S.S.I. 2016/68\)](#), regs. 1(1), **14(2)**

Marginal Citations

- M1** 1920 c. 54.

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