

1981 No. 342

SEEDS

**The Seeds (National Lists of Varieties) (Fees)
(Amendment) Regulations 1981**

<i>Made - - - -</i>	<i>5th March 1981</i>
<i>Laid before Parliament</i>	<i>16th March 1981</i>
<i>Coming into Operation</i>	<i>6th April 1981</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland, the Secretary of State for Wales and the Secretary of State for Northern Ireland, acting jointly, in exercise of the powers conferred by section 16(1), (1A)(e) and (8) of the Plant Varieties and Seeds Act 1964(a) and now vested in them(b) and extended to Northern Ireland(c) and of all other powers enabling them in that behalf, after consultation with representatives of such interests as appear to them to be concerned, hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1981 and shall come into operation on 6th April 1981.

Amendment

2. For the Schedule to the Seeds (National Lists of Varieties) (Fees) Regulations 1980(d) there shall be substituted the Schedule to these regulations.

In Witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 25th February 1981.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

2nd March 1981. *George Younger,*
Secretary of State for Scotland.

4th March 1981. *Michael Roberts,*
Parliamentary Under-Secretary of State for Wales.

5th March 1981. *Humphrey Atkins,*
Secretary of State for Northern Ireland.

(a) 1964 c. 14; section 16 was amended by the European Communities Act 1972 (c. 68), section 4(1) and paragraph 5(1), (2) and (3) of Schedule 4.

(b) By the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272).

(c) By the Plant Varieties and Seeds (Northern Ireland) Order 1973 (S.I. 1973/609).

(d) S.I. 1980/330.

SCHEDULE

Regulation 2

SCHEDULE TO BE SUBSTITUTED FOR THE SCHEDULE
TO THE SEEDS (NATIONAL LISTS OF VARIETIES) (FEES) REGULATIONS 1980.

"SCHEDULE

Regulation 4

PART I

Fees payable in the circumstances specified in these regulations in respect of tests of a plant variety which is the subject of an application for addition to a National List.

Matter	When payable	Amount
		£
Tests for distinctness, uniformity and stability of a cereal or potato variety	Within 14 days of demand by the Minister	
(i) first year of a testing cycle		385.00
(ii) a subsequent year of a testing cycle		350.00
Tests for one year for distinctness, uniformity and stability of— a field bean or field pea variety a beet variety, a fodder plant variety (excluding a field bean or field pea variety) or an oil and fibre plant variety	Within 14 days of demand by the Minister	160.00
		300.00
Tests for one season for distinctness, uniformity and stability of— a vegetable variety	Within 14 days of demand by the Minister	160.00

PART II

Fees payable for the continuance of the period during which a plant variety will remain in a National List.

Matter	When payable	Amount
		£
The continuance of the period during which a plant variety will remain in a National List being— a cereal, beet or potato variety	Before the beginning of the particular year of entry in a National List	
(i) for the second year		80.00
(ii) for the third year		90.00
(iii) for the fourth year		110.00
(iv) for the fifth year		140.00
(v) for the sixth and each subsequent year		170.00
a fodder plant variety (excluding a swede, fodder kale or fodder radish variety), a grass variety not intended for fodder production or an oil and fibre plant variety		
(i) for the second year		70.00
(ii) for the third year		80.00
(iii) for the fourth year		100.00

PART II—(continued)

Fees payable for the continuance of the period during which a plant variety will remain in a National List.

Matter	When payable	Amount
(iv) for the fifth year		£ 120.00
(v) for the sixth and each subsequent year		140.00
a swede, fodder kale or fodder radish variety		
(i) for the second year		60.00
(ii) for the third year		70.00
(iii) for the fourth year		90.00
(iv) for the fifth year		100.00
(v) for the sixth and each subsequent year		120.00
a vegetable variety		
(i) for the second year		50.00
(ii) for the third year		60.00
(iii) for the fourth year		70.00
(iv) for the fifth year		80.00
(v) for the sixth year		90.00
(vi) for the seventh and each subsequent year		100.00

PART III

Fees payable in respect of other matters.

Matter	When payable	Amount
Application for the substitution of a name in a National List	On making the application	£ 15.00
Making written representations to the Ministers	On delivering the representations	2.00
Attending to be heard by a person appointed by the Ministers	Before the hearing	15.00
Inspection of the National List record	Before the inspection	1.00
Inspection of the file maintained for a plant variety in a National List	Before the inspection	1.00

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Seeds (National Lists of Varieties) (Fees) Regulations 1980 by substituting for the Schedule to those Regulations the Schedule to these Regulations. Parts I and II of the new Schedule prescribe increased fees for all matters for which fees were previously charged, other than for the continuance of the period during which a swede, fodder kale, fodder radish or vegetable variety will remain in a National List, the fees for which are unaltered. The fees prescribed in Part III have not been altered.

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