
 STATUTORY INSTRUMENTS

1985 No. 981

SEEDS

The Seeds (Fees) Regulations 1985

<i>Made - - - -</i>	26th June 1985
<i>Laid before Parliament</i>	10th July 1985
<i>Coming into Operation</i>	1st August 1985

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by section 16(1), (1A)(e), 5(a) and (8) of the Plant Varieties and Seeds Act 1964 (a) and now vested in them (b), and of all other powers enabling them in that behalf, after consultation in accordance with section 16(1) of the said Act with representatives of such interests as appear to them to be concerned, hereby make the following regulations:—

Title and commencement

1. These regulations may be cited as the Seeds (Fees) Regulations 1985 and shall come into operation on 1st August 1985.

Interpretation

2. In these regulations, unless the context otherwise requires—

(a) “the appropriate Minister” means the Minister of Agriculture, Fisheries and Food in respect of matters arising in England and Wales and the Secretary of State for Scotland in respect of matters arising in Scotland;

“licensed crop inspector” means a person for the time being licensed under regulation 10 of the Seeds (Registration, Licensing and Enforcement) Regulations 1985 (c) to be a crop inspector;

“licensed seed sampler” means a person for the time being licensed under regulation 10 of the Seeds (Registration, Licensing and Enforcement) Regulations 1985 to be a seed sampler;

“licensed seed testing station” means an establishment for the time being licensed under regulation 9 of the Seeds (Registration, Licensing and Enforcement) Regulations 1985 for the testing of seeds for the purposes of seeds regulations;

“the Minister” means, in relation to England, the Minister of Agriculture, Fisheries and Food, and, in relation to Scotland or Wales, the Secretary of State;

“seeds regulations” means regulations made under section 16 of the Plant Varieties and Seeds Act 1964 and for the time being in force, and other expressions in these regulations relating to any crops or

(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) In the case of the Secretary of State for Wales, by virtue of S.I. 1978/272.

(c) S.I. 1985/980.

seeds have the same meanings as in seeds regulations appropriate to such crops or seeds;

- (b) a reference to a numbered Schedule is to the Schedule of these regulations which bears that number; and
- (c) the times of payment and the fees specified in columns (2) and (3) respectively of Schedules 1 to 6 are so specified in relation to the matters specified in column (1) of those Schedules opposite to which they appear.

Fees

3.—(1) There shall be paid in respect of the matters specified in column (1) of Schedules 1 to 6 the fees specified in column (3) of those Schedules, such fees being payable at the times specified in column (2) of those Schedules.

(2) Subject to paragraphs (3) and (4) below, such fees shall be payable to the appropriate Minister.

(3) The fees specified in column (3) of Schedule 6 shall be payable to the Minister.

(4) Where—

- (a) the official examination of a crop is undertaken by a licensed crop inspector,
- (b) the official examination of a sample of seeds is undertaken by a licensed seed testing station, or
- (c) the sampling of a seed lot for the purposes of an official examination is undertaken by a licensed seed sampler,

the fee for such official examination or sampling shall be payable to the licensed crop inspector or the licensed seed testing station undertaking the official examination or to the licensed seed sampler undertaking the sampling.

4.—(1) Subject to paragraph (2) below, where an initial fee has been paid to the appropriate Minister in accordance with Schedules 1 to 5 he shall repay one half of it if the application in respect of which it was paid is withdrawn by the applicant before the earlier of—

- (a) the date of official examination of the crop in respect of which the application was made,
- (b) 15th July in the year of harvest of the crop.

(2) Where an initial fee has been paid to the appropriate Minister in accordance with Schedule 2 in respect of grasses and legumes, other than field peas and field beans, he shall repay one half of it if the application in respect of which it was paid is withdrawn by the applicant before the date of official examination of the crop in respect of which the application was made.

5. The Minister may exempt any person or class of persons or persons generally from compliance with any of the provisions of these regulations relating to the payment of fees and any such exemption may be granted subject to conditions.

Revocation

6. The regulations listed in Schedule 7 are hereby revoked.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 20th June 1985.



Michael Jopling,
Minister of Agriculture, Fisheries
and Food.

25th June 1985.

George Younger,
Secretary of State for Scotland.

26th June 1985.

Nicholas Edwards,
Secretary of State for Wales.

SCHEDULE 1

MATTERS ARISING UNDER THE CEREAL SEEDS REGULATIONS 1985 (a)

(1) MATTER	(2) WHEN PAYABLE	(3) FEE	
		£	£(b)
A. Initial fees			
Initial fee per half-hectare or part thereof, for crops intended to produce:—	On application for registration		
(i) pre-basic or basic seed		9.50	(8.90)
(ii) certified seed of the first generation of wheat, durum wheat, spelt wheat, barley and oats or certified seed of rye and maize		2.50	(2.35)
(iii) certified seed of the second generation of wheat, durum wheat, spelt wheat, barley and oats		1.95	(1.85)
B. Crop inspection fees			
Fee for official examination or re-examination of crops per half hectare or part thereof examined	On application	3.55	(3.30)
C. Seed lot fee			
Fee for the issue of an official certificate in respect of a seed lot entered as:—	On application		
(i) breeder's seed		15.45	(14.50)
(ii) pre-basic or basic seed		38.35	(36.00)
(iii) certified seed of the first generation of wheat, durum wheat, spelt wheat, barley and oats or certified seed of rye and maize		29.55	(27.75)
(iv) certified seed of the second generation of wheat, durum wheat, spelt wheat, barley and oats		14.60	(13.70)
D. Sampling fees			
Fee for sampling or re-sampling of a seed lot for the purposes of an official examination, and for sampling or re-sampling imported seed intended for further multiplication	On application	17.85	(16.75)

(a) S.I. 1985/976.

(b) The figures in italics are the fees which were charged by virtue of the Seeds (Fees) (Amendment) Regulations 1984 (S.I. 1984/910).

(1) MATTER	(2) WHEN PAYABLE	(3) FEE	
		£	£ (b)
<i>E. Seed testing fees</i>			
Fee for an official examination of seed for:—	Within one month of demand by or on behalf of the appropriate Minister		
(i) analytical purity, germination and other seed content except for wheat, durum wheat, spelt wheat, barley and oats at Higher Voluntary Standard		27.90	(26.80)
(ii) analytical purity, germination and other seed content of wheat, durum wheat, spelt wheat, barley and oats at Higher Voluntary Standard		35.30	(33.80)
(iii) loose smut infection of wheat, durum wheat, spelt wheat and barley (per thousand embryos examined)		19.60	(18.80)
<i>F. Fees for additional tests</i>			
Fee for a special test to verify varietal identity	Within one month of demand by or on behalf of the appropriate Minister	82.20	(79.00)
<i>G. Official label fees</i>			
Additional fee for the issue of official labels of the following types:—	On application		
(i) tear-resistant labels, other than for mixtures, per thousand		10.00	(9.40)
(ii) sprocket punched adhesive labels, other than for mixtures, per thousand		7.00	(—)
(iii) mixture labels, per thousand:—			
(a) adhesive labels		13.15	(12.35)
(b) card labels		21.60	(20.25)
(c) tear-resistant labels		31.60	(29.65)
(d) sprocket punched adhesive labels		20.15	(—)

SCHEDULE 2

MATTERS ARISING UNDER THE FODDER PLANT SEEDS REGULATIONS 1985 (a)

(1) MATTER	(2) WHEN PAYABLE	(3) FEE	
		£	£ (b)
A. Initial fees			
Initial fee per half-hectare or part thereof, for crops intended to produce:—	On application for registration		
(i) pre-basic or basic seed of			
(a) grasses and legumes (except field beans and field peas)		4.25	<i>(4.00)</i>
(b) field beans and field peas		6.45	<i>(6.05)</i>
(c) crucifers		4.80	<i>(4.50)</i>
(ii) certified seed of			
(a) grasses and legumes (except field beans and field peas)		1.80	<i>(1.70)</i>
(b) crucifers		4.25	<i>(4.00)</i>
(iii) certified seed of the first, second and third generation of field beans and field peas		2.65	<i>(2.50)</i>
B. Crop inspection fees			
Fee for official examination or re-examination of crops, per half-hectare or part thereof examined	On application	3.55	<i>(3.30)</i>
C. Seed lot fee			
Fee for the issue of an official certificate in respect of a seed lot entered as:—	On application		
(i) breeder's seed		15.40	<i>(14.45)</i>
(ii) pre-basic or basic seed of			
(a) grasses, legumes (except field beans and field peas) and crucifers		28.55	<i>(26.80)</i>
(b) field beans and field peas		42.85	<i>(40.20)</i>
(iii) certified seed of grasses, legumes (except field beans and field peas) and crucifers		27.75	<i>(26.05)</i>
(iv) certified seed of the first, second and third generation of field beans and field peas		39.55	<i>(37.10)</i>
(v) commercial seed of the kinds for the time being specified in Regulation 3(3) of the Fodder Plant Seeds Regulations 1985		25.85	<i>(24.25)</i>

(a) S.I. 1985/975.

(b) The figures in italics are the fees which were charged by virtue of the Seeds (Fees) (Amendment) Regulations 1984 (S.I. 1984/910).

(1) MATTER	(2) WHEN PAYABLE	(3) FEE	
		£	£(b)
D. <i>Sampling fees</i>			
Fee for sampling or re-sampling of a seed lot for the purposes of an official examination, and for sampling or re-sampling imported seed intended for further multiplication	On application	17.85	(16.75)
E. <i>Seed testing fees</i>			
Fee for an official examination of seed for:—	Within one month of demand by or on behalf of the appropriate Minister		
(i) analytical purity, germination and other seed content of:			
(a) grasses, except Timothy		50.00	(48.00)
(b) Timothy		36.90	(35.40)
(c) large seeded legumes		28.30	(27.20)
(d) small seeded legumes		35.00	(33.60)
(e) crucifers		37.50	(36.00)
(ii) <i>Ascochyta fabae</i> in:—			
(a) pre-basic and basic seed of field beans		112.50	(108.00)
(b) certified seed of the first generation of field beans		56.25	(54.00)
(iii) lupins of one colour for seeds of another colour		14.30	(13.75)
(iv) sweet lupins for bitter seeds		14.30	(13.75)
F. <i>Fees for additional tests</i>			
Fee for a special test to verify varietal identity	Within one month of demand by or on behalf of the appropriate Minister	82.20	(79.00)
G. <i>Official label fees</i>			
Additional fee for the issue of official labels of the following types:—	On application		
(i) tear-resistant labels, other than for mixtures, per thousand		10.00	(9.40)
(ii) sprocket punched adhesive labels, other than for mixtures, per thousand		7.00	(—)
(iii) mixture labels, per thousand			
(a) adhesive labels		13.15	(12.35)
(b) card labels		21.60	(20.25)
(c) tear-resistant labels		31.60	(29.65)
(d) sprocket punched adhesive labels		20.15	(—)
H. <i>Higher Voluntary Standard fees</i>			
Fee for examination of documents for verification of imported seed as meeting the Higher Voluntary Standard	On application	5.75	(5.40)

SCHEDULE 3

MATTERS ARISING UNDER THE OIL AND FIBRE PLANT SEEDS REGULATIONS 1985 (a)

(1) MATTER	(2) WHEN PAYABLE	(3) FEE £	£ (b)
A. Initial fees			
Initial fee per half-hectare or part thereof, for crops intended to produce:—	On application for registration		
(i) pre-basic or basic seed		11.35	<i>(10.65)</i>
(ii) certified seed of turnip rape, swede rape, brown mustard, black mustard, white mustard and sunflower		4.80	<i>(4.50)</i>
(iii) certified seed of the first and second generation of soya bean, flax and linseed, or certified seed of the third generation of flax		4.80	<i>(4.50)</i>
B. Crop inspection fees			
Fee for official examination or re-examination of crops, per half-hectare or part thereof examined	On application	3.55	<i>(3.30)</i>
C. Seed lot fee			
Fee for the issue of an official certificate in respect of a seed lot entered as:—	On application		
(i) breeder's seed		15.40	<i>(—)</i>
(ii) pre-basic or basic seed		38.60	<i>(36.25)</i>
(iii) certified seed of turnip rape, swede rape, brown mustard, black mustard, white mustard and sunflower		36.40	<i>(34.15)</i>
(iv) certified seed of the first and second generation of soya bean, flax and linseed, or certified seed of the third generation of flax		36.40	<i>(34.15)</i>
(v) commercial seed of brown mustard, black mustard, white mustard and soya bean		36.40	<i>(34.15)</i>
D. Sampling fees			
Fee for sampling or re-sampling of a seed lot for the purposes of an official examination, and for sampling or re-sampling imported seed intended for further multiplication	On application	17.85	<i>(16.75)</i>

(a) S.I. 1985/977.

(b) The figures in italics are the fees which were charged by virtue of the Seeds (Fees) (Amendment) Regulations 1984 (S.I. 1984/910).

(1) MATTER	(2) WHEN PAYABLE	(3) FEE	
		£	£ (b)
E. Seed testing fees			
Fee for an official examination of seed for:—	Within one month of demand by or on behalf of the appropriate Minister		
(i) analytical purity, germination and other seed content, including an examination of sunflower, swede rape, turnip rape and white mustard for <i>Sclerotinia sclerotiorum</i>		31.70	(30.40)
(ii) flax, linseed and sunflower for <i>Botrytis</i> spp		22.50	(21.60)
(iii) flax and linseed for:—		22.50	(21.60)
(a) <i>Alternaria</i> spp			
(b) <i>Phoma exigua</i> var. <i>linicola</i>			
(c) <i>Colletotrichum lini</i>			
(d) <i>Fusarium</i> spp			
F. Fees for additional tests			
Fee for a special test to verify varietal identity	Within one month of demand by or on behalf of the appropriate Minister	82.20	(79.00)
G. Official label fees			
Additional fee for the issue of official labels of the following types:—	On application		
(i) tear-resistant labels, per thousand		10.00	(9.40)
(ii) sprocket punched adhesive labels, per thousand		7.00	(—)

SCHEDULE 4

MATTERS ARISING UNDER THE BEET SEEDS REGULATIONS 1985 (a)

(1) MATTER	(2) WHEN PAYABLE	(3) FEE	
		£	£ (b)
A. Initial fees			
Initial fee per half-hectare or part thereof, for crops intended to produce:—	On application for registration		
(i) pre-basic or basic seed		11.35	<i>(10.65)</i>
(ii) certified seed		4.80	<i>(4.50)</i>
B. Crop inspection fees			
Fee for official examination or re-examination of crops, per half-hectare or part thereof examined	On application	3.55	<i>(3.30)</i>
C. Seed lot fee			
Fee for the issue of an official certificate in respect of a seed lot entered as:—	On application		
(i) pre-basic or basic seed		38.60	<i>(36.25)</i>
(ii) certified seed		36.40	<i>(34.15)</i>
D. Sampling fees			
Fee for sampling or re-sampling of a seed lot for the purposes of an official examination, and for sampling or re-sampling imported seed intended for further multiplication	On application	17.85	<i>(16.75)</i>
E. Seed testing fees			
Fee for an official examination of seed for:—	Within one month of demand by or on behalf of the appropriate Minister		
(i) analytical purity, germination and other seed content		34.40	<i>(33.00)</i>
(ii) number of seedlings germinating from a cluster in monogerm and precision seeds		20.90	<i>(20.00)</i>
(iii) moisture content		3.70	<i>(3.50)</i>
F. Fees for additional tests			
Fee for a special test to verify varietal identity	Within one month of demand by or on behalf of the appropriate Minister	82.20	<i>(79.00)</i>
G. Official label fees			
Additional fee for the issue of official labels of the following types:—	On application		
(i) tear-resistant labels, per thousand		10.00	<i>(9.40)</i>
(ii) sprocket punched adhesive labels, per thousand		7.00	<i>(—)</i>

(a) S.I. 1985/978.

(b) The figures in italics are the fees which were charged by virtue of the Seeds (Fees) (Amendment) Regulations 1984 (S.I. 1984/910).

SCHEDULE 5

MATTERS ARISING UNDER THE VEGETABLE SEEDS REGULATIONS 1985 (a)

(1) MATTER	(2) WHEN PAYABLE	(3) FEE £	£ (b)
A. Initial fees			
Initial fee for crops intended to produce:—	On application for registration		
(i) pre-basic or basic seed of			
(a) all kinds except peas, broad beans, cucumber, gherkin and tomato, per half-hectare or part thereof entered		11.35	<i>(10.65)</i>
(b) peas and broad beans, per half-hectare or part thereof entered		6.45	<i>(6.05)</i>
(c) cucumber, gherkin and tomato, per crop entered		50.00	<i>(111.25)</i>
(ii) certified seed of			
(a) all kinds except peas, broad beans, cucumber, gherkin and tomato, per half-hectare or part thereof entered		4.80	<i>(4.50)</i>
(b) peas and broad beans, per half-hectare or part thereof entered		2.65	<i>(2.50)</i>
(c) cucumber, gherkin and tomato, per crop entered		50.00	<i>(111.25)</i>
B. Crop inspection fees			
Fee for official examination or re-examination of crops intended to produce:—	On application		
(i) A(i)(a) or (b) and A(ii)(a) or (b) above, per half-hectare or part thereof examined		3.55	<i>(3.30)</i>
(ii) A(i)(c) or A(ii)(c) above, per crop examined		3.55	<i>(3.30)</i>
C. Seed lot fee			
Fee for the issue of an official certificate in respect of a seed lot entered as:—	On application		
(i) pre-basic or basic seed of			
(a) all kinds except peas, broad beans, cucumber, gherkin and tomato		38.60	<i>(36.25)</i>
(b) peas and broad beans		42.85	<i>(40.20)</i>
(c) cucumber, gherkin and tomato		50.00	<i>(—)</i>

(a) S.I. 1985/979.

(b) The figures in italics are the fees which were charged by virtue of the Seeds (Fees) (Amendment) Regulations 1984 (S.I. 1984/910).

(1) MATTER	(2) WHEN PAYABLE	(3) FEE	
		£	£ (b)
(ii) certified seed of			
(a) all kinds except peas, broad beans, cucumber, gherkin and tomato		36.40	(34.15)
(b) peas and broad beans		39.55	(37.10)
(c) cucumber, gherkin and tomato		50.00	(—)
D. Sampling fees			
Fee for sampling or re-sampling of a seed lot for the purposes of an official examination, and for sampling or re-sampling imported seed intended for further multiplication	On application	17.85	(16.75)
E. Seed testing fees			
Fee for an official examination of seed for:—	Within one month of demand by or on behalf of the appropriate Minister		
(i) analytical purity, germination and other seed content		28.30	(27.20)
(ii) <i>Phoma lignam</i> (Canker) in pre-basic or basic seed of brassicas		22.50	(21.60)
(iii) <i>Phoma betae</i> (Blackleg) in pre-basic or basic seed of red beet and beetroot		26.10	(25.00)
(iv) Lettuce mosaic virus in pre-basic, basic and certified seed of lettuce		39.60	(38.00)
(v) <i>Septoria apiicola</i> (Leaf blight) and <i>Phoma apiicola</i> (Root rot) in pre-basic, basic and certified seed of celery		22.50	(21.60)
(vi) <i>Ascochyta pisi</i> , <i>Mycosphaerella pinodes</i> and <i>Ascochyta pinodella</i> (Leaf and pod spot) in pre-basic, basic and certified seed of peas		22.50	(21.60)
(vii) <i>Colletotrichum lindemuthianum</i> (Anthracnose) in pre-basic and basic seed of French beans		67.50	(64.80)
(viii) <i>Pseudomonas phaseolicola</i> (Halo blight) in pre-basic and basic seed of French beans		40.60	(39.00)
(ix) <i>Ascochyta fabae</i> (Leaf and pod spot) in pre-basic and basic seed of broad beans		67.50	(64.80)
F. Fees for additional tests			
Fee for a special test to verify varietal identity	Within one month of demand by or on behalf of the appropriate Minister	82.20	(79.00)

(1) MATTER	(2) WHEN PAYABLE	(3) FEE £	£ (b)
G. Official label fees			
Additional fee for the issue of official labels of the following types:—		On application	
(i) tear-resistant labels, per thousand		10.00	(9.40)
(ii) sprocket punched adhesive labels, per thousand		7.00	(—)

SCHEDULE 6

MATTERS ARISING UNDER THE SEEDS (REGISTRATION, LICENSING AND ENFORCEMENT) REGULATIONS 1985 (a)

(1) MATTER	(2) WHEN PAYABLE	(3) FEE	
		£	£ (b)
A. Representations by, and hearings of, a seed merchant, processor or packer			
(i) fee for making written representations to the Minister	On making representations	3.00	(—)
(ii) fee for being heard by a person appointed by the Minister	On applying to be heard	19.00	(—)
B. Licensed Seed Testing Stations			
(i) Annual fee payable during the currency of the licence (or a proportion thereof in respect of a part of a year)	Within one month of demand by the Minister, annually in advance	1410.00	<i>(1360.00)</i>
(ii) fee payable by a Licensed Seed Testing Station in respect of an official examination of seed	Within one month of demand by the Minister, annually in arrears	3.15	<i>(3.00)</i>

SCHEDULE 7

REGULATIONS REVOKED	REFERENCES
The Seeds (Fees) Regulations 1980	S.I. 1980/901
The Seeds (Fees) (Amendment) Regulations 1981	S.I. 1981/939
The Seeds (Fees) (Amendment) Regulations 1982	S.I. 1982/897
The Seeds (Fees) (Amendment) Regulations 1983	S.I. 1983/928
The Seeds (Fees) (Amendment) Regulations 1984	S.I. 1984/910

(a) S.I. 1985/980.

(b) The figures in italics are the fees which were charged by virtue of the Seeds (Fees) (Amendment) Regulations 1984 (S.I. 1984/910).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations supersede the Seeds (Fees) Regulations 1980, as amended.

They prescribe revised fees in respect of matters arising under the Cereal Seeds Regulations 1985, the Fodder Plant Seeds Regulations 1985, the Oil and Fibre Plant Seeds Regulations 1985, the Beet Seeds Regulations 1985, the Vegetable Seeds Regulations 1985 and the Seeds (Registration, Licensing and Enforcement) Regulations 1985.

The matters in respect of which the revised fees are prescribed are listed in Schedules 1 to 6 to these Regulations, and the fees which were chargeable by virtue of the previous Regulations are printed in italics opposite the revised fees.

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