

2001 No. 2598

SEEDS, ENGLAND

**The Seeds (Fees) (Amendment) (England)
Regulations 2001**

Made - - - - - *18th July 2001*

Laid before Parliament *19th July 2001*

Coming into force - - *17th August 2001*

The Minister of Agriculture, Fisheries and Food, in relation to England, in exercise of the powers conferred by sections 16(1) and (1A)(e) and 36 of the Plant Varieties and Seeds Act 1964(a), after consultation in accordance with the said section 16(1) with representatives of such interests as appear to her to be concerned, hereby makes the following Regulations:

Title, extent and commencement

1. These Regulations may be cited as the Seeds (Fees) (Amendment) (England) Regulations 2001, shall extend to England and shall come into force on 17th August 2001.

Amendment

2.—(1) Schedule 2 to the Seeds (Fees) Regulations 1985(b) shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph A (Initial fees)—

(a) in sub-paragraph (ii) for the words “(except field beans and field peas)” there shall be substituted the words “(except field beans, field peas, white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne)”; and

(b) after sub-paragraph (iii) the following wording shall be inserted—

“(iv) certified seed of the first generation of white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne”.

9.10 (-)

(3) In paragraph B (Crop inspection fee)—

(a) for the words “(except field beans and field peas)” there shall be substituted the words “(except field beans, field peas, white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne)”; and

(a) 1964 c. 14; section 16 was amended by the European Communities Act 1972 (c. 68), section 4(1) and Schedule 4, paragraph 5(1), (2) and (3); see section 38(1) (as amended by S.I. 1978/272) for a definition of “the Minister”. Under the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272), article 2(1) and Schedule 1, the functions of the Minister of Agriculture, Fisheries and Food under the Plant Varieties and Seeds Act 1964 were, so far as they are exercisable in relation to Wales, transferred to the Secretary of State; and under article 2(a) and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) these functions, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales.

(b) S.I. 1985/981; relevant amending instruments are S.I. 1990/610, 1999/1553 and 1865 and 2000/1542.

- (b) after the words “field beans and field peas”, in the last place where they occur, the following wording shall be inserted—
 “or certified seed of the first generation of white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne”.
- (4) In paragraph C (Seed lot fee)—
- (a) in sub-paragraph (iii) for the words “(except field beans and field peas)” there shall be substituted the words “(except field beans, field peas, white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne)”; and
- (b) after sub-paragraph (iv) the following wording shall be inserted—
 “(ivA) certified seed of the first generation of white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne”. 66.00 (-)
- (5) In paragraph D (Seed lot re-entry fee)—
- (a) in sub-paragraph (ii) for the words “(except field beans and field peas)” there shall be substituted the words “(except field beans, field peas, white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne)”; and
- (b) after sub-paragraph (iii) the following wording shall be inserted—
 “(iiiA) certified seed of the first generation of white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne”. 46.20 (-)

18th July 2001

Whitty
 Parliamentary Under-Secretary of State
 Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply only to England, amend the Seeds (Fees) Regulations 1985 (as amended). The amendments are necessary as a result of the Fodder Plants Seeds (Amendment) (England) Regulations 2000 which removed white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne from the definition of “Certified Seed” and included them instead within the definition of “Certified Seed of the First Generation”. The amendments are required to ensure that the descriptions of categories of seeds for which fees are prescribed in Schedule 2 to the Regulations reflect these changes.

£1.50

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 under the authority and superintendence of Carol Tullo, Controller of
 Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
 E1433 8/2001 647298 19585

ISBN 0-11-029814-4



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