

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations revoke and replace the Plant Health (Fees) (Forestry) (Great Britain) Regulations 1996 ([S.I. 1996/2291](#)) (“the 1996 Regulations”), and implement Article 13d of Council Directive [2000/29/EC](#) of 8th May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJNo. L 169, 10.7.00, p.1) (“the Directive”). Article 13d of the Directive was introduced by Council Directive [2002/89/EC](#) of 28th November 2002 amending Directive [2002/29/EC](#) (OJ No. L 355, 30.12.2002, p.45). The Directive requires member States to charge fees to cover the costs occasioned by the documentary checks, identity checks and plant health checks of certain imports of plants, plant products or other objects from third countries.

These Regulations require the fee specified in Schedule 1 to be paid to the Forestry Commissioners for inspections carried out in relation to the grant, variation or suspension of, or the monitoring of compliance with, an authority to issue plant passports (regulation 3(2)). These fees have been increased from the 1996 Regulations.

These Regulations require the fee specified in Schedule 2 to be paid in connection with applications and for inspections carried out in relation to the grant, extension or variation of, or the monitoring of compliance with, a licence to do things that would otherwise be prohibited by the Plant Health (Forestry) Order 2005 ([S.I. 2005/2517](#)). The fees for applications remain the same as in the 1996 Regulations; the fees for related inspections have been increased.

An importer is required to pay, in respect of consignments to which regulation 3(6) applies, the fees specified in Schedule 3 for plant health checks and the fees specified in Schedule 4 for documentary checks and identity checks that are carried out on those consignments (regulation 3(4)).

The 1996 Regulations included fees for plant health checks (at a rate of 14 pence per cubic metre, with a minimum fee of £11.50 per inspection), but did not make a separate charge for documentary checks and identity checks. Some categories of wood and wood products that were not subject to a requirement to pay fees under the 1996 Regulations are now chargeable. Some categories of wood from certain countries that were chargeable under the 1996 Regulations are no longer chargeable.

These Regulations also require a person to pay the fee specified in Schedule 5 in respect of any remedial work carried out or monitored by an inspector in accordance with the provisions in the Plant Health (Forestry) Order 2005 relating to a consignment to which regulation 3(6) applies (regulation 3(5)). These fees have been increased from the 1996 Regulations.

A full regulatory impact assessment has been prepared and placed in the Library of each House of Parliament. Copies can be obtained from the Forestry Commission, 231 Corstorphine Road, Edinburgh, EH12 7AT.

### Textual Amendments

- F1** Regulations revoked (E.S) (6.4.2015) by [The Plant Health \(Fees\) \(Forestry\) \(England and Scotland\) Regulations 2015 \(S.I. 2015/350\)](#), [regs. 1\(b\), 4\(a\)](#)  
Regulations revoked (W.) (28.3.2019) by [The Plant Health \(Fees\) \(Forestry\) \(Wales\) Regulations 2019 \(S.I. 2019/497\)](#), [regs. 1\(3\), 4\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Plant Health (Fees) (Forestry) Regulations 2006 (revoked).