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STATUTORY INSTRUMENTS

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**2011 No. 463**

**The Seed Marketing Regulations 2011**

**PART 4**

**Licensing**

**Operations requiring a licence from the Secretary of State**

**20.**—(1) Any person carrying out any of the following operations must be licensed to do so by the Secretary of State—

- (a) marketing seed;
- (b) packing, sealing or labelling seed;
- (c) re-packing, re-sealing or re-labelling seed;
- (d) preparing mixtures of seed for marketing;
- (e) cleaning, treating or in any other way processing seed intended for marketing.

(2) But the requirement for a licence does not apply in relation to the marketing of—

- (a) small packages of seed as defined in Schedule 3;
- (b) unpacketed seed; or
- (c) seed, as grown, for processing, provided the identity of the seed is ensured under paragraph 2 of Schedule 4.

**Licensing crop inspectors, seed samplers and seed testing stations**

**21.**—(1) The Secretary of State may license crop inspectors, seed samplers and seed testing stations to act under these Regulations.

(2) Before licensing a crop inspector or seed sampler the Secretary of State must be satisfied that the person is competent to act as such, and has passed an examination specified by the Secretary of State.

(3) Before licensing a seed testing station the Secretary of State must be satisfied that the station has adequate premises, qualified personnel and equipment to test for the purposes of these Regulations.

(4) A licensed crop inspector, seed inspector or seed testing station may charge reasonable fees for carrying out functions under these Regulations but may not derive any private gain in connection with the carrying out of such functions.

**Licences for temporary experiments**

**[<sup>F1</sup>21A.**—(1) The Secretary of State may by licence exempt any person or class of person from compliance with any provision of these Regulations for the purposes of a temporary experiment seeking improved alternatives to provisions of these Regulations and organised in accordance with regulations made under section 16(5) of the Plant Varieties and Seeds Act 1964.

(2) The duration of an experiment must not exceed 7 years.]

**Textual Amendments**

**F1** Reg. 21A substituted (31.12.2020) by [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/131\)](#), regs. 1(b), **7(7)**; 2020 c. 1, Sch. 5 para. 1(1)

**General provisions relating to licences**

**22.**—(1) A licence must be in writing, and may be subject to such conditions as the Secretary of State considers appropriate.

(2) The Secretary of State may vary, suspend or revoke a licence by notice in writing at any time.

**Changes to legislation:**

There are currently no known outstanding effects for the The Seed Marketing Regulations 2011, PART 4.