
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 388

The Seeds (Registration, Licensing and Enforcement) Regulations (Northern Ireland) 2009

PART 3

Licensed crop inspectors

Applications for licences

10.—(1) An individual may apply to the Department for a licence authorising him to inspect crops grown to produce seed of any one or more of the species and categories listed in Part 1 of Schedule 2.

(2) An application made under paragraph (1) shall be in such form and manner as the Department may require and be accompanied by such information as the Department may reasonably require.

Licences

11.—(1) Where an application is made under regulation 10(1) the Department shall grant the applicant a licence authorising him to inspect crops of the species and category to which his application relates if the Department is satisfied that the applicant has—

- (a) completed an appropriate training course relating to the inspection of seed crops of that species and category;
- (b) passed an examination relating to the inspection of seed crops of that species and category organised by or on behalf of the Department, the Secretary of State, the Scottish Ministers or the National Assembly for Wales; and
- (c) signed a statement of commitment to carry out his functions in accordance with such instructions as may from time to time be issued by or on behalf of the Department.

(2) A licence granted under paragraph (1)—

- (a) shall specify which of the functions listed in Part 2 of Schedule 2 are covered by the licence; and
- (b) may impose any of the conditions listed in Part 3 of Schedule 2 and such other conditions as the Department may think necessary or desirable having regard to the species and category of crops that may be inspected by the licence holder.

(3) A licensed crop inspector who is employed by a person who is engaged in a seed industry activity shall carry out crop inspections only on crops grown by or on behalf of his employer unless otherwise agreed between his employer, the applicant for certification and by the Department.

Variation of licences

12.—(1) A crop inspector may apply to the Department for his licence to be varied so as to authorise him to inspect crops being grown to produce seed of another species and category listed

in Part 1 of Schedule 2 in addition to the species and category specified in his licence or instead of such species and category.

(2) Where an application is made under paragraph (1) it shall be treated as though it had been made under regulation 10(1) and the Department may vary a crop inspector's licence so as to authorise him to inspect crops of the species and category to which his application relates if the Department is satisfied that the applicant has satisfied the requirements of regulation 11(1).

(3) In varying a licence under paragraph (2) the Department may vary the functions of the crop inspector specified in his licence and the conditions imposed by his licence.

(4) Subject to regulation 36, the Department may vary a crop inspector's licence whether or not the Department has received any application under this regulation by—

- (a) removing his authorisation to inspect a species and category of crop if the Department is satisfied that the crop inspector is no longer qualified to inspect crops of that species and category or that his authorisation to inspect such crops is otherwise no longer appropriate; or
- (b) varying the functions or the conditions set out in the licence.

Termination of licences

13. If a licensed crop inspector requests the Department to terminate his licence the Department shall comply with the request.

Suspension and revocation of licences

14. Subject to regulation 36, the Department may suspend or revoke a licensed crop inspector's licence if the Department is satisfied that the licence holder—

- (a) is no longer qualified to inspect crops of the species and category to which his licence relates or is otherwise unfit to perform any of the functions of a licensed crop inspector specified in the licence, or
- (b) has failed to comply with any of the conditions imposed on him by the licence.

List

15. The Department—

- (a) shall keep a list of the names and addresses of licensed crop inspectors and shall specify in the case of each crop inspector the species and category of crops which he is licensed to inspect;
- (b) shall make the list available for inspection by any person at any reasonable time; and
- (c) may from time to time publish the list in such manner as the Department thinks appropriate.

Fees

16. A licensed crop inspector may charge reasonable fees for carrying out his functions as a licensed crop inspector but shall not derive any private gain in connection with the carrying out of such functions.