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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 59**

**SEEDS**

**The Seed Potatoes (Crop Fees)  
Regulations (Northern Ireland) 2009**

*Made* - - - - *20th February 2009*

*Coming into operation* *1st April 2009*

The Department of Agriculture and Rural Development<sup>(1)</sup>, in exercise of the powers conferred by section 1 of the Seeds Act (Northern Ireland) 1965<sup>(2)</sup>, after consultation with representatives of such interests as appear to it to be concerned, makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as The Seed Potatoes (Crop Fees) Regulations (Northern Ireland) 2009 and shall come into operation on 1st April 2009.

(2) In these Regulations, “the Department” refers to the Department of Agriculture and Rural Development.

[<sup>F1</sup>(3) In these regulations—

“seed potatoes of Union grade PBTC” means seed potatoes which fulfil the conditions for Union grade PBTC specified in Table 1 in Schedule 4 to the Seed Potatoes Regulations;

“the Seed Potatoes Regulations” means the Seed Potatoes Regulations (Northern Ireland) 2016.]

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**Textual Amendments**

**F1** Reg. 1(3) substituted (14.4.2016) by The Seed Potatoes Regulations (Northern Ireland) 2016 (S.R. 2016/190), regs. 1(1), 25(2)(a) (with reg. 1(2))

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**Commencement Information**

**I1** Reg. 1 in operation at 1.4.2009, see **reg. 1(1)**

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(1) Formerly the Department of Agriculture for Northern Ireland; see S.I. 1999/283 (N.I.1), Article 3(4)  
(2) 1965 c.22 (N.I.) as amended by S.R. & O. (N.I.) 1972 No. 351 Art.3 and Schedule 3

**[<sup>F2</sup>Fees**

2.—(1) Every person who makes an application to the Department for certification of seed potatoes under regulation 10(4) of, and Schedule 1 to, the Seed Potatoes Regulations shall forward—

- (a) in respect of an application where the crop is intended to produce seed potatoes, other than seed potatoes of Union grade PBTC, the appropriate fee specified in column 2 of the Table in Part 1 of the Schedule; or
- (b) in respect of an application where the crop is intended to produce seed potatoes of Union grade PBTC, the appropriate fee specified in column 2 of the Table in Part 2 of the Schedule.

(2) The fees specified—

- (a) in paragraph (1)(a) shall accompany the application for certification of seed potatoes;
- (b) in paragraph (1)(b), shall be payable within one month of demand by the Department.]

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**Textual Amendments**

**F2** Reg. 2 substituted (14.4.2016) by [The Seed Potatoes Regulations \(Northern Ireland\) 2016](#) (S.R. 2016/190), regs. 1(1), **25(2)(b)** (with reg. 1(2))

**F3**. . . . .

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**Textual Amendments**

**F3** Reg. 3 omitted (14.4.2016) by virtue of [The Seed Potatoes Regulations \(Northern Ireland\) 2016](#) (S.R. 2016/190), regs. 1(1), **25(2)(c)** (with reg. 1(2))

**Revocation**

4. The following Regulations are revoked—

- (a) The Seed Potatoes (Crop Fees) Regulations (Northern Ireland) 2006**(3)**; and
- (b) The Seed Potatoes (Crop Fees) (Amendment) Regulations (Northern Ireland) 2008**(4)**.

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**Commencement Information**

**I2** Reg. 4 in operation at 1.4.2009, see [reg. 1\(1\)](#)

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**(3)** S.R. 2006 No.186  
**(4)** S.R. 2008 No.184

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 20th February 2009.



*Liam McKibben*  
A senior officer of the Department of Agriculture  
and Rural Development

**Changes to legislation:** There are currently no known outstanding effects for the The Seed Potatoes (Crop Fees) Regulations (Northern Ireland) 2009. (See end of Document for details)

[<sup>F4</sup>SCHEDULE

regulations 2 and 3

**Textual Amendments**

**F4** Sch. substituted (1.4.2011) by [The Seed Potatoes \(Crop Fees\) Regulations \(Northern Ireland\) 2011 \(S.R. 2011/63\)](#), regs. 1, 3, **Sch.**

**PART I**

[<sup>F5</sup>Fees for the inspection of seed potato crops except for seed potato crops intended to produce seed potatoes of Union grade PBTC]

**Textual Amendments**

**F5** Sch. Pt. 1 heading substituted (14.4.2016) by [The Seed Potatoes Regulations \(Northern Ireland\) 2016 \(S.R. 2016/190\)](#), regs. 1(1), **25(2)(d)** (with reg. 1(2))

<i>Column (1)</i>	<i>Column (2)</i>
<i>Application</i>	<i>Fee</i>
1. In the case of an application received by the Department on or before 30th May in any calendar year—	
(a) where the total area of the crop does not exceed 1 hectare	£46.00
(b) where the total area of the crop exceeds 1 hectare	£23.00 per half hectare or part of a half hectare
2. In the case of an application received by the Department after 30th May in any calendar year—	
(a) where the total area of the crop does not exceed 1 hectare	£56.00
(b) where the total area of the crop exceeds 1 hectare	£28.00 per half hectare or part of a half hectare

**PART 2**

[<sup>F6</sup>Fees for the inspection of seed potato crops intended to produce seed potatoes of Union grade PBTC]

**Textual Amendments**

**F6** Sch. Pt. 2 heading substituted (14.4.2016) by [The Seed Potatoes Regulations \(Northern Ireland\) 2016 \(S.R. 2016/190\)](#), regs. 1(1), **25(2)(e)** (with reg. 1(2))

<i>Column (1)</i>	<i>Column (2)</i>
<i>Application</i>	<i>Fee</i>
In the case of an application received by the Department—	
(a) where the total inspection time does not exceed one hour	£40.00
(b) where the total inspection time exceeds 1 hour	£40.00 per hour or part of an hour]

### EXPLANATORY NOTE

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

These Regulations increase the fees payable to the Department of Agriculture and Rural Development in respect of the certification of seed potato crops arising under the Seed Potatoes Regulations (Northern Ireland) 2001 (regulations 2 and 3 and Schedule).

In the case of an application for the certification and classification of seed potato crops, except for pre-basic tissue culture, received by the Department on or before the 30th May in any calendar year:

- (a) where the total area of the crop does not exceed 1 hectare the fee is increased from £42.00 to £43.00
- (b) where the total area of the crop exceeds 1 hectare the fee is increased from £21.00 to £21.50 per half hectare or part of a half hectare.

In the case of an application for the certification and classification of seed potato crops, except for pre-basic tissue culture received by the Department after 30th May in any calendar year:

- (c) where the total area of the crop does not exceed 1 hectare the fee will remain at £53.00;
- (d) where the total area of the crop does not exceed 1 hectare the fee will remain at £26.50 per half hectare or part of a half hectare.

Where the charge is for the certification of pre-basic tissue culture, the fee will increase from £38.00 to £40.00 per hour or part of an hour.

These Regulations also revoke The Seed Potatoes (Crop Fees) Regulations (Northern Ireland) 2006 and The Seed Potatoes (Crop Fees) (Amendment) Regulations (Northern Ireland) 2008 (regulation 4).

**Changes to legislation:**

There are currently no known outstanding effects for the The Seed Potatoes (Crop Fees) Regulations (Northern Ireland) 2009.