

SCOTTISH STATUTORY INSTRUMENTS

2019 No. 28

PLANT HEALTH

**The Plant Health (Import Inspection Fees)
(Scotland) Amendment Regulations 2019**

Made - - - - 5th February 2019
*Laid before the Scottish
Parliament* - - - - 7th February 2019
Coming into force - - 29th March 2019

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973^{M1} and all other powers enabling them to do so.

Marginal Citations

M1 1973 c.51. The reference to a Government department in section 56(1) is to be read as a reference to the Scottish Administration by virtue of article 2(2) of the [Scotland Act 1998 \(Consequential Modifications\) \(No. 2\) Order 1999 \(S.I. 1999/1820\)](#) and the functions of the Minister transferred to the Scottish Ministers by virtue of section 53 of the [Scotland Act 1998 \(c.46\)](#). The requirement to obtain the consent of the Treasury was removed by section 55 of the Scotland Act 1998. Section 56(1) was amended by article 6(1)(e) of the [Treaty of Lisbon \(Changes of Terminology\) Order 2011 \(S.I. 2011/1043\)](#).

Citation, commencement and extent **S**

1.—(1) These Regulations may be cited as the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2019 and come into force on 29 March 2019.

(2) These Regulations extend to Scotland only.

Commencement Information

I1 [Reg. 1](#) in force at 29.3.2019, see [reg. 1\(1\)](#)

Amendment of the Plant Health (Import Inspection Fees) (Scotland) Regulations 2014 **S**

^{F1}2.

Changes to legislation: There are currently no known outstanding effects for the *The Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2019*. (See end of Document for details)

Textual Amendments

F1 [Reg. 2](#) revoked (22.2.2020) by [The Plant Health \(Import Inspection Fees\) \(Scotland\) Amendment \(No. 2\) Regulations 2019 \(S.S.I. 2019/425\)](#), regs. 1(1), [3](#)

Commencement Information

I2 [Reg. 2](#) in force at 29.3.2019, see reg. 1(1)

Revocation **S**

3. Regulation 2 of the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2018 ^{M2} is revoked.

Commencement Information

I3 [Reg. 3](#) in force at 29.3.2019, see [reg. 1\(1\)](#)

Marginal Citations

M2 [S.S.I. 2018/22](#).

St Andrew's House,
Edinburgh

MAIRI GOUGEON
Authorised to sign by the Scottish Ministers

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

These Regulations amend the Plant Health (Import Inspection Fees) (Scotland) Regulations 2014 (“the principal Regulations”).

Article 13d of Council Directive [2000/29/EC](#) (OJ L 169, 10.7.2000, p.1) (“the Directive”) requires a Member State to ensure the collection of fees to cover the costs occasioned by the documentary checks, identity checks and plant health checks of certain imports of plants, plant products and other objects from third countries which are required by Article 13a(1) of the Directive. Pursuant to Article 2 of Commission Regulation [\(EC\) 1756/2004](#) (OJ L 313, 12.10.2004, p.6), the European Commission notifies Member States of plants and plant products which should be subject to reduced inspection and of the rate of such inspection. Regulation 2 substitutes schedule 2 of the principal Regulations to take account of the most recent Commission Notification on reduced inspection rates as published on the following website: http://ec.europa.eu/food/plant/plant_health_biosafety/trade_non_eu/reduced_frequency_checks_en.htm.

The table provides a comparison of changes made to the fees in schedule 2 of the principal Regulations:

TABLE

<i>Genus</i>	<i>Country of origin</i>	<i>Previous rate of inspection</i>	<i>Previous fee¹</i>	<i>New rate of inspection</i>	<i>New fee, specified in Schedule 2</i>
PART 1					
Cut Flowers					
<i>Phoenix</i>	Costa Rica	35%	£30.30	50%	£33.00
<i>Rosa</i>	Ecuador	3%	£24.60	1%	£24.20
<i>Rosa</i>	Kenya	5%	£24.90	10%	£25.80
<i>Rosa</i>	Tanzania	15%	£26.70	50%	£33.00
Fruit					
<i>Citrus</i>	Egypt	100%	£42.00	75%	£37.50
<i>Citrus</i>	Morocco	5%	£24.90	3%	£24.60
<i>Citrus</i>	Tunisia	100%	£42.00	75%	£37.50
<i>Citrus</i>	USA	15%	£26.70	25%	£28.50
<i>Malus</i>	Brazil	75%	£37.50	50%	£33.00
<i>Mangifera</i>	Brazil	100%	£42.00	50%	£33.00
<i>Passiflora</i>	Vietnam	35%	£30.30	25%	£28.50

¹ Initial fee per consignment for cut flowers (up to 20,000 in number) and fruit and vegetables (up to 25,000 kg in weight). Corresponding fees are set in the principal Regulations for additional quantities, maximum price per consignment and inspections carried out outside normal working hours.

² Consignments subject to an inspection rate of 100% are excluded from the reduced rate inspection scheme and are subject to the import inspection fees specified in Schedule 1 to the principal Regulations.

Changes to legislation: There are currently no known outstanding effects for the The Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2019. (See end of Document for details)

<i>Prunus</i>	Morocco	25%	£28.50	50%	£33.00
<i>Prunus</i>	USA	25%	£28.50	50%	£33.00
Vegetables					
<i>Capsicum</i>	Morocco	5%	£24.90	100% ²	
<i>Momordica</i>	Surinam	35%	£30.30	100% ²	
<i>Solanum melongena</i>	Kenya	10%	£25.80	100% ²	

¹ Initial fee per consignment for cut flowers (up to 20,000 in number) and fruit and vegetables (up to 25,000 kg in weight). Corresponding fees are set in the principal Regulations for additional quantities, maximum price per consignment and inspections carried out outside normal working hours.

² Consignments subject to an inspection rate of 100% are excluded from the reduced rate inspection scheme and are subject to the import inspection fees specified in Schedule 1 to the principal Regulations.

Regulation 3 revokes regulation 2 of the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2018.

No business and regulatory impact assessment has been prepared for this instrument as it has limited impact on the cost of business.

Changes to legislation:

There are currently no known outstanding effects for the The Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2019.