
STATUTORY INSTRUMENTS

2008 No. 702

PLANT HEALTH

**The Plant Health (Fees) (Forestry)
(Amendment) Regulations 2008**

| | | |
|-------------------------------|---------|------------------------|
| <i>Made</i> | - - - - | <i>7th March 2008</i> |
| <i>Laid before Parliament</i> | | <i>14th March 2008</i> |
| <i>Coming into force</i> | - - | <i>6th April 2008</i> |

The Forestry Commissioners have been designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the common agricultural policy of the European Community.

They make the following Regulations under the powers conferred by that section.

Title and commencement

1. These Regulations may be cited as the Plant Health (Fees) (Forestry) (Amendment) Regulations 2008 and come into force on 6th April 2008.

Amendments

2.—(1) The Plant Health (Fees) (Forestry) Regulations 2006⁽³⁾ are amended as follows.

(2) After paragraph (4) of regulation 3 (fees), insert—

“(4A) Where the consignment referred to in paragraph (4) consists of any material of a description in the first column of Schedule 3A and originates from a country listed in the third column of that Schedule, paragraph (4)(a) does not apply and instead the fee payable is that specified in Schedule 3A, such fee being due upon import whether or not a plant health check is carried out.

(4B) Where, at the request of an importer, a plant health check is carried out at an approved place of inspection on a consignment referred to in the paragraph (4A), the fee specified in item 3 of Schedule 3 is payable.”

(3) After Schedule 3, insert—

(1) [S.I. 1996/266](#). See section 2(1) of, and Schedule 1 to, the Forestry Act [1967 \(c. 10\)](#) for the constitution of the Forestry Commissioners.
(2) [1972 c. 68](#).
(3) [S.I. 2006/2697](#).

“SCHEDULE 3A

Article 3(4A)

REDUCED RATE PLANT HEALTH CHECK FEES

| <i>Genus</i> | <i>Quantity</i> | <i>Country of origin</i> | <i>Fee</i> |
|-----------------------|---|--------------------------|------------|
| <i>Acer saccharum</i> | Per consignment | | |
| | — up to 100m ³ | Canada | £4.29 |
| | | USA | £9.19 |
| | — for each additional m ³ or part thereof | Canada | £0.07 |
| USA | | £0.15”. | |

The Official Seal of the Forestry Commissioners

7th March 2008

Wilma Harper
Secretary to the Forestry Commissioners

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Plant Health (Fees) (Forestry) Regulations 2006 ([S.I. 2006/2697](#)) (“the principal Regulations”) and implement Article 13d(2) 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, 10.7.2000, p.1) (“the Directive”). Articles 13a(2), 13d(2) and 18(2) of the Directive provide for reduced plant health check fees to be charged for imports of certain consignments of wood, such fees being levied whether or not the consignments are subject to a plant health check. The fees, and the consignments to which they apply, are specified in Schedule 3A to the principal Regulations, as inserted by these Regulations.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Plant Health Service of the Forestry Commission, Silvan House, 231 Corstorphine Road, Edinburgh EH12 7AT and is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website (www.opsi.gov.uk).