
WELSH STATUTORY INSTRUMENTS

2018 No. 1179

The Plant Health etc. (Fees) (Wales) Regulations 2018

PART 2

Fees relating to plant health

Import inspection fees

3.—(1) This regulation applies in relation to a third country consignment [^{F1}insofar as it includes] plants, plant products or other objects of a description specified in column 1 of the table in Schedule 1 that are listed in Schedule 5 to the 2018 Order [^{F2}or any machinery or vehicles which have been operated for agricultural or forestry purposes].

(2) The following fees are payable by the importer of a third country consignment—

(a) in respect of each phytosanitary certificate or phytosanitary certificate for re-export accompanying the consignment, a fee of [^{F3}£10.51];

[^{F4}(b) in the case of—

(i) a Schedule 2 cut flower consignment which includes—

(aa) one lot of cut flowers, the fee specified in respect of those cut flowers in column 3 of the table in Schedule 2;

(bb) two or more lots of cut flowers, a fee equal to the amount of the highest of the fees specified in respect of those lots in column 3 of that table;

(ii) a Schedule 2 fruit or vegetable consignment which includes—

(aa) one lot of fruit or vegetables, the fee specified in respect of those fruit or vegetables in column 3 of the table in Schedule 2;

(bb) two or more lots of fruit or vegetables, a fee equal to the amount of the highest of the fees specified in respect of those lots in column 3 of that table;

(c) in the case of a consignment which—

(i) includes cut branches of *Phoenix* spp. originating in Costa Rica and no other cut branches to which this regulation applies, the fee specified in respect of those cut branches in column 3 of the table in Schedule 2;

(ii) in the case of any other consignment to which this regulation applies—

(aa) where the consignment includes any machinery or vehicles that have been operated for agricultural or forestry purposes, a fee of £5.98;

(bb) where the consignment includes plants, plant products or other objects of a description specified in column 1 of the table in Schedule 1, the fee or fees specified in respect of those plants, plant products or other objects in column 2 of that table;]

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- (d) where an inspector suspects that the consignment is infected with a controlled plant pest and takes a sample from the consignment for laboratory testing to confirm the presence or otherwise of the pest, a fee of [^{F5}£147.35] for each sample tested.
- (3) In this regulation—
- (a) “controlled plant pest” has the meaning given in article 32(7)(a) of the 2018 Order;
- [^{F6}(aa) “Europe” has the meaning given in article 2(1) of the 2018 Order;
- (ab) “lot” means one or more units of a single commodity, identifiable by its homogeneity of composition and origin, which form part of a consignment;
- (ac) “Schedule 2 cut flower consignment” means a consignment which includes cut flowers of a description specified in column 1 of the table in Schedule 2 originating in a country specified in column 2 of that table and does not include any other cut flowers to which this regulation applies;
- (ad) “Schedule 2 fruit or vegetable consignment” means a consignment which includes fruit or vegetables of a description specified in column 1 of the table in Schedule 2 originating in a country specified in column 2 of that table and does not include any other fruit or vegetables to which this regulation applies;]
- (b) “third country consignment” means a consignment that is introduced into Wales from a third country;
- (c) “third country” has the meaning given in article 2(1) of the 2018 Order.

Textual Amendments

- F1** Words in reg. 3(1) substituted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(2)(a)(i)**
- F2** Words in reg. 3(1) inserted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(2)(a)(ii)**
- F3** Sum in reg. 3(2)(a) substituted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(2)(b)(i)**
- F4** Reg. 3(2)(b)(c) substituted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(2)(b)(ii)**
- F5** Sum in reg. 3(2)(d) substituted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(2)(b)(iii)**
- F6** Reg. 3(3)(aa)-(ad) inserted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(2)(c)**

Plant passport authorisation fees

4.—(1) This regulation applies in relation to a plant passport authorisation.

(2) The [^{F7}fee specified in paragraph (3) is] payable in respect of an inspection and any associated activities which are carried out—

- (a) in connection with an application for a plant passport authorisation;
- (b) for the purpose of monitoring compliance with any requirements imposed on the holder of a plant passport authorisation.

[^{F8}(3) A fee of £61.58 is payable for each 15 minutes (or part thereof) spent in carrying out the inspection and any associated activities at the relevant premises, subject to a minimum fee of £123.16.]

(4) An additional fee of [^{F9}£20.66] is payable where a person submits an application for a plant passport authorisation in paper form (and not online).

(5) Any fees payable under this regulation are payable by the person applying for a plant passport authorisation or the holder of a plant passport authorisation (as the case may be).

(6) In this regulation—

- (a) “plant passport authorisation” means an authorisation to issue plant passports conferred under article 29 of the 2018 Order;
- (b) “relevant premises”, in relation to an application for a plant passport authorisation or a plant passport authorisation, means the premises which are subject to the application or the authorisation.

Textual Amendments

- F7** Words in reg. 4(2) substituted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(3)(a)**
- F8** Reg. 4(3) substituted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(3)(b)**
- F9** Sum in reg. 4(4) substituted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(3)(c)**

Plant health licence fees

5.—(1) The fees specified in the table in Schedule 4 are payable in respect of—

- (a) an application for a licence;
- (b) any other activity specified in column 1 of that table which is carried out in connection with a licence.

(2) The amount of any fee payable in respect of an application for a licence or any other activity specified in column 1 of the table in Schedule 4 is the amount specified in the corresponding entry in column 3 of that table, determined in accordance with the entries in respect of that service (if any) in column 2 of that table.

(3) The fee payable in respect of the monitoring of licence terms and conditions is payable for each 15 minutes (or part thereof) spent in carrying out the inspection and any associated activities at the premises which are subject to the licence, subject to the minimum fee specified.

(4) Any fee payable under this regulation is payable by the person who submits an application for a licence or the licence holder (as the case may be).

(5) In this regulation, “licence” means a licence described in article 40 or 41 of the 2018 Order.

Potatoes originating in Egypt: fee

6.—(1) Where an inspector takes a sample of potatoes originating in Egypt in order to ascertain whether, for the purposes of paragraph 5 of the Annex to the Decision, those potatoes are infected with *Ralstonia solanacearum* (Smith) Yabuuchi et al., the importer must pay a fee of [^{F10}£70.83] in respect of each lot sampled.

(2) In paragraph (1), “the Decision” means Commission Implementing Decision 2011/787/EU authorising Member States temporarily to take emergency measures against the dissemination of *Ralstonia solanacearum* (Smith) Yabuuchi et al. as regards Egypt ^{M1}.

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Textual Amendments

- F10** Sum in reg. 6(1) substituted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(4)**

Marginal Citations

- M1** OJ No L 319, 2.12.2011, p. 112.

Potatoes originating in Lebanon: fee

7.—(1) Where an inspector takes a sample of potatoes originating in Lebanon in order to ascertain whether, for the purposes of Article 4 of the Decision, those potatoes are infected with *Clavibacter michiganensis* subspecies (Spieckerann and Kotthoff) Davis et al., the importer must pay a fee of £60.40 in respect of each lot sampled.

(2) In paragraph (1), “the Decision” means Commission Implementing Decision 2013/413/EU authorising Member States to provide for derogations from certain provisions of Council Directive [2000/29/EC](#) in respect of potatoes, other than potatoes intended for planting, originating in the regions of Akkar and Bekaa of Lebanon ^{M2}.

Marginal Citations

- M2** OJ No L 205, 1.8.2013, p. 13, as amended by Commission Implementing Decision (EU) 2015/2057 (OJ No L 300, 17.11.2015, p. 43).

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