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STATUTORY INSTRUMENTS

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**1991 No. 656**

**SEEDS**

**The Seeds (Fees) (Amendment) Regulations 1991**

*Made* - - - - *7th March 1991*  
*Laid before Parliament* *22nd March 1991*  
*Coming into force* - - *12th April 1991*

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by sections 16(1), (1A)(e) and (8) and 36 of the Plant Varieties and Seeds Act 1964(1) and of all other powers enabling them in that behalf, after consultation in accordance with the said section 16(1) with representatives of such interests as appear to them to be concerned, hereby make the following Regulations:

**Title and commencement**

1. These Regulations may be cited as the Seeds (Fees) (Amendment) Regulations 1991 and shall come into force on 12th April 1991.

**Amendment**

2. For Schedules 1 to 6 to the Seeds (Fees) Regulations 1985(2) there shall be substituted the Schedules set out in the Schedule to these Regulations.

**Revocation**

3. The Seeds (Fees) (Amendment) Regulations 1986(3), the Seeds (Fees) (Amendment) Regulations 1987(4) and the Seeds (Fees) (Amendment) Regulations 1990(5) are revoked.

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(1) 1964 c. 14; section 16 was amended by the European Communities Act 1972 (c. 68), section 4(1) and paragraph 5(1), (2) and (3) of Schedule 4; see section 38(1) (as amended by S.I.1978/272) for the definition of “the Ministers”.

(2) S.I. 1985/981; relevant amending instrument is S.I. 1990/610.

(3) S.I. 1986/1114.

(4) S.I. 1987/1148.

(5) S.I. 1990/610.

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In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 7th March 1991.

L.S.

*John Selwyn Gummer*  
Minister of Agriculture, Fisheries and Food

5th March 1991

*Strathclyde*  
Parliamentary Under Secretary of State, Scottish  
Office

6th March 1991

*David Hunt*  
Secretary of State for Wales

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## SCHEDULE

Regulation 2

PROVISIONS TO BE SUBSTITUTED FOR THE  
SCHEDULES TO THE SEEDS (FEES) REGULATIONS 1985

## “SCHEDULE 1

Regulation 3

## MATTERS ARISING UNDER THE CEREAL SEEDS REGULATIONS 1985(6)

(1) Matter	(2) When Payable	(3) Fee £	£(7)
<b>A. Initial fees</b>			
Initial fee per hectare or part thereof for crops intended to produce:—	On application for registration		
(i) pre-basic or basic seed		20.00	(20.00)
(ii) certified seed of the first generation of wheat, durum wheat, spelt wheat, barley, triticale and oats or certified seed of rye and maize		5.00	(5.00)
(iii) certified seed of the second generation of wheat, durum wheat, spelt wheat, barley and oats		4.50	(4.20)
<b>B. Crop inspection fees</b>			
Fee for official examination or re-examination of crops intended to produce pre-basic or basic seed, per hectare or part thereof examined	On application	8.00	(7.80)
<b>C. Seed lot fee</b>			

(6) S.I. 1985/976, amended by S.I. 1987/1091, 1989/1311.

(7) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1991 (S.I. 1991/656) on 12th April 1991.

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(1) Matter	(2) When Payable	(3) Fee £	£(7)
Fee for the issue of an official certificate in respect of a seed lot entered as:—	On application		
(i) breeder's, pre-basic or basic seed, certified seed of the first generation of wheat, durum wheat, spelt wheat, barley, triticale, oats or certified seed of rye and maize		32.00	(32.00)
(ii) certified seed of the second generation of wheat, durum wheat, spelt wheat, barley and oats		15.00	(15.95)
D. Seed testing fees			
Fee for an official examination of seed for loose smut infection of wheat, durum wheat, spelt wheat and barley (per thousand embryos examined)	Within one month of demand by or on behalf of the appropriate Minister	28.00	(25.50)
E. Fees for additional tests			
Fee for a Tetrazolium seed viability test in CI Winter Wheat and CI Winter Barley	Within one month of demand by or on behalf of the appropriate Minister	33.00	(30.50)

(7) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1991 (S.I. 1991/656) on 12th April 1991.

## SCHEDULE 2

Regulation 3

MATTERS ARISING UNDER THE FODDER PLANT SEEDS REGULATIONS 1985<sup>(8)</sup>

(1) Matter	(2) When Payable	(3) Fee £	£ <sup>(9)</sup>
<b>A. Initial fees</b>			
Initial fee per hectare or part thereof for crops intended to produce:—	On application for registration		
(i) pre-basic or basic seed of—			
(a) grasses, legumes (except field beans and field peas) and crucifers		15.00	(12.00)
(b) field beans and field peas		13.00	(12.00)
(ii) certified seed of grasses, legumes (except field beans and field peas) and crucifers		7.00	(5.60)
(iii) certified seed of the first and second generation of field beans and field peas		6.00	(5.50)
<b>B. Crop inspection fees</b>			
Fee for official examination or re-examination of crops intended to produce pre-basic or basic seed, per hectare or part thereof examined	On application	8.00	(7.80)

<sup>(8)</sup> S.I. 1985/975, amended by S.I. 1987/1092, 1989/1312, 1990/1352.<sup>(9)</sup> The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1991 (S.I. 1991/656) on 12th April 1991.

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(1) Matter	(2) When Payable	(3) Fee £	£(9)
<b>C. Seed lot fee</b>			
Fee for the issue of an official certificate in respect of a seed lot entered as:—	On application		
(i) breeder's seed of			
(a) grasses, legumes (except field beans and field peas) and crucifers		26.00	(20.50)
(b) field beans and field peas		43.00	(39.00)
(ii) pre-basic or basic seed of			
(a) grasses, legumes (except field beans and field peas) and crucifers		50.00	(40.50)
(b) field beans and field peas		43.00	(39.00)
(iii) certified seed of grasses, legumes (except field beans and field peas) and crucifers		50.00	(38.50)
(iv) certified seed of the first and second generation of field beans and field peas		40.00	(36.00)
(v) commercial seed of the kinds for the time being specified in regulation 3(3)		45.00	(38.50)

(9) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1991 (S.I. 1991/656) on 12th April 1991.

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(1) Matter	(2) When Payable	(3) Fee £	£(9)
of the Fodder Plant Seeds Regulations 1985			
D. Seed testing fees			
Fee for an official examination of seed for:—	Within one month of demand by or on behalf of the appropriate Minister		
(i) <i>Assochyta fabae</i> in:—			
(a) pre-basic and basic seed of field beans		155.00	(142.00)
(b) certified seed of the first generation of field beans		83.00	(76.00)
(ii) <i>Pseudomonias syringae p.v.pisi</i> (pea bacterial blight) in field peas		61.00	(56.00)

## SCHEDULE 3

Regulation 3

MATTERS ARISING UNDER THE OIL AND  
FIBRE PLANT SEEDS REGULATIONS 1985(10)

(1) Matter	(2) When Payable	(3) Fee £	£(11)
A. Initial fees			
Initial fee per hectare or part thereof for crops intended to produce:—	On application for registration		

(9) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1991 (S.I. 1991/656) on 12th April 1991.

(10) S.I. 1985/977, amended by S.I. 1987/1097, 1989/1313.

(11) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1991 (S.I. 1991/656) on 12th April 1991.

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(1) Matter	(2) When Payable	(3) Fee £	<i>£(11)</i>
(i) pre-basic or basic seed		22.00	(22.00)
(ii) all other categories of seed		10.00	(10.00)
<b>B. Crop inspection fees</b>			
Fee for official examination of or re-examination of crops intended to produce pre-basic or basic seed, per hectare or part thereof examined	On application	8.00	(7.80)
<b>C. Seed lot fee</b>			
Fee for the issue of an official certificate in respect of a seed lot entered as:—	On application		
(i) breeder's, pre-basic or basic seed		39.00	(39.00)
(ii) all other categories of seed		38.00	(38.00)
<b>D. Seed testing fees</b>			
Fees for an official examination of seed for:—	Within one month of demand by or on behalf of the appropriate Minister		
(i) sunflower for <i>Botrytis</i> spp		33.00	(30.50)
(ii) flax and linseed for:—			
(a) <i>Alternaria</i> spp			
(b) <i>Phoma exigua</i> var. <i>linicola</i>			
(c) <i>Colletotrichum lini</i>			

(11) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1991 (S.I. 1991/656) on 12th April 1991.



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(1) Matter	(2) When Payable	(3) Fee £	£(11)
(d) Fusarium spp			
(e) Botrytis spp		27.00	(24.85)

## SCHEDULE 4

Regulation 3

## MATTERS ARISING UNDER THE BEET SEEDS REGULATIONS 1985(12)

(1) Matter	(2) When Payable	(3) Fee £	£(13)
<b>A. Initial fees</b>			
Initial fee per hectare or part thereof for crops intended to produce:—	On application for registration		
(i) pre-basic or basic seed		26.00	(25.00)
(ii) certified seed		12.00	(11.00)
<b>B. Crop inspection fees</b>			
Fee for official examination or re-examination of crops intended to produce pre-basic or basic seed, per hectare or part thereof examined	On application	8.00	(7.80)
<b>C. Seed lot fee</b>			
Fee for the issue of an official certificate in respect of a seed lot entered as:—	On application		
(i) pre-basic or basic seed		48.00	(44.20)

(11) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1991 (S.I. 1991/656) on 12th April 1991.

(12) S.I. 1985/978, amended by S.I. 1989/1310.

(13) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1991 (S.I. 1991/656) on 12th April 1991.

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(1) Matter	(2) When Payable	(3) Fee £	£(13)
(ii) certified seed		45.00	(41.90)

## SCHEDULE 5

Regulation 3

## MATTERS ARISING UNDER THE VEGETABLE SEEDS REGULATIONS 1985(14)

(1) Matter	(2) When Payable	(3) Fee £	£(15)
A. Initial fees			
Initial fee for crops intended to produce:—	On application for registration		
(i) pre-basic or basic seed of			
(a) all kinds, except peas, broad beans, cucumber, gherkin and tomato, per hectare or part thereof entered		35.00	(35.00)
(b) peas and broad beans per hectare or part thereof entered		22.00	(22.00)
(c) cucumber, gherkin and tomato, per crop entered		35.00	(35.00)
(ii) certified seed of			
(a) all kinds, except peas, broad beans, cucumber,		19.00	(19.00)

(13) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1991 (S.I. 1991/656) on 12th April 1991.

(14) S.I. 1985/979, amended by S.I. 1987/1093, 1989/1315.

(15) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1991 (S.I. 1991/656) on 12th April 1991.

(1) Matter	(2) When Payable	(3) Fee £	<i>£(15)</i>
gherkin and tomato, per hectare or part thereof entered			
(b) peas and broad beans per hectare or part thereof entered		9.00	(9.00)
(c) cucumber, gherkin and tomato, per crop entered		19.00	(19.00)
<b>B. Crop inspection fees</b>			
Fee for official examination or re- examination of crops intended to produce:—	On application		
(i) A(i)(a) or (b) above, per hectare or part thereof examined		8.00	(7.80)
(ii) A(i)(c) above, per crop examined		8.00	(7.80)
<b>C. Seed lot fee</b>			
Fee for the issue of an official certificate in respect of a seed lot entered	On application	80.00	(80.00)

(15) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1991 (S.I. 1991/656) on 12th April 1991.

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## SCHEDULE 6

Regulation 3

MATTERS ARISING UNDER THE SEEDS (REGISTRATION,  
LICENSING AND ENFORCEMENT) REGULATIONS 1985(16)

(1) Matter	(2) When Payable	(3) Fee £	£(17)
<b>A. Representations by, and hearings of, a seed merchant, processor or packer</b>			
(i) Fee for making written representations to the Minister	On making representations	25.00	(25.00)
(ii) Fee for being heard by a person appointed by the Minister	On applying to be heard	50.00	(50.00)
<b>B. Licensed Seed Testing Stations</b>			
(i) Annual fee payable during the currency of the licence (or a proportion thereof in respect of a part of a year)	Within one month of demand by the Minister, annually in advance	1,600.00	(1,538.25)
(ii) Fee payable by a Licensed Seed Testing Station in respect of an official examination of seed	Within one month of demand by the Minister, annually in arrears	4.00	(3.75) <sup>''</sup>

(16) S.I. 1985/980, amended by S.I. 1987/1098, 1990/611.

(17) The figures in italics are the fees which were charged under the Seeds (Fees) Regulations 1985 before the coming into force of the Seeds (Fees) (Amendment) Regulations 1991 (S.I. 1991/656) on 12th April 1991.

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## EXPLANATORY NOTE

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

These Regulations amend the Seeds (Fees) Regulations 1985, by prescribing revised fees in respect of matters arising under the Cereal Seeds Regulations 1985 (as amended), the Fodder Plant Seeds Regulations 1985 (as amended), the Oil and Fibre Plant Seeds Regulations 1985 (as amended), the Beet Seeds Regulations 1985 (as amended), the Vegetable Seeds Regulations 1985 (as amended) and the Seeds (Registration, Licensing and Enforcement) Regulations 1985 (as amended) (regulation 2).

The matters in respect of which the revised fees are prescribed are listed in the Schedule to these Regulations, and the fees which were chargeable before these Regulations came into force are printed in italics beside the revised fees.