

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(a), in exercise of the powers conferred by section 1 of the Seeds Act (Northern Ireland) 1965(b), 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.

(3) “Pre-basic tissue culture” has the meaning assigned to it in Schedule 2 to the Seed Potatoes Regulations (Northern Ireland) 2001(c), namely “pre-basic TC”.

Fees

2. Every person who makes an application to the Department for the certification of seed potato crops, except pre-basic tissue culture, under regulation 8(1) of the Seed Potatoes Regulations (Northern Ireland) 2001 shall forward with that application the appropriate fee in accordance with Part 1 to the Schedule.

3. Subject to regulation 8 of the Seed Potatoes Regulations (Northern Ireland) 2001, in respect of certification and classification of pre-basic tissue culture, a fee shall be payable for the services specified and shall be determined by the work involved, charged at an hourly rate in accordance with Part 2 to the Schedule. Where a charge is made by reference to an hour, the full hourly charge shall be payable in respect of part of an hour.

Revocation

4. The following Regulations are revoked—

- (a) The Seed Potatoes (Crop Fees) Regulations (Northern Ireland) 2006(d); and
- (b) The Seed Potatoes (Crop Fees) (Amendment) Regulations (Northern Ireland) 2008(e).

(a) Formerly the Department of Agriculture for Northern Ireland; see S.I. 1999/283 (N.I.1), Article 3(4)
(b) 1965 c.22 (N.I.) as amended by S.R. & O. (N.I.) 1972 No. 351 Art.3 and Schedule 3
(c) S.R. 2001 No.188
(d) S.R. 2006 No.186
(e) S.R. 2005 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

SCHEDULE 1

regulations 2 and 3

PART 1

regulation 2

FEES FOR THE CERTIFICATION OF SEED POTATO CROPS EXCEPT FOR PRE-BASIC TISSUE CULTURE

<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	£43.00
(b) where the total area of the crop exceeds 1 hectare	£21.50 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	£53.00
(b) where the total area of the crop exceeds 1 hectare	£26.50 per half hectare or part of a half hectare

PART 2

regulation 3

FEES FOR THE CERTIFICATION OF PRE-BASIC TISSUE CULTURE

<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).

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