
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 138

PLANT HEALTH

**The Plant Health (Import Inspection Fees)
(Scotland) Amendment Regulations 2007**

<i>Made</i>	- - - -	<i>1st March 2007</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>2nd March 2007</i>
<i>Coming into force</i>	- -	<i>31st March 2007</i>

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972⁽¹⁾ and section 56(1) and (2) of the Finance Act 1973⁽²⁾, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2007 and shall come into force on 31st March 2007.

Amendment of the Plant Health (Import Inspection Fees) (Scotland) Regulations 2005

2. The Plant Health (Import Inspection Fees) (Scotland) Regulations 2005⁽³⁾ are amended in accordance with regulations 3 and 4.

3. Omit regulation 6 (notification of consignments).

4. For Schedule 2 substitute:—

(1) 1972 c. 68. Section 2(2) was amended by the Scotland Act 1998 (c. 46), Schedule 8, paragraph 15(3). The functions conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, in so far as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(2) 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 (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. The requirement to obtain the consent of the Treasury was removed by section 55 of the Scotland Act 1998.

(3) S.S.I. 2005/216.

"SCHEDULE 2

Regulation 4(3)

REDUCED IMPORT INSPECTION FEES FOR PLANT HEALTH CHECKS

<i>Column 1</i> <i>Genus</i>	<i>Column 2</i> <i>Quantity</i>	<i>Column 3</i> <i>Country of origin</i>	<i>Column 4</i> <i>Fee (normal working hours)</i>	<i>Column 5</i> <i>Fee (outside normal working hours)</i>
<i>Cut flowers</i>				
Aster	Per consignment			
	— up to 20,000 in number	Zimbabwe	£6.62	£9.93
	— for each additional 1,000 units	Zimbabwe	£0.05	£0.07
	— maximum price	Zimbabwe	£52.96	£79.44
Dianthus	Per consignment			
	— up to 20,000 in number	Colombia	£0.40	£0.60
		Ecuador	£1.98	£2.97
		Israel, Turkey	£3.31	£4.96
		Morocco	£6.62	£9.93
	— for each additional 1,000 units	Colombia	£0.003	£0.004
		Ecuador	£0.01	£0.02
		Israel, Turkey	£0.02	£0.03
		Morocco	£0.05	£0.07
	— maximum price	Colombia	£3.17	£4.75
		Ecuador	£15.88	£23.83
		Israel, Turkey	£26.48	£39.72
Morocco		£52.96	£79.44	
Rosa	Per consignment			
	— up to 20,000 in number	Kenya	£0.13	£0.19
		Colombia, Ecuador, Uganda	£0.66	£0.99
		Israel, Zambia	£1.32	£1.98

Where the total amount of any fee comprises an amount of less than £0.01, that amount shall be excluded.

<i>Column 1</i> Genus	<i>Column 2</i> Quantity	<i>Column 3</i> Country of origin	<i>Column 4</i> Fee (normal working hours)	<i>Column 5</i> Fee (outside normal working hours)
		Ethiopia, Tanzania, Zimbabwe	£3.31	£4.96
		India	£6.62	£9.93
	— for each additional 1,000 units	Kenya	£0.001	£0.002
		Colombia, Ecuador, Uganda	£0.005	£0.007
		Israel, Zambia	£0.01	£0.15
		Ethiopia, Tanzania, Zimbabwe	£0.02	£0.03
		India	£0.05	£0.07
	— maximum price	Kenya	£1.06	£1.59
		Colombia, Ecuador, Uganda	£5.29	£7.94
		Israel, Zambia	£10.59	£15.89
		Ethiopia, Tanzania, Zimbabwe	£26.48	£39.72
		India	£52.96	£79.44
Fruit				
Malus	Per consignment			
	— up to 25,000 kg in weight	Chile	£0.93	£1.39
		New Zealand, South Africa	£1.32	£1.98
		Argentina, USA	£1.98	£2.97
		Brazil	£3.31	£4.96
		China	£4.63	£6.95
	— for each additional 1,000 kg	Chile	£0.03	£0.05
		New Zealand, South Africa	£0.05	£0.07

Where the total amount of any fee comprises an amount of less than £0.01, that amount shall be excluded.

<i>Column 1</i> <i>Genus</i>	<i>Column 2</i> <i>Quantity</i>	<i>Column 3</i> <i>Country of origin</i>	<i>Column 4</i> <i>Fee (normal working hours)</i>	<i>Column 5</i> <i>Fee (outside normal working hours)</i>
		Argentina, USA	£0.07	£0.11
		Brazil	£0.13	£0.19
		China	£0.18	£0.27
Mangifera	Per consignment			
	— up to 25,000 kg in weight	Brazil	£1.32	£1.98
		Peru	£6.62	£9.93
	— for each additional 1,000 kg	Brazil	£0.05	£0.07
		Peru	£0.26	£0.39
Prunus	Per consignment			
	— up to 25,000 kg in weight	Chile, South Africa	£1.32	£1.98
		Argentina, Turkey	£1.98	£2.97
		USA	£4.63	£6.94
	— for each additional 1,000 kg	Chile, South Africa	£0.05	£0.07
		Argentina, Turkey	£0.07	£0.11
		USA	£0.18	£0.27
Pyrus	Per consignment			
	— up to 25,000 kg in weight	South Africa	£1.32	£1.98
		Argentina	£1.98	£2.97
		Chile	£3.31	£4.96
		China	£6.62	£9.93
	— for each additional 1,000 kg	South Africa	£0.05	£0.07
		Argentina	£0.07	£0.11
		Chile	£0.13	£0.19
		China	£0.26	£0.39

Where the total amount of any fee comprises an amount of less than £0.01, that amount shall be excluded.

<i>Column 1</i> <i>Genus</i>	<i>Column 2</i> <i>Quantity</i>	<i>Column 3</i> <i>Country of origin</i>	<i>Column 4</i> <i>Fee (normal working hours)</i>	<i>Column 5</i> <i>Fee (outside normal working hours)</i>
Citrus	Per consignment			
	— up to 25,000 kg in weight	Morocco	£0.66	£0.99
		Israel, Turkey, Uruguay, USA	£1.98	£2.97
		Egypt, Mexico	£3.31	£4.96
		Peru, Zimbabwe	£9.93	£14.89
	— for each additional 1,000 kg	Morocco	£0.02	£0.03
		Israel, Turkey, Uruguay, USA	£0.07	£0.11
		Egypt, Mexico	£0.13	£0.19
Peru, Zimbabwe		£0.39	£0.58	
Fortunella	Per consignment			
	— up to 25,000 kg in weight	South Africa	£9.93	£14.89
		Israel	£6.62	£9.93
	— for each additional 1,000 kg	South Africa	£0.39	£0.58
Israel		£0.26	£0.39	
Momordica	Per consignment			
	— up to 25,000 kg in weight	Suriname	£6.62	£9.93
	— for each additional 1,000 kg	Suriname	£0.26	£0.39
Passiflora	Per consignment			
	— up to 25,000 kg in weight	Kenya	£1.32	£1.98
		Colombia	£1.98	£2.97
		Zimbabwe	£4.63	£6.95
		South Africa	£9.93	£14.89

Where the total amount of any fee comprises an amount of less than £0.01, that amount shall be excluded.

Status: This is the original version (as it was originally made).

<i>Column 1</i> <i>Genus</i>	<i>Column 2</i> <i>Quantity</i>	<i>Column 3</i> <i>Country of origin</i>	<i>Column 4</i> <i>Fee (normal working hours)</i>	<i>Column 5</i> <i>Fee (outside normal working hours)</i>
	— for each additional 1,000 kg	Kenya	£0.05	£0.07
		Colombia	£0.07	£0.11
		Zimbabwe	£0.18	£0.27
		South Africa	£0.39	£0.58
<i>Vegetables</i>				
Solanum melongena	Per consignment			
	— up to 25,000 kg in weight	Turkey	£9.93	£14.89
	— for each additional 1,000 kg	Turkey	£0.39	£0.58”.

Where the total amount of any fee comprises an amount of less than £0.01, that amount shall be excluded.

Pentland House,
Edinburgh
1st March 2007

ROSS FINNIE
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Plant Health (Import Inspection Fees) (Scotland) Regulations 2005 (S.S.I. 2005/216) (“the principal Regulations”) and come into force on 31st March 2007. The principal Regulations implement Article 13d of Council Directive 2000/29/EC (O.J. No. L 169, 10.7.00, p.1) which requires Member States to charge 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 items from third countries. They further implement reduced rates for certain plants and plant products agreed under the procedure provided for in Articles 13d(2) and 18(2) of the Directive.

Regulation 3 omits regulation 6 of the principal Regulations which dealt with notification of consignments as this matter is now dealt with by article 6 of the Plant Health (Scotland) Order 2005 (S.S.I. 2005/613) as amended by S.S.I. 2006/474.

Regulation 4 substitutes a new Schedule 2 to the principal Regulations, introducing new countries of origin and reduced rate fees.

<i>Column 1</i> <i>Genus</i>	<i>Column 2</i> <i>Quantity</i>	<i>Column 3</i> <i>Country of origin</i>	<i>Column 4</i> <i>Fee (normal working hours)</i>	<i>Column 5</i> <i>Fee (outside normal working hours)</i>	
<i>Cut flowers</i>					
Aster	Per consignment				
	— up to 20,000 in number	Zimbabwe	£6.62 (was £3.31)	£9.93 (was £4.96)	
	— for each additional 1,000 units	Zimbabwe	£0.05 (was £0.02)	£0.07 (was £0.03)	
	— maximum price	Zimbabwe	£52.96 (was £26.48)	£79.44 (was £39.72)	
	Dianthus	Per consignment			
		— up to 20,000 in number	Israel, (new)	£3.31	£4.96
		Morocco	£6.62 (was £3.31)	£9.93 (was £4.96)	
— for each additional 1,000 units		Israel, (new)	£0.02	£0.03	
		Morocco	£0.05	£0.07	

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<i>Column 1</i> <i>Genus</i>	<i>Column 2</i> <i>Quantity</i>	<i>Column 3</i> <i>Country of origin</i>	<i>Column 4</i> <i>Fee (normal working hours)</i>	<i>Column 5</i> <i>Fee (outside normal working hours)</i>
			(was £0.02)	(was £0.03)
	— maximum price	Israel, (new)	£26.48	£39.72
		Morocco	£52.96	£79.44
			(was £26.48)	(was £ 39.72)
Rosa	Per consignment			
	— up to 20,000 in number	Kenya,	£0.13	£0.19
			(was £0.66)	(was £0.99)
		Colombia,	£0.66	£0.99
			(was £1.32)	(was £1.98)
		Israel, Zambia (new)	£1.32	£1.98
		Ethiopia, Tanzania, (new)	£3.31	£4.96
		Zimbabwe	(was £0.66)	(was £0.99)
		India (new)	£6.62	£9.93
	— for each additional 1,000 units	Kenya	£0.001	£0.002
			(was £0.005)	(was £0.007)
		Colombia	£0.005	£0.007
			(was £0.01)	(was £0.015)
		Israel, Zambia (new)	£0.01	£0.15
		Ethiopia, Tanzania, (new)	£0.02	£0.03
		Zimbabwe	(was £0.005)	(was £0.007)
		India (new)	£0.05	£0.07
	— maximum price	Kenya	£1.06	£1.59
			(was £5.29)	(was £7.94)
		Colombia,	£5.29	£7.94
			(was £10.59)	(was £15.89)
		Israel, Zambia (new)	£10.59	£15.89

<i>Column 1</i> Genus	<i>Column 2</i> Quantity	<i>Column 3</i> Country of origin	<i>Column 4</i> Fee (normal working hours)	<i>Column 5</i> Fee (outside normal working hours)
		Ethiopia, Tanzania, (new)	£26.48	£39.72
		Zimbabwe	(was £5.29)	(was £7.94)
		India (new)	£52.96	£79.44
Fruit				
Malus	Per consignment			
	— up to 25,000 kg in weight	Chile	£0.93	£1.39
			(was £1.32)	(was £1.98)
		New Zealand,	£1.32	£1.98
			(was £1.98)	(was £2.97)
		USA (new)	£1.98	£2.97
		China	£4.63	£6.95
			(was £6.62)	(was £9.93)
	— for each additional 1,000 kg	Chile	£0.03	£0.05
			(was £0.05)	(was £0.07)
		New Zealand	£0.05	£0.07
			(was £0.07)	(was £0.10)
		China	£0.18	£0.27
			(was £0.26)	(was £0.39)
Mangifera	Per consignment			
	— up to 25,000 kg in weight	Peru (new)	£6.62	£9.93
	— for each additional 1,000 kg	Peru (new)	£0.26	£0.39
Prunus	Per consignment			
	— up to 25,000 kg in weight	Turkey	£1.98	£2.97
			(was £1.32)	(was £1.98)
		USA (new)	£4.63	£6.94
	— for each additional 1,000 kg	Turkey	£0.07	£0.11
			(was £0.05)	(was £0.07)

Status: This is the original version (as it was originally made).

<i>Column 1</i> Genus	<i>Column 2</i> Quantity	<i>Column 3</i> Country of origin	<i>Column 4</i> Fee (normal working hours)	<i>Column 5</i> Fee (outside normal working hours)
		USA (new)	£0.18	£0.27
Citrus	Per consignment			
	— up to 25,000 kg in weight	Turkey,	£1.98	£2.97
			(was £0.92)	(was £1.38)
		USA	(was £1.32)	(was £1.98)
		Egypt, (new)	£3.31	£4.96
		Mexico	(was £1.98)	(was £2.97)
		Peru, Zimbabwe (new)	£9.93	£14.89
	— for each additional 1,000 kg	Turkey,	£0.07	£0.11
			(was £0.03)	(was £0.04)
		USA	(was £0.05)	(was £0.07)
		Egypt (new),	£0.13	£0.19
		Mexico	(was £0.07)	(was £0.10)
		Peru, Zimbabwe (new)	£0.39	£0.58

Three new fruit types, *Fortunella*, *Momordica* and *Passiflora* are introduced with new fee scales for the countries of origin.

A new category of vegetable type *Solanum melongena* is introduced with fee scales for the country of origin.

No Regulatory Impact Assessment has been prepared for this instrument as it has no impact on the cost of business.