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SCOTTISH STATUTORY INSTRUMENTS

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**2016 No. 69**

**The Seed (Fees) (Scotland) Regulations 2016**

**Citation, commencement and extent**

1. These Regulations may be cited as the Seed (Fees) (Scotland) Regulations 2016 and come into force on 1st July 2016.

2. These Regulations extend to Scotland only.

**Interpretation**

3.—(1) In these Regulations—

“the 2016 Regulations” means the Seed (Licensing and Enforcement etc.) (Scotland) Regulations 2016(1);

“the relevant person” means—

- (a) a licensed crop inspector, where the fee is for an official examination carried out by a licensed crop inspector;
- (b) a licensed seed sampler, where the fee is for the sampling of a seed lot for the purposes of an official examination carried out by a licensed seed sampler; or
- (c) in any other case, the Scottish Ministers; and

“the Seed Marketing Regulations” means—

- (a) in relation to vegetable seed, the Vegetable Seeds Regulations 1993(2);
- (b) in relation to oil and fibre plant seed, the Oil and Fibre Plant Seed (Scotland) Regulations 2004(3);
- (c) in relation to cereal seed, the Cereal Seed (Scotland) Regulations 2005(4);
- (d) in relation to fodder plant seed, the Fodder Plant Seed (Scotland) Regulations 2005(5); and
- (e) in relation to beet seed, the Beet Seed (Scotland) (No. 2) Regulations 2010(6).

(2) Other words and expressions used in these Regulations have the same meaning as they do in the Seed Marketing Regulations or, as the case may be, the 2016 Regulations.

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(1) S.S.I. 2016/68.

(2) S.I. 1993/2008, amended by S.I. 1996/1452, S.I. 1997/616, S.I. 1999/1863, S.S.I. 2000/250, S.I. 2001/3510, S.S.I. 2007/305, S.S.I. 2010/219, S.S.I. 2010/425, S.I. 2011/1043 and S.S.I. 2013/326.

(3) S.S.I. 2004/317, amended by S.S.I. 2006/313, S.S.I. 2007/224, S.S.I. 2007/536, S.S.I. 2009/223, S.S.I. 2010/219 and S.S.I. 2016/68.

(4) S.S.I. 2005/328, amended by S.S.I. 2006/313, S.S.I. 2006/448, S.S.I. 2007/224, S.S.I. 2007/536, S.S.I. 2009/223, S.S.I. 2010/219 and S.S.I. 2016/68.

(5) S.S.I. 2005/329, amended by S.S.I. 2006/313, S.S.I. 2006/448, S.S.I. 2007/224, S.S.I. 2007/536, S.S.I. 2009/223, S.S.I. 2009/330, S.S.I. 2010/219, S.S.I. 2012/5, S.S.I. 2013/326 and S.S.I. 2016/68.

(6) S.S.I. 2010/148, as amended by S.S.I. 2011/413 and S.S.I. 2016/68.

### **Fees for matters set out in Schedule 1**

4.—(1) Paragraph (2) applies to matters set out in Schedule 1 relating to the Seed Marketing Regulations.

(2) Where this paragraph applies—

- (a) the relevant person must charge the appropriate fee for the matter set out in Schedule 1; and
- (b) the fee must be paid to the relevant person within one month of demand.

(3) Where paragraph A(ii) of Schedule 1 applies, any initial fee which has been paid under paragraph A(i) must be repaid to the extent that it exceeds the fee payable under paragraph A(ii).

### **Fees for matters set out in Schedule 2**

5.—(1) Paragraph (2) applies to matters set out in Schedule 2 relating to the 2016 Regulations.

(2) Where this paragraph applies—

- (a) the Scottish Ministers must charge the appropriate fee for the matter set out in Schedule 2; and
- (b) the fee must be paid to the Scottish Ministers within the relevant timescale set out in Schedule 2.

### **Exemptions**

6. The Scottish Ministers may exempt any person or class of persons, or persons generally, from compliance with any of the provisions of these Regulations, subject to any conditions the Scottish Ministers think appropriate.

### **Revocations**

7. The Seed (Fees) (Scotland) Regulations 2014(7) are revoked.

St Andrew's House,  
Edinburgh  
2nd February 2016

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