

1989 No. 275

SEEDS

The Seeds (National Lists of Varieties) (Fees)
(Amendment) Regulations 1989

Made - - - - 23rd February 1989
Laid before Parliament 10th March 1989
Coming into force - 1st April 1989

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland, the Secretary of State for Wales and the Secretary of State for Northern Ireland, acting jointly, in exercise of the powers conferred on them by sections 16(1), (1A)(e), (8), and 38(1) of the Plant Varieties and Seeds Act 1964(a) as extended to Northern Ireland(b), and of all other powers enabling them in that behalf, after consultation with representatives of such interests as appear to them to be concerned in accordance with section 16(1) of the said Act, hereby make the following Regulations:

Title and commencement

1. These Regulations may be cited as the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1989 and shall come into force on 1st April 1989.

Amendment of principal Regulations

2. For Schedule 1 to the Seeds (National Lists of Varieties) (Fees) Regulations 1987(c) there shall be substituted the provisions set out in the Schedule to these Regulations.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 23rd February 1989.



John MacGregor
Minister of Agriculture, Fisheries and Food

20th February 1989

Sanderson of Bowden
Minister of State, Scottish Office

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- (a) 1964 c.14; section 16 was amended by the European Communities Act 1972 (c.68), section 4(1) and Schedule 4, paragraph 5(1), (2) and (3); section 38(1) (as amended by S.I. 1978/272) contains a definition of "the Ministers" relevant to the exercise of the statutory powers under which these Regulations are made.
- (b) By section 39(3) of the Plant Varieties and Seeds Act 1964 and by the Plant Varieties and Seeds (Northern Ireland) Order 1973 (S.I. 1973/609).
- (c) S.I. 1987/188, amended by S.I. 1988/357.

21st February 1989

Peter Walker
Secretary of State for Wales

23rd February 1989

Tom King
Secretary of State for Northern Ireland

SCHEDULE Regulation 2
PROVISIONS TO BE SUBSTITUTED FOR SCHEDULE 1 TO THE SEEDS
(NATIONAL LISTS OF VARIETIES) (FEES) REGULATIONS 1987

"SCHEDULE 1 Regulation 3

FEES

PART I

FEES PAYABLE ON AN APPLICATION FOR ENTRY OF A PLANT VARIETY IN A
NATIONAL LIST

<i>Plant variety</i>	<i>Amount</i>	
	<i>New fee</i>	<i>Old fee</i>
	£	£(*)
1. A wheat (excluding durum wheat and spelt wheat) or barley variety	420	(400)
2. A durum wheat, spelt wheat, rye, oat, oilseed rape, ryegrass, timothy, white clover, fescue or potato variety	340	(325)
3. A maize, sugar beet or fodder beet variety	370	(355)
4. A field pea or field bean variety	225	(215)
5. Any other herbage, fodder, oil and fibre or cereal variety	160	(155)
6. A vegetable variety subject to a plant breeders' rights scheme	160	(155)
7. Any other vegetable variety	120	(115)

Note

(*) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1989 (S.I. 1989/275).

PART II

FEEs PAYABLE IN RESPECT OF TESTS FOR DISTINCTNESS, UNIFORMITY AND STABILITY OF A PLANT VARIETY WHICH IS THE SUBJECT OF AN APPLICATION FOR ENTRY IN A NATIONAL LIST

<i>Plant variety</i>	<i>Amount</i>	
	<i>New fee</i>	<i>Old fee</i>
	£	£(*)
1. A wheat (excluding durum wheat and spelt wheat), barley or maize variety	745	(710)
2. A durum wheat, spelt wheat, rye, oat, oilseed rape, ryegrass, timothy, white clover, fescue, potato, field pea or field bean variety	505	(480)
3. Any other herbage, fodder, oil and fibre, cereal or vegetable variety	285	(270)

Note

(*) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1989.

PART III

FEEs PAYABLE IN RESPECT OF TRIALS FOR VALUE FOR CULTIVATION AND USE OF A PLANT VARIETY WHICH IS THE SUBJECT OF AN APPLICATION FOR ENTRY IN A NATIONAL LIST

<i>Plant variety</i>	<i>Amount</i>	
	<i>New fee</i>	<i>Old fee</i>
	£	£(*)
1. A wheat (excluding durum wheat and spelt wheat) or barley variety	2285	(2180)
2. A durum wheat, spelt wheat, rye, oat, oilseed rape, ryegrass, timothy, white clover, fescue, potato, maize, sugar beet, field bean, field pea, swede or fodder kale variety	785	(750)

Note

(*) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1989.

PART IV
RENEWAL FEES

<i>Plant variety</i>	<i>Renewal fees during the years of retention in a National List</i>			
	<i>Second to fifth year—each year</i>		<i>Sixth and each subsequent year</i>	
	<i>New fee</i>	<i>Old fee</i>	<i>New fee</i>	<i>Old fee</i>
	£	£(*)	£	£(*)
1. A wheat (excluding durum wheat and spelt wheat) or barley variety	260	(250)	440	(420)
2. A durum wheat, spelt wheat, rye, oat, oilseed rape, ryegrass, timothy, white clover, fescue, potato, maize, sugar beet, fodder beet, field bean or field pea variety	245	(235)	375	(360)
3. Any other herbage, fodder, oil and fibre or cereal variety	150	(145)	245	(235)
4. A vegetable variety subject to a plant breeders' rights scheme	150	(145)	245	(235)
5. Any other vegetable variety	130	(125)	200	(190)

Note

(*) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1989.

PART V
FEEs PAYABLE IN RESPECT OF OTHER MATTERS

<i>Matter</i>	<i>When payable</i>	<i>Amount</i>	
		<i>New fee</i>	<i>Old fee</i>
		£	£(*)
1. Application for the substitution of a name in a National List	On making the application	21	(21)
2. Making written representations to the Ministers	On delivering the representations	3	(3)
3. Attending to be heard by a person appointed by the Ministers	Before the hearing	21	(21)
4. Inspection of the National List record	Before the inspection	1	(1)
5. Inspection of the file maintained for a plant variety in a National List	Before the inspection	1	(1)
6. Purchase of a report from a testing authority in another country	Within 14 days of demand by the Minister	140	(140)
7. Observation plot-trials for value for cultivation and use	Within 14 days of demand by the Minister	105	(100)
8. Entry in a National List— (a) of a variety referred to in items 1 to 4 in Part I of this Schedule	Before entry in a National List	120	(115)
(b) of a variety referred to in items 5 to 7 in Part I of this Schedule		70	(65)

Note

(*) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1989."

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Seeds (National Lists of Varieties) (Fees) Regulations 1987 by substituting a new Schedule for Schedule 1 to those Regulations. The new Schedule prescribes an overall increase of fees for the matters for which fees were previously charged. The majority of fees payable in respect of other matters (Part V of the Schedule), however, remain at their former levels.