
STATUTORY INSTRUMENTS

1993 No. 1477 (S.194)

PLANT HEALTH

The Plant Health Fees (Scotland) Order 1993

<i>Made</i>	- - - -	<i>7th June 1993</i>
<i>Laid before Parliament</i>		<i>18th June 1993</i>
<i>Coming into force</i>	- -	<i>9th July 1993</i>

The Secretary of State, in exercise of the powers conferred on him by sections 1(2)(b), 2, 3(1) and 4A of the Plant Health Act 1967((1)), section 56 of the Finance Act 1973((2)), and of all other powers enabling him in that behalf, and with the consent of the Treasury, hereby makes the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Plant Health Fees (Scotland) Order 1993 and shall come into force on 9th July 1993.

(2) This Order extends to Scotland only.

Interpretation

2.—(1) In this Order—

“authority” means an authority to issue plant passports conferred on a business, individual or other organisation under article 14 of the Order;

“import licence” means a licence issued by the Secretary of State under article 30 of the Order;

“the Order” means the Plant Health (Great Britain) Order 1993((3));

“plant passport” has the meaning assigned by article 2(1) of the Order;

(2) Where a fee is prescribed in this Order in relation to an inspection for the purpose of the conferring of an authority to issue plant passports, the refusal to confer such an authority by reason of the results of the inspection being unsatisfactory shall not affect the amount of the fee otherwise payable.

(1) 1967 c. 8; sections 2(1) and 3(1) were amended by the European Communities Act 1972 (c. 68), section 4(1) and Schedule 4, paragraph 8 and section 4A was inserted by the Agriculture Act 1986 (c. 49), section 3.
(2) 1973 c. 51.
(3) S.I. 1993/1320.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Fees for inspections for plant passporting purposes

3. There shall be paid to the Secretary of State in respect of the service described in column 1 of Schedule 1 to this Order the fee specified in column 3 of that Schedule opposite to the area of premises specified in column 2 of that Schedule.

Fees for import licensing services

4. There shall be paid to the Secretary of State in respect of any service described in column 1 of Schedule 2 to this Order the fee specified in column 2 of that Schedule opposite the reference to that service.

Revocation

5. The Import and Export (Plant Health Fees) (Scotland) Order 1992((4)) is hereby revoked.

St Andrew's House,
Edinburgh
26th May 1993

Hector Monro
Parliamentary Under Secretary of State, Scottish
Office

We consent,

7th June 1993

T.J.R. Wood
T. Kirkhope
Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE 1

Article 3

FEES FOR INSPECTIONS FOR PLANT PASSPORTING PURPOSES

<i>Column 1</i> Service	<i>Column 2</i> Area or size of premises (Ha)	<i>Column 3</i> Fee £
Each inspection of premises plants and plant material	Not exceeding .99	69
for the purpose of conferring or maintaining an	1 to 1.99 (inclusive)	95
authority to issue plant passports (including check of	2 to 3.99 (inclusive)	139
business records): Per site.	4 to 9.99 (inclusive)	183
	10 to 19.99 (inclusive)	284
	20 to 49.99 (inclusive)	397
	exceeding 49.99	473

SCHEDULE 2

Article 4

FEES IN RESPECT OF IMPORT LICENSING SERVICES

<i>Column 1</i> Service	<i>Column 2</i> Fee £	<i>Column 3</i> Old Fee £
1. Consideration of an application for the issue of an import licence and the performance of any connected service, including the issue of a licence for articles imported for the following purposes, whether or not an inspection is required:—	40.00	<i>40.00</i>
(a) scientific		
(b) (b) commercial	40.00	<i>40.00</i>
(i) potato breeders' and other quarantine material		
(ii) other plant material	30.00	<i>30.00</i>

Note: The figures *in italics* are the fees which were charged under the Import and Export (Plant Health Fees) (Scotland) Order 1992 (S.I. 1992/2621) before the coming into force of this Order.

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<i>Column 1</i> Service	<i>Column 2</i> Fee £	<i>Column 3</i> Old Fee £
(c) (c) private	25.00	<i>25.00</i>
2. The inspection of articles for import, per day	40.00	<i>40.00</i>
(a) up to and including the first 30 minutes		
(b) (b) thereafter, for each additional 30 minutes or part thereof	20.00	20.00

Note: The figures *in italics* are the fees which were charged under the Import and Export (Plant Health Fees) (Scotland) Order 1992 (S.I. 1992/2621) before the coming into force of this Order.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which applies to Scotland only, prescribes fees in respect of inspections carried out for the purpose of conferring authority to issue plant passports under the Plant Health (Great Britain) Order 1993 (“the 1993 Order”).

Under the 1993 Order, from 1st June 1993, certain listed plants, plant products and other objects will require a plant passport for movement within the European Community including any trade within the United Kingdom. Producers, traders and importers of such material must first be authorised to issue plant passports by the Secretary of State. The authorisation process involves an inspection of premises and the listed plant material and includes a check on business records.

This system replaces within the European Community the previous system of issue of phytosanitary certificates which were required to accompany exports of certain plants, plant products etc.

The fees prescribed by this Order reflect the costs expected to be incurred in undertaking the inspections and replace the fees charged in respect of export certification under the Import and Export (Plant Health) (Scotland) Fees Order 1992 (“the 1992 Order”) which is therefore revoked (article 5).

This Order also prescribes fees for the issue of licences under the 1993 Order to permit the importation of those articles which would otherwise be prohibited (article 4). These fees are unchanged from the 1992 Order.