
STATUTORY INSTRUMENTS

1994 No. 1441 (S.67)

PLANT HEALTH

The Plant Health Fees (Scotland) Order 1994

<i>Made</i>	- - - -	<i>24th May 1994</i>
<i>Laid before Parliament</i>		<i>2nd June 1994</i>
<i>Coming into force</i>	- -	<i>23rd June 1994</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)) and 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 1994 and shall come into force on 23rd June 1994.

(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 17 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;

“premises” includes any land or building used for the production or storage of plants, plant products or other objects.

(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; section 2(2) was amended by the Customs and Excise Management Act 1979 (c. 2), Schedule 4; and section 4A was inserted by the Agriculture Act 1986 (c. 49), section 3.

(2) 1973 c. 51.

(3) S.I. 1993/1320; to which there are amendments not relevant to this Order.

Fees for inspections for plant passporting purposes

3.—(1) 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 the area of the premises specified in column 2 of that Schedule.

(2) Where the premises are situated on more than one site a separate fee shall apply in relation to each such site calculated according to the area of that site as set out in column 2 of Schedule 1 to this Order.

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.

Revocations

5. The Plant Health Fees (Scotland) Order 1993((4)) and the Plant Health Fees (Scotland) Amendment Order 1993((5)) are hereby revoked.

St Andrew's House,
Edinburgh
20th May 1994

Hector Monro
Parliamentary Under Secretary of State, Scottish
Office

We consent,

24th May 1994

Andrew Mackay
Irvine Patnick
Two of the Lords Commissioners of Her
Majesty's Treasury

(4) S.I. 1993/1477 amended by S.I. 1993/2344.

(5) S.I. 1993/2344.

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 £	<i>Column 4</i> Area or size of premises (Ha)	<i>Column 5</i> Fee £
Each inspection of premises plants and plant material for the purpose of conferring or maintaining an authority to issue plant passports (including check of business records): Per site.	Not exceeding 1.0	69	<i>Not exceeding .99</i>	<i>69</i>
	1.1 to 2.0 (inclusive)	95	<i>1 to 1.99 (inclusive)</i>	<i>95</i>
	2.1 to 4.0 (inclusive)	139	<i>2 to 3.99 (inclusive)</i>	<i>139</i>
	4.1 to 10.0 (inclusive)	183	<i>4 to 9.99 (inclusive)</i>	<i>183</i>
	10.1 to 20.0 (inclusive)	284	<i>10 TO 19.99 (inclusive)</i>	<i>284</i>
	20.1 to 35.0 (inclusive)	340	<i>20 to 49.99 (inclusive)</i>	<i>397</i>
	35.1 to 50.0 (inclusive)	400	<i>exceeding 49.99</i>	<i>473</i>
	Each additional 10 hectares or part thereof	50		

Note: The fees in column 5 are the fees which were charged under the Plant Health Fees (Scotland) Order 1993 (S.I.1993/1477) in relation to the areas specified in column 4 before the coming into force of this Order.

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 £
Consideration of an application for the issue of an import licence and the performance of any connected service, including the issue of a licence or articles imported for the following purposes:—	55.00	<i>40.00</i>
(a) scientific		
(b) commercial	55.00	<i>40.00</i>

Note: The figures in *italics* in Column 3 are the fees which were charged under the Plant Health Fees (Scotland) Order 1993 (S.I. 1993/1477) before the coming into force of this Order.

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

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Service	Fee £	Old Fee £
(i) potato breeders' and other quarantine material		
(ii) other plant material (to include cost of inspection)	70.00	<i>30.00</i>
(c) (c) private (to include cost of inspection)	70.00	<i>25.00</i>
2. The inspection of articles for import, per day (where not included under paragraph 1 above)—	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	<i>20.00</i>

Note: The figures in *italics* in Column 3 are the fees which were charged under the Plant Health Fees (Scotland) Order 1993 (S.I. 1993/1477) 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, supersedes the Plant Health Fees (Scotland) Order 1993 and 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, certain listed plants, plant products and other objects 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.

The fees prescribed by this Order in relation to plant passporting matters reflect the costs expected to be incurred in undertaking the inspections and are essentially unaltered. The only changes of substance are a minor alteration in the maximum and minimum areas for which a fee is relevant and an adjustment in the fees applicable to areas in excess of 20 hectares resulting in a reduction in the fee payable in respect of premises of between 20.1 and 35.00 hectares, a marginal increase in

the fees payable in respect of premises of between 35.1 and 50 hectares, and the introduction of an amended charge for premises in excess of 50 hectares.

This Order also increases a number of fees for the issue of licences under the 1993 Order to permit the importation of those articles which would otherwise be prohibited (article 4). The fees for the consideration of an application for the issue of scientific and commercial (potato breeders' and other quarantine material) import licences are increased by 40%. The fees for other commercial and private import licences are also increased but will include the cost of a site inspection which is now mandatory in relation to the issue of such licences.

Other fees are unchanged.