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STATUTORY INSTRUMENTS

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**1997 No. 655**

**PLANT HEALTH**

**The Plant Health (Fees) (Forestry) (Great Britain) (Amendment) Regulations 1997**

<i>Made</i>	- - - -	<i>5th March 1997</i>
<i>Laid before Parliament</i>		<i>7th March 1997</i>
<i>Coming into force</i>	- -	<i>1st April 1997</i>

The Forestry Commissioners, being designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to measures relating to the common agricultural policy of the European Community in respect of forestry, in exercise of the powers conferred on them by the said section 2(2) and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Title and commencement**

1. These Regulations may be cited as the Plant Health (Fees) (Forestry) (Great Britain) (Amendment) Regulations 1997 and shall come into force on 1st April 1997.

**Amendment of the Plant Health (Fees) (Forestry) (Great Britain) Regulations 1996**

2. The Plant Health (Fees) (Forestry) (Great Britain) Regulations 1996<sup>(3)</sup> shall be amended in accordance with the provisions of regulations 3 to 6 below.

3. In regulation 1, for paragraph (3) there shall be substituted the following paragraph—

“(3) In these Regulations—

“authority” means an authority to issue plant passports under article 17 of the Order;

“inspector” has the meaning given to it in the Order;

“licence” means a licence under article 28 or 28A of the Order;

“the Order” means the Plant Health (Forestry) (Great Britain) Order 1993<sup>(4)</sup>;

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(1) S.I. 1996/266. See section 2(1) of, and Schedule 1 to, the Forestry Act 1967 (c. 10) for details of the constitution of the Forestry Commissioners.

(2) 1972 c. 68.

(3) S.I. 1996/2291.

(4) S.I. 1993/1283, as amended by S.I. 1994/3094, 1995/1989, 1996/751.

“remedial work” means any steps required by or taken by an inspector under article 21(1)(b), (c) or (f), (2)(i) or (iv) or (3) or 22(1)(b) of the Order;

“relevant corresponding conditions”, in relation to any specified wood or isolated bark, means the conditions specified in column 3 (conditions of landing) and column 4 (certification) of Part A of Schedule 4 to the Order (material consigned directly from third countries whose landing in Great Britain is subject to special conditions) which correspond to that specified wood or isolated bark;

“specified wood or isolated bark” means wood or isolated bark described in column 2 (description of relevant material) of items 1, 4, 5 to 10 and 20 to 29 in Part A of Schedule 4 to the Order; and

“third country” has the meaning given to it in the Order.”.

4. In regulation 2, after sub-paragraph (b) there shall be added the following sub-paragraph—
  - “(c) in respect of each service of a type described in column 2 of Schedule 3 to these Regulations the fee prescribed in column 3 of that Schedule in relation to that service.”.
5. In Schedule 1, in column 1 sub-paragraph (b), for the word “of” there shall be substituted the word “or”.
6. After Schedule 2, there shall be added the Schedule set out in the Schedule to these Regulations.

In witness whereof the Official Seal of the Forestry Commissioners is hereunto affixed on

L.S.

5th March 1997.

*M. F. Garforth*  
Secretary to the Forestry Commissioners

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

SCHEDULE

Regulation 6

“SCHEDULE 3

Regulation 2(c)

FEES IN RESPECT OF SPECIFIED WOOD AND ISOLATED BARK

(1) <i>Item</i>	(2) <i>Service</i>	(3) <i>Fee</i>
1.	Inspection of specified wood or isolated bark to monitor compliance with the relevant corresponding conditions	12 pence per cubic metre of specified wood or isolated bark landed (with a minimum fee of £10 per inspection)
2.	The carrying out of remedial work by an inspector, or the supervision by an inspector of any remedial work required by an inspector, following an inspection of the sort described in item 1 above, including associated activities (including travelling and office time): (a) up to and including the first hour  (b) thereafter, for £10” each additional 30 minutes of part thereof	£27

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations, which come into force on 1st April 1997, amend the Plant Health (Fees) (Forestry) (Great Britain) Regulations 1996.

The Regulations add a further Schedule of services provided by the Forestry Commissioners for which a prescribed fee shall be payable (regulations 4 and 6). The services relate to the inspection of imports of certain forestry material from third countries and to the carrying out or supervision of any remedial work arising from such inspections. These services are provided in accordance with the requirements of Council Directive [77/93/EEC](#) on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJNo. L26, 31.1.77, p. 20), as amended.

The Regulations also correct a minor error in the Plant Health (Fees) (Forestry) (Great Britain) Regulations 1996 (regulation 5).

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

A Compliance Cost Assessment in relation to these Regulations has been placed in the libraries of both Houses of Parliament, and copies can be obtained from the Plant Health Service of the Forestry Commission, 231 Corstorphine Road, Edinburgh EH12 7AT.