
STATUTORY INSTRUMENTS

1998 No. 1022

SEEDS

**The Seeds (National Lists of Varieties)
(Fees) (Amendment) Regulations 1998**

<i>Made</i>	- - - -	<i>8th April 1998</i>
<i>Laid before Parliament</i>		<i>9th April 1998</i>
<i>Coming into force</i>	- -	<i>8th May 1998</i>

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) and (8) and 36 of the Plant Varieties and Seeds Act 1964⁽¹⁾, as extended to Northern Ireland⁽²⁾, after consultation with representatives of such interests as appear to them to be concerned in accordance with section 16(1) of that 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 1998 and shall come into force on 8th May 1998.

Amendment of the Seeds (National Lists of Varieties) (Fees) Regulations 1994

2. For the Schedules to the Seeds (National Lists of Varieties) (Fees) Regulations 1994⁽³⁾ there shall be substituted the Schedules set out in the Schedule to these Regulations.

7th April 1998

Donoghue
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

(1) 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); see section 38(1) (as amended by S.I. 1978/272 and as read with section 39(3)(a)(ii)) for the definition of “the Ministers”.

(2) S.I. 1964/1574 and S.I. 1973/609.

(3) S.I. 1994/676, amended by S.I. 1995/607 and 1997/383.

Status: This is the original version (as it was originally made).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

8th April 1998

Sewel
Parliamentary Under Secretary of State, Scottish
Office

Signed by authority of the Secretary of State for Wales

7th April 1998

Win Griffiths
Parliamentary Under Secretary of State, Welsh
Office

8th April 1998

Dubs
Parliamentary Under Secretary of State,
Northern Ireland Office

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SCHEDULE

Regulation 2

SCHEDULES TO BE SUBSTITUTED FOR THE SCHEDULES TO THE SEEDS (NATIONAL LISTS OF VARIETIES) (FEES) REGULATIONS 1994

“SCHEDULE 1

Regulation 3(1)(a)

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. Any variety	260	(250)

Note:

(*) The figure in italics is the fee which was charged under the Seeds (National Lists of Varieties) (Fees) Regulations 1994 (S.I.1994/676 as amended by S.I. 1997/383) before the coming into force of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1998 (S.I. 1998/1022) on 8th May 1998.

SCHEDULE 2

Regulation 3(1)(b)

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 cereal (excluding maize) variety	710	(685)
2. A maize variety	435	(420)
3. A potato variety	660	(640)
4. A beetroot, Brussels sprout, cabbage, carrot, celery, curly kale, leek, onion, radish, turnip or fodder variety	615	(595)
5. A field pea, vegetable pea, field bean or broad bean variety	530	(510)
6. A herbage variety	435	(420)
7. An oil and fibre (including oilseed rape) variety	435	(420)

Note:

(*) The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) Regulations 1994 (S.I. 1994/676 as amended by S.I. 1997/383) before the coming into force of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1998 (S.I. 1998/1022) on 8th May 1998.

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<i>Plant Variety</i>	<i>Amount</i>	
	<i>New fee</i> £	<i>Old fee</i> £ ^(*)
8. A sugar beet or fodder beet variety	170	<i>(165)</i>
9. Any other variety	220	<i>(215)</i>

Note:

(*) The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) Regulations 1994 (S.I. 1994/676 as amended by S.I. 1997/383) before the coming into force of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1998 (S.I. 1998/1022) on 8th May 1998.

SCHEDULE 3

Regulation 3(1)(c)

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 maize variety	510	<i>(495)</i>
2. A potato variety	900	<i>(870)</i>
3. A ryegrass, timothy or white clover variety	360	<i>(350)</i>
4. A field pea variety	735	<i>(710)</i>
5. A flax or linseed variety	345	<i>(335)</i>
6. A sugar beet variety	395	<i>(380)</i>
7. A festulolium variety	360	<i>(350)</i>
8. A wheat (excluding durum wheat and spelt wheat), barley or oat variety	1,160	<i>(1,120)</i>
9. A field bean variety	340	<i>(330)</i>
10. A spring oilseed rape variety	725	<i>(700)</i>
11. A winter oilseed rape variety	760	<i>(735)</i>

Note:

(*) The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) Regulations 1994 (S.I. 1994/676 as amended by S.I. 1997/383) before the coming into force of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1998 (S.I. 1998/1022) on 8th May 1998.

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SCHEDULE 4

Regulation 3(1)(d)

RENEWAL FEES

<i>Plant Variety</i>	<i>Amount</i>	
	<i>New fee</i> £	<i>Old fee</i> £ ^(*)
1. A vegetable variety (excluding a vegetable pea or broad bean variety)	160	<i>(155)</i>
2. Any other variety (including a vegetable pea or broad bean variety)	260	<i>(250)</i>

Note:

(*) Note: The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) Regulations 1994 (S.I. 1994/676 as amended by S.I. 1997/383) before the coming into force of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1998 (S.I. 1998/1022) on 8th May 1998.

SCHEDULE 5

Regulation 3(1)(e)

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	30	<i>(25)</i>
2. Making written representations to the Ministers	On delivering the representations	30	<i>(25)</i>
3. Attending to be heard by a person appointed by the Ministers	Before the hearing	55	<i>(50)</i>
4. Purchase of a report from a testing authority in another country	Within 14 days of demand by the Minister	150	<i>(180)</i>
5. Observation plot-trials for value for cultivation and use	Within 14 days of demand by the Minister	130	<i>(125)</i>

Note:

(*) Note: The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) Regulations 1994 (S.I. 1994/676 as amended by S.I. 1997/383) before the coming into force of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1998 (S.I. 1998/1022) on 8th May 1998.

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<i>Matter</i>	<i>When payable</i>	<i>Amount</i>	
		<i>New fee</i> £	<i>Old fee</i> £ ^(*)
6. Entry in a National List	Before entry in a National List	115	<i>(110)</i> ”

Note:

(*) Note: The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) Regulations 1994 (S.I. [1994/676](#) as amended by S.I. [1997/383](#)) before the coming into force of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1998 (S.I. [1998/1022](#)) on 8th May 1998.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Seeds (National Lists of Varieties) (Fees) Regulations 1994 (as amended) so as to prescribe revised fees in respect of matters arising under the Seeds (National Lists of Varieties) Regulations 1982 (as amended) (regulation 2).

The matters in respect of which the revised fees are prescribed are listed in the Schedule to these Regulations, and the fees which were chargeable before these Regulations came into force are printed in italics beside the revised fees.

Application, test, trial, observation plot, award and renewal fees have been increased by 3.5 per cent, rounded to the nearest £5. The fee for the purchase of a report from a testing authority in another country has been decreased to accord with the international charge of 350 Swiss Francs. Other fees in Schedule 5 have been increased by £5.

A regulatory appraisal has been prepared and placed in the library of both Houses of Parliament. Copies can be obtained from the Plant Variety Rights Office and Seeds Division of the Ministry of Agriculture, Fisheries and Food, White House Lane, Huntingdon Road, Cambridge CB3 0LF.