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STATUTORY INSTRUMENTS

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**2005 No. 117**

**AGRICULTURE  
PESTICIDES**

**The Fees for Assessment of Active Substances  
(Third Stage Review) Regulations 2005**

*Made* - - - - 24th January 2005  
*Laid before Parliament* 27th January 2005  
*Coming into force* - - 17th February 2005

The Secretary of State for Environment, Food and Rural Affairs being designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy of the European Community, in exercise of the powers conferred upon her by that section, hereby makes the following Regulations:

**Title, commencement and interpretation**

1.—(1) These Regulations may be cited as the Fees for Assessment of Active Substances (Third Stage Review) Regulations 2005 and shall come into force on 17th February 2005.

(2) In these Regulations a reference to a numbered Article or a numbered Annex shall be construed as a reference to the Article so numbered or the Annex so numbered to Commission Regulation (EC) No. 1490/2002 laying down further detailed rules for the implementation of the third stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC and amending Regulation (EC) No. 451/2000<sup>(3)</sup>, as amended by Commission Regulation (EC) No. 1044/2003<sup>(4)</sup> and Commission Regulation (EC) No. 1744/2004<sup>(5)</sup>.

**Fees payable for third stage reviews**

2.—(1) The fees payable in relation to each submission in respect of each active substance for which the United Kingdom is the designated rapporteur Member State under Annex I shall be in accordance with this regulation.

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(1) S.I.1972/1811.

(2) 1972 c. 68.

(3) OJ No. L224, 21.8.2002, p.23.

(4) OJ No. L151, 19.6.2003, p.32.

(5) OJ No. L 311, 8.10.2004, p.23

(2) The fee for the administrative treatment and checking of data lists submitted in accordance with Article 6 and conducting the completeness check of dossiers in accordance with Article 9 shall be £5,000.

(3) The fee for the evaluation in accordance with Article 10 of a dossier submitted under Article 7 shall be £127,000.

(4) The fees under this regulation shall be paid as indicated in Article 17(2)(c) and (d) and Annex IV.

**3.** The fee payable in relation to each active substance for which the United Kingdom is requested to act as co-rapporteur Member State under Article 10(2) shall be £10,000, payable to the United Kingdom as co-rapporteur in the same way as applies to the United Kingdom as rapporteur under regulation 2(4).

**4.—(1)** The fee, in relation to an active substance for which the United Kingdom is neither rapporteur nor co-rapporteur, for—

(a) providing additional technical or scientific information to assist a rapporteur Member State in the evaluation of a dossier in accordance with Article 10,

(b) assisting the European Food Safety Authority in its evaluation of the draft assessment report in accordance with Article 11, and

(c) considering the Commission's draft directive or decision in accordance with Article 12,

shall be £5,000 payable by the notifier to the United Kingdom in the same way as applies to the United Kingdom as rapporteur under regulation 2(4).

(2) In this regulation "the notifier" has the same meaning as in Article 2.

### **Revocation**

**5.** The Fees for Assessment of Active Substances (Third Stage Review) Regulations 2004(6) shall be revoked.

*Alun Michael*  
Minister of State  
Department for Environment, Food and Rural  
Affairs

24th January 2005

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## EXPLANATORY NOTE

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

These Regulations are made under section 2(2) of the European Communities Act 1972.

The Regulations set fees for a number of steps in the third stage of the European Community review of active substances for plant protection products. The review of active substances was established by Council Directive [91/414/EEC](#) concerning the placing of plant protection products on the market (OJ L230, 19.8.1991, p.1) as amended and detailed rules for the conduct of the third stage of the review are set out in Commission Regulation (EC) No. [1490/2002](#) (“the Commission Regulation”).

The steps for which fees are newly established are:

- acting as co-rapporteur under Article 10 of the Commission Regulation for which a fee of £10,000 is set; and

- the provision of additional technical or scientific information to assist a rapporteur member state in the evaluation of a dossier in accordance with Article 10, and

- the provision of assistance to the European Food Safety Authority in its evaluation of the draft assessment report in accordance with Article 11, and

- the consideration of the Commission’s draft directive or decision in accordance with Article 12

- for which a fee of £5,000 is set.

The steps for which fees are continued are:

- the administrative treatment and checking of data lists under Article 6 of the Commission Regulation and for conducting completeness checks of dossiers in accordance with Article 9 of that Regulation (£5,000); and

- the evaluation of dossiers under Article 10 of the Commission Regulation (£127,000);

these fees were originally set by the Fees for Assessment of Active Substances (Third Stage Review) Regulations 2004 which are now revoked.

A Regulatory Impact Assessment has been prepared and placed in the library of each House of Parliament. Copies can be obtained from Pesticides Safety Directorate, Room 314, Mallard House, Kings Pool, 3 Peasholme Green, York YO1 2PX or via the website [www.pesticides.gov.uk](http://www.pesticides.gov.uk).