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STATUTORY INSTRUMENTS

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**2009 No. 2956**

**PLANT HEALTH**

**The Plant Health (Fees) (Forestry)  
(Amendment) Regulations 2009**

*Made* - - - - 30th October 2009  
*Laid before Parliament* 9th November 2009  
*Coming into force* - - 1st January 2010

The Forestry Commissioners are 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 respect of forestry.

They make the following Regulations under the powers conferred on them by that section.

**Title and commencement**

1. These Regulations may be cited as the Plant Health (Fees) (Forestry) (Amendment) Regulations 2009 and come into force on 1st January 2010.

**Amendment**

2. For Schedule 3A to the Plant Health (Fees) (Forestry) Regulations 2006<sup>(3)</sup>, substitute—

“SCHEDULE 3A

Regulation 3(4A)

Reduced rate plant health check fees

<i>Genera or Species</i>	<i>Quantity</i>	<i>Country of origin</i>	<i>Fee</i>
<i>Acer saccharum</i>	Per consignment		
	- up to 100m <sup>3</sup>	Canada	£6.13
		USA	£9.19

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(1) [S.I. 1996/266](#), to which there are amendments not relevant to these Regulations.

(2) 1972 c. 68.

(3) [S.I. 2006/2697](#) as amended by [S.I. 2008/702](#).

<i>Genera or Species</i>	<i>Quantity</i>	<i>Country of origin</i>	<i>Fee</i>
	- for each additional m <sup>3</sup> or part thereof	Canada	£0.10
		USA	£0.15''

The Official Seal of the Forestry Commissioners

30th October 2009

*Wilma Harper*  
Secretary to the Forestry Commissioners

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## EXPLANATORY NOTE

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

These Regulations amend the Plant Health (Fees) (Forestry) Regulations 2006 ([S.I. 2006/2697](#)) (“the principal Regulations”).

The principal Regulations implement Article 13d of Council Directive [2000/29/EC](#) on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ No. L 169, 10.7.2000, p.1). Article 13d requires member States to collect fees for checks carried out on consignments of wood. Article 13d(2) provides for the collection of proportionately reduced fees where checks are being carried out at a reduced frequency in accordance with Article 13a(2) of that Directive. Schedule 3A to the principal Regulations sets out the proportionately reduced fees for consignments of wood of the species *Acer saccharum*.

These Regulations amend Schedule 3A so as to increase the fees in relation to such consignments from Canada, as follows, in line with increased frequency of checks required by Commission notification of 26th June 2009, published under Article 2.3 of [Commission Regulation \(EC\) No 1756/2004](#) (OJ No. L 313, 12.10.2004).

<i>Species</i>	<i>Quantity (per consignment)</i>	<i>Fee</i>	
<i>Acer saccharum</i>		To 31st December 2009	From 1st January 2010
	- up to 100m <sup>3</sup>	£4.29	£6.13
	- for each additional m <sup>3</sup> or part thereof	£0.07	£0.10

An impact assessment has not been produced for this instrument as no significant impact on the private or voluntary sector is foreseen.