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## EXPLANATORY NOTE

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

These Regulations, which apply in England only, specify fees payable to the Secretary of State in the field of plant health. They revoke and replace the Plant Health Fees (England) Regulations 2012 (S.I. 2012/745) (“the 2012 Regulations”) (regulation 7). They do not introduce any new types of fee which were not provided for in the 2012 Regulations.

The fees are payable in relation to specified inspections and other operations carried out pursuant to 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).

The fees for documentary, identity and plant health checks in relation to certain imports of plants, plant products and other objects from third countries (regulation 2 and Schedules 1, 2 and 3) are specified pursuant to the requirement in Article 13d of Council Directive 2000/29/EC.

The fee levels provided for in these Regulations form the second part of a phased move towards full cost recovery of fees over a period of three years. These Regulations provide for average increases on the fees specified in the 2012 Regulations as follows:

- (1) import inspection fees (other than documentary and identity checks) by 5% (regulation 2 and Schedules 1 and 2);
- (2) fees relating to seed potato inspections by 5% (regulation 3 and Schedule 4);
- (3) licensing fees by 1.6% (regulation 4 and Schedule 5);
- (4) fees for plant passporting services by 20% (regulation 5); and
- (5) fees for inspections of potatoes originating in Egypt by 25% (regulation 6).

These Regulations also provide for decreases by 19% on the fees specified in the 2012 Regulations for import inspection documentary and identity checks (regulation 2 and Schedule 3). Further details are provided in the Explanatory Memorandum.

Full impact assessments of the effect that this instrument will have on the costs of business, in relation to each of the five types of fees covered by this instrument, are available using the following links:

<http://www.ialibrary.bis.gov.uk/uploaded/DEFRA1352%20Final%20IA%20Plant%20Health%20Imports%20Inspection%20Fees.pdf>

<http://www.ialibrary.bis.gov.uk/uploaded/DEFRA1356%20Final%20IA%20Seed%20Potato%20Certification.pdf>

<http://www.ialibrary.bis.gov.uk/uploaded/DEFRA1353%20Final%20IA%20Plant%20Health%20Licences.pdf>

<http://www.ialibrary.bis.gov.uk/uploaded/DEFRA1354%20Final%20IA%20Plant%20Passports.pdf>

<http://www.ialibrary.bis.gov.uk/uploaded/DEFRA1355%20Final%20IA%20Egypt%20Potato%20Imports.pdf>

The impact assessments are also published with the Explanatory Memorandum alongside the instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk) and available from the Plant Health Policy and Bee Policy Unit, Defra, 10GA07, Sand Hutton, York YO14 1LZ.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Plant Health (Fees) (England) Regulations 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Sch. 1 word substituted by [S.I. 2013/3050 reg. 3](#)
- Sch. 2 substituted by [S.I. 2013/3050 reg. 4](#)
- Regulations revoked by [S.I. 2014/601 reg. 9\(a\)](#)