

2014 No. 3243

PLANT HEALTH, ENGLAND

**The Plant Health (Fees) (England) (Amendment) Regulations
2014**

<i>Made</i>	- - - -	<i>8th December 2014</i>
<i>Laid before Parliament</i>		<i>9th December 2014</i>
<i>Coming into force</i>	- -	<i>1st January 2015</i>

The Secretary of State, with the consent of the Treasury, makes these Regulations in exercise of the powers conferred by section 56(1) of the Finance Act 1973(a).

Citation and commencement

1. These Regulations may be cited as the Plant Health (Fees) (England) (Amendment) Regulations 2014 and come into force on 1st January 2015.

Amendment of the Plant Health (Fees) (England) Regulations 2014

2. The Plant Health (Fees) (England) Regulations 2014(b) are amended as follows.

Regulation 2(3)

3. For paragraph (3) of regulation 2 (import inspection fees), substitute—

“(3) But where an importer or any other person responsible for a consignment requests that the plant health check in respect of the consignment be carried out outside daytime working hours and the whole of the plant health check is carried out on the consignment outside daytime working hours, the fee payable under paragraph (2)(a) in respect of the consignment is—

- (a) the fee specified in column 4 of Schedule 1 to the extent (if any) that the consignment is a consignment to which paragraph (2)(a)(i) applies; or
- (b) the fee specified in column 5 of Schedule 2 to the extent (if any) that the consignment is a consignment to which paragraph (2)(a)(ii) applies.”.

Schedule 2

4. For Schedule 2 (import inspection fees: reduced rates), substitute—

(a) 1973 c. 51. Section 56(1) was amended by S.I. 2011/1043, article 6(1)(e).
(b) S.I. 2014/601.

“SCHEDULE 2 Regulation 2(2)(a)(ii) and (3)(b)

Import Inspection Fees: Reduced Rates

<i>Column 1 Genus</i>	<i>Column 2 Quantity</i>	<i>Column 3 Country of origin</i>	<i>Column 4 Fee for each consignment or relevant part of a consignment (daytime working hours) (£)</i>	<i>Column 5 Fee for each consignment or relevant part of a consignment (non-daytime working hours) (£)</i>
Cut Flowers				
<i>Dianthus</i>	up to 20,000 in number	Colombia	1.43	2.15
		Ecuador	7.18	10.77
		Kenya	2.39	3.59
		Turkey	11.96	17.95
	each additional 1,000 or part thereof	Colombia	0.01, up to a maximum of 11.48	0.01, up to a maximum of 17.23
		Ecuador	0.05, up to a maximum of 57.43	0.08, up to a maximum of 86.15
		Kenya	0.02, up to a maximum of 19.14	0.03, up to a maximum of 28.71
		Turkey	0.09, up to a maximum of 95.73	0.13, up to a maximum of 143.59
<i>Rosa</i>	up to 20,000 in number	Colombia	1.43	2.15
		Ecuador	1.43	2.15
		Ethiopia	4.78	7.18
		Kenya	2.39	3.59
		Tanzania	7.18	10.77
		Zambia	7.18	10.77
	each additional 1,000 or part thereof	Colombia	0.01, up to a maximum of 11.48	0.01, up to a maximum of 17.23
		Ecuador	0.01, up to a maximum of 11.48	0.01, up to a maximum of 17.23
		Ethiopia	0.04, up to a maximum of 38.29	0.06, up to a maximum of 57.43
		Kenya	0.02, up to a maximum of 19.14	0.03, up to a maximum of 28.71
		Tanzania	0.05, up to a maximum of 57.43	0.08, up to a maximum of 86.15
		Zambia	0.05, up to a maximum of 57.43	0.08, up to a maximum of 86.15

<i>Column 1 Genus</i>	<i>Column 2 Quantity</i>	<i>Column 3 Country of origin</i>	<i>Column 4 Fee for each consignment or relevant part of a consignment (daytime working hours) (£)</i>	<i>Column 5 Fee for each consignment or relevant part of a consignment (non-daytime working hours) (£)</i>
Branches with foliage				
<i>Phoenix</i>	up to 100 kg	Costa Rica	16.75	25.13
	each additional 100 kg or part thereof	Costa Rica	1.66, up to a maximum of 134.02	2.49, up to a maximum of 201.03
Fruit				
<i>Citrus</i>	up to 25,000 kg	Egypt	7.18	10.77
		Israel	4.78	7.18
		Mexico	4.78	7.18
		Morocco	2.39	3.59
		Peru	4.78	7.18
		Tunisia	35.90	53.85
		Turkey	1.43	2.15
		Uruguay	35.90	53.85
		USA	7.18	10.77
	each additional 1,000 kg or part thereof	Egypt	0.28	0.43
		Israel	0.19	0.28
		Mexico	0.19	0.28
		Morocco	0.09	0.14
		Peru	0.19	0.28
		Tunisia	1.43	2.15
		Turkey	0.05	0.08
		Uruguay	1.43	2.15
		USA	0.28	0.43
<i>Malus</i>	up to 25,000 kg	Argentina	11.96	17.95
		Brazil	11.96	17.95
		Chile	2.39	3.59
		New Zealand	4.78	7.18
		South Africa	2.39	3.59
		USA	23.93	35.90
	each additional 1,000 kg or part thereof	Argentina	0.47	0.71
		Brazil	0.47	0.71
		Chile	0.09	0.14
		New Zealand	0.19	0.28
		South Africa	0.09	0.14
		USA	0.95	1.43
<i>Passiflora</i>	up to 25,000 kg	Colombia	4.78	7.18
		Kenya	4.78	7.18
		South Africa	16.75	25.13
		Zimbabwe	35.90	53.85
	each additional 1,000 kg or part thereof	Colombia	0.19	0.28
		Kenya	0.19	0.28
		South Africa	0.66	1.00
		Zimbabwe	1.43	2.15

<i>Column 1 Genus</i>	<i>Column 2 Quantity</i>	<i>Column 3 Country of origin</i>	<i>Column 4 Fee for each consignment or relevant part of a consignment (daytime working hours) (£)</i>	<i>Column 5 Fee for each consignment or relevant part of a consignment (non-daytime working hours) (£)</i>
<i>Prunus</i>	up to 25,000 kg	Argentina	23.93	35.90
		Chile	4.78	7.18
		Morocco	23.93	35.90
		South Africa	4.78	7.18
		Turkey	4.78	7.18
		USA	4.78	7.18
	each additional 1,000 kg or part thereof	Argentina	0.95	1.43
		Chile	0.19	0.28
		Morocco	0.95	1.43
		South Africa	0.19	0.28
		Turkey	0.19	0.28
		USA	0.19	0.28
<i>Psidium</i>	up to 25,000 kg	Brazil	35.90	53.85
	each additional 1,000 kg or part thereof	Brazil	1.43	2.15
<i>Pyrus</i>	up to 25,000 kg	Argentina	4.78	7.18
		Chile	7.18	10.77
		China	23.93	35.90
		South Africa	4.78	7.18
	each additional 1,000 kg or part thereof	Argentina	0.19	0.28
		Chile	0.28	0.43
		China	0.95	1.43
		South Africa	0.19	0.28
<i>Vaccinium</i>	up to 25,000 kg	Argentina	11.96	17.95
	each additional 1,000 kg or part thereof	Argentina	0.47	0.71
Vegetables				
<i>Capsicum</i>	up to 25,000 kg	Israel	2.39	3.59
		Morocco	4.78	7.18
	each additional 1,000 kg or part thereof	Israel	0.09	0.14
		Morocco	0.19	0.28
<i>Momordica</i>	up to 25,000 kg	Surinam	16.75	25.13
	each additional 1,000 kg or part thereof	Surinam	0.66	1.00
<i>Solanum melongena</i>	up to 25,000 kg	Kenya	4.78	7.18
		Turkey	4.78	7.18
	each additional 1,000 kg or part thereof	Kenya	0.19	0.28
		Turkey	0.19	0.28".

3rd December 2014

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Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

We consent

8th December 2014

Mark Lancaster
Gavin Barwell
Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Plant Health (Fees) (England) Regulations 2014 (S.I. 2014/601) (“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 169, 10.7.2000, p1) (“the Directive”). Article 13d of the Directive requires Member States to charge fees to cover the costs of documentary, identity and plant health checks of certain imports of plants, plant products and other objects from third countries set out in Annex V, Part B of the Directive.

Regulation 3 amends regulation 2(3) of the principal Regulations to clarify the fees that are payable in respect of plant health checks which are carried out on consignments (or parts of consignments) outside daytime working hours.

Schedule 2 to the principal Regulations sets out reduced rate fees for certain plants and plant products which are subject to reduced levels of plant health checks agreed under the procedure provided for in Articles 13a(2) and 18(2) of the Directive. Regulation 4 of these Regulations amends Schedule 2 to give effect to the latest notification published by the European Commission of the reduced plant health checks which are applicable to certain plants and plant products.

The inspection rates for *Citrus* from Tunisia and Uruguay have increased (from 25% to 75% and 15% to 75% respectively) with matching increases in fees.

Fruit of *Mangifera* from Brazil are no longer eligible for reduced rate fees since this commodity is subject to an inspection rate of 100%. Accordingly, the relevant entry is removed from Schedule 2 and the fees in Schedule 1 to the principal Regulations are applied to these consignments.

The inspection rates for the following have decreased with matching decreases in fees: *Rosa* from Zambia (from 25% to 15%), *Citrus* from Mexico and Peru (from 15% to 10%), *Prunus* from Turkey and the USA (15% to 10%), *Psidium* from Brazil (from 100% to 75%) and *Pyrus* from Chile (from 25% to 15%).

Fruit of *Capsicum* from Morocco are eligible for a reduced rate fee corresponding to its inspection rate of 10%. The reduced rate fee for this commodity is added to Schedule 2.

An impact assessment has not been produced for this instrument as no or no significant impact on the private or voluntary sectors is foreseen and it implements annual changes in fees in line with a predetermined level rather than fundamental changes to the regulatory regime itself.

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