

2014 No. 589

PLANT HEALTH, ENGLAND

PLANT HEALTH, SCOTLAND

The Plant Health (Fees) (Forestry) (Amendment) (England and Scotland) Regulations 2014

<i>Made</i> - - - -	<i>10th March 2014</i>
<i>Laid before Parliament</i>	<i>14th March 2014</i>
<i>Coming into force</i> - -	<i>7th April 2014</i>

The Forestry Commissioners are designated^(a) for the purposes of section 2(2) of the European Communities Act 1972^(b) in relation to the common agricultural policy of the European Union in respect of forestry and make these Regulations in exercise of the powers conferred by section 2(2) of that Act.

Title, commencement and application

1. These Regulations—

- (a) may be cited as the Plant Health (Fees) (Forestry) (Amendment) (England and Scotland) Regulations 2014;
- (b) come into force on 7th April 2014; and
- (c) apply in relation to England and Scotland only.

Amendment of the Plant Health (Fees) (Forestry) Regulations 2006

2. The Plant Health (Fees) (Forestry) Regulations 2006^(c) are amended in accordance with regulations 3 to 5 of these Regulations.

Schedule 3

3. For Schedule 3 (fees for plant health checks) substitute—

(a) S.I. 1996/266, amended by S.I. 2011/1043; there are other amending instruments but none is relevant. See section 2(1) of, and Schedule 1 to, the Forestry Act 1967 (c. 10) for the constitution of the Forestry Commissioners. Under section 1(2) of the Plant Health Act 1967 (c. 8), as amended by article 4(1) of, and paragraph 43 of Schedule 2 to, the Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), the Forestry Commissioners are the competent authority for England and Scotland as regards the protection of forest trees and timber from attack by pests.

(b) 1972 c. 68. Section 2(2) is amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7).

(c) S.I. 2006/2697, amended by S.I. 2008/702, 2009/2956, 2010/2001 and 2013/755.

“SCHEDULE 3

Regulation 3(4)

Fees for Plant Health Checks

<i>Item</i>	<i>Check</i>	<i>Unit</i>	<i>Fee</i>
1	Isolated bark, wood shavings, wood chips or sawdust	Per consignment	
		up to 25000kg	£31.20
		for each additional 1000kg or part thereof	£0.49
			Up to a maximum fee of £98 per consignment
2	Wood (other than wood in the form of shavings, chips or sawdust)	Per consignment	
		up to 100m ³	£31.20
		for each additional m ³ or part thereof	£0.25
3	Conducting checks on item 1 or 2 at an approved place of inspection	Per visit	£30, in addition to any fee under item 1 or 2”.

Schedule 3A

4. For Schedule 3A (reduced rate plant health check fees) substitute—

“SCHEDULE 3A

Regulation 3(4A)

Reduced Rate Plant Health Check Fees

<i>Genus</i>	<i>Quantity</i>	<i>Country of origin</i>	<i>Fee</i>
<i>Acer saccharum</i>	Per consignment		
	up to 100m ³	Canada	£23.40
	for each additional m ³ or part thereof	Canada	£0.20”.

Schedule 4

5. For Schedule 4 (fees for documentary checks and identity checks) substitute—

“SCHEDULE 4

Regulation 3(4)

Fees for Documentary Checks and Identity Checks

<i>Item</i>	<i>Check</i>	<i>Unit</i>	<i>Fee</i>
1	Documentary check	Per consignment	£7.20
2	Identity check	Per consignment	
		for each load of up to 30m ³ forming part of the consignment contained in one truck, railway wagon, or comparable container	£7.20
		for each bulk load of less than 100m ³	£7.20
		for each bulk load of 100m ³ or more	£14.40”.

The Official Seal of the Forestry Commissioners

10th March 2014

Wilma Harper
Secretary to the Forestry Commissioners

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”) in relation to England and Scotland.

The principal Regulations implement Article 13d(2) 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) (“the Directive”). Article 13d requires member States to collect fees for checks carried out on consignments of wood, wood product and isolated bark. 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 the Directive.

These Regulations amend the principal Regulations as follows.

They substitute a new Schedule 3 to increase the fees for plant health checks from £26 to £31.20 per consignment (and from £0.20 to £0.25 for each additional m³ in excess of 100m³ in relation to a consignment of wood other than wood in the form of shavings, chips or sawdust) (regulation 3).

They substitute a new Schedule 3A to omit the United States of America as one of the specified countries of origin and increase the reduced fees for consignments of *Acer saccharum* from Canada from £6.13 to £23.40 per consignment (and from £0.10 to £0.20 for each additional m³ in excess of 100m³) (regulation 4).

They substitute a new Schedule 4 to increase the fees for documentary checks from £6 to £7.20 per consignment and for identity checks from £6 to £7.20 and, for bulk loads of 100m³ or more, from £12 to £14.40, per consignment (regulation 5).

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector has been prepared and placed in the Library of each House of Parliament. Copies can be obtained from the Forestry Commission, 231 Corstorphine Road, Edinburgh, EH12 7AT. It is also annexed to the Explanatory Memorandum for these Regulations which is available alongside these Regulations on www.legislation.gov.uk.

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