

STATUTORY INSTRUMENTS

2015 No. 350

**PLANT HEALTH, ENGLAND
PLANT HEALTH, SCOTLAND**

**The Plant Health (Fees) (Forestry)
(England and Scotland) Regulations 2015**

Made - - - - 23rd February 2015
Laid before Parliament 25th February 2015
Coming into force - - 6th April 2015

The Forestry Commissioners are designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the common agricultural policy of the European Union and make these Regulations in exercise of the powers conferred by that section.

Title, commencement and application **E+S**

1. These Regulations—
 - (a) may be cited as the Plant Health (Fees) (Forestry) (England and Scotland) Regulations 2015;
 - (b) come into force on 6th April 2015; and
 - (c) apply in relation to England and Scotland only.

Commencement Information

11 [Reg. 1](#) in force at 6.4.2015, see [reg. 1\(b\)](#)

[^{F1}Interpretation: England **E+S**

1A.—(1) In these Regulations, insofar as they apply in relation to England—

- (1) [S.I. 1996/266](#), amended by [S.I. 2011/1043](#); there are other amending instruments but none is relevant. 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.
- (2) [1972 c. 68](#); section 2(2) was 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).

“approved place of inspection” has the meaning given in [^{F2}regulation 13(10) of the Official Controls (Plant Health) Regulations 2019];

“controlled consignment” means a consignment which—

- (a) is introduced into England from a third country; and
- (b) [^{F3}consists of, or includes, isolated bark or wood of a type that is described in Part A of Annex 11, or Annex 12, to Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants;]

“the ^{F4}... Plant Health Regulation” means Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants;

[^{F5}“FC remedial notice” means a notice served by a plant health inspector under regulation 10 or 15(1) or (2) of the Official Controls (Plant Health) Regulations 2019;]

[^{F6}“licence” means—

- ((a) a licence referred to in regulation 51(1) of the Official Controls (Plant Health) Regulations 2019 that has been granted by the Forestry Commissioners; or
- ((b) an authorisation described in regulation 20(1)(a) or (b)(i) or 21(1)(a) [^{F7}or (b)] of the Official Controls (Plant Health) Regulations 2019 and granted by the Forestry Commissioners;]

[^{F8}“the Official Controls (Plant Health) Regulations 2019” means the Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019;]

^{F9} ...

[^{F10}“plant health inspector” means an official plant health officer appointed by the Forestry Commissioners for the purposes of the Official Controls (Plant Health) Regulations 2019;]

“plant passport authority” means an authorisation described in Article 89(1) of the ^{F11}... Plant Health Regulation [^{F12}and granted by the Forestry Commissioners];

[^{F13}“professional operator” means any person, governed by public or private law, involved professionally in, and legally responsible for, one or more of the following activities concerning plants, plant products and other objects—

- (a) planting;
- (b) breeding;
- (c) production, including growing, multiplying and maintaining;
- (d) introduction into, and movement within and out of Northern Ireland;
- (e) making available on the market;
- (f) storage, collection, dispatching and processing.]

^{F14} ...

^{F15} ...

“remedial work” means any steps taken by a person for the purposes of complying with a [^{F16}FC remedial notice, or by a plant health inspector under regulation 16(1) of the Official Controls (Plant Health) Regulations 2019];

“WPM authorisation” means an authorisation described in Article 98(1) of the ^{F17}... Plant Health Regulation [^{F18}and granted by the Forestry Commissioners].

(2) Words and expressions which are not defined in these Regulations and which appear in the ^{F19}... Plant Health Regulation or in Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products have the same meaning in these Regulations as they have in the ^{F19}... instrument in question.]

Textual Amendments

- F1** Reg. 1A inserted (14.12.2019) by The Official Controls (Animals, Feed and Food, Plant Health Fees etc.) Regulations 2019 (S.I. 2019/1488), regs. 1(1), **36(2)**
- F2** Words in reg. 1A(1) substituted (14.1.2020) by The Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019 (S.I. 2019/1517), reg. 1, **Sch. 5 para. 5(2)(a)**
- F3** Words in reg. 1A(1) substituted (31.12.2020) by The Plant Health (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1482), regs. 2(2)(b), **3(2)(a)(i)**
- F4** Word in reg. 1A(1) omitted (31.12.2020) by virtue of The Plant Health (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1482), regs. 2(2)(b), **3(2)(a)(ii)**
- F5** Words in reg. 1A(1) inserted (14.1.2020) by The Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019 (S.I. 2019/1517), reg. 1, **Sch. 5 para. 5(2)(b)**
- F6** Words in reg. 1A(1) substituted (14.1.2020) by The Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019 (S.I. 2019/1517), reg. 1, **Sch. 5 para. 5(2)(c)**
- F7** Words in reg. 1A(1) inserted (15.10.2020) by The Official Controls (Plant Health and Genetically Modified Organisms) (England) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/1014), regs. 1(1), **3**
- F8** Words in reg. 1A(1) inserted (14.1.2020) by The Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019 (S.I. 2019/1517), reg. 1, **Sch. 5 para. 5(2)(d)**
- F9** Words in reg. 1A(1) omitted (31.12.2020) by virtue of The Plant Health (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1482), regs. 2(2)(b), **3(2)(a)(iii)**
- F10** Words in reg. 1A(1) inserted (14.1.2020) by The Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019 (S.I. 2019/1517), reg. 1, **Sch. 5 para. 5(2)(f)**
- F11** Word in reg. 1A(1) omitted (31.12.2020) by virtue of The Plant Health (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1482), regs. 2(2)(b), **3(2)(a)(iv)**
- F12** Words in reg. 1A(1) inserted (14.1.2020) by The Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019 (S.I. 2019/1517), reg. 1, **Sch. 5 para. 5(2)(g)**
- F13** Words in reg. 1A(1) inserted (27.5.2021) by The Plant Health etc. (Miscellaneous Fees) (Amendment) (England) Regulations 2021 (S.I. 2021/623), regs. 1(2), **2(2)**
- F14** Words in reg. 1A(1) omitted (14.1.2020) by virtue of The Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019 (S.I. 2019/1517), reg. 1, **Sch. 5 para. 5(2)(h)**
- F15** Words in reg. 1A(1) omitted (14.1.2020) by virtue of The Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019 (S.I. 2019/1517), reg. 1, **Sch. 5 para. 5(2)(i)**
- F16** Words in reg. 1A(1) substituted (14.1.2020) by The Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019 (S.I. 2019/1517), reg. 1, **Sch. 5 para. 5(2)(j)**
- F17** Word in reg. 1A(1) omitted (31.12.2020) by virtue of The Plant Health (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1482), regs. 2(2)(b), **3(2)(a)(v)**
- F18** Words in reg. 1A(1) inserted (14.1.2020) by The Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019 (S.I. 2019/1517), reg. 1, **Sch. 5 para. 5(2)(k)**
- F19** Word in reg. 1A(2) omitted (31.12.2020) by virtue of The Plant Health (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1482), regs. 2(2)(b), **3(2)(b)**

Interpretation [^{F20}: Scotland] **E+S**

2.—(1) In these Regulations—

“approved place of inspection” has the meaning given in [F21]regulation 13 of Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019];

[F22“controlled consignment” means a consignment which—

- (a) is introduced into Scotland from a third country;
- (b) [F23]consists of, or includes, isolated bark, or wood of a type that is described in Part A of Annex 11, or Annex 12, to the Phytosanitary Conditions Regulation, as amended from time to time, other than wood packaging material which is actually in use in the transport of objects of all kinds,]

F24 ...

F24 ...

F25 ...

F24 ...

[F26“licence” means—

- ((a)) a licence referred to in regulation 50(1) of the Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019 that has been granted by the Scottish Ministers; or
- ((b)) an authorisation described in regulation 20(1)(a) or (b) or [F27](21)(1)] of the Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019;]

[F28“the Official Controls Regulation” means Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC, insofar as it applies to rules referred to Article 1(2)(g) of that Regulation;”];

[F29“the Plant Health Regulation” means Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC,]

F30 ...

[F31“plant health inspector” means an official plant health officer appointed by the Forestry Commissioners for the purposes of the Plant Health (Official Controls and Miscellaneous Provisions)(Scotland) Regulations 2019;]

F32 ...

F32 ...

[F33“plant passport authority” means an authorisation described in Article 89(1) of the F34 ... Plant Health Regulation granted by the Scottish Ministers;]

[^{F35c}remedial notice” means a notice served by a plant health inspector under regulation 10(2) or 15(1) or (2) of the Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019;]

[^{F36c}remedial work” means any steps taken by a person for the purposes of complying with a remedial notice, or by a plant health inspector under regulation 16(1) of the Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019;]

[^{F37c}WPM authorisation” means an authorisation referred to in Article 98(1) of the ^{F38}... Plant Health Regulation and granted by the Scottish Ministers.]

(2) Words and expressions which are not defined in these Regulations and which appear in the [^{F39F40}... Plant Health Regulation or the Official Controls Regulation] have the same meaning in these Regulations as they have in the [^{F39F40}... Plant Health Regulation or the Official Controls Regulation].]

Textual Amendments

- F20** Words in reg. 2 heading inserted (14.12.2019) by The Official Controls (Animals, Feed and Food, Plant Health Fees etc.) Regulations 2019 (S.I. 2019/1488), regs. 1(1), **36(3)**
- F21** Words in reg. 2(1) substituted (14.12.2019) by The Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019 (S.S.I. 2019/421), reg. 1(1), **sch. 5 para. 9(2)(a)(ii)**
- F22** Words in reg. 2(1) substituted (14.12.2019) by The Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019 (S.S.I. 2019/421), reg. 1(1), **sch. 5 para. 9(2)(a)(iii)**
- F23** Words in reg. 2(1) substituted (31.12.2020) by The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/466), regs. 1(1)(c), **8(2)(a)(i)** (with regs. 31(c), 32)
- F24** Words in reg. 2(1) omitted (14.12.2019) by virtue of The Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019 (S.S.I. 2019/421), reg. 1(1), **sch. 5 para. 9(2)(a)(iv)**
- F25** Words in reg. 2(1) omitted (31.12.2020) by virtue of The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/466), regs. 1(1)(c), **8(2)(a)(ii)** (with regs. 31(c), 32)
- F26** Words in reg. 2(1) substituted (27.6.2020) by The Plant Health (Official Controls and Miscellaneous Provisions) (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/176), regs. 1(1), **25(a)**
- F27** Word in reg. 2(1) substituted (31.12.2020) by The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/466), regs. 1(1)(a), **4(2)** (with reg. 32)
- F28** Words in reg. 2(1) inserted (14.12.2019) by The Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019 (S.S.I. 2019/421), reg. 1(1), **sch. 5 para. 9(2)(a)(i)**
- F29** Words in reg. 2(1) inserted (31.12.2020) by The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/466), regs. 1(1)(c), **8(2)(a)(iii)** (with regs. 31(c), 32)
- F30** Words in reg. 2(1) omitted (31.12.2020) by virtue of The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/466), regs. 1(1)(c), **8(2)(a)(iv)** (with regs. 31(c), 32)
- F31** Words in reg. 2(1) inserted (27.6.2020) by The Plant Health (Official Controls and Miscellaneous Provisions) (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/176), regs. 1(1), **25(b)**
- F32** Words in reg. 2(1) omitted (14.12.2019) by virtue of The Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019 (S.S.I. 2019/421), reg. 1(1), **sch. 5 para. 9(2)(a)(vi)**
- F33** Words in reg. 2(1) substituted (27.6.2020) by The Plant Health (Official Controls and Miscellaneous Provisions) (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/176), regs. 1(1), **25(c)**
- F34** Word in reg. 2(1) omitted (31.12.2020) by virtue of The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/466), regs. 1(1)(c), **8(2)(a)(v)** (with regs. 31(c), 32)

- F35** Words in reg. 2(1) substituted (27.6.2020) by The Plant Health (Official Controls and Miscellaneous Provisions) (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/176), regs. 1(1), **25(d)**
- F36** Words in reg. 2(1) substituted (27.6.2020) by The Plant Health (Official Controls and Miscellaneous Provisions) (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/176), regs. 1(1), **25(e)**
- F37** Words in reg. 2(1) substituted (27.6.2020) by The Plant Health (Official Controls and Miscellaneous Provisions) (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/176), regs. 1(1), **25(f)**
- F38** Word in reg. 2(1) omitted (31.12.2020) by virtue of The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/466), regs. 1(1)(c), **8(2)(a)(vi)** (with regs. 31(c), 32)
- F39** Words in reg. 2(2) substituted (14.12.2019) by The Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019 (S.S.I. 2019/421), reg. 1(1), **sch. 5 para. 9(2)(b)**
- F40** Word in reg. 2(2) omitted (31.12.2020) by virtue of The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/466), regs. 1(1)(c), **8(2)(b)** (with regs. 31(c), 32)

Commencement Information

- I2** Reg. 2 in force at 6.4.2015, see **reg. 1(b)**

Fees **E+S**

3.—(1) [^{F41}In relation to England, fees] payable under this regulation are payable to the Forestry Commissioners.

[^{F42}(1A) In relation to Scotland, fees payable under this regulation are payable to the Scottish Ministers.]

(2) The fee payable for an inspection and associated activities [^{F43}carried out by, or on behalf of Scottish Ministers] in connection with the granting, variation, or suspension of a plant passport authority or for monitoring compliance with that authority is specified in Schedule 1.

(3) The fee payable in connection with an application for a licence (including an application for an extension or variation of a licence), for an inspection and associated activities in connection with an application for a licence or for monitoring compliance with the terms and conditions of a licence is specified in Schedule 2.

(4) The importer of a controlled consignment must pay—

- (a) in the case of a [^{F44}physical check] in respect of the consignment, the fee specified for the relevant type of consignment in item 1 or 2 of the table in Schedule 3;
- (b) in the case of a documentary check in respect of the consignment, the fee specified in item 1 of the table in Schedule 4;
- (c) in the case of an identity check in respect of the consignment, the fee specified in item 2 of the table in Schedule 4.

(5) Where, at the request of an importer of a controlled consignment, a [^{F44}physical check] is carried out on the consignment at an approved place of inspection, the importer must pay the fee of £30 for each visit made by an inspector in the course of conducting the [^{F44}physical check] at the approved place of inspection, in addition to the fee payable under paragraph (4)(a).

[^{F45}(5A) [^{F46}Subject to paragraph (5C),] fee payable in connection with an application to the Forestry Commissioners for a phytosanitary certificate for export or phytosanitary certificate for re-export is the fee specified in Schedule 4A.

(5B) The fee payable in connection with an application to the Forestry Commissioners for a WPM authorisation is the fee specified in Schedule 4B.]

[^{F47}(5A) [^{F48}Subject to paragraph (5AA), the] fee payable in connection with an application to the Scottish Ministers for a phytosanitary certificate or phytosanitary certificate for re-export is the fee specified in schedule 5A.

[^{F49}(5AA) The fee for a phytosanitary certificate or phytosanitary certificate for re-export specified in schedule 5A is not payable in relation to a consignment to be transported to Northern Ireland—

- (a) by a person acting otherwise than in the course of a business, where the consignment is not to be placed on the market, or
- (b) for delivery to—
 - (i) a professional operator whose principal place of business is in Northern Ireland, or
 - (ii) any person resident in Northern Ireland, where the consignment is not to be placed on the market or used for the purposes of any business.

(5BB) Paragraph (5AA) ceases to have effect at the end of [^{F50}30 June 2025]

(5B) The fee payable in connection with an application to the Scottish Ministers for an authorisation referred to in Article 98(1) of the EU Plant Health Regulation is the fee specified in schedule 5B.]

[^{F51}(5C) The fee specified in Schedule 4A is not payable in respect of a consignment to be transported to Northern Ireland—

- (a) by a person acting otherwise than in the course of a business, where the consignment is not to be placed on the market; or
- (b) for delivery to—
 - (i) a professional operator whose principal place of business is in Northern Ireland; or
 - (ii) any person resident in Northern Ireland, where the consignment is not to be placed on the market or used for the purposes of any business.

(5D) Paragraph (5C) ceases to have effect at the end of 3 [^{F52}30th June 2025].]

[^{F53}(6) The person on whom a remedial notice is served or who is given notice under [^{F54}regulation 16 of the Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019] must pay the fee specified in Schedule 5 for the carrying out or the monitoring by an inspector of remedial work and associated activities in connection with a controlled consignment.]

[^{F55}(6A) The person on whom a FC remedial notice is served or who is given notice under regulation 16(1) of the Official Controls (Plant Health) Regulations 2019 must pay the fee specified in Schedule 5 for the carrying out or the monitoring by a plant health inspector of remedial work and associated activities in connection with a controlled consignment.]

Textual Amendments

- F41** Words in [reg. 3\(1\)](#) substituted (1.4.2019) by [The Forestry and Land Management \(Scotland\) Act 2018 \(Consequential Provisions and Modifications\) Order 2019 \(S.I. 2019/734\)](#), [reg. 1\(2\)](#), **Sch. para. 70(3)(a)**; [S.S.I. 2019/47](#), [reg. 2](#)
- F42** [Reg. 3\(1A\)](#) inserted (1.4.2019) by [The Forestry and Land Management \(Scotland\) Act 2018 \(Consequential Provisions and Modifications\) Order 2019 \(S.I. 2019/734\)](#), [reg. 1\(2\)](#), **Sch. para. 70(3)(b)**; [S.S.I. 2019/47](#), [reg. 2](#)
- F43** Words in [reg. 3\(2\)](#) inserted (14.12.2019) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), [reg. 1\(1\)](#), **sch. 5 para. 9(3)(a)**
- F44** Words in [reg. 3](#) substituted (S.) (31.12.2020) by [The Plant Health \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/466\)](#), [regs. 1\(1\)\(a\)](#), **4(3)** (with [reg. 32](#))

Changes to legislation: There are currently no known outstanding effects for the The Plant Health (Fees) (Forestry) (England and Scotland) Regulations 2015. (See end of Document for details)

- F45** Reg. 3(5A)(5B) inserted (E.) (14.12.2019) by The Official Controls (Animals, Feed and Food, Plant Health Fees etc.) Regulations 2019 (S.I. 2019/1488), regs. 1(1), **36(4)(a)**
- F46** Words in reg. 3(5A) inserted (E.) (27.5.2021) by The Plant Health etc. (Miscellaneous Fees) (Amendment) (England) Regulations 2021 (S.I. 2021/623), regs. 1(2), **2(3)(a)**
- F47** Reg. 3(5A)(5B) inserted (S.) (14.12.2019) by The Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019 (S.S.I. 2019/421), reg. 1(1), **sch. 5 para. 9(3)(b)**
- F48** Words in reg. 3(5A) substituted (S.) (1.4.2021) by The Plant Health (EU Exit) (Scotland) (Amendment) Regulations 2021 (S.S.I. 2021/159), regs. 1(1)(b), **3(2)(a)**
- F49** Reg. 3(5AA)(5BB) substituted for reg. 3(5AA) (S.) (22.12.2021) by The Plant Health (EU Exit) (Scotland) (Amendment) (No. 2) Regulations 2021 (S.S.I. 2021/490), regs. 1(1), **3(2)**
- F50** Words in reg. 3(5BB) substituted (S.) (31.12.2023) by The Plant Health (Fees) (Forestry) (Scotland) (Amendment) Regulations 2023 (S.S.I. 2023/377), regs. 1(1), **2(2)**
- F51** Reg. 3(5C), (5D) inserted (E.) (27.5.2021) by The Plant Health etc. (Miscellaneous Fees) (Amendment) (England) Regulations 2021 (S.I. 2021/623), regs. 1(2), **2(3)(b)**
- F52** Words in reg. 3(5D) substituted (E.) (30.12.2023) by The Plant Health etc. (Miscellaneous Fees) (Amendment) (England) Regulations 2023 (S.I. 2023/1391), regs. 1(2), **2(2)**
- F53** Reg. 3(6) omitted (E.) (14.1.2020) by virtue of The Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019 (S.I. 2019/1517), reg. 1, **Sch. 5 para. 5(3)(a)**
- F54** Words in reg. 3(6) substituted (14.12.2019) by The Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019 (S.S.I. 2019/421), reg. 1(1), **sch. 5 para. 9(3)(c)**
- F55** Reg. 3(6A) inserted (E.) (14.1.2020) by The Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019 (S.I. 2019/1517), reg. 1, **Sch. 5 para. 5(3)(b)**

Commencement Information

- I3** Reg. 3 in force at 6.4.2015, see **reg. 1(b)**

Revocations **E+S**

4. The following Regulations are revoked—
- the Plant Health (Fees) (Forestry) Regulations 2006**(3)**;
 - the Plant Health (Fees) (Forestry) (Amendment) Regulations 2008**(4)**;
 - the Plant Health (Fees) (Forestry) (Amendment) Regulations 2009**(5)**;
 - the Plant Health (Fees) (Forestry) (Amendment) Regulations 2010**(6)**; and
 - the Plant Health (Fees) (Forestry) (Amendment) (England and Scotland) Regulations 2014**(7)**.

Commencement Information

- I4** Reg. 4 in force at 6.4.2015, see **reg. 1(b)**

(3) S.I. 2006/2697, as amended by S.I. 2008/702, 2009/2956, 2010/2001, 2013/755, 2014/589.
 (4) S.I. 2008/702.
 (5) S.I. 2009/2956.
 (6) S.I. 2010/2001.
 (7) S.I. 2014/589.

Changes to legislation: *There are currently no known outstanding effects for the The Plant Health (Fees) (Forestry) (England and Scotland) Regulations 2015. (See end of Document for details)*

Sealed with the official seal of the Forestry Commissioners

Wilma Harper
Secretary to the Forestry Commissioners

Changes to legislation: There are currently no known outstanding effects for the The Plant Health (Fees) (Forestry) (England and Scotland) Regulations 2015. (See end of Document for details)

SCHEDULE 1 **E+S**

Regulation 3(2)

Fees for inspections in connection with a plant passport authority

<i>^{F56}Type of inspection</i>	<i>Fee</i>
^{F57} Inspection] and associated activities (including travelling and office time) in connection with granting, variation or suspension of a plant passport authority or for monitoring compliance with that authority—	
(a) up to and including the first hour	£49.50
(b) thereafter, for each additional 15 minutes or part thereof	£12.38]

Textual Amendments

F56 Sch. 1 substituted (E.) (15.7.2021) by [The Plant Health \(Fees\) \(Forestry\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/660\)](#), regs. 1(2), **2(2)**

F57 Word in Sch. 1 substituted (E.) (30.4.2024) by [The Plant Health \(Fees\) \(England\) and Official Controls \(Frequency of Checks\) \(Amendment\) Regulations 2024 \(S.I. 2024/557\)](#), regs. 1(2), **2(2)**

<i>^{F58}Type of inspection</i>	<i>Fee</i>
Inspection and associated activities (including travelling and office time) in connection with the granting, variation or suspension of a plant passport authority or for monitoring compliance with that authority—	
(f) up to and including the first hour;	£49.50
(g) thereafter, for each additional 15 minutes or part thereof	£12.38]

Textual Amendments

F58 Sch. 1 substituted (S.) (31.12.2023) by [The Plant Health \(Fees\) \(Forestry\) \(Scotland\) \(Amendment\) Regulations 2023 \(S.S.I. 2023/377\)](#), regs. 1(2), **2(3)**

SCHEDULE 2 **E+S**

Regulation 3(3)

Fees in connection with licences

Commencement Information

I5 [Sch. 2](#) in force at 6.4.2015, see [reg. 1\(b\)](#)

<i>Item</i>	<i>Type of application or inspection</i>	<i>Fee</i>
1.	Application for a licence	£305

Changes to legislation: There are currently no known outstanding effects for the The Plant Health (Fees) (Forestry) (England and Scotland) Regulations 2015. (See end of Document for details)

<i>Item</i>	<i>Type of application or inspection</i>	<i>Fee</i>
2.	Application for an extension or variation of a licence with changes requiring scientific or technical assessment	£100
3.	Application for an extension of a licence with no changes or for an extension or variation of a licence with changes not requiring scientific or technical assessment	£12
4.	Inspection and associated activities (including travelling and office time) in connection with item 1, 2 or 3 or for monitoring compliance with licence terms and conditions—	
	(h) up to and including the first hour;	£37
	(i) thereafter, for each additional 15 minutes or part thereof	£9.25

SCHEDULE 3 **E+S**

Regulation 3(4)(a)

Fees for [^{F59}physical check]

Textual Amendments	
<p>F59 Words in Sch. 3 heading substituted (S.) (31.12.2020) by The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/466), regs. 1(1)(a), 4(4)(a) (with reg. 32)</p>	
Commencement Information	
<p>I6 Sch. 3 in force at 6.4.2015, see reg. 1(b)</p>	

<i>Item</i>	<i>Description of relevant material in consignment subject to a [^{F60}physical check]</i>	<i>Unit</i>	<i>Fee</i>
1.	Isolated bark, wood shavings, wood chips or sawdust	Per consignment —up to 25000kg —for each additional 1000kg or part thereof	£31.20 £0.49 Up to a maximum fee of £98 per consignment
2.	Wood (other than wood in the form of isolated bark, wood shavings, wood chips or sawdust)	Per consignment —up to 100m ³ —for each additional m ³ or part thereof	£31.20 £0.25

Changes to legislation: There are currently no known outstanding effects for the The Plant Health (Fees) (Forestry) (England and Scotland) Regulations 2015. (See end of Document for details)

Textual Amendments
F60 Words in Sch. 3 substituted (S.) (31.12.2020) by The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/466), regs. 1(1)(a), 4(4)(b) (with reg. 32)

SCHEDULE 4 **E+S**

Regulation 3(4)(b) and (c)

Fees for documentary checks and identity checks

Commencement Information
I7 Sch. 4 in force at 6.4.2015, see reg. 1(b)

<i>Item</i>	<i>Type of 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

^{F61}[SCHEDULE 4A **E+S**

Regulation 3(5A)

Fees in connection with an application for a phytosanitary certificate for export or phytosanitary certificate for re-export: England

Textual Amendments
F61 Sch. 4A substituted (E.) (15.7.2021) by The Plant Health (Fees) (Forestry) (England) (Amendment) Regulations 2021 (S.I. 2021/660), regs. 1(2), 2(3)

<i>Service</i>	<i>Fee</i>
The consideration of an application, including the issue, where appropriate, of a phytosanitary certificate for export or a phytosanitary certificate for re-export	£21.00

Changes to legislation: There are currently no known outstanding effects for the The Plant Health (Fees) (Forestry) (England and Scotland) Regulations 2015. (See end of Document for details)

<i>Service</i>	<i>Fee</i>
The examination or testing of wood, wood products, isolated bark or used forestry machinery and associated activities (including travelling and office time)—	
(a) up to and including the first hour	£37.80
(b) thereafter, for each additional 15 minutes or part thereof	£10.50]

[^{F62}SCHEDULE 4B **E+S**

Regulation 3(5B)

Fees in connection with an application for a WPM authorisation: England

Textual Amendments

F62 Schs. 4A, 4B inserted (14.12.2019) by The Official Controls (Animals, Feed and Food, Plant Health Fees etc.) Regulations 2019 (S.I. 2019/1488), regs. 1(1), 37

<i>(1) Type of application</i>	<i>(2) Fee</i>
Application for a WPM authorisation, other than a renewal of an existing WPM authorisation	£400.00
Application for a renewal of an existing WPM authorisation	£120.00
Application for a re-assessment for the purposes a WPM authorisation	£120.00]

SCHEDULE 5 **E+S**

Regulation 3(6)

Fees for the carrying out or monitoring of remedial work

Commencement Information

18 Sch. 5 in force at 6.4.2015, see **reg. 1(b)**

<i>Remedial work</i>	<i>Fee</i>
The carrying out or monitoring by an inspector of remedial work and associated activities (including travelling and office time) in connection with a controlled consignment—	
(j) up to and including the first hour;	£37
(k) thereafter, for each additional 15 minutes or part thereof	£9.25

Changes to legislation: There are currently no known outstanding effects for the The Plant Health (Fees) (Forestry) (England and Scotland) Regulations 2015. (See end of Document for details)

F63 F64 SCHEDULE 5A E+S

Regulation 3(5A)

Fees in connection with an application for a phytosanitary certificate or phytosanitary certificate for re-export

Textual Amendments

- F63** Sch. 5A substituted (S.) (22.12.2021) by [The Plant Health \(EU Exit\) \(Scotland\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.S.I. 2021/490\)](#), regs. 1(1), **3(4)**
- F64** Schs. 5A, 5B inserted (S.) (14.12.2019) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), reg. 1(1), **sch. 5 para. 9(4)**

<i>Service</i>	<i>Fee</i>
The consideration of an application, including the issue, where appropriate, of a phytosanitary certificate for export or a phytosanitary certificate for re-export	£21.00
The examination or testing of plants, plant products or other objects and associated activities (including travelling and office time)—	
(a) up to and including the first hour	£37.80
(b) thereafter, for each additional 15 minutes or part thereof	£10.50

SCHEDULE 5B E+S

Regulation 3(5B)

Fees in connection with an application for a WPM authorisation

<i>Type of application</i>	<i>Fee</i>
Application for a WPM authorisation, other than a renewal of an existing WPM authorisation	£400.00
Application for a renewal of an existing WPM authorisation	£120.00
Application for a re-assessment for the purposes a WPM authorisation	£120.00]

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Plant Health (Fees) (Forestry) Regulations 2006 ([S.I. 2006/2697](#)) in relation to England and Scotland.

They 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, p1). Article 13d requires member States to collect fees for documentary, identity and plant health checks carried out on certain consignments

of wood, wood products and isolated bark originating in countries outside the European Union (“controlled consignments”).

Regulation 3 requires the following fees to be paid to the Forestry Commissioners—

- (a) the fees specified in Schedule 1 for inspections in connection with an authority to issue plant passports under article 28 of the Plant Health (Forestry) Order 2005 ([S.I. 2005/2517](#));
- (b) the fees specified in Schedule 2 in connection with licences to which article 38 or 39 of the principal Order applies;
- (c) the fees specified in Schedule 3 and regulation 3(5) for plant health checks on controlled consignments;
- (d) the fees specified in Schedule 4 for documentary checks and identity checks on controlled consignments;
- (e) the fees specified in Schedule 5 for the carrying out or monitoring of remedial work by an inspector under the Plant Health (Forestry) Order 2005 in connection with controlled consignments.

Schedule 3A to the Plant Health (Fees) (Forestry) Regulations 2006 ([S.I. 2006/2697](#)) set out reduced rate fees in relation to plant health checks on consignments of *Acer saccharum* from Canada. Under the procedure provided for in Articles 13a(2) and 18(2) of Council [Directive 2000/29/EC](#), these consignments are no longer subject to reduced levels of plant health checks and are therefore no longer eligible for reduced rate fees.

Otherwise the fees remain the same as in the Plant Health (Fees) (Forestry) Regulations 2006.

An impact assessment has not been produced for this instrument as no impact on business or the private or voluntary sectors is foreseen. The Explanatory Memorandum for this instrument is available from the Forestry Commission, Silvan House, 231 Corstorphine Road, Edinburgh, EH12 7AT and alongside the instrument at www.legislation.gov.uk.

Changes to legislation:

There are currently no known outstanding effects for the The Plant Health (Fees) (Forestry) (England and Scotland) Regulations 2015.