
STATUTORY INSTRUMENTS

2015 No. 350

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

Fees

3.—(1) [^{F1}In relation to England, fees] payable under this regulation are payable to the Forestry Commissioners.

[^{F2}(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 [^{F3}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 [^{F4}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 [^{F4}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 [^{F4}physical check] at the approved place of inspection, in addition to the fee payable under paragraph (4)(a).

[^{F5}(5A) [^{F6}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.]

[^{F7}(5A) [^{F8}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.

[^{F9}(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 [F1030 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.]

[F11(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 [F1230th June 2025].]

[F13(6) The person on whom a remedial notice is served or who is given notice under [F14regulation 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.]

[F15(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

- F1** 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](#)
- F2** [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](#)
- F3** 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\(3\)\(a\)](#)
- F4** 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](#))
- F5** [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\(4\)\(a\)](#)
- F6** 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\(3\)\(a\)](#)
- F7** [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\(3\)\(b\)](#)
- F8** 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\(2\)\(a\)](#)
- F9** [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\(2\)](#)

- F10** 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)**
- F11** 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)**
- F12** 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)**
- F13** 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)**
- F14** 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)**
- F15** 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

- I1** Reg. 3 in force at 6.4.2015, see **reg. 1(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Plant Health (Fees) (Forestry) (England and Scotland) Regulations 2015, Section 3.