

2015 No. 382

PLANT HEALTH, ENGLAND

**The Plant Health (Export Certification) (England) (Amendment)
Order 2015**

Made - - - - 23rd February 2015
Laid before Parliament 26th February 2015
Coming into force - - 6th April 2015

The Secretary of State^(a), with the consent of the Treasury, makes the following Order in exercise of the powers conferred by sections 3(1) and 4A of the Plant Health Act 1967^(b).

Title and commencement

1. This Order may be cited as the Plant Health (Export Certification) (England) (Amendment) Order 2015 and comes into force on 6th April 2015.

Amendment of the Plant Health (Export Certification) (England) Order 2004

2.—(1) The Plant Health (Export Certification) (England) Order 2004^(c) is amended as follows.
(2) For Schedule 3^(d) substitute—

“SCHEDULE 3

Articles 3 and 4

Applications for certificates: fees

<i>Services in respect of applications for certificates</i>	<i>Fee (£)</i>	<i>Fee (small exporter)(£)</i>
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(1) Services for consignments other than grain:

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- (a) The functions of the Minister of Agriculture, Fisheries and Food under the Plant Health Act 1967 (c.8) were, so far as exercisable in relation to Wales, transferred to the Secretary of State by article 2 of, and Schedule 1 to, the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272). Those functions were transferred from the Secretary of State to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The functions of the National Assembly for Wales were transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c.32). The remaining functions of the Minister of Agriculture, Fisheries and Food were transferred to the Secretary of State by article 2(2) of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).
- (b) 1967 c.8; section 3(1) was amended by the European Communities Act 1972 (c.68), section 4(1) and Schedule 4, paragraph 8 and further amended by S.I. 2011/1043, Part 2, article 6(1)(e); section 4A was inserted by the Agriculture Act 1986 (c.49), section 3.
- (c) S.I. 2004/1404, amended by S.I. 2005/3480, 2013/572, 2014/609.
- (d) Schedule 3 was substituted by S.I. 2013/572, article 2(2) and by S.I. 2014/609, article 2(3).

(a) inspection and, where necessary, laboratory examination	65.24 for each quarter hour or part thereof with a minimum fee of 130.48	32.62 for each quarter hour or part thereof with a minimum fee of 65.24
(b) laboratory examination only	36.35	18.18
(c) issue of a certificate where no inspection or laboratory examination is required	13.87	6.94
(2) Services for consignments of grain:		
monitoring of inspections carried out by a person authorised under article 3(3) and, where necessary, laboratory examination carried out by an authorised officer	59.53	29.74”.

(3) For Schedule 4(a) substitute—

“SCHEDULE 4

Article 4

Pre-export service fees

<i>Service</i>	<i>Fee (£)</i>	<i>Fee (small exporter) (£)</i>
Pre-export service	49.68 for each quarter hour or part thereof with a minimum fee of 99.36	24.84 for each quarter hour or part thereof with a minimum fee of 49.68”.

16th February 2015

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

We consent

23rd February 2015

Alun Cairns
Gavin Barwell
Two of the Lords Commissioners of Her Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Plant Health (Export Certification) (England) Order 2004 (S.I. 2004/1404) to provide for a 10.7% increase to the fees specified in that Order. The fee levels set out in this Order form the final part of a move towards full cost recovery of fees over three years. Further details are provided in the Explanatory Memorandum.

(a) Schedule 4 was inserted by S.I. 2005/3480, article 2(6). It was substituted by S.I. 2013/572, article 2(3) and by S.I. 2014/609, article 2(4).

An impact assessment of the effects of this Order on the costs of business, in relation to the types of fee covered, is published with its Explanatory Memorandum on www.legislation.gov.uk and is available at www.gov.uk or from the Plant Health Policy and Bee Policy Unit, Defra, 10GA07, Sand Hutton, York YO14 1LZ.

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