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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Plant Health (Export Certification) (England) Order 2004 ([S.I. 2004/1404](#)) (the “2004 Regulations”) and the Plant Health etc. (Fees) (England) Regulations 2018 ([S.I. 2018/289](#)) (the “2018 Regulations”).

These Regulations amend the 2004 Regulations to provide for increases in the fees for services in respect of applications for phytosanitary certificates (including phytosanitary certificates for re-export) and related pre-export services, and to increase the maximum amount for services to which the concessionary rate for small exporters applies, from £250 to £750.

These Regulations amend the 2018 Regulations, which specify fees payable to the Secretary of State in relation to plant health services and the certification of seed potatoes and fruit plants and fruit plant propagating material, as follows.

Regulation 3(2) amends regulation 3 of the 2018 Regulations to provide the fees payable for phytosanitary certificates (including fees for mixed consignments) and for sample testing.

Regulation 3(3) amends regulation 4 of the 2018 Regulations to provide for a reduced fee for a plant passport authorisation.

Regulation 3(6) amends regulation 9(2) of the 2018 Regulations to provide for an increased fee for certification of fruit plants and its propagating material.

Regulation 3(7) substitutes Schedule 1 to the 2018 Regulations, which sets out import inspection fees payable by the importer of a third country consignment for plant health checks in respect of certain plants and plant products.

Regulation 3(8) substitutes Schedule 2 to the 2018 Regulations, which 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 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). This regulation gives 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 (published on 10 December 2018 and revised on 15 April 2019).

Regulation 3(10) substitutes Schedule 4 of the 2018 Regulations which sets out the fees for plant health licences and includes a change to the fee for monitoring compliance with licence terms and conditions which is being increased over three periods.

Regulation 3(11) substitutes Schedule 5 of the 2018 Regulations which sets out fees for soil sampling and testing and certification of seed potatoes including the provision of labels.

An impact assessment has not been produced for this instrument as no impact, or no significant, impact on the private, voluntary or public sector is foreseen.