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WELSH STATUTORY INSTRUMENTS

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**2018 No. 1179 (W. 238)**

**PLANT HEALTH, WALES  
SEEDS, WALES**

**The Plant Health etc. (Fees) (Wales) Regulations 2018**

<i>Made</i>	- - - -	<i>13 November 2018</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>15 November 2018</i>
<i>Coming into force</i>	- -	<i>10 December 2018</i>

The Welsh Ministers make these Regulations, with the consent of the Treasury, in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973 <sup>M1</sup> and now vested in them <sup>M2</sup>.

**Marginal Citations**

**M1** 1973 c. 51: subsection (1) was amended by [S.I. 2011/1043](#).

**M2** By virtue of section 59(5) of the [Government of Wales Act 2006 \(c.32\)](#).

**PART 1** **W**

General

**Title, commencement and application** **W**

- 1.—(1) The title of these Regulations is the Plant Health etc. (Fees) (Wales) Regulations 2018.
- (2) They come into force on 10 December 2018.
- (3) They apply in relation to Wales.

**Interpretation** **W**

[<sup>F1</sup>2.—(1) In these Regulations, “the <sup>F2</sup>... Plant Health Regulation” means Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants.

(2) Words and expressions which are not defined in these Regulations and appear in the <sup>F3</sup>... 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

*Status: Point in time view as at 17/06/2021.*

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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 <sup>F3</sup>... instrument in question.]

#### Textual Amendments

- F1** Reg. 2 substituted (31.1.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **34(2)**
- F2** Word in reg. 2(1) omitted (31.12.2020) by virtue of [The Plant Health \(Amendment etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1628\)](#), regs. 1(2)(b), **2(2)(a)**
- F3** Word in reg. 2(2) omitted (31.12.2020) by virtue of [The Plant Health \(Amendment etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1628\)](#), regs. 1(2)(b), **2(2)(b)**

## PART 2 **W**

### Fees relating to plant health

#### Import inspection fees **W**

3.—(1) This regulation applies in relation to a third country consignment [<sup>F4</sup>insofar as it includes] plants, plant products or other objects of a description specified in column 1 of the table in Schedule 1 that are [<sup>F5</sup>described in [<sup>F6</sup>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]] [<sup>F7</sup>or any machinery or vehicles which have been operated for agricultural or forestry purposes].

[<sup>F8</sup>(2) The fee payable by the importer of a third country consignment in respect of a documentary check of each phytosanitary certificate or phytosanitary certificate for re-export accompanying the consignment, is £5.25. ]

[<sup>F9</sup>(2A) The fees payable by the importer of a third country consignment in respect of liability to a physical check and identity check that may be carried out on the consignment (whether or not any such check is carried out) are—

- (a) (subject to paragraphs (2B) to (2E)) in the case of a consignment originating in an EU Member State, Liechtenstein or Switzerland, where the consignment includes plants, plant products or other objects of one or more descriptions specified in column 1 of the table in Schedule 1A, and originates in a country specified in the corresponding entry in column 2 of that table—
  - (i) the fee or fees specified in column 3 of that table in respect of a physical check of plants or plant products of each such description contained in the consignment; and
  - (ii) the fee or fees specified in column 4 of that table in respect of an identity check of plants or plant products of each such description contained in the consignment;
- (b) in the case of a consignment originating in any other country—
  - (i) in the case of a Schedule 2 cut flower consignment which includes one lot of cut flowers—
    - (aa) the fee specified in column 3 of the table in Schedule 2 in respect of a physical check of those cut flowers; and
    - (bb) the fee specified in column 4 of that table in respect of an identity check of those cut flowers;

- (ii) in the case of a Schedule 2 cut flower consignment which includes two or more lots of cut flowers—
    - (aa) a fee equal to the highest of the fees specified in column 3 of the table in Schedule 2 in respect of a physical check of any of those lots; and
    - (bb) the fee specified in column 4 of that table in respect of an identity check which corresponds to the fee payable under sub-paragraph (aa);
  - (iii) in the case of a Schedule 2 fruit or vegetable consignment which includes one lot of fruit or vegetables—
    - (aa) the fee specified in column 3 of the table in Schedule 2 in respect of a physical check of those fruit or vegetables; and
    - (bb) the fee specified in column 4 of that table in respect of an identity check of those fruit or vegetables;
  - (iv) in the case of a Schedule 2 fruit or vegetable consignment which includes two or more lots of fruit or vegetables—
    - (aa) a fee equal to the highest of the fees specified in column 3 of the table in Schedule 2 in respect of a physical check of any of those lots; and
    - (bb) the fee specified in column 4 of that table in respect of an identity check which corresponds to the fee payable under sub-paragraph (aa);
  - (v) in the case of a consignment which includes—
    - (aa) plants or plant products of any other description specified in the table in column 1 of Schedule 2, or
    - (bb) machinery or vehicles which have been operated for agricultural or forestry purposes,  
insofar as (in either case) they originate in a country specified in column 2 of that table, the fee or fees specified in columns 3 and 4 of that table in respect of a physical check and identity check, respectively, of the plants or plant products of each such description contained in the consignment (other than any also specified in Schedule 1), and (so far as relevant) of machinery or vehicles;
  - (vi) where the consignment includes plants, plant products or other objects of one or more descriptions specified in column 1 of the table in Schedule 1—
    - (aa) the fee or fees specified in column 2 of that table in respect of a physical check of plants, plant products or other objects of each such description contained in the consignment;
    - (bb) the fee or fees specified in column 3 of that table in respect of an identity check of plants, plant products or other objects of each such description contained in the consignment.
- (2B) The fees payable under paragraph (2A)(a) in respect of liability to a physical check and identity check of cut flowers or fruit or vegetables are, irrespective of the number of lots contained in the consignment—
- (a) in the case of a consignment including only cut flowers or only fruit or vegetables, those payable in respect of a single lot of the kind in question;
  - (b) in the case of a consignment including both cut flowers and fruit or vegetables, those payable in respect of a single lot of each kind.
- (2C) The fees payable under paragraph (2A)(a) in respect of liability to a physical check and identity check of plants or plant products, so far as the plants or plant products are of a single relevant

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category and originate in the same country but fall within two or more descriptions specified in column 1 of the table in Schedule 1A, are the highest of the fees specified in respect of plants or plant products of any such description.

(2D) For the purpose of paragraph (2C), “relevant category”, in relation to plants or plant products, means any of the following categories of plants or plant products—

- (a) bark;
- (b) bulbs;
- (c) corms;
- (d) plants intended for planting;
- (e) rhizomes;
- (f) seeds;
- (g) tissue cultures;
- (h) tubers (other than tubers of potatoes).

(2E) No fee is payable under paragraph (2A)(a) in respect of any consignment imported before 1 March 2022, where it would be payable in respect of any plants or plant products specified in Schedule 2A that are contained in that consignment.]

(3) In this regulation—

[<sup>F10</sup>(a) [<sup>F11</sup>“controlled plant pest” means a GB quarantine pest, a provisional GB quarantine pest, a PFA quarantine pest or a GB regulated non-quarantine pest;]

[<sup>F12</sup>(aa) “Europe” includes Belarus, the Canary Islands, Georgia, Kazakhstan (except the area east of the Ural river), Russia (except the regions of Tyumen, Chelyabinsk, Irkutsk, Kemerovo, Kurgan, Novossibirsk, Omsk, Sverdlovsk, Tomsk, Chita, Kamchatka, Magadan, Amur and Skhalin, the territories of Krasnoyarsk, Altay, Khabarovsk and Primarie, and the republics of Sakha, Tuva and Buryatia), Ukraine and Turkey (except the area east of the Bosphorus Strait known as Anatolia);]

(ab) “lot” means one or more units of a single commodity, identifiable by its homogeneity of composition and origin, which form part of a consignment;

<sup>F13</sup>(aba) .....

(ac) “Schedule 2 cut flower consignment” means a consignment which includes cut flowers of a description specified in column 1 of the table in Schedule 2 originating in a country specified in column 2 of that table and does not include any other cut flowers to which this regulation applies;

(ad) “Schedule 2 fruit or vegetable consignment” means a consignment which includes fruit or vegetables of a description specified in column 1 of the table in Schedule 2 originating in a country specified in column 2 of that table and does not include any other fruit or vegetables to which this regulation applies;]

(b) “third country consignment” means a consignment that is introduced into Wales from a third country.

<sup>F14</sup>(c) .....

**Textual Amendments**

**F4** Words in reg. 3(1) substituted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(2)(a)(i)**

**F5** Words in reg. 3(1) substituted (31.1.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **34(3)(a)**

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- F6** Words in reg. 3(1) substituted (31.12.2020) by [The Plant Health \(Amendment etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1628\)](#), regs. 1(2)(b), **2(3)(a)**
- F7** Words in reg. 3(1) inserted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(2)(a)(ii)**
- F8** Reg. 3(2) substituted (17.6.2021) by [The Plant Health etc. \(Fees\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/713\)](#), regs. 1, **2(2)(a)**
- F9** Reg. 3(2A)-(2E) inserted (17.6.2021) by [The Plant Health etc. \(Fees\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/713\)](#), regs. 1, **2(2)(b)**
- F10** Reg. 3(3)(a)(aa) substituted (31.1.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **34(3)(b)(i)**
- F11** Words in reg. 3(3)(a) substituted (31.12.2020) by [The Plant Health \(Amendment etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1628\)](#), regs. 1(2)(b), **2(3)(b)(i)**
- F12** Reg. 3(3)(aa)-(ad) inserted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(2)(c)**
- F13** Reg. 3(3)(aba) omitted (31.12.2020) by virtue of [The Plant Health \(Amendment etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1628\)](#), regs. 1(2)(b), **2(3)(b)(ii)**
- F14** Reg. 3(3)(c) omitted (31.1.2020) by virtue of [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **34(3)(b)(iii)**

## Plant passport authorisation fees W

4.—(1) This regulation applies in relation to a plant passport authorisation.

(2) The [<sup>F15</sup>fee specified in paragraph (3) is] payable in respect of an inspection and any associated activities which are carried out [<sup>F16</sup>by, or on behalf of, the Welsh Ministers]—

- (a) in connection with an application for a plant passport authorisation;
- (b) for the purpose of monitoring compliance with any requirements imposed on the holder of a plant passport authorisation.

[<sup>F17</sup>(3) A fee of £61.58 is payable for each 15 minutes (or part thereof) spent in carrying out the inspection and any associated activities at the relevant premises, subject to a minimum fee of £123.16.]

(4) An additional fee of [<sup>F18</sup>£20.66] is payable where a person submits an application for a plant passport authorisation in paper form (and not online).

(5) Any fees payable under this regulation are payable by the person applying for a plant passport authorisation or the holder of a plant passport authorisation (as the case may be).

(6) In this regulation—

- (a) “plant passport authorisation” means an authorisation to issue [<sup>F19</sup>UK]plant passports <sup>F20</sup>...;
- (b) “relevant premises”, in relation to an application for a plant passport authorisation or a plant passport authorisation, means the premises which are subject to the application or the authorisation.

### Textual Amendments

- F15** Words in reg. 4(2) substituted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(3)(a)**
- F16** Words in reg. 4(2) inserted (31.1.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **34(4)(a)**
- F17** Reg. 4(3) substituted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(3)(b)**

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- F18** Sum in reg. 4(4) substituted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(3)(c)**
- F19** Word in reg. 4(6)(a) inserted (31.12.2020) by [The Plant Health \(Amendment etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1628\)](#), regs. 1(2)(b), **2(4)**
- F20** Words in reg. 4(6)(a) omitted (31.1.2020) by virtue of [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **34(4)(b)**

## Plant health licence fees **W**

- 5.—(1) The fees specified in the table in Schedule 4 are payable in respect of—
- an application for a licence [<sup>F21</sup>made to the Welsh Ministers];
  - any other activity specified in column 1 of that table which is carried out in connection with a licence [<sup>F22</sup>granted by the Welsh Ministers].
- (2) The amount of any fee payable in respect of an application for a licence or any other activity specified in column 1 of the table in Schedule 4 is the amount specified in the corresponding entry in column 3 of that table, determined in accordance with the entries in respect of that service (if any) in column 2 of that table.
- (3) The fee payable in respect of the monitoring of licence terms and conditions is payable for each 15 minutes (or part thereof) spent in carrying out the inspection and any associated activities at the premises which are subject to the licence, subject to the minimum fee specified.
- (4) Any fee payable under this regulation is payable by the person who submits an application for a licence or the licence holder (as the case may be).
- (5) In this regulation, “licence” means [<sup>F23</sup>an authorisation [<sup>F24</sup>described in regulation 20(1)(a) or (b)(i) or 21(1)(b) of the Official Controls (Plant Health and Genetically Modified Organisms) (Wales) Regulations 2020]].

### Textual Amendments

- F21** Words in reg. 5(1)(a) inserted (31.1.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **34(5)(a)(i)**
- F22** Words in reg. 5(1)(b) inserted (31.1.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **34(5)(a)(ii)**
- F23** Words in reg. 5(5) substituted (31.1.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **34(5)(b)**
- F24** Words in reg. 5(5) substituted (13.11.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/1134\)](#), regs. 1, **3**

## <sup>F25</sup>Export certification services and pre-export services: fees **W**

5A.—(1) [<sup>F26</sup>Subject to paragraph (4A),] the fees specified in the table in Schedule 4A are payable in respect of the services described in column 1 of the table by a person who applies to the Welsh Ministers for a certificate or a pre-export service.

(2) The amount of the fee in respect of any service described in column 1 of the table in Schedule 4A is—

- in the case of a small exporter who, at the date of the application, has only been liable during the financial year in which the application is made to pay fees of £750 or less in respect of the services described in column 1 of the table, the amount specified in the corresponding entry in column 2 of that table;

(b) in any other case, the amount specified in the corresponding entry in column 3 of that table.

(3) The fees specified in columns 2 and 3 of the table in Schedule 4A in respect of an inspection of a consignment or an audit of a grain inspection are payable for each 15 minutes (or part thereof) spent in carrying out the inspection or audit and any associated activities, subject to the minimum fees specified in those entries.

(4) Where a person submits an application for a certificate or a pre-export service or a request to amend a certificate in paper form (and not online), the following additional fee is payable in respect of the application or the request—

(a) in the case of a small exporter who, at the date of the application or request, has only been liable during the financial year in which the application or request is made to pay fees of £750 or less in respect of the services described in column 1 of the table in Schedule 4A, £7.88;

(b) in any other case, £15.76.

[<sup>F27</sup>(4A) The fees specified in Schedule 4A are 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.

(4B) Paragraph (4A) ceases to have effect at the end of 31 December 2022.]

(5) In this regulation—

“certificate” (*“tystysgrif”*) means either a phytosanitary certificate for export or a phytosanitary certificate for re-export;

“pre-export service” (*“gwasanaeth cyn-allforio”*) means any plant health inspection or examination, including by the taking of samples, which is required to be carried out in relation to a plant, plant product or other object which is to be exported<sup>F28</sup>... in order to satisfy the [<sup>F29</sup>relevant phytosanitary import requirements within the meaning of Article 99a of the Plant Health Regulation], other than any such inspection or examination required for the issue of a certificate;

[<sup>F30</sup>“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.]

“small exporter” (*“allforiwr bach”*), means a person who—

(a) in the financial year in which the application or request is made—

(i) is not a taxable person for the purposes of the Value Added Tax Act 1994, or

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- (ii) does not make a taxable supply of plants, plant products, seeds, soil or agricultural machinery for the purposes of the Value Added Tax Act 1994, or
- (b) in the financial year preceding the year in which the application or request is made, exported goods which were accompanied by a certificate the total value of which was less than £5,000.]

**Textual Amendments**

**F25** Reg. 5A inserted (31.1.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **34(6)**

**F26** Words in reg. 5A(1) inserted (17.6.2021) by [The Plant Health etc. \(Fees\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/713\)](#), regs. 1, **2(3)(a)**

**F27** Reg. 5A(4A)(4B) inserted (17.6.2021) by [The Plant Health etc. \(Fees\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/713\)](#), regs. 1, **2(3)(b)**

**F28** Words in reg. 5A(5) omitted (31.12.2020) by virtue of [The Plant Health \(Amendment etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1628\)](#), regs. 1(2)(b), **2(5)(a)**

**F29** Words in reg. 5A(5) substituted (31.12.2020) by [The Plant Health \(Amendment etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1628\)](#), regs. 1(2)(b), **2(5)(b)**

**F30** Words in reg. 5A(5) inserted (17.6.2021) by [The Plant Health etc. \(Fees\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/713\)](#), regs. 1, **2(3)(c)**

**Potatoes originating in Egypt: fee W**

6.—(1) Where an [<sup>F31</sup>official plant health inspector] takes a sample of potatoes originating in Egypt in order to ascertain whether <sup>F32</sup>... those potatoes are infected with *Ralstonia solanacearum* (Smith) Yabuuchi et al., the importer must pay a fee of [<sup>F33</sup>£70.83] in respect of each lot sampled.

<sup>F34</sup>(2) .....

**Textual Amendments**

**F31** Words in reg. 6(1) substituted (31.1.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **34(7)**

**F32** Words in reg. 6(1) omitted (31.12.2020) by virtue of [The Plant Health \(Amendment etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1628\)](#), regs. 1(2)(b), **2(6)(a)**

**F33** Sum in reg. 6(1) substituted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(4)**

**F34** Reg. 6(2) omitted (31.12.2020) by virtue of [The Plant Health \(Amendment etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1628\)](#), regs. 1(2)(b), **2(6)(b)**

**Potatoes originating in Lebanon: fee W**

<sup>F35</sup>**6A.** .....

**Textual Amendments**

**F35** Reg. 6A omitted (31.12.2020) by virtue of [The Plant Health \(Amendment etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1628\)](#), regs. 1(2)(b), **2(7)**



## Potatoes originating in Lebanon: fee **W**

<sup>F36</sup>7. ....

### Textual Amendments

**F36** Reg. 7 omitted (31.1.2020) by virtue of [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **34(8)**

## PART 3 **W**

### Fees relating to the certification of seed potatoes and fruit plants and fruit plant propagating material

## Seed potatoes: fees **W**

**8.—(1)** The fees specified in the table in Schedule 5 are payable in respect of the activities specified in column 1 of that table which relate to an application for the certification of seed potatoes in accordance with regulation 10 of the Seed Potatoes (Wales) Regulations 2016 <sup>M3</sup>.

(2) The fees specified in column 2 of the table in Schedule 5 are payable subject to the minimum fees (if any) specified in the corresponding entries in column 3 of that table.

(3) The fees specified in column 2 of the table in Schedule 5 in respect of an inspection of growing crops for certification as Union grade PBTC and an inspection of harvested tubers are payable for each 15 minutes (or part thereof) spent in carrying out the inspection and any associated activities at the relevant premises.

(4) An additional fee of [<sup>F37</sup>£15.76] is payable where a person submits an application for the certification of seed potatoes in paper form (and not online).

[<sup>F38</sup>(4A) Where a person submits an application for the provision of printed labels, the following additional fee is payable—

(a) in the case of an application submitted online, £11.45;

(b) in the case of an application submitted in paper form, £15.61.]

(5) Any fees payable under this regulation are payable by the applicant.

(6) In paragraph (3), “relevant premises” means the premises at which the growing crops for certification as Union grade PBTC or the harvested tubers to be inspected are located.

### Textual Amendments

**F37** Sum in reg. 8(4) substituted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(5)(a)**

**F38** Reg. 8(4A) inserted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(5)(b)**

### Marginal Citations

**M3** [S.I. 2016/106 \(W. 52\)](#), to which there are amendments not relevant to these Regulations.

*Status: Point in time view as at 17/06/2021.*

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## **Fruit plants and fruit plant propagating material: fees** **W**

9.—(1) The fee specified in paragraph (2) is payable in connection with an application for the certification of fruit plants and fruit plant propagating material in accordance with regulation 9 of the Marketing of Fruit Plant and Propagating Material (Wales) Regulations 2017<sup>M4</sup>.

[<sup>F39</sup>(2) A fee of £26.00 per each 15 minutes (or part thereof) is payable in respect of time spent in carrying out an official examination and any associated activities at the relevant premises for the purposes of certifying the material, subject to a minimum fee of £52.00.]

(3) Any fees payable under this regulation are payable by the applicant.

(4) In paragraph (2), “relevant premises” means the premises at which the material to be certified is located.

### **Textual Amendments**

**F39** Reg. 9(2) substituted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(6)**

### **Marginal Citations**

**M4** [S.I. 2017/691](#) (W. 163).

## **PART 4** **W**

### Payment of fees

## **Payment of fees** **W**

10. Fees payable under these Regulations are payable to the Welsh Ministers on demand.

## **Suspension of registration** **W**

11.—(1) Where any sum due by way of, or on account of, any fee or any part of a fee payable by a [<sup>F40</sup>registered professional operator] under Part 2 of these Regulations remains unpaid, the Welsh Ministers may—

- (a) recover the sum as a civil debt, or
- (b) after giving one month's written notice, suspend the [<sup>F41</sup>operator's] registration until such sum has been paid.

<sup>F42</sup>(2) .....

### **Textual Amendments**

**F40** Words in [reg. 11\(1\)](#) substituted (31.1.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **34(9)(a)(i)**

**F41** Word in [reg. 11\(1\)\(b\)](#) substituted (31.1.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **34(9)(a)(ii)**

**F42** [Reg. 11\(2\)](#) omitted (31.1.2020) by virtue of [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **34(9)(b)**

## PART 5 **W**

### Revocations

#### Revocations **W**

12. The instruments listed in Schedule 6 are revoked.

*Hannah Blythyn*  
Minister for Environment under authority of  
the Cabinet Secretary for Energy, Planning and  
Rural Affairs, one of the Welsh Ministers

**Status:** Point in time view as at 17/06/2021.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Plant Health etc. (Fees) (Wales) Regulations 2018. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

<sup>F43</sup>SCHEDULE 1 **W**

Regulation 3(1) and (2A)(b)(vi)

Import inspection fees: Consignments originating in countries other than an EU Member State, Liechtenstein or Switzerland

**Textual Amendments**

**F43** Sch. 1 substituted (17.6.2021) by The Plant Health etc. (Fees) (Wales) (Amendment) Regulations 2021 (S.I. 2021/713), regs. 1, **2(4)**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Description of Plant, plant product or other object</i>	<i>Fee: Physical check (£)</i>	<i>Fee: Identity check (£)</i>
<b>Cuttings, seedlings (except forestry reproductive material), young plants of strawberries or of vegetables</b>	173.91	5.25
<b>Shrubs, trees (other than cut Christmas trees), other woody nursery plants including forest reproductive material (other than seed)</b>	182.38	5.25
<b>Bulbs, corms, rhizomes, tubers, intended for planting (other than tubers of potatoes)</b>	205.04	5.25
<b>Seeds, tissue cultures</b>	128.13	5.25
<b>Other plants intended for planting, not specified elsewhere in this table</b>	182.38	5.25
<b>Cut flowers</b>	42.75	5.25
<b>Branches with foliage, parts of conifers (other than cut Christmas trees)</b>	33.99	5.25
<b>Cut Christmas trees</b>	119.64	5.25
<b>Leaves of plants, such as herbs, spices and leafy vegetables</b>	71.68	5.25
<b>Fruits, vegetables (other than leafy vegetables)</b>	53.10	5.25
<b>Tubers of potatoes</b>	156.69	5.25
<b>Soil and growing medium, bark</b>	119.64	5.25
<b>Grain</b>	142.98	5.25
<b>Other plants or plant products, not specified elsewhere in this table, except forest trees</b>	22.73	5.25.]

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Plant Health etc. (Fees) (Wales) Regulations 2018. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

[<sup>F44</sup>SCHEDULE 1A W

Regulation 3(2A)(a)

Import inspection fees: consignments originating in  
an EU Member State, Liechtenstein or Switzerland

**Textual Amendments**

**F44** Sch. 1A inserted (17.6.2021) by The Plant Health etc. (Fees) (Wales) (Amendment) Regulations 2021 (S.I. 2021/713), regs. 1, 2(5)

Column 1	Column 2	Column 3	Column 4
<i>Plant, plant product or other object and genus (if applicable)</i>	<i>Country of origin</i>	<i>Fee: Physical check (£)</i>	<i>Fee: Identity check (£)</i>
<b>Cuttings, seedlings (except forestry reproductive material), young plants of strawberries or of vegetables, not intended for final users<sup>(1)</sup></b>			
<i>All genera</i>	All <sup>(2)</sup>	173.91	5.25
<b>Bulbs, corms, rhizomes, tubers, (other than tubers of potatoes), not intended for final users<sup>(1)</sup></b>			
<i>All genera</i>	All <sup>(2)</sup>	205.04	5.25
<b>Bulbs, corms, rhizomes, tubers, (other than tubers of potatoes), intended for final users<sup>(1)</sup></b>			
<i>All genera</i>	All <sup>(2)</sup>	20.50	0.52
<b>Seeds, not intended for final users<sup>(1)</sup></b>			
<i>Allium cepa</i> L.	All <sup>(2)</sup>	128.13	5.25
<i>Allium porrum</i> L.	All <sup>(2)</sup>	128.13	5.25
<i>Castanea</i> Mill.	All <sup>(2)</sup>	128.13	5.25
<i>Capsicum</i> spp. L.	All <sup>(2)</sup>	128.13	5.25
<i>Helianthus annuus</i> L.	All <sup>(2)</sup>	128.13	5.25
<i>Medicago sativa</i> L.	All <sup>(2)</sup>	128.13	5.25
<i>Phaseolus cocineus</i>	All <sup>(2)</sup>	128.13	5.25
<i>Phaseolus vulgaris</i> L.	All <sup>(2)</sup>	128.13	5.25
<i>Solanum lycopersicum</i> L.	All <sup>(2)</sup>	128.13	5.25

(1) "Intended for final users" includes clearly packed and ready for supply to final users, identifiable as being for use by landscapers or contractors for planting at the final site of the plants and where additional packing or preparation (excluding multiplication, propagation or growing on) is required before making plants available to final users.

(2) "All" means any EU Member State, Liechtenstein or Switzerland.]

**Status:** Point in time view as at 17/06/2021.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Plant Health etc. (Fees) (Wales) Regulations 2018. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Column 1	Column 2	Column 3	Column 4
Plant, plant product or other object and genus (if applicable)	Country of origin	Fee: Physical check (£)	Fee: Identity check (£)
<i>Solanum tuberosum</i> L. (True potato seed)	All <sup>(2)</sup>	128.13	5.25
Vegetable seeds of <i>Pisum sativum</i> L. and <i>Vicia faba</i> L.	All <sup>(2)</sup>	128.13	5.25
Seeds of oil and fibre plants of—			
<i>Brassica napus</i> L.	All <sup>(2)</sup>	128.13	5.25
<i>Brassica rapa</i> L.	All <sup>(2)</sup>	128.13	5.25
<i>Sinapis alba</i> L.	All <sup>(2)</sup>	128.13	5.25
<i>Glycine max</i> (L.) Merrill	All <sup>(2)</sup>	128.13	5.25
<i>Linum usitatissimum</i> L.	All <sup>(2)</sup>	128.13	5.25
<b>Seeds, intended for final users<sup>(1)</sup></b>			
<i>Allium cepa</i> L.	All <sup>(2)</sup>	6.40	0.26
<i>Allium porrum</i> L.	All <sup>(2)</sup>	6.40	0.26
<i>Castanea</i> Mill.	All <sup>(2)</sup>	6.40	0.26
<i>Capsicum</i> spp. L.	All <sup>(2)</sup>	6.40	0.26
<i>Helianthus annuus</i> L.	All <sup>(2)</sup>	6.40	0.26
<i>Medicago sativa</i> L.	All <sup>(2)</sup>	6.40	0.26
<i>Phaseolus cocineus</i>	All <sup>(2)</sup>	6.40	0.26
<i>Phaseolus vulgaris</i> L.	All <sup>(2)</sup>	6.40	0.26
<i>Solanum lycopersicum</i> L.	All <sup>(2)</sup>	6.40	0.26

(1) “Intended for final users” includes clearly packed and ready for supply to final users, identifiable as being for use by landscapers or contractors for planting at the final site of the plants and where additional packing or preparation (excluding multiplication, propagation or growing on) is required before making plants available to final users.

(2) “All” means any EU Member State, Liechtenstein or Switzerland.]

**Status:** Point in time view as at 17/06/2021.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Plant Health etc. (Fees) (Wales) Regulations 2018. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Column 1	Column 2	Column 3	Column 4
Plant, plant product or other object and genus (if applicable)	Country of origin	Fee: Physical check (£)	Fee: Identity check (£)
<i>Solanum tuberosum</i> L. (True potato seed)	All <sup>(2)</sup>	6.40	0.26
Vegetable seeds of <i>Pisum sativum</i> L. and <i>Vicia faba</i> L.	All <sup>(2)</sup>	6.40	0.26
Seeds of oil and fibre plants of—			
<i>Brassica napus</i> L.	All <sup>(2)</sup>	6.40	0.26
<i>Brassica rapa</i> L.	All <sup>(2)</sup>	6.40	0.26
<i>Sinapis alba</i> L.	All <sup>(2)</sup>	6.40	0.26
<i>Glycine max</i> (L.) Merrill	All <sup>(2)</sup>	6.40	0.26
<i>Linum usitatissimum</i> L.	All <sup>(2)</sup>	6.40	0.26
<b>Other seeds not specified elsewhere in this table</b>			
All genera	All <sup>(2)</sup>	3.84	0.15
<b>Tissue cultures, not intended for final users<sup>(1)</sup></b>			
All genera	All <sup>(2)</sup>	128.13	5.25
<b>Tissue cultures, intended for final users<sup>(1)</sup></b>			
All genera	All <sup>(2)</sup>	6.40	0.26
<b>Plants intended for planting (other than cut Christmas trees), not intended for final users<sup>(1)</sup></b>			
All genera	All <sup>(2)</sup>	182.38	5.25
<b>Other plants intended for planting not specified elsewhere in this table, intended for final users<sup>(1)</sup></b>			
All genera	All <sup>(2)</sup>	18.23	0.52
<b>Cut flowers</b>			
All genera	All <sup>(2)</sup>	1.28	0.15
<b>Branches with foliage, parts of Conifers other than bark or cut Christmas trees</b>			

(1) “Intended for final users” includes clearly packed and ready for supply to final users, identifiable as being for use by landscapers or contractors for planting at the final site of the plants and where additional packing or preparation (excluding multiplication, propagation or growing on) is required before making plants available to final users.

(2) “All” means any EU Member State, Liechtenstein or Switzerland.]

**Status:** Point in time view as at 17/06/2021.

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Column 1	Column 2	Column 3	Column 4
<i>Plant, plant product or other object and genus (if applicable)</i>	<i>Country of origin</i>	<i>Fee: Physical check (£)</i>	<i>Fee: Identity check (£)</i>
<i>All genera</i>	All <sup>(2)</sup>	1.02	0.15
<b>Cut Christmas trees</b>			
<i>All genera</i>	All <sup>(2)</sup>	3.58	0.15
<b>Leaves of plants, such as herbs, spices and leafy vegetables</b>			
<i>All genera</i>	All <sup>(2)</sup>	2.15	0.15
<b>Fruit or vegetables</b>			
<i>All genera</i>	All <sup>(2)</sup>	1.59	0.15
<b>Tubers of potatoes</b>			
<i>Solanum tuberosum</i> L. intended for planting (seed potatoes)	All <sup>(2)</sup>	156.69	5.25
<i>Solanum tuberosum</i> L. (ware potatoes)	Poland, Portugal or Romania	78.34	2.62
<i>Solanum tuberosum</i> L. (ware potatoes)	Spain	156.69	5.25
<i>Solanum tuberosum</i> L. (ware potatoes)	Any other EU Member State, Liechtenstein or Switzerland	4.70	0.15
<b>Soil and growing medium, bark</b>			
Bark of—			
<i>Castanea</i> Mill.	All <sup>(2)</sup>	5.98	0.26
Conifers (Pinales)	All <sup>(2)</sup>	5.98	0.26
<i>Juglans</i> L.	All <sup>(2)</sup>	5.98	0.26
<i>Pterocarya</i> Kunth.	All <sup>(2)</sup>	5.98	0.26
<b>Soil and growing medium, bark</b>			
<i>Bark of all genera not</i>	All <sup>(2)</sup>	3.58	0.15

(1) “Intended for final users” includes clearly packed and ready for supply to final users, identifiable as being for use by landscapers or contractors for planting at the final site of the plants and where additional packing or preparation (excluding multiplication, propagation or growing on) is required before making plants available to final users.

(2) “All” means any EU Member State, Liechtenstein or Switzerland.]



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Column 1	Column 2	Column 3	Column 4
<i>Plant, plant product or other object and genus (if applicable) specified elsewhere in this table</i>	<i>Country of origin</i>	<i>Fee: Physical check (£)</i>	<i>Fee: Identity check (£)</i>
<b>Grain</b>			
<i>All genera</i>	All <sup>(2)</sup>	4.28	0.15
<b>Other plants or plant products not specified elsewhere in this table, other than forest trees, soil and growing medium</b>			
<i>All genera</i>	All <sup>(2)</sup>	0.68	0.15
<b>Machinery or vehicles which have been operated for agricultural or forestry purposes</b>			
—	All <sup>(2)</sup>	5.98	0.26

(1) “Intended for final users” includes clearly packed and ready for supply to final users, identifiable as being for use by landscapers or contractors for planting at the final site of the plants and where additional packing or preparation (excluding multiplication, propagation or growing on) is required before making plants available to final users.

(2) “All” means any EU Member State, Liechtenstein or Switzerland.]

[<sup>F45</sup>SCHEDULE 2 **W**

Regulation 3(2A)(b)(i) to (v) and (3)

Import inspection fees: Reduced rates for consignments originating in countries other than an EU Member State, Liechtenstein or Switzerland

**Textual Amendments**

**F45** Sch. 2 substituted (17.6.2021) by The Plant Health etc. (Fees) (Wales) (Amendment) Regulations 2021 (S.I. 2021/713), regs. 1, 2(6)

Column 1	Column 2	Column 3	Column 4
<i>Plant, plant product or other object and genus (if applicable)</i>	<i>Country of origin</i>	<i>Fee: Physical check (£)</i>	<i>Fee: Identity check (£)</i>
<b>Cut flowers</b>			

(1) “Third country in Europe” includes Albania, Andorra, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Canary Islands, the Faeroe Islands, Georgia, Iceland, Moldova, Monaco, Montenegro, North Macedonia, Norway, Russia (only the following parts: Central Federal District (Tsentralny federalny okrug), Northwestern Federal District (Severo-Zapadny federalny okrug), Southern Federal District (Yuzhny federalny okrug), North Caucasian Federal District (Severo-Kavkazsky federalny okrug) and Volga Federal District (Privolzhsky federalny okrug), San Marino, Serbia, Turkey and Ukraine.)]

**Status:** Point in time view as at 17/06/2021.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Plant Health etc. (Fees) (Wales) Regulations 2018. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Plant, plant product or other object and genus (if applicable)</i>	<i>Country of origin</i>	<i>Fee: Physical check (£)</i>	<i>Fee: Identity check (£)</i>
<i>Aster</i>	Zimbabwe	32.06	3.93
<i>Dianthus</i>	Columbia	1.28	0.15
	Ecuador	6.41	0.78
	Kenya	2.14	0.26
	Turkey	6.41	0.78
<i>Rosa</i>	Columbia	1.28	0.15
	Ecuador	0.43	0.05
	Ethiopia	2.14	0.26
	Kenya	4.28	0.52
	Tanzania	21.38	2.62
	Zambia	4.28	0.52
<b>Branches with foliage, parts of Conifers (other than cut Christmas trees)</b>			
<i>Phoenix</i>	Costa Rica	17.00	2.62
<b>Fruit</b>			
<i>Carica papaya</i>	Any third country other than an EU Member State, Liechtenstein or Switzerland	2.66	0.26
<i>Cydonia</i>	Any third country in Europe <sup>(1)</sup> other than an EU Member State, Liechtenstein or Switzerland	2.66	0.26
<i>Fragaria</i>	Any third country other than an EU Member State, Liechtenstein or Switzerland	2.66	0.26
<i>Malus</i>	Any third country in Europe <sup>(1)</sup> other than an EU Member	2.66	0.26

(1) "Third country in Europe" includes Albania, Andorra, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Canary Islands, the Faeroe Islands, Georgia, Iceland, Moldova, Monaco, Montenegro, North Macedonia, Norway, Russia (only the following parts: Central Federal District (Tsentralny federalny okrug), Northwestern Federal District (Severo-Zapadny federalny okrug), Southern Federal District (Yuzhny federalny okrug), North Caucasian Federal District (Severo-Kavkazsky federalny okrug) and Volga Federal District (Privolzhsky federalny okrug), San Marino, Serbia, Turkey and Ukraine.)

**Status:** Point in time view as at 17/06/2021.

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Plant, plant product or other object and genus (if applicable)</i>	<i>Country of origin</i>	<i>Fee: Physical check (£)</i>	<i>Fee: Identity check (£)</i>
	State, Liechtenstein or Switzerland		
	Argentina	18.59	1.83
	Brazil	26.55	2.62
	Chile	2.66	0.26
	New Zealand	5.31	0.52
	South Africa	2.66	0.26
<i>Persea Americana</i>	Any third country other than an EU Member State, Liechtenstein or Switzerland	2.66	0.26
<i>Prunus</i>	Any third country in Europe <sup>(1)</sup> other than an EU Member State, Liechtenstein or Switzerland	2.66	0.26
	Argentina	39.83	3.93
	Chile	5.31	0.53
	Morocco	26.55	2.62
	Turkey	18.59	1.83
<i>Prunus other than prunus persica</i>	South Africa	5.31	0.26
<i>Pyrus</i>	Any third country in Europe <sup>(1)</sup> other than an EU Member State, Liechtenstein or Switzerland	2.66	0.26
	Argentina	7.97	0.78
	Chile	7.97	0.78
	China	26.55	2.62

(1) "Third country in Europe" includes Albania, Andorra, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Canary Islands, the Faeroe Islands, Georgia, Iceland, Moldova, Monaco, Montenegro, North Macedonia, Norway, Russia (only the following parts: Central Federal District (Tsentralny federalny okrug), Northwestern Federal District (Severo-Zapadny federalny okrug), Southern Federal District (Yuzhny federalny okrug), North Caucasian Federal District (Severo-Kavkazsky federalny okrug) and Volga Federal District (Privolzhsky federalny okrug), San Marino, Serbia, Turkey and Ukraine).]

**Status:** Point in time view as at 17/06/2021.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Plant Health etc. (Fees) (Wales) Regulations 2018. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Plant, plant product or other object and genus (if applicable)</i>	<i>Country of origin</i>	<i>Fee: Physical check (£)</i>	<i>Fee: Identity check (£)</i>
	South Africa	5.31	0.53
<i>Ribes</i>	Any third country in Europe <sup>(1)</sup> other than an EU Member State, Liechtenstein or Switzerland	2.66	0.26
<i>Rubus</i>	Any third country other than an EU Member State, Liechtenstein or Switzerland	2.66	0.26
<i>Vaccinium</i>	Any third country in Europe <sup>(1)</sup> other than an EU Member State, Liechtenstein or Switzerland	2.66	0.26
	Argentina	13.28	1.31
	Chile	5.31	0.53
	Peru	5.31	0.53
<i>Vitis</i>	Any third country other than an EU Member State, Liechtenstein or Switzerland	2.66	0.26
<b>Vegetables</b>			
<i>Solanum lycopersicon</i>	Canary Islands	2.66	0.26
	Morocco	2.66	0.26
<i>Solanum melongena</i>	Turkey	7.97	1.31
<b>Machinery or vehicles which have been operated for agricultural or forestry purposes</b>			
—	Any third country	5.98	0.26

(1) “Third country in Europe” includes Albania, Andorra, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Canary Islands, the Faeroe Islands, Georgia, Iceland, Moldova, Monaco, Montenegro, North Macedonia, Norway, Russia (only the following parts: Central Federal District (Tsentralny federalny okrug), Northwestern Federal District (Severo-Zapadny federalny okrug), Southern Federal District (Yuzhny federalny okrug), North Caucasian Federal District (Severo-Kavkazsky federalny okrug) and Volga Federal District (Privolzhsky federalny okrug), San Marino, Serbia, Turkey and Ukraine).]

**Status:** Point in time view as at 17/06/2021.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Plant Health etc. (Fees) (Wales) Regulations 2018*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

<sup>F46</sup>SCHEDULE 2A **W**

Regulation 3(2E)

List of plants or plant products originating in an EU Member State, Liechtenstein or Switzerland subject to fees for physical checks and identity checks from 1 March 2022

**Textual Amendments**

**F46** Sch. 2A inserted (17.6.2021) by [The Plant Health etc. \(Fees\) \(Wales\) \(Amendment\) Regulations 2021 \(S.I. 2021/713\)](#), regs. 1, **2(7)**

1. Seeds referred to in Schedule 1A as falling within the description “**Other seeds not specified elsewhere in this table**”.
2. Cut flowers.
3. Branches with foliage, parts of Conifers other than bark or cut Christmas trees.
4. Cut Christmas trees.
5. Leaves of plants, such as herbs, spices and leafy vegetables.
6. Fruit.
7. Vegetables.
8. Tubers of potatoes originating in any EU Member State (other than Portugal, Poland, Romania and Spain), Liechtenstein or Switzerland.
9. Bark of all genera other than *Castanea* Mill, conifers (Pinales), *Juglans* L and *Pterocarya* Kunth.
10. Grain.
11. Plants or plant products referred to in Schedule 1A as falling within the description “**Other plants or plant products not specified elsewhere in this table, other than forest trees, soil and growing medium**”.]

<sup>F47</sup>SCHEDULE 3 **W**

Regulation 4(2)

**Textual Amendments**

**F47** Sch. 3 omitted (14.11.2019) by virtue of [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(9)**

**Status:** Point in time view as at 17/06/2021.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Plant Health etc. (Fees) (Wales) Regulations 2018*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

<sup>F48</sup>SCHEDULE 4 **W**

Regulation 5(1)

Plant health licence fees

**Textual Amendments**

**F48** Sch. 4 substituted (14.11.2019) by *The Plant Health etc. (Miscellaneous Fees) (Wales) (Amendment) Regulations 2019* (S.I. 2019/1378), regs. 1(2), **3(10)**

In this Schedule—

“period 1” means the period ending on 31 March 2020;

“period 2” means the period beginning on 1 April 2020 and ending on 30 September 2020.

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Type of application or inspection</i>	<i>Date of application</i>	<i>Fee (£)</i>
Application for a licence for scientific or trial purposes, other than— — a licence in respect of the analysis of soil or other growing medium — a licence for scientific or trial purposes covering 5 or more items		995.36
Application for a licence for scientific or trial purposes covering 5 or more items		995.36, plus 52.45 per item in excess of 5 items
Application for a licence in respect of the analysis of soil or other growing medium, other than a licence in respect of the analysis of soil or other growing medium covering 5 or more items		745.41
Application for a licence in respect of the analysis of soil or other growing medium covering 5 or more items		745.41, plus 52.45 per item in excess of 5 items
Application for a variation of a licence with changes requiring scientific or technical assessment		380.25
Application for any other licence		42.50
Issue of an annual letter of authority		42.50
Monitoring compliance with licence terms and conditions	In the case of monitoring undertaken during period 1	69.75 for each 15 minutes (or part thereof), subject to a minimum fee of 139.50

**Status:** Point in time view as at 17/06/2021.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Plant Health etc. (Fees) (Wales) Regulations 2018. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Type of application or inspection</i>	<i>Date of application</i>	<i>Fee (£)</i>
	In the case of monitoring undertaken during period 2	81.25 for each 15 minutes (or part thereof), subject to a minimum fee of 162.50
	In the case of monitoring undertaken on or after 1 October 2020	92.67 for each 15 minutes (or part thereof), subject to a minimum fee of 185.34]

[<sup>F49</sup>SCHEDULE 4A **W**

Regulation 5A

## Fees for export certification services and pre-export services

**Textual Amendments**

**F49** Sch. 4A inserted (31.1.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **34(10)**

<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
<i>Service</i>	<i>Fee - small exporter (£)</i>	<i>Fee – other exporter (£)</i>
Inspection of consignment	31.90 for each 15 minutes (or part thereof), subject to a minimum fee of 63.80	63.80 for each 15 minutes (or part thereof), subject to a minimum fee of 127.60
Audit of a grain inspection	13.20 for each 15 minutes (or part thereof), subject to a minimum fee of 26.40	26.40 for each 15 minutes (or part thereof), subject to a minimum fee of 52.80
Laboratory examination (including laboratory testing)	16.78 per sample tested	33.56 per sample tested
Issue of certificate	12.76 per certificate	25.52 per certificate
Amendment of a certificate at the request of the exporter	7.88 per certificate	15.76 per certificate]

**Status:** Point in time view as at 17/06/2021.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Plant Health etc. (Fees) (Wales) Regulations 2018. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

<sup>F50</sup>SCHEDULE 5 **W**

Regulation 8(1)

Seed potatoes: fees

**Textual Amendments**

**F50** Sch. 5 substituted (14.11.2019) by [The Plant Health etc. \(Miscellaneous Fees\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/1378\)](#), regs. 1(2), **3(11)**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Activity</i>	<i>Fee (£)</i>	<i>Minimum fee (£)</i>
<b>Soil sampling and testing for Potato Cyst Nematode</b>		
Soil sampling and testing for the purposes of paragraph 4, 7 or 9 of Schedule 1 to the Seed Potatoes (Wales) Regulations 2016	24.75 for each hectare (or part thereof) sampled and tested	
<b>Inspection of growing crop</b>		
Certification as pre-basic seed potatoes: Union grade PBTC	30.39 for each 15 minutes (or part thereof)	60.78
Certification as pre-basic seed potatoes: Union grade PB	12.16 per each 0.1 hectare (or part thereof) inspected	60.75
Certification as basic seed potatoes: Union grade S	10.57 per each 0.1 hectare (or part thereof) inspected	105.70
Certification as basic seed potatoes: Union grade SE	10.57 per each 0.1 hectare (or part thereof) inspected	105.70
Certification as basic seed potatoes: Union grade E	10.33 per each 0.1 hectare (or part thereof) inspected	103.30
Certification as certified seed potatoes: Union grade A or B	9.39 per each 0.1 hectare (or part thereof) inspected	93.90
<b>Inspection of harvested tubers</b>		
Inspection	40.55 for each 15 minutes (or part thereof)	81.10
<b>Provision of labels and seals in respect of application</b>		
Printed labels for bags holding 50 kgs of seed potatoes or less	0.05 per label	
Printed labels and seals for bags holding more than 50 kgs of seed potatoes	0.11 per label (including seal)	
Blank labels and seals	0.16 per label (including seal)]	



[<sup>F50</sup>SCHEDULE 6 **W**

Regulation 12

## Revocations

**W**

- The Plant Health (Fees) (Wales) Regulations 2014 <sup>M5</sup>.
- The Plant Health (Fees) (Wales) (Amendment) Regulations 2015 <sup>M6</sup>.]

**Marginal Citations****M5** [S.I. 2014/1792](#) (W. 185), amended by [S.I. 2015/777](#) (W. 61).**M6** [S.I. 2015/777](#) (W. 61).**Marginal Citations****M5** [S.I. 2014/1792](#) (W. 185), amended by [S.I. 2015/777](#) (W. 61).**M6** [S.I. 2015/777](#) (W. 61).**EXPLANATORY NOTE***(This note is not part of the Regulations)*

These Regulations, which apply to Wales, specify fees payable to the Welsh Ministers in relation to plant health services and the certification of seed potatoes, fruit plants and fruit plant propagating material. They revoke and replace the Plant Health Fees (Wales) Regulations 2014 (S.I. 2014/1792 (W. 185)).

The fees specified in regulations 3, 6 and 7 are payable in relation to imports of plants, plant products and other objects from third countries pursuant to the requirements of Article 13 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 fees specified in regulations 4 and 5 are payable in relation to other inspections and activities carried out pursuant to Council Directive [2000/29/EC](#).

The fees specified in regulation 8 are payable in relation to certain inspections and other activities carried out pursuant to Council Directive [2002/56/EC](#) on the marketing of seed potatoes (OJ No L 193, 20.7.2002, p. 60).

The fees specified in regulation 9 are payable in relation to certain inspections and other activities carried out pursuant to Council Directive [2008/90/EC](#) on the marketing of fruit plant propagating material and fruit plants intended for fruit production (OJ No L 267, 8.10.2008, p. 8).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

**Status:**

Point in time view as at 17/06/2021.

**Changes to legislation:**

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