STATUTORY INSTRUMENTS

1990 No. 1960 (S.177)

PLANT HEALTH

The Import and Export (Plant Health Fees) (Scotland) Order 1990

Made - - - -	*25th September 1990*
Laid before Parliament	*8th October 1990*
Coming into force	*29th October 1990*

The Secretary of State, in exercise of the powers conferred on him by sections 1(2)(b), 2, 3(1) and 4A of the Plant Health Act 1967(**a**), and of all other powers enabling him in that behalf, and with the consent of the Treasury, hereby makes the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Import and Export (Plant Health Fees) (Scotland) Order 1990 and shall come into force on 29th October 1990.

(2) This Order extends to Scotland only.

Interpretation

2.—(1) In this Order–

"certificate" means a phytosanitary certificate;

"import licence" means a licence issued by the Secretary of State under article 42 of the Plant Health (Great Britain) Order 1987(**b**);

"official label" has the same meaning as in regulation 2(1) of the Seed Potatoes Regulations 1984(**c**);

"phytosanitary certificate" means a phytosanitary certificate issued by an inspector or other officer of the Secretary of State under article 12 of the Plant Health (Great Britain) Order 1987;

"premises" includes any land, building, vessel, vehicle, aircraft, hovercraft or freight container;

"small consignment" means one package of a size and weight such that it is capable of being sent by post;

"soil" includes any medium used for the growing of plant material and "soil sample" shall be construed accordingly.

(2) Where a fee prescribed in this Order is prescribed in relation to an inspection, examination or test as well as the issue of a certificate, the refusal to issue a certificate by reason of the results of the inspection, examination or test being unsatisfactory shall not affect the amount of the fee otherwise payable.

(3) Any reference in this Order to a numbered article or Schedule shall be construed as a reference to the article or Schedule bearing that number in this Order.

(**a**) 1967 c.8; sections 2(1) and 3(1) were amended by the European Communities Act 1972 (c.68), section 4(1) and Schedule 4, paragraph 8, and section 4A was inserted by the Agriculture Act 1986 (c.49), section 3.

(**b**) S.I. 1987/1758.

(**c**) S.I. 1984/412; the relevant amending instrument is S.I. 1987/547.

Fees for export certification services

3. There shall be paid to the Secretary of State in respect of any service described in column 1 of Schedule 1 the fee specified in column 2 of that Schedule opposite the reference to that service.

Fees for import licensing services

4. There shall be paid to the Secretary of State in respect of any service described in column 1 of Schedule 2 the fee specified in column 2 of that Schedule opposite the reference to that service.

Revocation

5. The Import and Export (Plant Health Fees) (Scotland) Order 1989(**a**) is hereby revoked.

Strathclyde
St. Andrew's House, Edinburgh — Parliamentary Under Secretary of State
14th September 1990 — Scottish Office

We consent,

John Major
Sydney Chapman
25th September 1990 — Two of the Lords Commissioners of Her Majesty's Treasury

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SCHEDULE 1

Article 3

FEES IN RESPECT OF EXPORT CERTIFICATION SERVICES

Column 1 *Service*	Column 2 *Fee* £	Column 3 *Old fee* £(**b**)
1. The taking of one soil sample from a field or part of a field comprising not more than 4 hectares, or from a glass-house or container–		
(a) for the first sample taken on any day, where no other chargeable visit is being made	69.00	*69.00*
(b) for the first sample taken on any day, where another chargeable visit is being made	32.00	*32.00*
(c) for the second and each subsequent sample taken on the same day as the first sample	32.00	*32.00*
2. Growing season inspection of–		
(a) up to 0.5 of a hectare of bulbs, per day	45.00	*43.00*
each additional 0.5 of a hectare or part thereof of bulbs up to 14 hectares, per day	23.00	*22.00*

(**a**) S.I. 1989/2196.
(**b**) The figures in italics are the fees which were charged under the Import and Export (Plant Health Fees) (Scotland) Order 1989 (S.I. 1989/2196) before the coming into force of this Order.

Column 1 *Service*	Column 2 *Fee* £	Column 3 *Old fee* £(a)
(b) up to 0.4 of a hectare of outdoor plants other than bulbs, per day	45.00	*43.00*
each additional 0.4 of a hectare or part thereof of outdoor plants other than bulbs up to 11 hectares, per day	23.00	*22.00*
(c) up to 5,000 indoor plants, per day	45.00	*43.00*
each additional 5,000 indoor plants up to 70,000, per day	23.00	*22.00*
3. Consideration of an application for official labels in connection with the issue of one certificate for the export of seed potatoes, per tonne or part thereof	2.80	*1.50*
4. Consideration of an application for the issue of one certificate for the export of–		
(a) grain, per 100 tonnes or part thereof		
(i) in bulk form	10.00	*16.00*
(ii) in bags	15.00	*21.00*
(b) frozen vegetables, frozen fruit, tea and seed samples, per consignment	17.00	*17.00*
(c) plants or plant products, where no inspection is required	11.00	*11.00*
5. Pre-export inspection of and the issue of one certificate for the export of a consignment of bulbs and other plants and plant products, including seed potatoes where an official label is not required, where an inspection at the premises of the grower or exporter is necessary and where–		
(a) the value of the consignment is up to and including £10 whether or not the consignment comprises items for botanical research	1.00	*1.00*
(b) the value of the consignment is more than £10 but not more than £50.00 whether or not the consignment comprises items for botanical research	6.00	*6.00*
(c) the value of the consignment is more than £50.00 but not more than £150.00 whether or not the consignment comprises items for botanical research	16.00	*16.00*
(d) the value of the consignment is more than £150.00 and the consignment comprises items for botanical research	21.00	*21.00*
(e) the value of the consignment is more than £150.00 but not more than £300.00 and the consignment does not comprise items for botanical research	26.00	*26.00*
(f) the value of the consignment is more than £300.00 and the consignment does not comprise items for botanical research	50.00	*43.00*
6. Pre-export inspection of and the issue of one certificate for the export of a small consignment of plants and plant products where no inspection at the premises of the grower or exporter is necessary and where–		
(a) the value of the consignment is up to and including £10 whether or not the consignment comprises items for botanical research	1.00	*1.00*
(b) the value of the consignment is more than £10 but not more than £50.00 whether or not the consignment comprises items for botanical research	6.00	*6.00*
(c) the value of the consignment is more than £50.00 but not more than £150.00 whether or not the consignment comprises items for botanical research	16.00	*16.00*
(d) the value of the consignment is more than £150.00 whether or not the consignment comprises items for botanical research	21.00	*21.00*
7. Pre-export inspection of and the issue of one certificate for the export of used agricultural machinery (such inspection being for traces of soil or plant debris)	50.00	*43.00*

(a) The figures in italics are the fees which were charged under the Import and Export (Plant Health Fees) (Scotland) Order 1989 (S.I. 1989/2196) before the coming into force of this Order.

SCHEDULE 2

Article 4

FEES IN RESPECT OF IMPORT LICENSING SERVICES

Column 1 *Service*	Column 2 *Fee* £	Column 3 *Old fee* £(a)
1. Consideration of an application for the issue of an import licence and the performance of any connected service, including the issue of a licence for articles imported for the following purposes, whether or not an inspection is required		
(a) scientific	40.00	*40.00*
(b) commercial		
(i) potato breeders' and other quarantine material	40.00	*40.00*
(ii) other plant material	30.00	*30.00*
(c) private	25.00	*25.00*
2. The inspection of articles for import, per day		
(a) up to and including the first 30 minutes	40.00	*40.00*
(b) thereafter, for each additional 30 minutes or part thereof	20.00	*20.00*

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which applies to Scotland only, and which revokes and replaces the Import and Export (Plant Health Fees) (Scotland) Order 1989, prescribes fees in respect of the services listed in Schedules 1 and 2 to the Order (articles 3 and 4).

The services are performed in connection with applications received for the issue of phytosanitary certificates or licences in accordance with the provisions of the Plant Health (Great Britain) Order 1987.

Phytosanitary certificates are required to accompany exports of certain plants, plant products, etc. and licences are issued to permit the importation of those articles which would otherwise be prohibited.

The fees prescribed by this Order reflect the increases necessary to recover the costs expected to be incurred in the provision of some of the export services. The fees for one of these services have been reduced to reflect a reduction in the staff effort required. The fees prescribed in respect of import licensing are unchanged from the 1989 Order.

(a) The figures in italics are the fees which were charged under the Import and Export (Plant Health Fees) (Scotland) Order 1989 (S.I. 1989/2196) before the coming into force of this Order.

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