SCOTTISH STATUTORY INSTRUMENTS

2025 No. 154

SEEDS

The Seed (Fees) (Scotland) Amendment Regulations 2025

Made - - - -	*15th May 2025*
Laid before the Scottish Parliament	*19th May 2025*
Coming into force - -	*1st July 2025*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 16(1), (1A), (3)(i) and 36 of the Plant Varieties and Seeds Act 1964(**a**) and all other powers enabling them to do so.

In accordance with section 16(1) of that Act, they have consulted with representatives of such interests as appear to them to be concerned.

Citation and commencement

1. These Regulations may be cited as the Seed (Fees) (Scotland) Amendment Regulations 2025 and come into force on 1 July 2025.

Amendment of the Seed (Fees) (Scotland) Regulations 2018

2.—(1) The Seed (Fees) (Scotland) Regulations 2018(**b**) are amended as follows.

(2) For schedule 1 (fees for matters relating to the Seed Marketing Regulations) substitute—

"SCHEDULE 1 Regulation 3

FEES FOR MATTERS RELATING TO THE SEED MARKETING REGULATIONS

(**a**) 1964 c. 14. Section 16(1) was amended by the European Communities Act 1972 (c. 68) ("the 1972 Act"), section 4(1) and schedule 4, paragraph 5(1) and (2). Section 16(1A) was inserted by the 1972 Act, section 4(1) and schedule 4, paragraph 5(1) and (2). The 1972 Act was repealed by the European Union (Withdrawal) Act 2018 (c. 16), but the aforementioned provisions were saved by S.I. 2020/1622, regulation 22. See section 38(1) for the definition of "the Minister". The functions of the Secretary of State, insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**b**) S.S.I. 2018/152, relevantly amended by S.S.I. 2024/146.

Matter	*Fee (£)*	*Fee formerly payable (£)*
A. Initial Fees		
(i) Initial fee per hectare or part thereof, except where sub-paragraph (ii) applies, for applications in respect of crops intended to produce:—		
(a) Pre-basic Seed or Basic Seed.	33.47 (online applications) 38.88 (other applications)	31.53 (online applications) 36.63 (other applications)
(b) Certified Seed, Certified Seed of the First Generation, Certified Seed of the Second Generation or Certified Seed of the Third Generation.	4.82 (online applications) 5.59 (other applications)	4.54 (online applications) 5.27 (other applications)
(ii) Reduced initial fee per hectare or part thereof for applications referred to in sub-paragraph (i)(a) or (b) which are withdrawn before arrangements have been made for the purposes of an official examination.	3.61	3.40
(iii) Late application fee per crop payable in addition to initial fee under sub-paragraph (i)(a) or (b) where the application is not made by the date for enabling arrangements to be made for an official examination of a crop grown to produce seed of a species to which any instrument comprising the Seed Marketing Regulations applies.	38.10	35.90
B. Crop inspection fees		
(i) Fee for the official examination of crops other than a hybrid of swede rape intended to produce Pre-basic Seed, Basic Seed, Certified Seed, Certified Seed of the First Generation, Certified Seed of the Second Generation or Certified Seed of the Third Generation, per hectare or part thereof examined.	38.76	36.52
(ii) Fee for the official field inspection of a hybrid of swede rape, per hectare or part thereof examined.	116.28	109.55
(iii) Fee for the further official examination of crops intended to produce Pre-basic Seed, Basic Seed, Certified Seed, Certified Seed	38.76	36.52

Matter	*Fee (£)*	*Fee formerly payable (£)*
of the First Generation, Certified Seed of the Second Generation or Certified Seed of the Third Generation, per hectare or part thereof examined, except:—		
(a) further official examination of crops for wild oats, per hectare or part thereof examined.	17.85	16.82
(b) further official examination of crops in respect of isolation distance, per hectare or part thereof examined.	6.99	6.59
(c) further official examination of crops which have been lodged, per hectare or part thereof examined.	15.76	14.85
(iv) Fee for the authentication of seed lot sown (where this has not been carried out at crop inspection), per crop.	15.76	14.85
(v) Fee for the official examination of crops where there has been an official post control the results of which have been unsatisfactory, per hectare or part thereof examined.	38.76	36.52
(vi) Fee payable in addition to fee under sub-paragraphs (i) to (v) above where arrangements have been made for an official examination to be carried out by a licensed crop inspector and the applicant subsequently requests that the examination be carried out instead by the Scottish Ministers.	55.36	52.16
C. Seed lot fees		
Fee for issuing an official certificate or a breeder's confirmation (other than in the circumstances described under paragraph D below) in respect of a seed lot certifying the seed to be:—		
(i) of a multiplication category.	101.09 (online applications) 117.28 (other applications)	95.24 (online applications) 110.50 (other applications)
(ii) of a final generation category.	39.29 (online applications)	37.02 (online applications)

Matter	*Fee (£)*	*Fee formerly payable (£)*
	45.53 (other applications)	42.90 (other applications)
D. Seed lot re-entry fee		
Fee for issuing an official certificate or a breeder's confirmation in respect of a seed lot where, following an application for certification of the seed to be within one particular category, that application has been withdrawn and a new application has been submitted for certification of the seed within another category, as follows:—		
(i) Pre-basic Seed, Basic Seed, Certified Seed or Certified Seed of the First Generation.	48.28	45.49
(ii) Certified Seed of the Second Generation or Certified Seed of the Third Generation.	23.62	22.25
E. Sampling fees		
Fee per seed lot for the sampling or re-sampling of a seed lot for the purposes of an official examination, and for sampling or re-sampling imported seed intended for further multiplication.	71.12	67.01
F. Official label fees		
Fee per seed lot for the issue and printing of a:—		
(i) tear resistant label for Pre-basic Seed, seeds for export or seeds following the issue of a breeder's confirmation.	57.48	54.15
(ii) self-adhesive label for Pre-basic Seed, seeds for export or seeds following the issue of a breeder's confirmation.	39.73	37.43
G. OECD Certificate		
Fee per certificate for issuing an Organisation for Economic Co-operation and Development (OECD) Certificate.	35.47	33.42
H. Higher Voluntary Standards		
Fee per seed lot for verification that a seed lot meets the applicable Higher Voluntary Standards (HVS).	9.95	9.37".

(3) For schedule 2 (fees for matters relating to the 2016 Regulations) substitute—

"SCHEDULE 2

Regulation 4

FEES FOR MATTERS RELATING TO THE 2016 REGULATIONS

Matter	*When payable*	*Fee (£)*	*Fee formerly payable (£)*
A. Representations by, and hearings of, a licensed professional seed operator, licensed crop inspector, licensed seed sampler or personnel pertaining to a licensed seed testing station			
(i) Fee for making written representations to the Scottish Ministers.	On making representations.	45.76	43.11
(ii) Fee for being heard by a person appointed by the Scottish Ministers.	On applying to be heard.	91.58	86.28
B. Licensed seed testing stations			
(i) Annual fee payable during the currency of the licence (or a proportion thereof in respect of a part of a year).	Within one month of demand by or on behalf of the Scottish Ministers, annually in advance.	2030.74	1765.86
(ii) Fee payable by a licensed seed testing station in respect of an official examination of seed.	Within one month of demand by or on behalf of the Scottish Ministers, annually in arrears.	10.35	9.41
C. Cereal Crop Inspection Courses and Examination			
Fee for:—	Within one month of demand by or on behalf of the Scottish Ministers.		
(i) Cereal Crop inspection course		847.89	798.84
(ii) Initial examination and compulsory re-test—			
(a) all 3 species.		132.67	125.00
(b) 2 species.		97.67	92.02
(c) 1 species only.		48.85	46.02

Matter	*When payable*	*Fee (£)*	*Fee formerly payable (£)*
D. Seed Sampling Courses and Examination			
Fee for:—	Within one month of demand by or on behalf of the Scottish Ministers.		
(i) Tuition and examination for seed samplers licence (administrative and sampling elements).		569.38	536.44
(ii) Tuition and examination for seed samplers licence (administrative element only).		170.81	160.93
(iii) Re-examination fee for seed samplers license with sampling function enabled.		49.80	46.92
(iv) Re-examination fee for seed samplers license with sampling function not enabled.		14.27	13.44
E. Seed analyst courses and examination			
Fee for:—	Within one month of demand by or on behalf of the Scottish Ministers.		
(i) Laboratory management course registration.		1388.51	1308.18
(ii) Laboratory management course attendance and examination (per day or part thereof).		523.40	493.12
(iii) Analyst course registration.		2298.11	2165.17
(iv) Analyst course registration – additional and retake divisions (per division).		223.60	210.66
(v) Analyst course attendance (per day or part thereof. Number of days depends on division).		523.40	493.12
(vi) Analyst course examination (per day or part thereof).		523.40	493.12

Matter	*When payable*	*Fee (£)*	*Fee formerly payable (£)*
(vii) Tetrazolium testing course attendance (per day or part thereof).		541.18	509.88
(viii) Tetrazolium testing course examination (per day or part thereof).		541.18	509.88”.

JIM FAIRLIE
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
15th May 2025

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Seed (Fees) (Scotland) Regulations 2018 ("the Principal Regulations"), which prescribe fees for matters relating to:

— the Vegetable Seeds Regulations 1993 (S.I. 1993/2008), the Oil and Fibre Plant Seed (Scotland) Regulations 2004 (S.S.I. 2004/317), the Cereal Seed (Scotland) Regulations 2005 (S.S.I. 2005/328), the Fodder Plant Seed (Scotland) Regulations 2005 (S.S.I. 2005/329) and the Beet Seed (Scotland) (No. 2) Regulations 2010 (S.S.I. 2010/148) ("the Seed Marketing Regulations"); and

— the Seed (Licensing and Enforcement etc.) (Scotland) Regulations 2016 (S.S.I. 2016/68) ("the 2016 Regulations").

Regulation 2(2) amends schedule 1 of the Principal Regulations (fees for matters relating to the Seed Marketing Regulations).

Regulation 2(3) amends schedule 2 of the Principal Regulations (fees for matters relating to the 2016 Regulations).

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