STATUTORY INSTRUMENTS

1990 No. 958

SEEDS

The Seed Potatoes (Fees) Regulations 1990

Made	*25th April 1990*
Laid before Parliament	*4th May 1990*
Coming into force	*25th May 1990*

The Minister of Agriculture, Fisheries and Food in relation to England and the Secretary of State in relation to Wales, in exercise of the powers conferred by section 16(1) and (1A)(e) of the Plant Varieties and Seeds Act 1964(a) and now vested in them(b), and of all other powers enabling them in that behalf, after consultation in accordance with section 16(1) of the said Act with representatives of such interests as appear to them to be concerned, hereby make the following Regulations:

Title and commencement

1. These Regulations may be cited as the Seed Potatoes (Fees) Regulations 1990 and shall come into force on 25th May 1990.

Revocation of previous Regulations

2. The Seed Potatoes (Fees) Regulations 1989(c) are hereby revoked.

Fees

3. There shall be paid in advance, in respect of the matters referred to in the first column of the Schedule hereto arising under the Seed Potatoes Regulations 1984(d), the fees respectively specified in the second column of the said Schedule opposite the references to those matters.

4. The said fees shall be payable to the Minister of Agriculture, Fisheries and Food (hereinafter referred to as "the Minister").

5. If an application for the classification of a crop of seed potatoes is withdrawn before the arrival of an inspector for the purpose of inspecting the crop for the first time any fee paid in respect of that crop in accordance with regulation 3 of these Regulations, less an amount of £5 in respect of each half-hectare or part thereof of that crop, shall be repaid to the applicant.

6. The Minister may refund in whole or in part fees paid under regulation 3 of these Regulations if, in his opinion, an effective health assessment of a crop or part of a crop is not possible for reasons beyond the control of the grower.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 25th April 1990.

L.S.

John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

Peter Walker
Secretary of State for Wales

24th April 1990

(a) 1964 c.14; section 16 was amended by the European Communities Act 1972 (c.68), Schedule 4, paragraph 5(1) and (2).
(b) In the case of the Secretary of State by virtue of S.I. 1978/272.
(c) S.I. 1989/632.
(d) S.I. 1984/412, amended by S.I. 1987/547, 1988/1759.

SCHEDULE

Regulation 3

Matter	*Total fee* *New fee*	*Old fee*
Crop inspection and provision of seals and labels in respect of crops for which an application has been made for classification as:		
	£	£(a)
A. Basic Seed Potatoes		
(a) VTSC class per half-hectare or part thereof	46.00	(44.00)
(b) Super Elite class per half-hectare or part thereof	41.50	(39.50)
Minimum fee	83.00	(79.00)
(c) Elite class per half-hectare or part thereof	40.50	(38.50)
Minimum fee	81.00	(77.00)
(d) AA class per half-hectare or part thereof	27.50	(26.50)
Minimum fee	55.00	(53.00)
B. Certified Seed Potatoes (that is to say CC class) per half-hectare or part thereof	27.00	(26.00)
Minimum fee	54.00	(52.00)

(a) The figures in parentheses are the fees which were charged under the Seed Potatoes (Fees) Regulations 1989 which are revoked by these Regulations.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which revoke and replace the Seed Potatoes (Fees) Regulations 1989, prescribe the fees payable in respect of certain matters arising under the Seed Potatoes Regulations 1984, as amended.

The fees for crop inspections have been increased by £2 per half-hectare or part thereof inspected for the VTSC, Super Elite and Elite classes and £1 for the AA and CC classes. In addition, the minimum fees payable for crop inspections have been increased by £4 for the Super Elite and Elite classes and £2 for the AA and CC classes (regulation 3 and Schedule).

The fee to be retained by the Minister of Agriculture, Fisheries and Food in respect of an application for the classification of a crop of seed potatoes which is withdrawn remains at £5 in respect of each half-hectare or part thereof of that crop (regulation 5).

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