STATUTORY INSTRUMENTS

1976 No. 1831

SEEDS

The Seeds (Fees) (No. 2) Regulations 1976

Made - - - -	1*st November* 1976
Laid before Parliament	11*th November* 1976
Coming into Operation	2*nd December* 1976

The Minister of Agriculture, Fisheries and Food and the Secretary of State for Scotland, acting jointly, in exercise of the powers vested in them by sections 16(1A)(*e*),(5)(*a*) and (8) of the Plant Varieties and Seeds Act 1964**(a)**, as amended by section 4(1) of and paragraph 5(1), (2) and (3) of Schedule 4 to the European Communities Act 1972**(b)**, and of all other powers enabling them in that behalf, after consultation with representatives of such interests as appear to them to be concerned, hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Seeds (Fees) (No. 2) Regulations 1976 and shall come into operation on 2nd December 1976.

Revocation of previous regulations

2. The Seeds (Fees) Regulations 1976**(c)** are hereby revoked.

Interpretation

3. The Interpretation Act 1889**(d)** shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament and as if these Regulations and the Regulations hereby revoked were Acts of Parliament.

Fees

4. There shall be paid in respect of matters arising under the Regulations referred to in the Schedules hereto or under any regulations amending or superseding them the fees respectively specified in the second column of each of the said Schedules opposite the references to such matters.

5.—(1) Subject to paragraph (2) of this Regulation any such fees in respect of matters arising in England and Wales shall be payable to the Minister of Agriculture, Fisheries and Food (hereinafter referred to as "the Minister") and any such fees in respect of matters arising in Scotland shall be payable to the Secretary of State.

(a) 1964 c. 14.
(b) 1972 c. 68.
(c) S.I. 1976/1389 (1976 II, p. 3791).
(d) 1889 c. 63.

(2) Where the inspection of a crop is undertaken by a licensed crop inspector, where the sampling of a seed lot is undertaken by a licensed seed sampler and where the testing of a sample of seeds is undertaken by a licensed seed testing station the fee for such inspection, sampling and testing shall be payable to the licensed crop inspector, the licensed seed sampler or the licensed seed testing station concerned.

6. The Minister or Secretary of State may exempt any person or class of persons or persons generally from compliance in whole or in part with the provisions of these Regulations in relation to payment of fees and any exemptions so made may be made subject to conditions.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 28th October 1976.

(L.S.)

John Silkin,
Minister of Agriculture, Fisheries and Food.

Bruce Millan,
Secretary of State for Scotland.

1st November 1976.

SCHEDULE 1

Matters arising under the Cereal Seeds Regulations 1976**(a)**

Matter	Fee
	£
Certification	
A. Basic seeds and pre-basic seeds:—	
i) initial fee,	
a) per half-hectare or part thereof	5·50
b) per acre or part thereof	4·45
ii) final fee (excluding the cost of testing the seed), per seed lot ...	28·00
iii) fee for re-sampling, per sample	13·00
B. Certified seeds of the first generation of wheat, barley and oats; and certified seed of rye and maize:—	
i) initial fee (excluding the cost of inspecting the crop),	
a) per half-hectare or part thereof	1·20
b) per acre or part thereof	0·97
ii) final fee (excluding the cost of sampling and testing the seed), per seed lot	15·00
iii) fee for inspection of the crop,	
a) per half-hectare or part thereof	1·50
b) per acre or part thereof	1·21
iv) fee for sampling, per sample...	13·00
C. Certified seeds of the second generation of wheat, barley and oats:—	
i) initial fee (excluding the cost of inspecting the crop),	
a) per half-hectare or part thereof	1·00
b) per acre or part thereof	0·81
ii) final fee (excluding the cost of sampling and testing the seed), per seed lot	10·00
iii) fee for inspection of the crop,	
a) per half-hectare or part thereof	1·50
b) per acre or part thereof	1·21
iv) fee for sampling, per sample...	13·00
D. Additional charges:—	
i) test for purity, germination and other seed content	
a) Minimum Standard	10·10
b) Higher Voluntary Standard	12·70
ii) special test to verify varietal authenticity	30·00
iii) fee for official mixture labels, per thousand	
a) adhesive labels	5·00
b) card labels	12·00

Provided that if an application for certification of seeds is withdrawn before such a date as may be specified by the Minister or the Secretary of State or before the crop has been inspected (whichever is the earlier) one half of the initial fee paid will be re-paid to the applicant.

(a) S.I. 1976/1133 (1976 II,p. 3085).

SCHEDULE 2

Matters arising under the Fodder Plant Seeds Regulations 1976(a)

Matter	Fee
	£
Certification	
A. Basic and pre-basic seeds of herbage and cruciferous species:—	
i) initial fee,	
a) per half-hectare or part thereof	3·00
b) per acre or part thereof	2·43
ii) final fee (excluding the cost of testing the seed), per seed lot ...	24·00
iii) fee for re-sampling, per sample	10·00
B. Basic and pre-basic seeds of field peas and field beans:—	
i) initial fee,	
a) per half-hectare or part thereof	2·00
b) per acre or part thereof	1·62
ii) final fee (excluding the cost of testing the seed), per seed lot ...	26·00
iii) fee for re-sampling, per sample	13·00
C. Certified seeds of herbage species:—	
i) initial fee,	
a) per half-hectare or part thereof	2·00
b) per acre or part thereof	1·62
ii) final fee (excluding the cost of sampling and testing the seed), per seed lot	13·00
iii) fee for sampling, per sample	10·00
D. Certified seeds of cruciferous species:—	
i) initial fee (excluding the cost of crop inspection),	
a) per half-hectare or part thereof	2·00
b) per acre or part thereof	1·62
ii) final fee (excluding the cost of sampling and testing the seed), per seed lot	13·00
iii) fee for inspection of the crop,	
a) per half-hectare or part thereof	1·50
b) per acre or part thereof	1·21
iv) fee for sampling, per sample	10·00
E. Certified seeds of field peas and field beans:—	
i) initial fee (excluding the cost of crop inspection),	
a) per half-hectare or part thereof	1·00
b) per acre or part thereof	0·81
ii) final fee (excluding the cost of sampling and testing the seed), per seed lot	13·00
iii) fee for inspection of the crop,	
a) per half-hectare or part thereof	1·50
b) per acre or part thereof	1·21
iv) fee for sampling, per sample	13·00
F. Commercial seeds:—	
i) fee (excluding the cost of sampling and testing the seed), per seed lot	13·00
ii) fee for sampling, per sample	13·00
G. Additional charges:—	
i) test of field beans for *Ascochyta fabae* on basic and pre-basic seeds	45·00
ii) test of lupin seeds of one colour for seeds of another colour ...	5·10
iii) test of sweet lupin seeds for bitter seeds	5·10
iv) test of seeds of fodder grasses for purity, germination and other seed content	15·30
v) test of seeds of fine grasses for purity, germination and other seed content	21·60

(a) S.I. 1976/1283 (1976 II, p. 3612).

SCHEDULE 2 (cont.)

Matter	Fee
	£
vi) test of seeds of clover for purity, germination and other seed content	12·70
vii) test of seeds of pulses for purity, germination and other seed content	9·00
viii) test of seeds of crucifers for purity, germination and other seed content	15·30
ix) special test to verify varietal authenticity	30·00
x) fee for official mixture labels, per thousand	
a) adhesive labels	5·00
b) card labels	12·00

Provided that if an application for certification of seeds is withdrawn before such a date as may be specified by the Minister or the Secretary of State or before the crop has been inspected (whichever is the earlier) one half of the initial fee paid will be repaid to the applicant.

SCHEDULE 3

Matters arising under the Beet Seeds Regulations 1976**(a)**

Matter	Fee
	£
Certification	
A. Basic and pre-basic seeds:—	
i) initial fee,	
a) per half-hectare or part thereof	5·00
b) per acre or part thereof	4·05
ii) final fee (excluding the cost of testing the seed), per seed lot ...	24·00
iii) fee for re-sampling, per sample	10·00
B. Certified seed:—	
i) initial fee (excluding the cost of inspecting the crop),	
a) per half-hectare or part thereof	2·00
b) per acre or part thereof	1·62
ii) final fee (excluding the cost of sampling and testing the seed), per seed lot	13·00
iii) fee for inspection of the crop,	
a) per half-hectare or part thereof	1·50
b) per acre or part thereof	1·21
iv) fee for sampling, per sample...	10·00
C. Additional charges:—	
i) test of monogerm seeds or precision seeds for the number of seedlings germinating from a cluster	7·50
ii) test for moisture content	1·20
iii) test for purity, germination and other seed content	11·40
iv) special test to verify varietal authenticity	30·00

Provided that if an application for certification of seeds is withdrawn before such a date as may be specified by the Minister or the Secretary of State or before the crop has been inspected (whichever is the earlier) one half of the initial fee paid will be repaid to the applicant.

(a) S.I. 1976/1068 (1976, II, p. 2773).

SCHEDULE 4

Matters arising under the Oil & Fibre Plant Seeds Regulations 1976(a)

Matter	Fee
	£
Certification	
A. Basic seeds and pre-basic seeds:—	
i) initial fee,	
a) per half-hectare or part thereof	5·00
b) per acre or part thereof	4·05
ii) final fee (excluding the cost of testing the seed), per seed lot ...	24·00
iii) fee for re-sampling, per sample	10·00
B. Certified seed:—	
i) initial fee (excluding the cost of inspecting the crop),	
a) per half-hectare or part thereof	2·00
b) per acre or part thereof	1·62
ii) final fee (excluding the cost of sampling and testing the seed), per seed lot	13·00
iii) fee for inspection of the crop,	
a) per half-hectare or part thereof	1·50
b) per acre or part thereof	1·21
iv) fee for sampling, per sample	10·00
C. Commercial seed:—	
i) fee (excluding the cost of sampling and testing the seed), per seed lot	13·00
ii) fee for sampling, per sample	13·00
D. Additional charges:—	
i) test for purity, germination and other seed content (including test of sunflower or swede rape for *sclerotinia sclerotiorum)* ...	11·50
ii) test of flax, linseed or sunflower for *Botrytis*	9·00
iii) test of flax or linseed for other diseases	9·00
iv) special test to verify varietal authenticity	30·00

Provided that if an application for certification of seeds is withdrawn before such a date as may be specified by the Minister or the Secretary of State or before the crop has been inspected (whichever is the earlier) one half of the initial fee paid will be re-paid to the applicant.

(a) S.I. 1976/1284 (1976 II, p. 3642).

SCHEDULE 5

Matters arising under the Vegetable Seeds Regulations 1975(a)

Matter	Fee
	£
Certification	
A. Basic and pre-basic seeds other than seeds of cucumber, gherkin and tomato:—	
i) initial fee,	
a) per half-hectare or part thereof	5·00
b) per acre or part thereof	4·05
ii) final fee (excluding the cost of testing the seed), per seed lot ...	24·00
iii) fee for re-sampling, per sample	10·00
B. Certified seeds other than seeds of cucumber, gherkin and tomato:—	
i) initial fee (excluding the cost of inspecting the crop),	
a) per half-hectare or part thereof	2·00
b) per acre or part thereof	1·62
ii) final fee (excluding the cost of sampling and testing the seed), per seed lot	13·00
iii) fee for inspection of the crop,	
a) per half-hectare or part thereof	1·50
b) per acre or part thereof	1·21
iv) fee for sampling, per sample...	10·00
C. Seeds of cucumber, gherkin and tomato:—	
i) Basic seeds—fee (excluding the cost of testing the seeds), per crop entry	32·00
ii) Certified seeds—fee (excluding the cost of inspecting the crop and sampling and testing the seed), per crop entry	32·00
iii) fee for inspection of the crop,	
a) per half-hectare or part thereof	1·50
b) per acre or part thereof	1·21
iv) fee for sampling or re-sampling, per sample	10·00
D. Additional charges:—	
i) tests for purity, germination and other seed content	9·00
ii) test for basic seeds of brassicas for *Phoma lingam*	9·00
iii) test of basic seeds of beets for *Phoma betae*	9·00
iv) test of basic and certified seeds of lettuce for lettuce mosaic virus	17·80
v) special test to verify varietal authenticity	30·00

Provided that if an application for certification of seeds is withdrawn before such a date as may be specified by the Minister or the Secretary of State or before the crop has been inspected (whichever is the earlier) one half of the crop entry fee in the case of cucumber, gherkin or tomato seeds and one half of the initial fee in the case of other seeds will be repaid to the applicant.

(a) S.I. 1975/1694 (1975 III, p. 5785).

SCHEDULE 6

Matters arising under The Seeds (Registration and Licensing) Regulations 1974(a)

Matter	Fee
	£
Seed Testing Stations	
A. Annual fee payable during the continuance of the licence (or a proportion thereof in respect of a fraction of a year)	700·00
B. Fee for each statutory test of a sample of:—	
i) cereal seeds	0·65
ii) fodder plant seeds	1·40
iii) beet seeds	1·80
iv) oil and fibre plant seeds	1·25
v) vegetable seeds	0·95

EXPLANATORY NOTE

(*This Note is not part of the* Regulations.)

These regulations supersede the Seeds (Fees) Regulations 1976.

These regulations prescribe fees in respect of matters arising under the Vegetable Seeds Regulations 1975, the Cereal Seeds Regulations 1976, the Fodder Plant Seeds Regulations 1976, the Beet Seeds Regulations 1976, the Oil and Fibre Plant Seeds Regulations 1976 and the Seeds (Registration and Licensing) Regulations 1974, or any regulations amending or superseding any of those regulations.

(a) S.I. 1974/760 (1974 I, p. 2914).

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