STATUTORY INSTRUMENTS

1978 No. 1010

SEEDS

The Seeds (Fees) Regulations 1978

Made - - - -	20*th July* 1978
Laid before Parliament	24*th July* 1978
Coming into Operation	1*st August* 1978

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers vested in them by section 16(1), (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**), article 2(3) of and Schedule 1 to the Transfer of Functions (Wales) (No. 1) Order 1978(**c**) 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) Regulations 1978 and shall come into operation on 1st August 1978.

Revocation of previous regulations

2. The Seeds (Fees) Regulations 1977(**d**) are hereby revoked.

Interpretation

3.—(1) In these regulations "the Minister" means, in relation to England, the Minister of Agriculture, Fisheries and Food, in relation to Scotland, the Secretary of State for Scotland, and in relation to Wales, the Secretary of State for Wales.

(2) The Interpretation Act 1889(**e**) shall apply for the interpretation of these regulations as it applies for 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 advance 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 or Wales shall be payable to the Minister of Agriculture, Fisheries and Food and any such fees in respect of matters arising in Scotland shall be payable to the Secretary of State for Scotland.

(**a**) 1964 c. 14.
(**b**) 1972 c. 68.
(**c**) S.I. 1978/272.
(**d**) S.I. 1977/1049.
(**e**) 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 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 17th July 1978.

(L.S.)

John Silkin,
Minister of Agriculture, Fisheries and Food

Bruce Millan,
Secretary of State for Scotland

19th July 1978.

John Morris,
Secretary of State for Wales

20th July 1978.

SCHEDULE 1

MATTERS ARISING UNDER THE CEREAL SEEDS REGULATIONS 1976(a)

MATTER	FEE
A. Initial fees	£
Initial fee payable on application for crops entered to produce:-	
(i) prebasic or basic seed, per half-hectare or part thereof entered	7.10
(ii) certified seed of the first generation of wheat, barley and oats and certified seed of rye and maize (excluding the cost of inspecting the crop), per half-hectare or part thereof entered	1.50
(iii) certified seed of the second generation of wheat, barley and oats (excluding the cost of inspecting the crop), per half-hectare or part thereof entered	1.30
Provided that if an application for entry of crops to produce (i) (ii) or (iii) is withdrawn before such a date as may be specified by the Minister or before the crop has been inspected (whichever is the earlier) one half of the initial fee paid will be repaid to the applicant.	
B. Crop inspection fees	
Fee on application for inspection of a crop entered to produce A(ii) or A(iii) above, per half-hectare or part thereof inspected	1.50
C. Seed lot fees	
Final fee payable per application for each seed lot entered for certification as:—	
(i) prebasic and basic seed (excluding testing the seed)	33.00
(ii) certified seed of the first generation of wheat, barley and oats and certified seed of rye and maize (excluding sampling and testing the seed)	18.70
(iii) certified seed of the second generation of wheat, barley and oats (excluding sampling and testing the seed)	11.60
D. Sampling fees	
(i) Fee for re-sampling of seed lots entered for certification under C(i) above, per sample	13.00
(ii) Fee for sampling of seed lots entered for certification under C(ii) and (iii) above, per sample	13.00
E. Additional charges	
(i) Fee for a test of seeds for purity, germination and other seed content to:—	
(a) Minimum standard	12.10
(b) Higher Voluntary Standard	15.20
(ii) Fee for a special test of seeds to verify varietal authenticity	38.50
(iii) Fee for official mixture labels, per thousand	
(a) adhesive labels	8.00
(b) card labels	17.00

(a) S.I. 1976/1133.

SCHEDULE 2

MATTERS ARISING UNDER THE FODDER PLANT SEEDS REGULATIONS 1976(a)

MATTER	FEE
A. Initial fees	£
Initial fee payable on application for crops entered to produce:-	
(i) prebasic or basic seed of herbage and cruciferous varieties, per half-hectare or part thereof entered	4.10
(ii) prebasic or basic seed of field peas and field beans, per half-hectare or part thereof entered	3.10
(iii) certified seed of herbage varieties, per half-hectare or part thereof entered	2.60
(iv) certified seed of cruciferous varieties (excluding the cost of inspecting the crop), per half-hectare or part thereof entered	2.55
(v) certified seed of the first, second and third generation of field peas and field beans (excluding the cost of inspecting the crop), per half-hectare or part thereof entered	1.70
Provided that if an application for entry of crops to produce (i) (ii) (iii) (iv) or (v) is withdrawn before such a date as may be specified by the Minister or before the crop has been inspected (whichever is the earlier) one half of the initial fee paid will be repaid to the applicant.	
B. Crop inspection fees	
Fee on application for inspection of a crop entered to produce A(iv) or A(v) above, per half-hectare or part thereof inspected	1.50
C. Seed lot fees	
Final fee payable per application for each seed lot entered for certification as:—	
(i) prebasic and basic seed of herbage and cruciferous varieties (excluding testing the seed)	27.50
(ii) prebasic and basic seed of field peas and field beans (excluding testing the seed)	30.00
(iii) certified seed of herbage and cruciferous varieties and certified seed of the first, second and third generation of field peas and field beans (excluding sampling and testing the seed)	17.00
(iv) Commercial seeds (excluding sampling and testing the seed)	16.50
D. Sampling fees	
(i) Fee for resampling of seed lots entered for certification under C(i) above, per sample	10.00
(ii) Fee for resampling of seed lots entered for certification under C(ii) above, per sample	13.00
(iii) Fee for sampling of seed lots of herbage and cruciferous varieties entered for certification under C(iii) above, per sample	10.00

(a) S.I. 1976/1283.

SCHEDULE 2 (*continued*)

MATTER	FEE
(iv) Fee for sampling of seed lots of field beans and field peas entered for certification under C(iii) above, per sample	£ 13.00
E. Additional charges	
(i) Fee for a test of seeds of prebasic or basic field beans for *Ascochyta fabae*	54.00
(ii) Fee for a test of seeds of lupins of one colour for seeds of another colour	6.15
(iii) Fee for a test of seeds of sweet lupin for bitter seeds	6.15
(iv) Fee for a test of seeds of fodder grasses for purity, germination and other seed content	18.25
(v) Fee for a test of seeds of fine grasses for purity, germination and other seed content	25.75
(vi) Fee for a test of seeds of clover for purity, germination and other seed content	15.20
(vii) Fee for a test of seeds of pulses for purity, germination and other seed content	10.80
(viii) Fee for a test of seeds of crucifers for purity, germination and other seed content	18.25
(ix) Fee for a special test of seeds to verify varietal authenticity	38.50
(x) Fee for examination of documents submitted with applications for imported seeds to be verified as being of Higher Voluntary Standard	4.00
(xi) Fee for official mixture labels, per thousand	
(a) adhesive labels	8.00
(b) card labels	17.00

SCHEDULE 3

MATTERS ARISING UNDER THE BEET SEEDS REGULATIONS 1976(a)

MATTER	FEE
A. Initial fees	£
Initial fee payable on application for crops entered to produce:-	
(i) prebasic or basic seed, per half-hectare or part thereof entered	6.60
(ii) certified seed, per half-hectare or part thereof entered...	2.55
Provided that if an application for entry of crops to produce (i) or (ii) is withdrawn before such a date as may be specified by the Minister or before the crop has been inspected (whichever is the earlier) one half of the initial fee paid will be repaid to the applicant.	
B. Crop inspection fees	
Fee on application for inspection of a crop entered to produce A(ii) above, per half-hectare or part thereof inspected	1.50
C. Seed lot fees	
Final fee payable per application for each seed lot entered for certification as:—	
(i) prebasic and basic seed (excluding testing the seed)	27.50
(ii) certified seed (excluding sampling and testing the seed)	16.50
D. Sampling fees	
(i) Fee for resampling of seed lots entered for certification under C(i) above, per sample	10.00
(ii) Fee for sampling of seed lots entered for certification under C(ii) above, per sample	10.00
E. Additional charges	
(i) Fee for a test of monogerm seed or precision seeds for the number of seedlings germinating from a cluster	9.00
(ii) Fee for a test of seeds for moisture content	1.45
(iii) Fee for a test of seeds for purity, germination and other seed content	13.65
(iv) Fee for a special test of seeds to verify varietal authenticity	38.50

(a) S.I. 1976/1068.

SCHEDULE 4

MATTERS ARISING UNDER THE OIL AND FIBRE PLANT SEEDS REGULATIONS 1976(a)

MATTER	FEE
A. Initial fees	£
Initial fee payable on application for crops entered to produce:-	
(i) prebasic or basic seed, per half-hectare or part thereof entered	6.60
(ii) certified seed, per half-hectare or part thereof entered...	2.55
Provided that if an application for entry of crops to produce (i) or (ii) is withdrawn before such a date as may be specified by the Minister or before the crop has been inspected (whichever is the earlier) one half of the initial fee paid will be repaid to the applicant.	
B. Crop inspection fees	
Fee on application for inspection of a crop entered to produce A(ii) above, per half-hectare or part thereof inspected	1.50
C. Seed lot fees	
Final fee payable per application for each seed lot entered for certification as:—	
(i) prebasic and basic seed (excluding testing the seed)	27.50
(ii) certified seed (excluding sampling and testing the seed)	16.50
(iii) commercial seed (excluding sampling and testing the seed)	16.50
D. Sampling fees	
(i) Fee for resampling of seed lots entered for certification under C(i) above, per sample	10.00
(ii) Fee for sampling of seed lots entered for certification under C(ii) and (iii) above, per sample	10.00
E. Additional charges	
(i) Fee for a test of seeds for purity, germination and other seed content (including a test of sunflower or swede rape for *Sclerotinia sclerotiorum*)	13.65
(ii) Fee for a test of seeds of flax, linseed or sunflower for *Botrytis*	10.80
(iii) Fee for a test of seeds of flax or linseed for other diseases	10.80
(iv) Fee for a special test of seeds to verify varietal authenticity	38.50

(a) S.I. 1976/1284.

SCHEDULE 5

MATTERS ARISING UNDER THE VEGETABLE SEEDS REGULATIONS 1975(a)

MATTER	FEE
A. Initial fees	£
Initial fee payable on application for crops entered to produce:-	
(i) prebasic and basic seed, other than that of cucumber, gherkin and tomato, per half-hectare or part thereof entered	6.60
(ii) prebasic and basic seed of cucumber, gherkin and tomato (excluding testing the seed), per crop entered	38.50
(iii) certified seed, other than that of cucumber, gherkin and tomato (excluding the cost of inspecting the crop), per half-hectare or part thereof entered	2.55
(iv) certified seed of cucumber, gherkin and tomato (excluding the cost of inspecting the crop, sampling and testing the seed), per crop entered	38.50
Provided that if an application for entry of crops to produce (i) (ii) (iii) or (iv) is withdrawn before such a date as may be specified by the Minister 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.	
B. Crop inspection fees	
Fee on application for inspection of a crop entered to produce A(iii) or (iv) above, per half-hectare or part thereof entered	1.50
C. Seed lot fees	
Final fee payable per application for each seed lot entered for certification as:—	
(i) prebasic and basic seed, other than that of cucumber, gherkin and tomato (excluding testing the seed)	27.50
(ii) certified seed, other than that of cucumber, gherkin and tomato (excluding sampling and testing the seed)	16.50
D. Sampling fees	
(i) Fee for re-sampling of seed lots entered for certification under C(i) above, per sample	10.00
(ii) Fee for sampling of seed lots entered for certification under C(ii) above, per sample	10.00
E. Additional charges	
(i) Fee for a test of seeds for purity, germination and other seed content	10.80
(ii) Fee for a test of basic seeds of brassicas for *Phoma lingam*	10.80
(iii) Fee for a test of basic seeds of beet for *Phoma betae*	10.80
(iv) Fee for a test of seeds of lettuce for lettuce mosaic virus	21.50
(v) Fee for a special test of seeds to verify varietal authenticity	38.50

(a) S.I. 1975/1694.

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).....	800.00
B. Fee for each statutory test of a sample of:—	
(i) cereal seeds.....	0.80
(ii) fodder plant seeds.....	1.65
(iii) beet seeds	2.00
(iv) oil and fibre plant seeds.....	1.50
(v) vegetable seeds	1.15

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations supersede the Seeds (Fees) Regulations 1977.

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.

SI 1978/1010
ISBN 0-11-084010-0

