1986 No. 261

SEEDS

Seeds (Fees) Regulations (Northern Ireland) 1986

Made	*6th August 1986*
Coming into operation . . .	*10th September 1986*

The Department of Agriculture, in exercise of the powers conferred on it by sections 1(1), 1(2A)(**a**), 2(2) and (4) of the Seeds Act (Northern Ireland) 1965(**b**) and of every other power enabling it in that behalf, after consultation with representatives of such interests as appear to it to be concerned and with the approval of the Department of Finance and Personnel with regard to the licensing fee for licensed testing establishments, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Seeds (Fees) Regulations (Northern Ireland) 1986 and shall come into operation on 10th September 1986.

Revocation

2. The Seeds (Fees) Regulations (Northern Ireland) 1985(**c**) are hereby revoked.

Fees

3.—(1) There shall be paid in advance in respect of matters arising under the regulations referred to in Schedules 1 to 6 the fees set out in the second column of each of those Schedules opposite the respective references to such matters in the first column of each of such Schedules.

(2) The Department shall repay to an applicant one-half of any initial fee paid by an applicant in accordance with Schedules 1 to 5 if the application in respect of which the initial fee was paid is withdrawn by the applicant before the date of inspection of the crop in respect of which the application was made.

Persons to whom fees are payable

4.—(1) Where—

(*a*) the inspection of a crop is undertaken by a licensed crop inspector; or

(*b*) the sampling of a seed lot is undertaken by a licensed seed sampler; or

(*c*) a testing of a sample of seeds is undertaken by a licensed testing establishment;

the fees for such inspection, sampling or testing shall be payable to the licensed crop inspector, the licensed seed sampler or the licensed testing establishment as the case may be.

(2) In sub-paragraphs (*a*) and (*b*) of paragraph (1) "licensed" means licensed under regulation 8 of the Seeds (Registration and Licensing) Regulations (Northern Ireland) 1974(**d**).

(**a**) As inserted by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 3
(**b**) 1965 c. 22 (N.I.)
(**c**) S.R. 1985 No. 219
(**d**) S.R. 1974 No. 146

Exemption

5. The Department may exempt any person or class of persons or persons generally from compliance with any of the provisions of these regulations and the exemptions may be made subject to conditions.

Sealed with the Official Seal of the Department of Agriculture on 6th August 1986.

(L.S.) *B. R. Cummings*
Assistant Secretary

The Department of Finance and Personnel hereby approves the foregoing regulations in regard to the licensing fee for licensed testing establishments.

Sealed with the Official Seal of the Department of Finance and Personnel on 6th August 1986.

(L.S.) *J. G. Hunter*
Assistant Secretary

SCHEDULE 1

Matters arising under the Cereal Seeds Regulations (Northern Ireland) 1976(a)

Matter	*Fee*	
A. Initial fees	£	£(b)
Initial fee per half-hectare or part thereof, payable on application for crops entered to produce:—		
(i) pre-basic or basic seed ...	9·85	(9·50)
(ii) certified seed of the first generation of wheat, barley and oats and certified seed of rye and maize ...	2·55	(2·50)
(iii) certified seed of the second generation of wheat, barley and oats ...	2·00	(1·95)
B. Crop inspection fees		
Fee on application for inspection or re-inspection of a crop entered to produce seed as set out in A(i), (ii) or (iii) per half-hectare or part thereof inspected ...	3·70	(3·55)
C. Seed lot fees		
Fee payable (excluding sampling and testing of seed) per application for each seed lot entered as:—		
(i) breeder's seed ...	16·00	(15·45)
(ii) pre-basic and basic seed ...	39·70	(38·35)
(iii) certified seed of the first generation of wheat, barley and oats and certified seed of rye and maize ...	30·60	(29·55)
(iv) certified seed of the second generation of wheat, barley and oats ...	15·10	(14·60)
D. Sampling fees		
Fee for sampling or re-sampling of seed lots entered as at C(i), (ii), (iii) or (iv) and for sampling or re-sampling of lots of imported seed intended to be sown to produce seed as set out in C(ii), (iii) or (iv), per sample ...	18·50	(17·85)
E. Additional charges		
(i) Fee for a test of seeds for purity, germination and other seed content to:—		
(*a*) Minimum standard ...	29·30	(27·90)
(*b*) Higher Voluntary Standard ...	37·10	(35·30)
(ii) Fee for a special test of seeds to verify varietal identity ...	86·35	(82·20)
(iii) Fee for embryo test for loose smut, per thousand embryos tested ...	20·60	(19·60)
(iv) Fee for tear resistant labels other than for mixtures per thousand ...	10·35	(10·00)

(a) S.R. 1976 No. 300 as amended by S.R. 1979 No. 419
(b) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1985 (S.R. 1985 No. 219)

Matter		*Fee*	
(v) Fee for official mixture labels, per thousand:—			
(*a*) adhesive labels	...	13·60	(13·15)
(*b*) card labels	...	22·35	(21·60)
(*c*) tear resistant labels	...	32·70	(31·60)

SCHEDULE 2

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

Matter	*Fee*	
A. Initial fees	£.	£(b)
Initial fee per half-hectare or part thereof, payable on application for crops entered to produce:—		
(i) pre-basic or basic seed of cruciferous varieties ...	4·95	(4.80)
(ii) pre-basic or basic seed of herbage varieties ...	4·40	(4·25)
(iii) pre-basic or basic seed of field peas and field beans ...	6·70	(6·45)
(iv) certified seed of herbage varieties ...	1·85	(1·80)
(v) certified seed of cruciferous varieties ...	4·40	(4·25)
(vi) certified seed of the first, second and third generation of field peas and field beans ...	2·75	(2.65)
B. Crop inspection fees		
Fee on application for inspection or re-inspection of a crop entered to produce seed as set out in A(i), (ii), (iii), (iv), (v) or (vi) per half-hectare or part thereof inspected ...	3·70	(3·55)
C. Seed lot fees		
Fee payable (excluding sampling and testing of seed) per application for each seed lot entered as:—		
(i) breeder's seed of herbage and cruciferous varieties ...	15·95	(15·40)
(ii) breeder's seed of field peas and field beans ...	15·95	(15·40)
(iii) pre-basic and basic seed of herbage and cruciferous varieties ...	29·55	(28·55)
(iv) pre-basic and basic seed of field peas and field beans ...	44·35	(42·85)
(v) certified seed of herbage and cruciferous varieties ...	28·75	(27·75)
(vi) certified seed of the first, second and third generation of field peas and field beans ...	40·95	(39·55)
(vii) commercial seeds ...	26·75	(25·85)
D. Sampling fees		
(i) Fee for sampling or re-sampling of seed lots entered as at C(i), (ii), (iii), (iv), (v) or (vi) and for sampling of lots of imported seed intended to be sown to produce seed as set out in C(iii), (iv), (v) or (vi) per sample ...	18·50	(17·85)

(a) S.R. 1976 No. 299

(b) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1985 (S.R. 1985 No. 219)

Matter	*Fee*	
(ii) Fee for sampling or re-sampling of commercial seed of herbage, cruciferous and field bean varieties and for sampling of imported seed of herbage, cruciferous and field bean varieties intended to be sown to produce commercial seed, per sample ...	18·50	(17·85)
E. Additional charges		
(i) Fee for a test of seeds of field beans for *Ascochyta fabae*:—		
(*a*) pre-basic or basic seed ...	118·20	(112·50)
(*b*) certified seed of the first generation ...	59·10	(56·25)
(ii) Fee for a test of seeds of lupins of one colour for seeds of another colour ...	15·05	(14·30)
(iii) Fee for a test of seeds of sweet lupin for bitter seeds ...	15·05	(14·30)
(iv) Fee for a test of seeds of grasses (except Timothy) for purity, germination and other seed content ...	52·50	(50·00)
(v) Fee for a test of seeds of Timothy grass for purity, germination and other seed content ...	38·75	(36·90)
(vi) Fee for a test of seeds of clover for purity, germination and other seed content ...	36·75	(35·00)
(vii) Fee for a test of seeds of pulses for purity, germination and other seed content ...	29·75	(28·30)
(viii) Fee for a test of seeds of crucifers for purity, germination and other seed content ...	39·40	(37·50)
(ix) Fee for a special test of seed to verify varietal identity ...	86·35	(82·20)
(x) Fee for examination of documents submitted with applications for imported seeds to be verified as being of a Higher Voluntary Standard ...	6·00	(5·75)
(xi) Fee for tear resistant labels other than that for mixtures per thousand ...	10·35	(10·00)
(xii) Fee for official mixture labels, per thousand:—		
(*a*) adhesive labels ...	13·60	(13·15)
(*b*) card labels ...	22·35	(21·60)
(*c*) tear resistant labels ...	32·70	(31·60)

SCHEDULE 3

Matters arising under the Beet Seeds Regulations (Northern Ireland) 1976(a)

Matter	*Fee*	
A. Initial fees	£	£(b)
Initial fee per half-hectare or part thereof, payable on application for crops entered to produce:—		
(i) pre-basic or basic seed ...	11·75	(11·35)
(ii) certified seed ...	4·95	(4·80)
B. Crop inspection fees		
Fee on application for inspection or re-inspection of a crop entered to produce seed as set out in A(i) or (ii) per half-hectare or part thereof inspected ...	3·70	(3·55)
C. Seed lot fees		
Fee payable (excluding sampling and testing of seed) per application for each seed lot entered as:—		
(i) pre-basic and basic seed ...	39·95	(38·60)
(ii) certified seed ...	37·70	(36·40)
D. Sampling fees		
Fee for sampling or re-sampling of seed lots entered as at C(i) or (ii) and for sampling of lots of imported seed intended to be sown to produce seed as set out in C(i) or (ii) per sample ...	18·50	(17·85)
E. Additional charges		
(i) Fee for a test of monogerm seed or precision seeds for the number of seedlings germinating from a cluster ...	21·95	(20·90)
(ii) Fee for a test of seeds for moisture content ...	3·90	(3·70)
(iii) Fee for a test of seeds for purity, germination and other seed content ...	36·15	(34·40)
(iv) Fee for a special test of seeds to verify varietal identity ...	86·35	(82·20)

(a) S.R. 1976 No. 296
(b) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1985 (S.R. 1985 No. 219)

SCHEDULE 4

Matters arising under the Oil and Fibre Plant Seeds Regulations (Northern Ireland) 1976(a)

Matter	*Fee*	
A. Initial fees	£	£(b)
Initial fee per half-hectare or part thereof, payable on application for crops entered to produce:—		
(i) pre-basic or basic seed ...	11·75	(11·35)
(ii) certified seed ...	4·95	(4·80)
B. Crop inspection fees		
Fee on application for inspection or re-inspection of a crop entered to produce seed as set out in A(i) or (ii) per half-hectare or part thereof inspected ...	3·70	(3·55)
C. Seed lot fees		
Fee payable (excluding sampling and testing of seed) per application for each seed lot entered as:—		
(i) pre-basic and basic seed ...	39·95	(38·60)
(ii) certified seed ...	37·70	(36·40)
(iii) commercial seed ...	37·70	(36·40)
D. Sampling fees		
Fee for sampling or re-sampling of seed lots entered as at C(i), (ii) or (iii) and for sampling of lots of imported seed intended to be sown to produce seed as set out in C(i), (ii) or (iii) per sample ...	18·50	(17·85)
E. Additional charges		
(i) Fee for a test of seeds for purity, germination and other seed content (including a test for sunflower or swede rape for *Sclerotinia sclerotiorum*) ...	33·30	(31·70)
(ii) Fee for a test of seeds of flax, linseed or sunflower for *Botrytis* ...	23·65	(22·50)
(iii) Fee for a test of seeds of flax or linseed for other diseases ...	23·65	(22·50)
(iv) Fee for a special test of seeds to verify varietal identity ...	86·35	(82·20)

(a) S.R. 1976 No. 298
(b) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1985 (S.R. 1985 No. 219)

SCHEDULE 5

Matters arising under the Vegetable Seeds Regulations (Northern Ireland) 1976(a)

Matter	*Fee*	
A. Initial fees	£	£(b)
Initial fee payable on application for crops entered to produce:—		
(i) pre-basic and basic seed, other than that of peas, broad beans, cucumber, gherkin and tomato, per half-hectare or part thereof entered ...	11·75	(11·35)
(ii) pre-basic and basic seed of peas and broad beans, per half-hectare or part thereof entered ...	6·70	(6·45)
(iii) pre-basic and basic seed of cucumber, gherkin and tomato, per crop entered ...	122·00	(117·85)
(iv) certified seed, other than that of peas, broad beans, cucumber, gherkin and tomato, per half-hectare or part thereof entered ...	4·95	(4·80)
(v) certified seed of peas and broad beans, per half-hectare or part thereof entered ...	2·75	(2·65)
(vi) certified seed of cucumber, gherkin and tomato, per crop entered ...	122·00	(117·85)
B. Crop inspection fees		
Fee on application for inspection or re-inspection of a crop entered to produce:—		
(i) seed set out as in A(i), (ii), (iv) or (v) per half-hectare or part thereof entered ...	3·70	(3·55)
(ii) seed set out as in A(iii) or (vi) above per crop ...	3·70	(3·55)
C. Seed lot fees		
Fee (excluding sampling and testing of seed), payable per application for each seed lot entered as:—		
(i) pre-basic and basic seed, other than that of peas, cucumber, gherkin and tomato ...	39·95	(38·60)
(ii) pre-basic and basic seed of peas ...	44·35	(42·85)
(iii) certified seed, other than that of peas, cucumber, gherkin and tomato ...	37·70	(36·40)
(iv) certified seed of peas ...	40·95	(39·55)
D. Sampling fees		
Fee for sampling or re-sampling of seed lots entered as at C(i), (ii), (iii) or (iv) and for sampling of lots of imported seed intended to be sown to produce seed as set out in C(i), (ii), (iii) or (iv) above ...	18·50	(17·85)

(a) S.R. 1976 No. 297

(b) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1985 (S.R. 1985 No. 219)

Matter	*Fee*	
E. Additional charges		
Fee for a test for:—		
(i) Purity, germination and other seed content ...	29·75	(28·30)
(ii) Varietal identity ...	86·35	(82·20)
(iii) *Phoma lingam* (Canker) in pre-basic or basic seeds of brassicas ...	23·65	(22·50)
(iv) *Phoma betae* (Blackleg) in pre-basic or basic seeds of beet ...	27·45	(26·10)
(v) Lettuce mosaic virus in pre-basic, basic and certified seeds of lettuce ...	41·60	(39·60)

SCHEDULE 6

Matters arising under the Seeds (Registration and Licensing) Regulations (Northern Ireland) 1974(a)

Matter	*Fee*	
Seed Testing Stations	£	£(b)
A. Annual fee payable during the continuance of the licence (or a proportion thereof in respect of a fraction of a year) ...	1,465·00	(1,410·00)
B. Fee for each statutory test of a sample of:—		
(i) cereal seeds ...	3·25	(3·15)
(ii) fodder plant seeds ...	3·25	(3·15)
(iii) beet seeds ...	3·25	(3·15)
(iv) oil and fibre plant seeds ...	3·25	(3·15)
(v) vegetable seeds ...	3·25	(3·15)

(a) S.R. 1974 No. 146
(b) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1985 (S.R. 1985 No. 219)

EXPLANATORY NOTE

(This note is not part of the Regulations.)

Regulations controlling the marketing of cereal seeds, fodder plant seeds, beet seeds, oil and fibre plant seeds, and vegetable seeds provide that seeds of these categories may only be marketed if they are derived from crops which on inspection are found to meet certain standards and if upon subsequent testing samples of the seed also meet certain standards.

These regulations which are made under the Seeds Act (Northern Ireland) 1965 increase the fees for seed certification and licences for seed testing. They supersede the Seeds (Fees) Regulations (Northern Ireland) 1985.