# 1990 No. 193

## SEEDS

## Seeds (Fees) Regulations (Northern Ireland) 1990

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| *Made* . . . . . | *23rd May 1990* |
| *Coming into operation* . . | *28th June 1990* |

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(**c**) 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) 1990 and shall come into operation on 28th June 1990.

*Revocation*

**2.** The Seeds (Fees) Regulations (Northern Ireland) 1987(**d**) are hereby revoked.

*Fees*

**3.** Subject to the provisions of these Regulations there shall be paid in advance to the Department 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 those Schedules.

*Exemption*

**4.** 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.

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(**a**) As inserted by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 3
(**b**) 1965 c. 22 (N.I.)
(**c**) Formerly the Department of Finance: *see* S.I. 1982/338 (N.I. 6) Art. 3
(**d**) S.R. 1987 No. 321

Sealed with the Official Seal of the Department of Agriculture on 23rd May 1990.

(L.S.) *I. C. Henderson*
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 23rd May 1990.

(L.S.) *R. Miller*
Assistant Secretary

SCHEDULE 1

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

| *Matter* | *Fee* | |
|---|---|---|
| A. Initial fees | £ | £(b) |
| Initial fee per hectare or part thereof, payable on application for crops entered to produce:— | | |
| (i) pre-basic or basic seed ..... | 20·00 | (10·20 or 20·40) |
| (ii) certified seed of the first generation of wheat, barley and oats and certified seed of rye and maize ..... | 5·00 | (2·90 or 5·80) |
| (iii) certified seed of the second generation of wheat, barley and oats ..... | 4·20 | (2·35 or 4·70) |
| 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 hectare or part thereof inspected ..... | 7·80 | (3·90 or 7·80) |
| C. Seed lot fees | | |
| Fee payable per application for each seed lot entered for certification as:— | | |
| (i) breeder's, pre-basic, basic, certified seed of the first generation of wheat, barley and oats and certified seed of rye and maize ..... | 32·00 | (16·80 to 42·45) |
| (ii) certified seed of the second generation of wheat, barley and oats ..... | 15·95 | (17·85) |
| D. Seed testing fees | | |
| Fee for an official examination of seed for loose smut infection of wheat and barley (per thousand embryos examined) ..... | 25·50 | (21·65) |

(a) S.R. 1976 No. 300 as amended by S.R. 1979 No. 419 and S.R. 1988 No. 317

(b) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1987 (S.R. 1987 No. 321) — in the case of fees which are charged on the basis of a hectare or part thereof, the equivalent fees under S.R. 1987 No. 321 were charged on the basis of half a hectare or part thereof

SCHEDULE 2

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

| *Matter* | *Fee* | |
|---|---|---|
| A. Initial fees | £ | £(b) |
| Initial fee per hectare or part thereof, payable on application for crops entered to produce:— | | |
| (i) pre-basic or basic seed ..... | 12·00 | (4·75 to 14·10) |
| (ii) certified seed of grasses, legumes (except field beans and field peas) and crucifers ..... | 5·60 | (2·20 to 9·50) |
| (iii) certified seed of the first and second generation of field beans and field peas ..... | 5·50 | (3·10 or 6·20) |
| 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 hectare or part thereof inspected ..... | 7·80 | (3·90 or 7·80) |
| C. Seed lot fees | | |
| Fee payable per application for each seed lot entered for certification as:— | | |
| (i) breeder's seed of grasses, legumes (except field beans and field peas) and crucifers ..... | 20·50 | (16·75) |
| (ii) breeder's seed of field beans and field peas ..... | 39·00 | (16·75) |
| (iii) pre-basic and basic seed of grasses, legumes (except field beans and field peas) and crucifers ..... | 40·50 | (32·30) |
| (iv) pre-basic and basic seed of field beans and field peas ..... | 39·00 | (47·10) |
| (v) certified seed of grasses, legumes (except field beans and field peas) and crucifers ..... | 38·50 | (31·50) |
| (vi) certified seed of the first and second generation of field beans and field peas ..... | 36·00 | (43·70) |
| (vii) commercial seeds ..... | 38·50 | (29·50) |

(a) S.R. 1976 No. 299 as amended by S.R. 1977 No. 232

(b) The figures in brackets are the fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1987 (S.R. 1987 No. 321) — in the case of fees which are charged on the basis of a hectare or part thereof, the equivalent fees under S.R. 1987 No. 321 were charged on the basis of half a hectare or part thereof

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|---|---|---|
| D. Seed testing fees | | |
| (i) Fee for a test of seeds of field beans for *Ascochyta fabae*:— | | |
| (*a*) pre-basic or basic seed ..... | 142·00 | (124·10) |
| (*b*) certified seed of the first generation ..... | 76·00 | (62·05) |
| (ii) Fee for a test of seeds of field peas for *Pseudomonas syringae p.v. pisi* ..... | 56·00 | |

SCHEDULE 3

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

| *Matter* | *Fee* | |
|---|---|---|
| A. Initial fees | £ | £(b) |
| Initial fee per hectare or part thereof, payable on application for crops entered to produce:— | | |
| (i) pre-basic or basic seed ..... | 22·00 | (12·10 or 24·20) |
| (ii) all other categories of seed ..... | 10·00 | (5·30 or 10·60) |
| 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 hectare or part thereof inspected ..... | 7·80 | (3·90 or 7·80) |
| C. Seed lot fees | | |
| Fee payable per application for each seed lot entered for certification as:— | | |
| (i) pre-basic and basic seed ..... | 39·00 | (42·70) |
| (ii) all other categories of seed ..... | 38·00 | (40·45) |
| D. Seed testing fees | | |
| (i) Fee for a test of seeds of sunflower for *Botrytis* spp ..... | 30·50 | (24·85) |
| (ii) Fee for a test of seeds of flax and linseed for:— | | |
| (*a*) *Alternaria* spp<br>(*b*) *Phoma exigua* var. *linicola*<br>(*c*) *Colletotrichum lini*<br>(*d*) *Fusarium* spp<br>(*e*) *Botrytis* spp | 24·85 | (24·85) |

(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) 1987 (S.R. 1987 No. 321) — in the case of fees which are charged on the basis of a hectare or part thereof, the equivalent fees under S.R. 1987 No. 321 were charged on the basis of half a hectare or part thereof

SCHEDULE 4

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

| *Matter* | *Fee* | |
|---|---|---|
| A. Initial fees | £ | £(b) |
| Initial fee per hectare or part thereof, payable on application for crops entered to produce:— | | |
| (i) pre-basic or basic seed ..... | 25·00 | (12·10 or 24·20) |
| (ii) certified seed ..... | 11·00 | (5·30 or 10·60) |
| 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 hectare or part thereof inspected ..... | 7·80 | (3·90 or 7·80) |
| C. Seed lot fees | | |
| Fee payable per application for each seed lot entered for certification as:— | | |
| (i) pre-basic and basic seed ..... | 44·20 | (42·70) |
| (ii) certified seed ..... | 41·90 | (40·45) |

(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) 1987 (S.R. 1987 No. 321) — in the case of fees which are charged on the basis of a hectare or part thereof, the equivalent fees under S.R. 1987 No. 321 were charged on the basis of half a hectare or part thereof

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 hectare or part thereof entered ..... | 35·00 | (12·10 or 24·20) |
| (ii) pre-basic and basic seed of peas and broad beans, per hectare or part thereof entered ..... | 22·00 | (7·05 or 14·10) |
| (iii) pre-basic and basic seed of cucumber, gherkin and tomato, per crop entered ..... | 35·00 | (126·05) |
| (iv) certified seed, other than that of peas, broad beans, cucumber, gherkin and tomato, per hectare or part thereof entered ..... | 19·00 | (5·30 or 10·60) |
| (v) certified seed of peas and broad beans, per hectare or part thereof entered ..... | 9·00 | (3·10 or 6·20) |
| (vi) certified seed of cucumber, gherkin and tomato, per crop entered ..... | 19·00 | (126·05) |
| B. Crop inspection fees | | |
| Fee on application for inspection or re-inspection of a crop entered to produce:— | | |
| (i) seed as set out in A(i), (ii), (iv) or (v) per hectare or part thereof entered ..... | 7·80 | (3·90 or 7·80) |
| (ii) seed as set out in A(iii) or (vi) above per crop ..... | 7·80 | (3·90) |
| C. Seed lot fees | | |
| Fee payable per application for each seed lot entered for certification ..... | 80·00 | (40·45 to 47·10) |

(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) 1987 (S.R. 1987 No. 321) — in the case of fees which are charged on the basis of a hectare or part thereof, the equivalent fees under S.R. 1987 No. 321 were charged on the basis of half a hectare or part thereof

SCHEDULE 6

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

| *Matter* | *Fee* | |
|---|---|---|
| Licensed Testing Establishments | £ | £(b) |
| A. Annual fee payable during the currency of the licence (or a proportion thereof in respect of a fraction of a year) | 1,538·25 | (1,538·25) |
| B. Fee payable by a person maintaining a Licensed Testing Establishment in respect of an official examination of seed | 3·75 | (3·40) |

(a) S.R. 1974 No. 146 as amended by S.R. 1975 No. 152
(b) The figures in brackets are the equivalent fees which were charged by virtue of the Seeds (Fees) Regulations (Northern Ireland) 1987 (S.R. 1987 No. 321)

## 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 (''seeds regulations'') provide that, with certain exceptions, 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 prescribe revised fees for seed certification and licences for seed testing. They supersede the Seeds (Fees) Regulations (Northern Ireland) 1987.

Fees are no longer prescribed in respect of certain matters arising under seeds regulations, in particular for the sampling (or re-sampling) of a seed lot for the purposes of an official examination, for an official examination for analytical purity, germination and other seed content, for a special test to verify varietal identity and for the issue of certain official labels.

The Regulations also provide for initial fees and crop inspection fees, other than in respect of cucumber, gherkin and tomato, to be charged on the basis of a full hectare or part thereof (previously these were chargeable on the basis of a half-hectare or part thereof).

Combined fees (payable on crop entry) were previously prescribed for cucumber, gherkin and tomato which covered crop entry, seed lot fees and sampling fees. Separate crop entry and seed lot fees are prescribed for these species at Schedule 5.

Provision is no longer included requiring the Department of Agriculture to make, in certain circumstances, a refund of one half of an initial fee which has been paid to it or requiring fees to be paid to persons or bodies other than the Department.