STATUTORY INSTRUMENTS

1984 No. 243

SEEDS

The Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1984

Made - - - -	*29th February* 1984
Laid before Parliament	*9th March* 1984
Coming into Operation	*1st April* 1984

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland, the Secretary of State for Wales and the Secretary of State for Northern Ireland, acting jointly, in exercise of the powers conferred by section 16(1), (1A)(*e*) and (8) of the Plant Varieties and Seeds Act 1964(**a**) and now vested in them(**b**), and extended to Northern Ireland(**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 in accordance with section 16(1) of the said Act, hereby make the following regulations:—

Title and commencement

1. These regulations may be cited as the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1984 and shall come into operation on 1st April 1984.

Amendment of principal regulations

2. For the Schedule to the Seeds (National Lists of Varieties) (Fees) Regulations 1980(**d**) there shall be substituted the Schedule to these regulations.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 22nd February 1984.

L.S.

John MacGregor,
Minister of State,
Ministry of Agriculture, Fisheries and Food.

(**a**) 1964 c. 14; section 16 was amended by the European Communities Act 1972 (c. 68), section 4(1) and Schedule 4, paragraph 5(1), (2) and (3).
(**b**) In the case of the Secretary of State for Wales, by virtue of S.I. 1978/272.
(**c**) By the Plant Varieties and Seeds (Northern Ireland) Order 1973 (S.I. 1973/609).
(**d**) S.I. 1980/330; relevant amending instruments are S.I. 1983/293, 1500.

George Younger,
Secretary of State for Scotland.

23rd February 1984.

Nicholas Edwards,
Secretary of State for Wales.

23rd February 1984.

James Prior,
Secretary of State for Northern Ireland.

29th February 1984.

SCHEDULE

Regulation 2.

SCHEDULE TO BE SUBSTITUTED FOR THE SCHEDULE TO THE SEEDS (NATIONAL LISTS OF VARIETIES) (FEES) REGULATIONS 1980

"SCHEDULE

Regulation 4.

PART I

Fees payable in the circumstances specified in these regulations in respect of tests of a plant variety which is the subject of an application for addition to a National List.

Matter	When payable	Amount	
		New fee	Old fee
		£	£(a)
Tests for distinctness, uniformity and stability of—	Within 14 days of demand by the Minister		
a cereal variety			
(i) first year of a testing cycle		525	(*525*)
(ii) a subsequent year of a testing cycle		485	(*485*)

(a) The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1983 (S.I. 1983/293), as amended by the Seeds (National Lists of Varieties) (Fees) (Amendment No. 2) Regulations 1983 (S.I. 1983/1500).

PART I

Fees payable in the circumstances specified in these regulations in respect of tests of a plant variety which is the subject of an application for addition to a National List.

Matter	When payable	Amount New fee	Amount Old fee
		£	£(a)
a potato variety			
(i) first year of a testing cycle		445	(*425*)
(ii) a subsequent year of a testing cycle		405	(*385*)
Tests for one year for distinctness, uniformity and stability of—	Within 14 days of demand by the Minister		
a field bean or field pea variety		185	(*175*)
a beet variety		345	(*330*)
a fodder plant variety (excluding a field bean or field pea variety) or an oil or fibre plant variety		345	(*330*)
Tests for one season for distinctness, uniformity and stability of—	Within 14 days of demand by the Minister		
a vegetable variety		185	(*175*)

PART IA

Fees payable in respect of trials for value for cultivation and use of a plant variety which is the subject of an application for addition to a National List.

Matter	When payable	Amount New fee	Amount Old fee
		£	£(b)
Trials for value for cultivation and use, in respect of the first year of a trials cycle, of—	Within 14 days of demand by the Minister	1,000	(*1,000*)
a wheat variety			
a barley variety			
an oats variety			

(a) The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1983, as amended by the Seeds (National Lists of Varieties) (Fees) (Amendment No. 2) Regulations 1983.

(b) The figures in italics are the fees which were charged by virtue of the Seeds (National Lists of Varieties) (Fees) (Amendment No. 2) Regulations 1983.

PART II

Fees payable for the continuance of the period during which a plant variety will remain in a National List.

Matter	When payable	Amount New fee	Amount Old fee
		£	£(a)
The continuance of the period during which a plant variety will remain in a National List being—	Before the beginning of the particular year of entry in a National List		
a cereal, beet or potato variety			
(i) for the second year		95.00	(*90.00*)
(ii) for the third year		105.00	(*100.00*)
(iii) for the fourth year		125.00	(*120.00*)
(iv) for the fifth year		165.00	(*155.00*)
(v) for the sixth year and each subsequent year		195.00	(*185.00*)
a fodder plant variety (excluding a swede, fodder kale or fodder radish variety), a grass variety not intended for fodder production or an oil or fibre plant variety			
(i) for the second year		80.00	(*75.00*)
(ii) for the third year		95.00	(*90.00*)
(iii) for the fourth year		115.00	(*110.00*)
(iv) for the fifth year		135.00	(*130.00*)
(v) for the sixth year and each subsequent year		165.00	(*155.00*)
a swede, fodder kale or fodder radish variety			
(i) for the second year		70.00	(*65.00*)
(ii) for the third year		80.00	(*75.00*)
(iii) for the fourth year		105.00	(*100.00*)
(iv) for the fifth year		115.00	(*110.00*)
(v) for the sixth year and each subsequent year		135.00	(*130.00*)

(a) The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1983.

PART II (continued)

Fees payable for the continuance of the period during which a plant variety will remain in a National List.

Matter	When payable	Amount New fee	Amount Old fee
		£	£(a)
a vegetable variety			
(i) for the second year		60.00	(*55.00*)
(ii) for the third year		70.00	(*65.00*)
(iii) for the fourth year		80.00	(*75.00*)
(iv) for the fifth year		95.00	(*90.00*)
(v) for the sixth year		105.00	(*100.00*)
(vi) for the seventh and each subsequent year		115.00	(*110.00*)

PART III

Fees payable in respect of other matters.

Matter	When payable	Amount New fee	Amount Old fee
		£	£(a)
Application for the substitution of a name in a National List	On making the application	18.00	(*17.00*)
Making written representations to the Ministers	On delivering the representations	2.00	(*2.00*)
Attending to be heard by a person appointed by the Ministers	Before the hearing	18.00	(*17.00*)
Inspection of the National List record	Before the inspection	1.00	(*1.00*)
Inspection of the file maintained for a plant variety in a National List	Before the inspection	1.00	(*1.00*)

(a) The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1983."

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Seeds (National Lists of Varieties) (Fees) Regulations 1980 by substituting for the Schedule inserted into those Regulations by the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1983 the Schedule to these Regulations. The new Schedule prescribes increased fees for all matters for which fees were previously charged except those for which the fee was less than £7, the testing for distinctness, uniformity and stability of cereal varieties (fees for which were increased by the Seeds (National Lists of Varieties) (Fees) (Amendment No. 2) Regulations 1983) and trials for value for cultivation and use of plant varieties (fees for which were introduced by the last mentioned Regulations).

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