STATUTORY INSTRUMENTS

1985 No. 356

SEEDS

The Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1985

Made - - - - -	*25th February* 1985
Laid before Parliament	*18th March* 1985
Coming into Operation	*8th April* 1985

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 1985 and shall come into operation on 8th April 1985.

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.

(**a**) 1964 c.14; section 16 was amended by the European Communities Act 1972 (c.68), section 4(1) and Scehdule 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. 1983/1500, 1984/243.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 18th February 1985.

L.S.

Michael Jopling,
Minister of Agriculture, Fisheries and Food.

George Younger,
Secretary of State for Scotland.

20th February 1985.

Nicholas Edwards,
Secretary of State for Wales.

25th February 1985.

Douglas Hurd,
Secretary of State for Northern Ireland.

22nd February 1985.

Regulation 2

SCHEDULE

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 one year for distinctness, uniformity and stability of—	Within 14 days of demand by the Minister	505	(*345* to *525*)
a cereal, potato or oilseed rape variety			
Tests for one year for distinctness, uniformity and stability of any other agricultural crop variety of a kind specified in Part I of Schedule 1 to the Seeds (National Lists of Varieties) Regulations 1982(b)	Within 14 days of demand by the Minister	340	(*185* to *345*)
Tests for one season for distinctness, uniformity and stability of any vegetable variety of a kind specified in Part II of Schedule 1 to the Seeds (National Lists of Varieties) Regulations 1982	Within 14 days of demand by the Minister	190	(*185*)

(a) The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1984 (S.I. 1984/243).
(b) S.I. 1982/844.

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	Old Fee
		£	£(a)
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	1,050.00	*(1,000.00)*
a wheat variety,			
a barley variety or			
an oats variety.			

(a) The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1984.

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, potato or oilseed rape variety			
(i) for the second to fifth year—each year		120	(*80* to *165*)
(ii) for the sixth and each subsequent year		205	(*165*) (oilseed rape) (*195*) (other)
any other agricultural crop variety of a kind specified in Part I of Schedule 1 of the Seeds (National Lists of Varieties) Regulations 1982			
(i) for the second to fifth year—each year		110	(*70* to *165*)
(ii) for the sixth and each subsequent year		175	(*135* to *195*)
a vegetable variety			
(i) for the second to fifth year—each year		80	(*60* to *95*)
(ii) for the sixth and each subsequent year		120	(*105* and *115*)

(a) The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1984.

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	19.00	(*18.00*)
Making written representations to the Ministers	On delivering the representations	3.00	(*2.00*)
Attending to be heard by a person appointed by the Ministers	Before the hearing	19.00	(*18.00*)
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*)
Purchase of a report from a testing authority in another country	Within 14 days of demand by the Minister	100.00	(-)

(a) The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1984."

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 1984 the Schedule to these regulations. The new Schedule prescribes increased fees overall for matters for which fees were previously charged and simplifies the fees structure by regrouping plant varieties into larger groups and by charging a fee of the same amount for each of the second to fifth, and for each of the sixth and subsequent, years of the continuance of the period during which a variety remains in a National List. A new fee of £100 has been imposed for the purchase of a report from a testing authority in another country.

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