STATUTORY INSTRUMENTS

1986 No. 338

SEEDS

The Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1986

Made - - - - -	24*th February* 1986
Laid before Parliament	6*th March* 1986
Coming into Operation	1*st April* 1986

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)** as extended to Northern Ireland**(b)** and now vested in them**(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 1986 and shall come into operation on 1st April 1986.

Amendment of principal regulations

2. For the Schedule to the Seeds (National Lists of Varieties) (Fees) Regulations 1980**(d)** there shall be substituted the provisions set out in 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 Schedule 4, paragraph 5(1), (2) and (3).

(b) By the Plant Varieties and Seeds (Northern Ireland) Order 1973 (S.I. 1973/609).

(c) In the case of the Secretary of State for Wales, by virtue of S.I. 1978/272.

(d) S.I. 1980/330; relevant amending instruments are S.I. 1983/1500, 1985/356.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 18th February 1986.

L.S.

Michael Jopling,
Minister of Agriculture, Fisheries and Food.

Gray of Contin,
Minister of State, Scottish Office.

18th February 1986.

Nicholas Edwards,
Secretary of State for Wales.

19th February 1986.

Tom King,
Secretary of State for Northern Ireland.

24th February 1986.

Regulation 2

SCHEDULE

PROVISIONS 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— a cereal, potato or oilseed rape variety	Within 14 days of demand by the Minister	535	(*505*)
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 of the Seeds (National Lists of Varieties) Regulations 1982(b)	Within 14 days of demand by the Minister	360	(*340*)
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	205	(*190*)

(a) The figures in italics are the fees which were charged by virtue of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1985 (S.I. 1985/356).

(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	Amount Old fee
		£	£(a)
Trials for value for cultivation and use, in respect of the first year of a trials cycle, of— a wheat variety a barley variety an oats variety	Within 14 days of demand by the Minister	1,115	*(1,050)*

(a) The figures in italics are the fees which were charged by virtue of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1985.

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		130	*(120)*
(ii) for the sixth and each subsequent year		220	*(205)*
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		120	*(110)*
(ii) for the sixth and each subsequent year		185	*(175)*
a vegetable variety			
(i) for the second to fifth year—each year		85	*(80)*
(ii) for the sixth and each subsequent year		130	*(120)*

(a) The figures in italics are the fees which were charged by virtue of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1985.

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	20	(*19*)
Making written representations to the Ministers	On delivering the representations	3	(*3*)
Attending to be heard by a person appointed by the Ministers	Before the hearing	20	(*19*)
Inspection of the National List record	Before the inspection	1	(*1*)
Inspection of the file maintained for a plant variety in a National List	Before the inspection	1	(*1*)
Purchase of a report from a testing authority in another country	Within 14 days of demand by the Minister	106	(*100*)

(a) The figures in italics are the fees which were charged by virtue of the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1985."

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations amend the Seeds (National Lists of Varieties) (Fees) Regulations 1980 by substituting a new Schedule for the Schedule inserted into those Regulations by the Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1985 (Regulation 2). The new Schedule prescribes an overall increase of fees for the matters for which fees were previously charged with the exception of those fees of £3.00 or less which remain at their former levels.

SI 1986/338
ISBN 0-11-066338-1

