STATUTORY INSTRUMENTS

1988 No. 357

SEEDS

The Seeds (National Lists of Varieties) (Fees) (Amendment) Regulations 1988

Made - - - -	*1st March 1988*
Laid before Parliament	*9th March 1988*
Coming into force	*1st April 1988*

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 sections 16(1), (1A)(e), (8), and 38(1) 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 1988 and shall come into force on 1st April 1988.

Amendment of principal regulations

2. For Schedule 1 to the Seeds (National Lists of Varieties) (Fees) Regulations 1987(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); section 38(1) contains a definition of "the Ministers" relevant to the exercise of the statutory powers under which these Regulations are made. (b) By section 39(3) of the Plant Varieties and Seeds Act 1964 and 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. 1987/188.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 25th February 1988.

L.S.

John MacGregor
Minister of Agriculture, Fisheries and Food

25th February 1988

Sanderson of Bowden
Minister of State, Scottish Office

25th February 1988

Peter Walker
Secretary of State for Wales

1st March 1988

Tom King
Secretary of State for Northern Ireland

SCHEDULE

Regulation 2

PROVISIONS TO BE SUBSTITUTED FOR SCHEDULE 1 TO THE SEEDS (NATIONAL LISTS OF VARIETIES) (FEES) REGULATIONS 1987

"SCHEDULE 1

Regulation 3

FEES

PART I

FEES PAYABLE ON AN APPLICATION FOR ENTRY OF A PLANT VARIETY IN A NATIONAL LIST

Plant variety		*Amount* *New fee*	*Old fee*
		£	£*
1.	A wheat (excluding durum wheat and spelt wheat) or barley variety	400	*(385)*
2.	A durum wheat, spelt wheat, rye, oat, oilseed rape, ryegrass, timothy, white clover, fescue or potato variety	325	*(310)*
3.	A maize, sugar beet or fodder beet variety	355	*(340)*
4.	A field pea or field bean variety	215	*(205)*
5.	Any other herbage, fodder, oil and fibre or cereal variety	155	*(150)*
6.	A vegetable variety subject to a Plant Breeders' Rights scheme	155	*(150)*
7.	Any other vegetable variety	115	*(110)*

Note
* The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) Regulations 1987 (S.I. 1987/188) before the coming into force of these Regulations.

PART II

FEES PAYABLE IN RESPECT OF TESTS FOR DISTINCTNESS, UNIFORMITY AND STABILITY OF A PLANT VARIETY WHICH IS THE SUBJECT OF AN APPLICATION FOR ENTRY IN A NATIONAL LIST

Plant variety	*Amount* *New fee*	*Old fee*
	£	£*
1. A wheat (excluding durum wheat and spelt wheat), barley or maize variety	710	*(680)*
2. A durum wheat, spelt wheat, rye, oat, oilseed rape, ryegrass, timothy, white clover, fescue, potato, field pea or field bean variety	480	*(460)*
3. Any other herbage, fodder, oil and fibre, cereal or vegetable variety	270	*(260)*

Note
* The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) Regulations 1987 before the coming into force of these Regulations.

PART III

FEES PAYABLE IN RESPECT OF TRIALS FOR VALUE FOR CULTIVATION AND USE OF A PLANT VARIETY WHICH IS THE SUBJECT OF AN APPLICATION FOR ENTRY IN A NATIONAL LIST

Plant variety	*Amount* *New fee*	*Old fee*
	£	£*
1. A wheat (excluding durum wheat and spelt wheat) or barley variety	2180	*(2090)*
2. A durum wheat, spelt wheat, rye, oat, oilseed rape, ryegrass, timothy, white clover, fescue, potato, maize, sugar beet, field bean, field pea, swede or fodder kale variety	750	*(720)*

Note
* The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) Regulations 1987 before the coming into force of these Regulations.

PART IV

RENEWAL FEES

Plant variety	*Renewal fees during the years of retention in a National List*			
	Second to fifth year – each year		*Sixth and each subsequent year*	
	New fee	*Old fee*	*New fee*	*Old fee*
	£	£*	£	£*
1. A wheat (excluding durum wheat and spelt wheat) or barley variety	250	*(240)*	420	*(405)*
2. A durum wheat, spelt wheat, rye, oat, oilseed rape, ryegrass, timothy, white clover, fescue, potato, maize, sugar beet, fodder beet, field bean or field pea variety	235	*(225)*	360	*(345)*
3. Any other herbage, fodder, oil and fibre or cereal variety	145	*(140)*	235	*(225)*
4. A vegetable variety subject to a Plant Breeders' Rights scheme	145	*(140)*	235	*(225)*
5. Any other vegetable variety	125	*(120)*	190	*(180)*

Note
*The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) Regulations 1987 before the coming into force of these Regulations.

PART V

FEES PAYABLE IN RESPECT OF OTHER MATTERS

Matter		*When payable*	*Amount* *New fee*	*Old fee*
			£	£*
1.	Application for the substitution of a name in a National List	On making the application	21	*(21)*
2.	Making written representations to the Ministers	On delivering the representations	3	*(3)*
3.	Attending to be heard by a person appointed by the Ministers	Before the hearing	21	*(21)*
4.	Inspection of the National List record	Before the inspection	1	*(1)*
5.	Inspection of the file maintained for a plant variety in a National List	Before the inspection	1	*(1)*
6.	Purchase of a report from a testing authority in another country	Within 14 days of demand by the Minister	140	*(112)*
7.	Observation plot-trials for value for cultivation and use	Within 14 days of demand by the Minister	100	*(100)*
8.	Entry in a National List–	Before entry in a National List		
	(a) of a variety referred to in items 1 to 4 in Part I of this Schedule		115	*(110)*
	(b) of a variety referred to in items 5 to 7 in Part I of this Schedule		65	*(60)*

Note

* The figures in italics are the fees which were charged under the Seeds (National Lists of Varieties) (Fees) Regulations 1987 before the coming into force of these Regulations."

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Seeds (National Lists of Varieties) (Fees) Regulations 1987 by substituting a new Schedule for Schedule 1 to those Regulations. The new Schedule prescribes an overall increase of fees for the matters for which fees were previously charged with the exception of certain fees payable in respect of other matters (Part V of the Schedule) which remain at their former levels.

£1.30 net

ISBN 0 11 086357 7

Printed in the United Kingdom for Her Majesty's Stationery Office

845 WO377 C12 3/88 452 7102 PS 7944001