WELSH STATUTORY INSTRUMENTS

2006 No. 2832 (W.253)

PLANT HEALTH, WALES

The Plant Health (Import Inspection Fees) (Wales) (No. 2) Regulations 2006

Made - - - -	*24 October 2006*
Coming into force - -	*31 October 2006*

The National Assembly for Wales, in exercise of the powers conferred on it by section 56(1) of the Finance Act 1973 [F1] and section 29(4) of the Government of Wales Act 1998 [F2], with the consent of the Treasury, hereby makes the following Regulations:

F1 1973 c. 51.
F2 1998 c. 38.

Title, commencement and application

1.—(1) The title of these Regulations is the Plant Health (Import Inspection Fees) (Wales) (No. 2) Regulations 2006.

(2) These Regulations come into force on 31 October 2006.

(3) These Regulations apply in relation to Wales.

Interpretation

2. In these Regulations—

"consignment" ("*llwyth*")has the same meaning as in Article 2(1)(p) of the Directive;

"daytime working hours" ("*oriau gwaith yn ystod y dydd*") means any time between the hours of 8.30 a.m. to 5.00 p.m. on any day except a Saturday, Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 [F3] in Wales;

"the Directive" ("*y Gyfarwyddeb*") means Council Directive 2000/29/EC[F4] of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community as last amended by Commission Directive 2006/35/EC[F5];

"documentary check" ("*gwiriad dogfennol*") has the same meaning as in Article 13a(1)(b)(i) of the Directive;

"identity check" ("*gwiriad adnabod*") has the same meaning as in Article 13a(1)(b)(ii) of the Directive;

"plant" ("*planhigyn*") has the same meaning as in Article 2(1)(a) of the Directive;

"plant health check" ("*gwiriad iechyd planhigion*") has the same meaning as in Article 13a(1)(b)(iii) of the Directive;

"plant intended for planting" ("*planhigyn a fwriedir ar gyfer ei blannu*") has the same meaning as in Article 2(1)(d) of the Directive;

"plant product" ("*cynnyrch planhigyn*") has the same meaning as in Article 2(1)(b) of the Directive; and

"third country" ("*trydedd wlad*") means a country or territory other than one within the European Community.

F3 1971 c. 80.
F4 OJ No. L 169, 10.7.2000, p. 1.
F5 OJ No. L 88, 25.3.2006, p. 9.

Consignments to which these Regulations apply

3. These Regulations apply in relation to consignments of plants, plant products and other objects of a description specified in the first column of Schedule 1 that are landed in Wales from a third country and are:

(a) listed in Annex V, Part B of the Directive; or

(b) seeds of *Solonaceae* whether or not listed in Annex V, Part B of the Directive.

Fees

4.—(1) An importer must pay to the National Assembly upon import of a consignment to which these Regulations apply—

(a) subject to paragraph (2), the fee specified—

(i) in the third column of Schedule 1 in respect of any consignment other than a consignment of a plant or plant product to which sub-paragraph (a)(ii) applies; or

(ii) **F6**...in the fourth column of Schedule 2 in respect of a consignment of any plant or plant product listed in the first column of that Schedule and originating from a country listed in the third column of that Schedule; and

(b) the fee specified for a documentary check and an identity check in the third column of Schedule 3.

(2) Where, at the request of an importer, or any other person responsible for the consignment, a plant health check is carried out on a consignment outside daytime working hours, the fee payable under paragraph (1)(a) in respect of that consignment is—

(a) the fee specified in the fourth column of Schedule 1 if the consignment is a consignment to which paragraph (1)(a)(i) applies; or

(b) the fee specified in the fifth column of Schedule 2 if the consignment is a consignment to which paragraph (1)(a)(ii) applies.

F6 Words in reg. 4(1)(a)(ii) omitted (23.3.2009) by virtue of The Plant Health (Import Inspection Fees) (Wales) (Amendment) Regulations 2009 (S.I. 2009/398), regs. 1, **2(2)**

Revocation

5. The Plant Health (Import Inspection Fees) (Wales) Regulations 2006 [F7] are revoked.

F7 S.I. 2006/171.

[F8]Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998

D. Elis-Thomas
The Presiding Officer of the National Assembly

SCHEDULE 1

Regulations 3 and 4

IMPORT INSPECTION FEES

Plant, plant product or other object	***Quantity***	***Fee***	***Fee (non- daytime working hours)***
Cuttings, seedlings (except forestry reproductive material), young plants of strawberries or of vegetables	Per consignment		
	— up to 10,000 in number	£13.24	£19.86
	— for each additional 1,000 units	£0.52	£0.78
	— maximum price	£105.92	£158.88
Shrubs, trees (other than cut Christmas trees), other woody nursery plants including forest reproductive material (other than seed)	Per consignment		
	— up to 1,000 in number	£13.24	£19.86
	— for each additional 100 units	£0.33	£0.49
	— maximum price	£105.92	£158.88
Bulbs, corms, rhizomes, tubers, intended for planting (other than tubers of potatoes)	Per consignment		
	— up to 200 kg in weight	£13.24	£19.86
	— for each additional 10 kg	£0.12	£0.18
	— maximum price	£105.92	£158.88
Seeds, tissue cultures	Per consignment		
	— up to 100 kg in weight	£5.67	£8.50
	— for each additional 10 kg	£0.13	£0.19
	— maximum price	£105.92	£158.88

Other plants intended for planting, not specified elsewhere in this Schedule	Per consignment		
	— up to 5,000 in number	£13.24	£19.86
	— for each additional 100 units	£0.13	£0.19
	— maximum price	£105.92	£158.88
Cut flowers	Per consignment		
	— up to 20,000 in number	£13.24	£19.86
	— for each additional 1,000 units	£0.10	£0.15
	— maximum price	£105.92	£158.88
Branches with foliage, parts of conifers (other than cut Christmas trees)	Per consignment		
	— up to 100 kg in weight	£13.24	£19.86
	— for each additional 100 kg	£1.32	£1.98
	— maximum price	£105.92	£158.88
Cut Christmas trees	Per consignment		
	— up to 1,000 in number	£13.24	£19.86
	— for each additional 100 units	£1.32	£1.98
	— maximum price	£105.92	£158.88
Leaves of plants, such as herbs, spices and leafy vegetables	Per consignment		
	— up to 100 kg in weight	£13.24	£19.86
	— for each additional 10 kg	£1.32	£1.98
	— maximum price	£105.92	£158.88
Fruits, vegetables (other than leafy vegetables)	Per consignment		