WELSH STATUTORY INSTRUMENTS

2002 No. 1870 (W.183)

SEEDS, WALES

The Seeds (Fees) (Amendment) (Wales) (No. 2) Regulations 2002

Made - - - -	*18th July 2002*
Coming into force - -	*23rd July 2002*

The National Assembly for Wales, acting in relation to Wales, in exercise of the powers conferred by sections 16(1) and (1A)(e) and 36 of the Plant Varieties and Seeds Act 1964(**1**), after consultation in accordance with the said section 16(1) with representatives of such interests as appear to it to be concerned, hereby makes the following Regulations:

Title, extent and commencement

1. These Regulations may be cited as the Seeds (Fees) (Amendment) (Wales) (No. 2) Regulations 2002, shall extend to Wales and shall come into force on 23rd July 2002.

Amendment

2. For Schedules 1 to 6 to the Seeds (Fees) Regulations 1985(**2**) there shall be substituted the Schedules set out in the Schedule to these Regulations.

(**1**) 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); *see* section 38(1) (as amended by S.I. 1978/272) for a definition of "the Minister"; the functions of the Minister of Agriculture, Fisheries and Food under the Plant Varieties and Seeds Act 1964 were, so far as they are exercisable in relation to Wales, transferred to the Secretary of State for Wales by the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272); and under article 2(a) and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) these functions, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales.

(**2**) S.I. 1985/981; relevant amending instruments are S.I. 1990/610, 1999/1553 and 1865, 2001/2533 (W. 210) and 2002/1554(W.152).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**3**)

John Marek
The Deputy Presiding Officer of the National Assembly

18th July 2002

(**3**) 1998 c. 38.

SCHEDULE

Regulation 2

PROVISIONS TO BE SUBSTITUTED FOR THE SCHEDULES TO THE SEEDS (FEES) REGULATIONS 1985

"SCHEDULE 1

Regulation 3

MATTERS ARISING UNDER THE CEREAL SEEDS REGULATIONS 1993(4)

(1) *Matter*	(2) *When payable*	(3) *Fee* £	*Old fee* £*(5)*
A. *Initial fees*			
Initial fee per hectare or part thereof for crops intended to produce:	On application for registration		
(i) pre-basic or basic seed		27.15	*(25.85)*
(ii) certified seed of the first generation of wheat, durum wheat, spelt wheat, barley, triticale and oats or certified seed of rye and maize		6.85	*(6.50)*
(iii) certified seed of the second generation of wheat, durum wheat, spelt wheat, barley and oats		6.10	*(5.80)*
B. *Crop inspection fees*			
Fee for official examination or re-examination of crops intended to produce pre-basic or basic seed, per hectare or part thereof examined.	On application	13.55	*(12.90)*
Fee for official examination or re-	On application	13.55	*(12.90)*

(4) **S.I. 1993/2005, amended by S.I. 1995/1482, 1997/616, 1999/1860 and 2001/3664 (W. 296).**

(5) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) (No. 2) Regulations 2002 (S.I. 2002/1870 (W.183)) on 23rd July 2002.

(1) *Matter*	(2) *When payable*	(3) *Fee* £	 *Old fee* £***(5)***
examination of crops produced from seed of a variety entered for but not added to the National List (or to the equivalent list in another Member State) intended to produce certified seed, certified seed of the first generation or certified seed of the second generation, per hectare or part thereof examined.			
C. *Seed lot fee*			
Fee for the issue of an official certificate (other than in the circumstances described under F. below) in respect of a seed lot entered as:—	On application		
(i) breeder's, pre-basic or basic seed, certified seed of the first generation of wheat, durum wheat, spelt wheat, barley, triticale, oats or certified seed of rye and maize	44.85	*(42.70)*	
(ii) certified seed of the second generation of wheat, durum wheat, spelt wheat, barley and oats	22.35	*(21.30)*	
D. *Seed testing fees*			
Fee for an official examination of seed for loose smut infection of wheat,	Within one month of demand by or on behalf of the appropriate Minister	39.40	*(37.50)*

(**5**) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) (No. 2) Regulations 2002 (S.I. 2002/1870 (W.183)) on 23rd July 2002.

(1) *Matter*	(2) *When payable*	(3) *Fee* £	*Old fee* £***(5)***
durum wheat, spelt wheat and barley (per thousand embryos examined)			
E. *Fees for additional tests*			
Fee for a Tetrazolium seed viability test in C1 Winter Wheat and C1 Winter Barley	Within one month of demand by or on behalf of the appropriate Minister	46.20	*(44.00)*
F. *Seed lot re-entry fee*			
Fee for the issue of an official certificate in respect of a seed lot which was entered for one category and has been withdrawn and is being re-entered as:—	On application		
(i) pre-basic or basic seed, certified seed of the first generation of wheat, durum wheat, spelt wheat, barley, triticale and oats or certified seed of rye and maize		31.35	*(29.85)*
(ii) certified seed of the second generation of wheat, durum wheat, spelt wheat, barley and oats		15.65	*(14.90)*

(**5**) The figures in italics are the fees which were charged under these Regulations before the coming into force of the Seeds (Fees) (Amendment) (Wales) (No. 2) Regulations 2002 (S.I. 2002/1870 (W.183)) on 23rd July 2002.