STATUTORY RULES OF NORTHERN IRELAND

1997 No. 246

PESTICIDES
FEES AND CHARGES

Plant Protection Products (Fees) (Amendment) Regulations (Northern Ireland) 1997

Made - - - -	*20th May 1997*
Coming into operation	*24th June 1997*

The Department of Agriculture, in exercise of the powers conferred on it by section 56(1), (2) and (5) of the Finance Act 1973(**1**) and Article 3(1), (2) and (4) of the Repayment of Fees and Charges (Northern Ireland) Order 1991(**2**) and of every other power enabling it in that behalf and with the consent of the Department of Finance and Personnel, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Plant Protection Products (Fees) (Amendment) Regulations (Northern Ireland) 1997 and shall come into operation on 24th June 1997.

(2) The Interpretation Act (Northern Ireland) 1954(**3**), shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of the Plant Protection Products (Fees) Regulations (Northern Ireland) 1995

2. For the Schedule to the Plant Protection Products (Fees) Regulations (Northern Ireland) 1995(**4**) there shall be substituted the Schedule set out in the Schedule.

(**1**) 1973 c. 51
(**2**) S.I. 1991/764 (N.I. 8)
(**3**) 1954 c. 33 (N.I.)
(**4**) S.R. 1995 No. 372

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on

20th May 1997.

L. G. McKibben
Assistant Secretary

The Department of Finance and Personnel hereby consents to the foregoing Regulations.
Sealed with the Official Seal of the Department of Finance and Personnel on

20th May 1997.

D. W. Thomson
Assistant Secretary

SCHEDULE Regulation 2

"SCHEDULE Regulation 3

Prescribed Fees

(1) Description of Service or Approval	(2) Fee amount	Old amount*(5)*
1. Evaluation of an Annex I application or evaluation of an application for provisional approval—	£13,700 (note [(c)])	*(£13,400)*
(a) where the application is a biocontrol agent or pheromone application		
(b) where the application is not a biocontrol agent or pheromone application	£61,200 (note [(c)])	*(£60,000)*
2. Preliminary examination and evaluation of a resubmitted Annex I application or preliminary examination and evaluation of a resubmitted application for provisional approval—	£18,200 (note [(c)])	*(£17,800)*
(1) where it appears to the Department that there is no saving in costs or that such saving is less than 50%—		
(a) where the application is a biocontrol agent or pheromone application		

(c) Where an application is made for provisional approval of a plant protection product not already approved in another member State which contains an active substance not included in Annex I and that application is accompanied by an Annex I application relating to that active substance no fee is payable in relation to the first mentioned application.

(a) If the application is withdrawn before evaluation starts there will be refunded to the applicant an amount equal to 90% of the fee but with a minimum retention of £100.

(b) To justify this reduced fee the evidence supporting the application must be the same for all products included in the application.

(5) *The figures in italics are the amounts of fees under these Regulations before the coming into operation of the Plant Protection Products (Fees) (Amendment) Regulations (Northern Ireland) 1997*

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(1) Description of Service or Approval	(2) Fee amount	Old amount***(5)***
(b) where the application is not a biocontrol agent or pheromone application	£65,700 (note [(c)])	*(£64,400)*
(2) where it appears to the Department that the saving in costs is not less than 50% but is less than 75% but the work which has to be done in relation to the application is significant —	£9,100 (note [(c)])	*(£8,900)*
(a) where the application is a biocontrol agent or pheromone application		
(b) where the application is not a biocontrol agent or pheromone application	£32,850 (note [(c)])	*(£32,200)*
(3) where it appears to the Department that the saving in costs is not less than 75% but the work which has to be done in relation to the application is significant—		
(a) where the application is a biocontrol agent or pheromone application	£4,550 (note [(c)])	*(£4,450)*

(c) Where an application is made for provisional approval of a plant protection product not already approved in another member State which contains an active substance not included in Annex I and that application is accompanied by an Annex I application relating to that active substance no fee is payable in relation to the first mentioned application.

(a) If the application is withdrawn before evaluation starts there will be refunded to the applicant an amount equal to 90% of the fee but with a minimum retention of £100.

(b) To justify this reduced fee the evidence supporting the application must be the same for all products included in the application.

(5) *The figures in italics are the amounts of fees under these Regulations before the coming into operation of the Plant Protection Products (Fees) (Amendment) Regulations (Northern Ireland) 1997*

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(1) Description of Service or Approval	(2) Fee amount	Old amount*(5)*
(b) where the application is not a biocontrol agent or pheromone application	£16,425 (note [(c)])	*(£16,100)*
(4) where it appears to the Department that the saving in costs is so great that the work which has to be done in relation to the the application is not significant	£2,350 (note [(c)])	*(£2,300)*
3. Preliminary examination and evaluation of an application under regulation 5 of the principal Regulations for approval of a plant protection product which is not already approved in another EEA State —	£2,350 (note [(a)])	*(£2,300)*
(1) where the application is accompanied by data		
(2) where the application is not accompanied by data—	£290 (note [(a)])	*(£285)*
(a) where scientific examination is involved—		
(i) where the application relates to the intended importation into Northern Ireland of a plant		

(c) Where an application is made for provisional approval of a plant protection product not already approved in another member State which contains an active substance not included in Annex I and that application is accompanied by an Annex I application relating to that active substance no fee is payable in relation to the first mentioned application.

(a) If the application is withdrawn before evaluation starts there will be refunded to the applicant an amount equal to 90% of the fee but with a minimum retention of £100.

(b) To justify this reduced fee the evidence supporting the application must be the same for all products included in the application.

(5) *The figures in italics are the amounts of fees under these Regulations before the coming into operation of the Plant Protection Products (Fees) (Amendment) Regulations (Northern Ireland) 1997*

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