

2011 No. 384

PLANT HEALTH

**The Plant Health (Import Inspection Fees) (Amendment)
Regulations (Northern Ireland) 2011**

Made - - - - *28th October 2011*

Coming into operation - *1st January 2012*

The Department of Agriculture and Rural Development, makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a) and section 56(1), (2) and (5) of the Finance Act 1973(b), with the consent of the Department of Finance and Personnel(c).

The Department of Agriculture and Rural Development is designated(d) for the purposes of the said section 2(2) in relation to the Common Agricultural Policy of the European Community.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Plant Health (Import Inspection Fees) (Amendment) Regulations (Northern Ireland) 2011 and shall come into operation on 1 January 2012.

(2) The Interpretation Act (Northern Ireland) 1954(e) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendment to the Plant Health (Import Inspection Fees) Regulations (Northern Ireland) 2005

2.—(1) The Plant Health (Import Inspection Fees) Regulations (Northern Ireland) 2005(f) shall be amended as follows.

(2) For Schedule 1 there shall be substituted the Schedule set out in schedule 1 to these Regulations.

(3) For Schedule 2 there shall be substituted the Schedule set out in schedule 2 to these Regulations.

(4) For Schedule 3 there shall be substituted the Schedule set out in schedule 3 to these Regulations.

(a) 1972 c. 68

(b) 1973 c. 51

(c) The Department of Finance was renamed the Department of Finance and Personnel by Article 3 of the Departments (Northern Ireland) Order 1982 (S.I. 1982/338) (N.I.6) which was repealed by Article 9(2) and Schedule 3 to the Departments (Northern Ireland) Order 1999 (S.I.1999/283) (N.I.1)

(d) S.I. 2000/2812

(e) 1954 c.33 (N.I.)

(f) S.R. 2005 No. 373 as amended by S.R.2007 No. 21, S.R. 2007 No. 252, S.R. 2008 No. 60, S.R. 2009 No. 134, S.R. 2009 No. 423 and S.R. 2010 No. 384

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 28th October 2011



Norman Fulton
A senior officer of the Department of Agriculture and Rural Development

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 28th October 2011



Michael Daly
A senior officer of the
Department of Finance and Personnel

SCHEDULE 1

regulation 2

“SCHEDULE 1

regulation 3 and 4 (2)

IMPORT INSPECTION FEES

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Plant, plant product or other object</i>	<i>Quantity</i>	<i>Fee (daytime working hours)</i>	<i>Fee (non-daytime working hours)</i>
Cuttings, seedlings (except forestry reproductive material), young plants of strawberries or of vegetables	Per consignment		
	— up to 10,000 in number	£15.28	£22.92
	— for each additional 1,000 units, or part thereof	£0.61 Up to a maximum of £122.24	£0.92 Up to a maximum of £183.36
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	£15.28	£22.92
	— for each additional 100 units, or part thereof	£0.38 Up to a maximum of £122.24	£0.57 Up to a maximum of £183.36
Bulbs, corms, rhizomes, tubers, intended for planting (other than tubers of potatoes)	Per consignment		
	— up to 200 kg in weight	£15.28	£22.92
	— for each additional 10 kg, or part thereof	£0.14 Up to a maximum of £122.24	£0.21 Up to a maximum of £183.36
Seeds, tissue cultures	Per consignment		
	— up to 100 kg in weight	£6.55	£9.83
	— for each additional 10 kg, or part thereof	£0.15 Up to a maximum of £122.24	£0.23 Up to a maximum of £183.36
Other plants intended for planting, not specified elsewhere in this Schedule	Per consignment		
	— up to 5,000 in number	£15.28	£22.92
	— for each additional 100 units, or part thereof	£0.16 Up to a maximum of £122.24	£0.24 Up to a maximum of £183.36
Cut flowers	Per consignment		
	— up to 20,000 in number	£15.28	£22.92
	— for each additional 1,000 units, or part thereof	£0.12 Up to a maximum of £122.24	£0.18 Up to a maximum of £183.36
Branches with foliage, parts of conifers	Per consignment		

(other than cut Christmas trees)	— up to 100 kg in weight	£15.28	£22.92
	— for each additional 100 kg, or part thereof	£1.53 Up to a maximum of £122.24	£2.30 Up to a maximum of £183.36
Cut Christmas trees	Per consignment		
	— up to 1,000 in number	£15.28	£22.92
	— for each additional 100 units, or part thereof	£1.53 Up to a maximum of £122.24	£2.30 Up to a maximum of £183.36
Leaves of plants, such as herbs, spices and leafy vegetables	Per consignment		
	— up to 100 kg in weight	£15.28	£22.92
	— for each additional 10 kg, or part thereof	£1.53 Up to a maximum of £122.24	£2.30 Up to a maximum of £183.36
Fruits, vegetables (other than leafy vegetables)	Per consignment		
	— up to 25,000 kg in weight	£15.28	£22.92
	— for each additional 1,000 kg, or part thereof	£0.61	£0.92
Tubers of potatoes	Per lot		
	— up to 25,000 kg in weight	£45.84	£68.76
	— for each additional 25,000 kg, or part thereof	£45.84	£68.76
Soil and growing medium	Per consignment		
	— up to 25,000 kg in weight	£15.28	£22.92
	— for each additional 1,000 kg, or part thereof	£0.61 Up to a maximum of £122.24	£0.92 Up to a maximum of £183.36
Grain	Per consignment		
	— up to 25,000 kg in weight	£15.28	£22.92
	— for each additional 1,000 kg, or part thereof	£0.61 Up to a maximum of £611.21	£0.92 Up to a maximum of £916.82
Other plants or plant products not specified elsewhere in this Schedule	Per consignment	£15.28	£22.92”

SCHEDULE 2

regulation 2

“SCHEDULE 2

regulation 4(3)

REDUCED IMPORT INSPECTION FEES FOR PLANT HEALTH CHECKS

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
<i>Genus</i>	<i>Quantity</i>	<i>Country of origin</i>	<i>Fee (daytime working hours)</i>	<i>Fee (non-daytime working hours)</i>
<i>Cut flowers</i>				
Dianthus	Per consignment			
	— up to 20,000 in number	Ecuador	£1.53	£2.29
	— for each additional 1,000 units, or part thereof	Ecuador	£0.01 Up to a maximum of £12.22	£0.02 Up to a maximum of £18.34
<i>Fruit</i>				
Citrus	Per consignment			
	— up to 25,000 kg in weight	Honduras	£15.28	£22.92
		Israel	£1.53	£2.29
		Mexico	£2.29	£3.44
		Peru	£3.82	£5.73
	— for each additional 1,000 kg, or part thereof	Honduras	£0.61	£0.92
		Israel	£0.06	£0.09
		Mexico	£0.09	£0.14
		Peru	£0.15	£0.23
Malus	Per consignment			
	— up to 25,000 kg in weight	Chile	£0.76	£1.14
		China	£7.64	£11.46
		South Africa	£0.76	£1.14
	— for each additional 1,000 kg, or part thereof	Chile	£0.03	£0.05
		China	£0.31	£0.46
		South Africa	£0.03	£0.05
Mangifera	Per consignment			
	— up to 25,000 kg in weight	Brazil	£15.28	£22.92
	— for each additional 1,000 kg, or part thereof	Brazil	£0.61	£0.92
Prunus	Per consignment			
	— up to 25,000 kg in weight	USA	£1.53	£2.29
	— for each	USA	£0.06	£0.09

	additional 1,000 kg, or part thereof			
Pyrus	Per consignment			
	— up to 25,000 kg in weight	Argentina	£1.53	£2.29
		Chile	£3.82	£5.73
	— for each additional 1,000 kg, or part thereof	Argentina	£0.06	£0.09
		Chile	£0.15	£0.23

Where the total amount of any fee comprises an amount less than £0.01, that amount shall be excluded.”

SCHEDULE 3

regulation 2

“SCHEDULE 3

regulation 4(4)

IMPORT INSPECTION FEES FOR DOCUMENTARY CHECKS
AND IDENTITY CHECKS

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Check</i>	<i>Quantity</i>	<i>Fee</i>
Documentary check	Per consignment	£6.11
Identity check	Per consignment — up to a size of a truck load, a railway wagon load or the load of a container of comparable size	£6.11
	— bigger than the above size	£12.22”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Plant Health (Import Inspection Fees) (Northern Ireland) Regulations 2005 (S.R. 2005/373) (“the principal Regulations”). The principal Regulations implement Article 13d of Council Directive 2000/29/EC (O.J. No. L 169, 10.7.2000, p1) (“the Directive”) which requires Member States to charge fees to cover the costs of documentary, identity and plant health checks of certain imports of plants, plant products and other objects from third countries.

The Directive contains a procedure (Articles 13a(2), 13d(2) and 18(2)) for setting reduced rates of inspection for imports of certain plants and plant products and for charging fees at a proportionately reduced rate.

These Regulations substitute Schedules 1, 2 and 3 of the principal Regulations to increase the fees set out in those Schedules. Schedule 1 of the principal Regulations sets out the import inspection fees for plant health checks. Schedule 2 of the principal Regulations sets out the reduced import inspection fees for plant health checks and Schedule 3 sets out the import inspection fees for documentary checks and identity checks.

The changes to the fees made by these Regulations, which are set at a proportion of the standard fee (described in Schedule 1 to the principal Regulations) corresponding to the rate of inspection, are based on the agreed inspection rates set out below:

Genus	Country of origin	Previous rate of inspection	Initial fee ⁽¹⁾	New rate of inspection	Initial fee, specified in Schedule 2
Cut Flowers					
<i>Dianthus</i>	Ecuador	15%	£1.98	10%	£1.53
<i>Rosa</i>	Israel	100%	-	100% ^{(2) (3)}	-
Fruit					
<i>Malus</i>	Chile	7%	£0.93	5%	£0.76
<i>Malus</i>	China	25%	£3.31	50%	£7.64
<i>Malus</i>	South Africa	10%	£1.32	5%	£0.16
<i>Mangifera</i>	Brazil	50%	£6.62	100%	£15.28
<i>Mangifera</i>	Peru	100%	-	100% ^{(2) (3)}	-
<i>Prunus</i>	USA	25%	£3.31	10%	£1.53
<i>Pyrus</i>	Argentina	15%	£1.98	10%	£1.53
<i>Pyrus</i>	Chile	35%	£4.63	25%	£3.82
<i>Citrus</i>	Honduras	75%	£9.93	100%	£15.28
<i>Citrus</i>	Israel	15%	£1.98	10%	£1.53
<i>Citrus</i>	Mexico	25%	£3.31	15%	£2.29
<i>Citrus</i>	Peru	35%	£4.63	25%	£3.82

⁽¹⁾ Initial fee per consignment for cut flowers (up to 20,000 in number) and fruit and vegetables (up to 25,000 kg in weight). Corresponding fees are set in the Regulations for additional quantities, maximum price per consignment and non-daytime working hours.

⁽²⁾ Consignments subject to an inspection rate of 100% are excluded from the reduced rate inspection scheme and are subject to the import inspection fees specified in Schedule 1 to the principal Regulations.

⁽³⁾ New rates apply from 1st January 2012.

© Crown Copyright 2011

Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print the Acts of the Assembly

£5.75

ISBN 978-0-337-98577-5



9 780337 985775