

2010 No. 405

PLANT HEALTH

**The Plant Health (Import Inspection Fees) (Scotland)
Amendment Regulations 2010**

Made - - - - *18th November 2010*

Laid before the Scottish Parliament *22nd November 2010*

Coming into force - - *1st January 2011*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2010 and come into force on 1st January 2011.

Amendment of the Plant Health (Import Inspection Fees) (Scotland) Regulations 2005

2. For Schedule 2 (Import Inspection Fees (Reduced Rates)) to the Plant Health (Import Inspection Fees) (Scotland) Regulations 2005(b) substitute—

(a) 1973 c.51. The reference to a Government department in section 56(1) is to be read as a reference to the Scottish Administration by virtue of article 2(2) of the Scotland Act (Consequential Modifications) (No. 2) Order 1999 (S.I. 1999/1820) and the functions of the Minister transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46). The requirement to obtain the consent of the Treasury was removed by section 55 of the Scotland Act 1998.

(b) S.S.I. 2005/216 as amended by S.S.I. 2007/138, 2007/499, 2009/8 and 2009/305.

“SCHEDULE 2

Regulation 4(3)

IMPORT INSPECTION FEES (REDUCED RATES)

<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</i>	<i>Fee (outside normal working hours)</i>
<i>Cut flowers</i>				
<i>Dianthus</i>	Per consignment			
	— up to 20,000 in number	Colombia, Kenya	£0.66	£0.99
		Ecuador	£1.98	£2.97
		Turkey	£3.31	£4.96
	— for each additional 1,000 units or part thereof	Colombia, Kenya	£0.005	£0.007
		Ecuador	£0.01	£0.02
		Turkey	£0.02	£0.03
	— maximum price	Colombia, Kenya	£5.29	£7.94
		Ecuador	£15.88	£23.83
		Turkey	£26.48	£39.72
<i>Rosa</i>	Per consignment			
	— up to 20,000 in number	Colombia, Ecuador	£0.39	£0.59
		Ethiopia, Kenya	£0.66	£0.99
		Tanzania	£1.32	£1.98
		Uganda, Zambia	£3.31	£4.96
	— for each additional 1,000 units or part thereof	Colombia, Ecuador	£0.003	£0.004
		Ethiopia, Kenya	£0.005	£0.007
		Tanzania	£0.01	£0.02
		Uganda, Zambia	£0.02	£0.03
	— maximum price	Colombia, Ecuador	£3.17	£4.76
		Ethiopia, Kenya	£5.29	£7.94
		Tanzania	£10.59	£15.88
		Uganda, Zambia	£26.48	£39.72

<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</i>	<i>Fee (outside normal working hours)</i>
<i>Fruit</i>				
<i>Citrus</i>	Per consignment			
	— up to 25,000 kg in weight	Turkey	£0.39	£0.59
		Morocco	£0.66	£0.99
		Egypt, Israel, Uruguay, USA	£1.98	£2.97
		Mexico	£3.31	£4.96
		Peru	£4.63	£6.95
		Honduras	£9.93	£14.89
	— for each additional 1,000 kg or part thereof	Turkey	£0.01	£0.02
		Morocco	£0.02	£0.03
		Egypt, Israel, Uruguay, USA	£0.07	£0.11
		Mexico	£0.13	£0.19
		Peru	£0.18	£0.27
		Honduras	£0.39	£0.58
	<i>Malus</i>	Per consignment		
— up to 25,000 kg in weight		Chile	£0.92	£1.39
		Argentina, New Zealand, South Africa	£1.32	£1.98
		Brazil	£1.98	£2.97
		China, USA	£3.31	£4.96
— for each additional 1,000 kg or part thereof		Chile	£0.03	£0.05
		Argentina, New Zealand, South Africa	£0.05	£0.07
		Brazil	£0.07	£0.11
		China, USA	£0.13	£0.19
<i>Mangifera</i>		Per consignment		
	— up to 25,000 kg in weight	Brazil	£6.62	£9.93
	— for each additional 1,000 kg or part thereof	Brazil	£0.26	£0.39
<i>Passiflora</i>	Per consignment			
	— up to 25,000 kg in weight	Colombia, Kenya	£1.32	£1.98
		Zimbabwe	£4.63	£6.95
		South Africa	£6.62	£9.93
	— for each additional 1,000 kg or part thereof	Colombia, Kenya	£1.32	£1.98
		Zimbabwe	£0.18	£0.27
South Africa		£0.26	£0.39	

<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</i>	<i>Fee (outside normal working hours)</i>
<i>Prunus</i>	Per consignment			
	— up to 25,000 kg in weight	Chile, South Africa, Turkey	£1.32	£1.98
		USA	£3.31	£4.96
		Argentina	£4.63	£6.95
	— for each additional 1,000 kg or part thereof	Chile, South Africa, Turkey	£0.05	£0.07
		USA	£0.13	£0.19
Argentina		£0.18	£0.27	
<i>Pyrus</i>	Per consignment			
	— up to 25,000 kg in weight	South Africa	£1.32	£1.98
		Argentina	£1.98	£2.97
		Chile, China	£4.63	£6.95
	— for each additional 1,000 kg or part thereof	South Africa	£0.05	£0.07
		Argentina	£0.07	£0.11
Chile, China		£0.18	£0.27	
<i>Vegetables</i>				
<i>Solanum melongena</i>	Per consignment			
	— up to 25,000 kg in weight	Turkey	£1.32	£1.98
	— for each additional 1,000 kg or part thereof	Turkey	£0.05	£0.07

The total fee for additional units or weight is to be rounded down to the nearest whole penny, or if that fee is less than £0.01 it is to be disregarded.”.

RICHARD LOCHHEAD
A member of the Scottish Executive

St Andrew’s House,
Edinburgh
18th November 2010

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Plant Health (Import Inspection Fees) (Scotland) Regulations 2005 (“the principal Regulations”). The principal Regulations implement Article 13d of Council Directive 2000/29/EC (O.J. L 169, 10.7.2000, p.1) (“the Council Directive”) which requires Member States to charge fees to cover costs occasioned by the documentary checks, identity checks and plant health checks of certain imports of plants, plant products and other objects from third countries.

The Council 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.

Schedule 1 to the principal Regulations sets out the standard fees for plant health checks. Schedule 2 to the principal Regulations sets out the fees for reduced rate inspections.

These Regulations substitute Schedule 2 to the principal Regulations in light of the Notification of Reduced Plant Health Checks for Certain Products of 25th June 2010, published by the Commission under Article 2(2) of Commission Regulation (EC) 1756/2004 (O.J. L 313, 12.10.2004, p.6) (“the Commission Regulation”). The Commission Regulation makes provision for the publication of a list of products for which plant health checks may be carried out at a reduced frequency, and specifies the level of the reduced frequency.

The changes to the fees made by these Regulations, which are set at a direct 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 in the table below:

Genus	Country of origin	Standard fee in Schedule 1 of the principal Regulations	Current rate of inspection	Current reduced rate of fee ⁽¹⁾	New rate of inspection	New reduced rate of fee
Cut Flowers		£13.24				
<i>Dianthus</i>	Colombia		3%	£0.39	5%	£0.66
<i>Dianthus</i>	Israel		50%	£6.62	100% ⁽²⁾	-
<i>Dianthus</i>	Kenya		25%	£3.31	5%	£0.66
<i>Rosa</i>	Colombia		5%	£0.66	3%	£0.39
<i>Rosa</i>	Ethiopia		10%	£1.32	5%	£0.66
<i>Rosa</i>	Kenya		10%	£1.32	5%	£0.66
<i>Rosa</i>	Tanzania		15%	£1.98	10%	£1.32
<i>Rosa</i>	Uganda		100%	-	25%	£3.31
<i>Rosa</i>	Zambia		50%	£6.62	25%	£3.31
Fruit		£13.24				
<i>Citrus</i>	Egypt		25%	£3.31	15%	£1.98
<i>Citrus</i>	Honduras		50%	£6.62	75%	£9.93
<i>Mangifera</i>	Brazil		10%	£1.32	50%	£6.62
<i>Psidium</i>	Brazil		75%	£9.93	100% ⁽²⁾	-
<i>Prunus</i>	USA		50%	£6.62	25%	£3.31
<i>Pyrus</i>	South Africa		15%	£1.98	10%	£1.32

⁽¹⁾ Current 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, by definition, excluded from the reduced rate inspection scheme and are subject to the import inspection fees specified in Schedule 1 to the principal Regulations.

No Business and Regulatory Impact Assessment has been prepared for this instrument as it has no impact on the cost of business.

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