

**2002 No. 407**

**SEEDS**

**Seeds (Fees) (No. 2) Regulations (Northern Ireland) 2002**

*Made - - - - - 18th December 2002*

*Coming into operation 29th January 2003*

The Department of Agriculture and Rural Development, in exercise of the powers conferred on it by sections 1(1), 1(2A)(a), 2(2) and (4) of the Seeds Act (Northern Ireland) 1965(b) and of every other power enabling it in that behalf, after consultation with representatives of such interests as appear to it to be concerned and with the approval of the Department of Finance and Personnel(c) with regard to the licensing fee for licensed testing establishments, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Seeds (Fees) (No. 2) Regulations (Northern Ireland) 2002 and shall come into operation on 29th January 2003.

**Fees**

2.—(1) Subject to regulation 3 there shall be paid to the Department in respect of matters arising under the Regulations referred to in Schedules 1 to 6 the fees set out in Column (3) of each of those Schedules opposite the respective references to such matters in Column (1), and in accordance with Column (2), of each of those Schedules.

(2) Paragraph (1) shall apply to matters listed in Column (1) of Schedules 1 to 6 arising in relation to breeder’s confirmations as it does to matters so listed arising in relation to official certificates.

**Exemption**

3. The Department may exempt any person or class of persons, or persons generally, from compliance with any of the provisions of these Regulations and the exemptions may be made subject to conditions.

**Revocation**

4. The Seeds (Fees) Regulations (Northern Ireland) 2002(d) are hereby revoked.

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(a) As inserted by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 3  
(b) 1965 c. 22 (N.I.)  
(c) Formerly the Department of Finance: see S.I. 1982/338 (N.I. 6) Art. 3  
(d) S.R. 2002 No. 257

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 18th December 2002.

(L.S.) *D. Small*  
A senior officer of the Department of Agriculture and Rural Development

The Department of Finance and Personnel hereby approves the foregoing Regulations in regard to the licensing fee for licensed testing establishments.

Sealed with the Official Seal of the Department of Finance and Personnel on 18th December 2002.

(L.S.) *Jack Leyberry*  
A senior officer of the Department of Finance and Personnel

SCHEDULE 1

Regulation 2

MATTERS ARISING UNDER THE CEREAL SEEDS REGULATIONS  
(NORTHERN IRELAND) 1994(a)

(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i>
		£
<i>A. Initial fees</i>		
Initial fee per hectare or part thereof for crops intended to produce: –	On application for registration	
(i) pre-basic or basic seed		24·60
(ii) certified seed of the first generation of wheat, durum wheat, spelt wheat, barley, triticale and oats or certified seed of rye and maize		6·20
(iii) certified seed of the second generation of wheat, durum wheat, spelt wheat, barley and oats		5·50
<i>B. Crop inspection fees</i>		
Fee for official examination or re-examination of crops intended to produce seed as set out in A(i), (ii) or (iii) per hectare or part thereof examined	Within one month of demand by the Department	12·30
Fee for official examination or re-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		12·30
<i>C. Seed lot fee</i>		
Fee for the issue of an official certificate 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		40·65
(ii) certified seed of the second generation of wheat, durum wheat, spelt wheat, barley and oats		20·30
<i>D. Seed testing fees</i>		
Fee for an official examination of seed for loose smut infection of wheat, durum wheat, spelt wheat and barley (per thousand embryos examined)	Within one month of demand by the Department	35·70
<i>E. Seed lot re-entry fee</i>		
Fee for the issue of an official certificate in respect of a seed lot which had been entered for one category and 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		28·45

(a) S.R. 1994 No. 254 as amended by S.R. 1995 No. 366, S.R. 1997 No. 240, S.R. 2000 No. 53 and S.R. 2000 No. 128

(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i>
		£
(ii) certified seed of the second generation of wheat, durum wheat, spelt wheat, barley and oats		14.20

SCHEDULE 2 Regulation 2

MATTERS ARISING UNDER THE FODDER PLANT SEEDS REGULATIONS  
(NORTHERN IRELAND) 1994(a)

(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i>
		£
<i>A. Initial fees</i>		
Initial fee per hectare or part thereof for crops intended to produce: –	On application for registration	
(i) pre-basic or basic seed of –		
(a) grasses, legumes (except field beans and field peas) and crucifers		18.50
(b) field beans and field peas		16.00
(ii) certified seed of grasses, legumes (except field beans, field peas, white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne) and crucifers		8.65
(iii) certified seed of the first and second generation of field beans and field peas		7.40
(iv) certified seed of the first generation white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne		8.65
<i>B. Crop inspection fees</i>		
Fee for official examination or re-examination of crops intended to produce seed as set out in A(i), (ii), (iii) or (iv) per hectare or part thereof examined	Within one month of demand by the Department	12.30
Fee for official examination or re-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 of grasses, legumes (except field beans, field peas, white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne) and crucifers or certified seed of the first generation and certified seed of the second generation of field beans and field peas or certified seed of the first generation white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne per hectare or part thereof examined		12.30

(a) S.R. 1994 No. 252 as amended by S.R. 1996 No. 311, S.R. 1997 No. 240 and S.R. 2000 No. 54

(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i>
		£
<b>C. Seed lot fee</b>		
Fee for the issue of an official certificate in respect of a seed lot entered as: –	On application	
(i) breeder's seed of –		
(a) grasses, legumes (except field beans and field peas) and crucifers		33.30
(b) field beans and field peas		54.20
(ii) pre-basic or basic seed of –		
(a) grasses, legumes (except field beans and field peas) and crucifers		62.85
(b) field beans and field peas		54.20
(iii) certified seed of grasses, legumes (except field beans, field peas, white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne) and crucifers		62.85
(iv) certified seed of the first and second generation of field beans and field peas		50.50
(ivA) certified seed of the first generation of white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne		62.85
(v) commercial seed of the kinds for the time being specified in regulation 3(2) of the Fodder Plant Seeds Regulations (Northern Ireland) 1994		55.45
<b>D. Seed lot re-entry fee</b>		
Fee for the issue of an official certificate in respect of a seed lot which had been entered for one category and been withdrawn and is being re-entered as: –	On application	
(i) pre-basic or basic seed of –		
(a) grasses, legumes (except field beans and field peas) and crucifers		44.00
(b) field beans and field peas		37.95
(ii) certified seed of grasses, legumes (except field beans, field peas, white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne) and crucifers		44.00
(iii) certified seed of the first and second generation of field beans and field peas		35.35
(iiiA) certified seed of the first generation of white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne		44.00
(iv) commercial seed of the kinds for the time being specified in regulation 3(2) of the Fodder Plant Seeds Regulations (Northern Ireland) 1994		38.80

# SCHEDULE 3

Regulation 2

## MATTERS ARISING UNDER THE OIL AND FIBRE PLANT SEEDS REGULATIONS (NORTHERN IRELAND) 1994(a)

(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i>
		£
<i>A. Initial fees</i>		
Initial fee per hectare or part thereof for crops intended to produce: –	On application for registration	
(i) pre-basic or basic seed		27.15
(ii) all other categories of seed		12.95
<i>B. Crop inspection fees</i>		
Fee for official examination or re-examination of crops intended to produce seed as set out in A(i) or (ii) per hectare or part thereof examined	Within one month of demand by the Department	12.30
Fee for official examination or re-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, certified seed of the second generation or certified seed of the third generation, per hectare or part thereof examined		12.30
<i>C. Seed lot fee</i>		
Fee for the issue of an official certificate in respect of a seed lot entered as: –	On application	
(i) breeder's, pre-basic or basic seed		49.30
(ii) all other categories of seed		49.30
<i>D. Seed testing fees</i>		
Fee for an official examination of seed for: –	Within one month of demand by the Department	
(i) sunflower for <i>Botrytis</i> spp		41.85
(ii) flax and linseed for –		
(a) <i>Alternaria</i> spp		
(b) <i>Phoma exigua</i> var. <i>linicola</i>		
(c) <i>Colletotrichum lini</i>		
(d) <i>Fusarium</i> spp		
(e) <i>Botrytis</i> spp		34.45
(iii) soya bean for <i>Pseudomonas syringae</i> pv. <i>glycinea</i> spp		
for one sub-sample test		60.00
for five sub-sample tests		200.00
(iv) soya bean for <i>Diaporthe phaselorum</i> spp		37.50
<i>E. Seed lot re-entry fee</i>		
Fee for the issue of an official certificate in respect of a seed lot which had been entered for one category and been withdrawn and is	On application	

(a) S.R. 1994 No. 255 as amended by S.R. 1996 No. 312, S.R. 1997 No. 240 and S.R. 2000 No. 55

(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i>
		£
being re-entered as: –		
(i) pre-basic or basic seed		34.50
(ii) all other categories of seed		34.50

**SCHEDULE 4**

Regulation 2

**MATTERS ARISING UNDER THE BEET SEEDS REGULATIONS  
(NORTHERN IRELAND) 1994(a)**

(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i>
		£
<i>A. Initial fees</i>		
Initial fee per hectare or part thereof for crops intended to produce: –	On application for registration	
(i) pre-basic or basic seed		32.05
(ii) certified seed		14.80
<i>B. Crop inspection fees</i>		
Fee for official examination or re-examination of crops intended to produce seed as set out in A(i) or (ii) per hectare or part thereof examined	Within one month of demand by the Department	12.30
Fee for official examination or re-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, per hectare or part thereof examined		12.30
<i>C. Seed lot fee</i>		
Fee for the issue of an official certificate in respect of a seed lot entered as: –	On application	
(i) pre-basic or basic seed		60.40
(ii) certified seed		59.10
<i>D. Seed lot re-entry fee</i>		
Fee for the issue of an official certificate in respect of a seed lot which had been entered for one category and been withdrawn and is being re-entered as: –	On application	
(i) pre-basic or basic seed		42.30
(ii) certified seed		41.40

(a) S.R. 1994 No. 251 as amended by S.R. 1997 No. 240 and S.R. 2000 No. 52

SCHEDULE 5

Regulation 2

MATTERS ARISING UNDER THE VEGETABLE SEEDS REGULATIONS  
(NORTHERN IRELAND) 1994(a)

(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i>
		£
<b>A. Initial fees</b>		
Initial fee for crops intended to produce: –	On application for registration	
(i) pre-basic or basic seed of –		
(a) all kinds, except peas, broad beans, cucumber, gherkin and tomato, per hectare or part thereof entered		43·10
(b) peas and broad beans per hectare or part thereof entered		27·15
(c) cucumber, gherkin and tomato, per crop entered		43·10
(ii) certified seed of –		
(a) all kinds, except peas, broad beans, cucumber, gherkin and tomato, per hectare or part thereof entered		23·35
(b) peas and broad beans per hectare or part thereof entered		11·10
(c) cucumber, gherkin and tomato, per crop entered		23·35
<b>B. Crop inspection fees</b>		
Fee for official examination or re-examination of crops intended to produce: –	Within one month of demand by the Department	
(i) A(i)(a) or (b) and A(ii)(a) or (b), per hectare or part thereof examined		12·30
(ii) A(i)(c) and A(ii)(c), per crop examined		12·30
Fee for official examination or re-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:		
(i) A(ii)(a) or (b), per hectare or part thereof examined		12·30
(ii) A(ii)(c), per crop examined		12·30
<b>C. Seed lot fee</b>		
Fee for the issue of an official certificate in respect of a seed lot entered	On application	98·55
<b>D. Seed lot re-entry fee</b>		
Fee for the issue of an official certificate in respect of a seed lot which had been entered for one category and been withdrawn and is being re-entered	On application	69·00

(a) S.R. 1994 No. 250 as amended by S.R. 1996 No. 313, S.R. 1997 No. 240 and S.R. 2000 No. 56



SCHEDULE 6

Regulation 2

MATTERS ARISING UNDER THE SEEDS (REGISTRATION, LICENSING AND ENFORCEMENT) REGULATIONS (NORTHERN IRELAND) 1994(a)

(1) <i>Matter</i>	(2) <i>When Payable</i>	(3) <i>Fee</i>
		£
<i>A. Representations by, and hearings of, a seed merchant, processor or packer</i>		
(i) Fee for making written representations to the Department	On making representations	30.80
(ii) Fee for being heard by a person appointed by the Department	On applying to be heard	61.60
<i>B. Licensed Seed Testing Establishments</i>		
(i) Annual fee payable during the currency of the licence (or a proportion thereof in respect of a part of a year)	Within one month of demand by the Department, annually in advance	2,033.00
(ii) Fee payable by the owner or person in charge of a Licensed Seed Testing Station in respect of an official examination of seed	Within one month of demand by the Department, annually in arrears	8.75
<i>C. Examination fees</i>		
(i) Examination for crop inspector in respect of		
– cereals		
– field beans, field peas and pulses, or		
– grasses and herbage legumes		
(a) examination	Before the examination	142.80
(b) re-sit of examination (other than cereals)	Before the examination	142.80
(c) re-sit of either part of cereals examination	Before the examination	71.40
(d) re-test	Before the examination	71.40
(ii) Examination for crop inspector in respect of		
– sugar beet, or		
– fodder and oil		
– crucifers; turnips; fodder beet and mangels; flax and linseed; soya beans		
(a) examination	Before the examination	89.25
(b) re-sit of examination	Before the examination	89.25
(c) re-test	Before the examination	71.40
(iii) Examination for seed sampler	Before the examination	89.25

(a) S.R. 1994 No. 253

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

Regulations controlling the marketing of cereal seeds, fodder plant seeds, beet seeds, oil and fibre plant seeds, and vegetable seeds (“seed regulations”) provide that, with certain exceptions, seeds of these categories may only be marketed if they are derived from crops which on inspection are found to meet certain standards and if upon subsequent testing samples of the seed also meet certain standards.

These Regulations, which are made under the Seeds Act (Northern Ireland) 1965, prescribe fees for certain initial applications, crop inspection fees, seed lot fees, seed testing fees and fees in relation to licensed seed testing establishments. Fees are also prescribed in relation to the making of written representations by, and hearings involving, seed merchants, processors or packers. They also provide that the same fees shall be payable in relation to breeder’s confirmations as are payable in relation to official certificates (regulation 2(2)).

The matters in respect of which the fees are prescribed are listed in Schedules 1 to 6 and replace the fees prescribed by the Seeds (Fees) Regulations (Northern Ireland) 2002 (the 2002 Regulations). These Regulations were annulled by the Northern Ireland Assembly on 17 September 2002. The level of the fees is the same as under the Seeds (Fees) Regulations (Northern Ireland) 1999 (the 1999 Regulations). The Regulations also reinstate fees first introduced by the 2002 Regulations for examinations 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, certified seed of the second generation or certified seed of the third generation. Provision is also made for fees to be charged for examinations for crop inspectors and seed samplers. The level of these fees is, however, 5% lower than the level set for those under the 2002 Regulations.

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