

**2005 No. 156**

**AGRICULTURE**

**Seed Potatoes (Crop Fees) (Amendment) Regulations  
(Northern Ireland) 2005**

*Made* - - - - - *23rd March 2005*

*Coming into operation* *14th April 2005*

The Department of Agriculture and Rural Development(a), in exercise of the powers conferred on it by section 1 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, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Seed Potatoes (Crop Fees) (Amendment) Regulations (Northern Ireland) 2005 and shall come into operation on 14th April 2005.

**Amendment to the Seed Potatoes (Crop Fees) Regulations (Northern Ireland) 2004**

2. The Seed Potatoes (Crop Fees) Regulations (Northern Ireland) 2004(c) shall be amended in accordance with Articles 3 to 6.

**Interpretation**

3. In regulation 1 there shall be inserted “(3) “Pre-basic tissue culture” has the meaning assigned to it in Schedule 2 to the Seed Potatoes Regulations (Northern Ireland) 2001(d)”.

**Fees**

4.—(1) Regulation 2 shall be amended in accordance with the following provisions of this regulation.

(2) After the words “seed potato crops” there shall be inserted “except for Pre-basic Tissue Culture”.

(3) After the words “in accordance with” there shall be inserted “Part A to”.

5. After regulation 2 there shall be inserted the following new regulation –

“2A. Subject to regulation 8 of the Seed Potatoes Regulations (Northern Ireland) 2001, in respect of certification and classification of Pre-basic Tissue Culture, a fee shall be payable for the services specified and shall be determined by the work involved, charged

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(a) Formerly the Department of Agriculture for Northern Ireland; see S.I. 1999/283 (N.I. 1) Art. 3(4)  
(b) 1965 c. 22 (N.I.) as amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Schedule 3  
(c) S.R. 2004 No. 181  
(d) S.R. 2001 No. 188

at an hourly rate in accordance with Part B to the Schedule. Where a charge is made by reference to an hour, the full hourly charge shall be payable in respect of part of an hour.”

6. For the Schedule to the Seed Potatoes (Crop Fees) Regulations (Northern Ireland) 2004 there shall be substituted the Schedule as set out in the Schedule to these regulations.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 23rd March 2005.

(L.S.)

*David Small*

A senior officer of the Department of Agriculture and Rural Development

SCHEDULE

Regulation 6

“SCHEDULE

Regulation 2 and Regulation 2A

PART A

FEEES FOR THE CERTIFICATION OF SEED POTATO CROPS EXCEPT FOR PRE-BASIC TISSUE CULTURE

<i>Application</i>	<i>Fee</i>
1. In the case of an application received by the Department on or before 30th May in any calendar year –	
(a) where the total area of the crop does not exceed 1 hectare	... £38.50
(b) where the total area of the crop exceeds 1 hectare	... £19.25 per half hectare or part of a half hectare
2. In the case of an application received by the Department after 30th May in any calendar year –	
(a) where the total area of the crop does not exceed 1 hectare	... £57.75
(b) where the total area of the crop exceeds 1 hectare	... £28.88 per half hectare or part of a half hectare

PART B

FEEES FOR THE CERTIFICATION OF PRE-BASIC TISSUE CULTURE

<i>Application</i>	<i>Fee</i>
In the case of an application received by the Department –	
(a) where the total inspection time does not exceed 1 hour	... £38.00
(b) where the total inspection time exceeds 1 hour	... £38.00 per hour or part of hour

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## EXPLANATORY NOTE

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

These Regulations amend the Seed Potatoes (Crop Fees) Regulations (Northern Ireland) 2004 which charge a fee per hectare or half hectare for the certification and classification of all seed potato crops. These Regulations facilitate the reinstatement of charges for the certification and classification of Pre-basic Tissue Culture potatoes by introducing hourly rates, thus taking into account different methods of growing that do not lend themselves to charging per hectare or half hectare.

Regulation 3 exempts the certification and classification of Pre-basic Tissue Culture from the previous charging rate of per hectare or per half hectare.

Regulation 4 inserts new regulations introducing fees for the certification of Pre-basic Tissue Culture according to an hourly rate.

Regulation 5 substitutes the Schedule to the Seed Potatoes (Crop Fees) Regulations (Northern Ireland) 2004 with a new Schedule. Part B to the Schedule sets the fee for the certification and classification of Pre-basic Tissue Culture at £38.00 per hour or part of an hour.

