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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 380**

**PLANT HEALTH**

**The Plant Health (Import Inspection Fees)(Wood and Bark) Regulations (Northern Ireland) 2005**

*Made - - - - 10th August 2005*

*Coming into operation 1st September 2005*

The Department of Agriculture and Rural Development<sup>(1)</sup>, being a Department designated<sup>(2)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(3)</sup> in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2), and section 56(1), (2) and (5) of the Finance Act 1973<sup>(4)</sup> and of all other powers enabling it in that behalf, with the consent of the Department of Finance and Personnel, hereby makes the following Regulations:

**Title and commencement**

1. These Regulations may be cited as the Plant Health (Import Inspection Fees)(Wood and Bark) Regulations (Northern Ireland) 2005 and shall come into operation on 1st September 2005.

**Interpretation**

2.—(1) In these Regulations—

“consignment” has the same meaning as in Article 2(1)(p) of the Directive;

“the Department” means the Department of Agriculture and Rural Development;

“the Directive” means Council Directive [2000/29/EC](#) of 8th May 2000<sup>(5)</sup> on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community as last amended by Commission Directive [2005/15/EC](#) of 28th February 2005<sup>(6)</sup>;

“documentary check” has the same meaning as in Article 13a(1)(b)(i) of the Directive;

“identity check” has the same meaning as in Article 13a(1)(b)(ii) of the Directive;

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(1) Formerly the Department of Agriculture for Northern Ireland; see S.I. [1999/283 \(N.I.1\)](#), Art. 3(4)

(2) S.I. [2000/2812](#)

(3) [1972 c. 68](#)

(4) [1973 c. 51](#).

(5) OJ No. L 169, 10.7.2000, p. 1.

(6) OJ No. L 56, 2.3.2005, p. 12.

“isolated bark” means bark which has been removed or become detached from a living, felled or fallen tree or from any part of any such tree;

“plant health check” has the same meaning as in Article 13a(1)(b)(iii) of the Directive;

“specified wood or isolated bark” means wood or isolated bark described in column 2 (Description) of Parts A and B of Schedule 1;

“third country” means a country or territory other than one within the European Community;

“wood packaging material” has the same meaning as in Annex IV(A)(1)(ii) of the Directive.

(2) A reference in these Regulations to anything done in writing or produced in written form includes a reference to an electronic communication, as defined in the Electronic Communications Act 2000<sup>(7)</sup>, which has been recorded and is consequently capable of being reproduced.

(3) The Interpretation Act (Northern Ireland) 1954<sup>(8)</sup> shall apply to these Regulations as it applies to an Act of the Assembly.

### Consignments to which these Regulations apply

3. These Regulations apply to—

- (a) consignments of specified wood or isolated bark listed in the second column of Part A of Schedule 1, landed in Northern Ireland from a third country, in respect of which Article 13d(1) of the Directive requires Member States to charge phytosanitary fees to cover the costs occasioned by documentary checks, identity checks and plant health checks.
- (b) consignments of specified wood listed in the second column of Part B of Schedule 1, which are subject to emergency measures under the Plant Health (Wood and Bark) (*Phytophthora ramorum*) Order (Northern Ireland) 2005<sup>(9)</sup>.

### Fees

4.—(1) An importer of a consignment to which these Regulations apply shall pay to the Department the fees specified in this regulation.

(2) In respect of a plant health check carried out on any consignment of specified wood or isolated bark the fee payable shall be the fee specified in the fourth column of Parts A and B of Schedule 1.

(3) In respect of a documentary check or an identity check carried out on any consignment of specified wood or isolated bark the fee payable shall be the fee specified for that check in the third column of Schedule 2.

(4) Nothing in this regulation shall require the payment of a fee in respect of wood packaging material actually in use with any consignment of specified wood or isolated bark.

### Notification of consignments

5. An importer of a consignment to which these Regulations apply must submit to the Department such information relating to the consignment, in writing and in such form as the Department may reasonably require, and such information must be submitted at least 3 days before the consignment is landed in Northern Ireland.

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(7) 2000 c. 7

(8) 1954 c. 33 (N.I)

(9) S.R. 2005 No. 252

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 10th August 2005

L.S.

*Malcolm Beatty*  
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 10th August 2005

L.S.

*Jack Layberry*  
A senior officer of the  
Department of Finance and Personnel

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE 1

Regulations 2, 3 and 4(2)

## IMPORT INSPECTION FEES FOR PLANT HEALTH CHECKS

## PART A

**Specified wood and isolated bark originating outside the European Community**

<i>Item (1)</i>	<i>Description (2)</i>	<i>Quantity (3)</i>	<i>Fee (4)</i>
1.	Wood of conifers ( <i>Coniferales</i> ), including wood which has not kept its natural round surface, in the form of:	Per consignment	
	— Fuel Wood; in logs, billets, twigs, faggots or in similar forms;	— up to 100 cubic metres	£13.00
	— Chips, particles, sawdust, wood waste and scrap obtained in whole or in part from these conifers, not agglomerated in logs, briquettes, pellets or similar forms;	— for each additional cubic metre	£0.13
	— Wood in the rough, treated with paint, stains, creosote or other preservatives, not stripped of bark or sapwood, or roughly squared;		
	— Wood in the rough, other than treated with paint, stains, creosote or other preservatives, whether or not stripped of bark or sapwood or roughly squared;		

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<i>Item (1)</i>	<i>Description (2)</i>	<i>Quantity (3)</i>	<i>Fee (4)</i>
	<ul style="list-style-type: none"> <li>— Split poles, piles, pickets and stakes pointed but not sawn lengthwise;</li> <li>— Railway or tramway sleepers (cross-ties) of wood;</li> <li>— Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm;</li> <li>— Packing cases, boxes, crates, drums and similar packings; cable-drums; pallets, box pallets and other load boards, pallet collars of wood;</li> <li>— Casks, barrels, vats, tubs and other coopers' products and parts thereof, including staves;</li> <li>— Prefabricated buildings of wood;</li> </ul> <p>originating in non-European countries, Kazakhstan, Russia and Turkey.</p>		
2.	<p>Wood of conifers (<i>Coniferales</i>), excluding wood which is bark-free, in the form of;</p> <ul style="list-style-type: none"> <li>— Fuel Wood; in logs, billets, twigs, faggots or in similar forms;</li> </ul>	<p>Per consignment</p> <ul style="list-style-type: none"> <li>— up to 100 cubic metres</li> <li>— for each additional cubic metre</li> </ul>	<p>£13.00</p> <p>£0.13</p>

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<i>Item (1)</i>	<i>Description (2)</i>	<i>Quantity (3)</i>	<i>Fee (4)</i>
	<ul style="list-style-type: none"> <li>— Chips, particles, wood waste and scrap obtained in whole or in part from these conifers, not agglomerated in logs, briquettes, pellets or similar forms;</li> <li>— Wood in the rough, treated with paint, stains, creosote or other preservatives, not stripped of bark or sapwood, or roughly squared;</li> <li>— Wood in the rough, other than treated with paint, stains, creosote or other preservatives, not stripped of bark or sapwood or roughly squared;</li> <li>— Split poles, piles, pickets and stakes pointed but not sawn lengthwise;</li> <li>— Railway or tramway sleepers (cross-ties) of wood</li> <li>— Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6mm;</li> <li>— Packing cases, boxes, crates, drums and similar packings;</li> </ul>		

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<i>Item (1)</i>	<i>Description (2)</i>	<i>Quantity (3)</i>	<i>Fee (4)</i>
	cable-drums; pallets, box pallets and other load boards, pallet collars of wood; — Prefabricated buildings of wood;  originating in European third countries.		
3.	Wood of <i>Acer</i> <i>saccharum</i> Marsh., including wood which has not kept its natural round surface, in the form of: — Fuel Wood; in logs, billets, twigs, faggots or in similar forms; — Chips, particles, sawdust, wood waste and scrap, not agglomerated in logs, briquettes, pellets or similar forms; — Wood in the rough, treated with paint, stains, creosote or other preservatives, not stripped of bark or sapwood, or roughly squared; — Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, not treated with paint, stains, creosote or other preservatives;	Per consignment — up to 100 cubic metres — for each additional cubic metre	£13.00 £0.13

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Item (1)	Description (2)	Quantity (3)	Fee (4)
	<ul style="list-style-type: none"> <li>— Split poles, piles, pickets and stakes pointed but not sawn lengthwise;</li> <li>— Railway or tramway sleepers (cross-ties) of wood;</li> <li>— Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6mm;</li> <li>— Packing cases, boxes, crates, drums and similar packings; cable-drums; pallets, box pallets and other load boards, pallet collars of wood;</li> <li>— Casks, barrels, vats, tubs and other coopers' products and parts thereof, including staves;</li> <li>— Prefabricated buildings of wood; originating in the USA and Canada.</li> </ul>		
4.	Wood of <i>Platanus</i> , including wood which has not kept its natural round surface, in the form of: <ul style="list-style-type: none"> <li>— Fuel Wood; in logs, billets, twigs, faggots or in similar forms;</li> <li>— Chips, particles, wood waste</li> </ul>	Per consignment <ul style="list-style-type: none"> <li>— up to 100 cubic metres</li> <li>— for each additional cubic metre</li> </ul>	£13.00 £0.13

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<i>Item (1)</i>	<i>Description (2)</i>	<i>Quantity (3)</i>	<i>Fee (4)</i>
	or scrap not agglomerated in logs, briquettes, pellets or similar forms;		
	— Wood in the rough, treated with paint, stains, creosote or other preservatives not stripped of bark or sapwood or roughly squared;		
	— Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, not treated with paint, stains, creosote or other preservatives;		
	— Split poles, piles, pickets and stakes pointed but not sawn lengthwise;		
	— Railway or tramway sleepers (cross-ties) of wood;		
	— Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6mm;		
	— Packing cases, boxes, crates, drums and similar packings; cable-drums; pallets, box pallets and other load boards, pallet collars of wood;		

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<i>Item (1)</i>	<i>Description (2)</i>	<i>Quantity (3)</i>	<i>Fee (4)</i>
	<ul style="list-style-type: none"> <li>— Casks, barrels, vats, tubs and other coopers' products and parts thereof, including staves;</li> <li>— Prefabricated buildings of wood; originating in the USA or Armenia.</li> </ul>		
5.	Wood of <i>Castanea</i> Mill., excluding wood which is bark-free, in the form of: <ul style="list-style-type: none"> <li>— Fuel Wood; in logs, billets, twigs, faggots or in similar forms;</li> <li>— Chips, particles, wood waste or scrap not agglomerated in logs, briquettes, pellets or similar forms;</li> <li>— Wood in the rough, treated with paint, stains, creosote or other preservatives not stripped of bark or sapwood or roughly squared;</li> <li>— Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, not treated with paint, stains, creosote or other preservatives;</li> <li>— Split poles, piles, pickets and stakes pointed but not sawn lengthwise;</li> </ul>	Per consignment <ul style="list-style-type: none"> <li>— up to 100 cubic metres</li> <li>— for each additional cubic metre</li> </ul>	£13.00 £0.13

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Item (1)	Description (2)	Quantity (3)	Fee (4)
	<ul style="list-style-type: none"> <li>— Railway or tramway sleepers (cross-ties) of wood;</li> <li>— Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6mm;</li> <li>— Packing cases, boxes, crates, drums and similar packings; cable-drums; pallets, box pallets and other load boards, pallet collars of wood;</li> <li>— Prefabricated buildings of wood; originating in third countries.</li> </ul>		
6.	Wood of <i>Quercus</i> L., including wood which has not kept its natural round surface, except where there is documented evidence that the wood has been processed or manufactured using a heat treatment to achieve a minimum temperature of 176°C for 20 minutes, in the form of: <ul style="list-style-type: none"> <li>— Fuel Wood; in logs, billets, twigs, faggots or in similar forms;</li> <li>— Chips, particles, wood waste or scrap not agglomerated in logs, briquettes,</li> </ul>	Per consignment <ul style="list-style-type: none"> <li>— up to 100 cubic metres</li> <li>— for each additional cubic metre</li> </ul>	£13.00 £0.13

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<i>Item (1)</i>	<i>Description (2)</i>	<i>Quantity (3)</i>	<i>Fee (4)</i>
	pellets or similar forms;		
	— Wood in the rough, treated with paint, stains, creosote or other preservatives not stripped of bark or sapwood or roughly squared;		
	— Wood in the rough, other than treated with paint, stains, creosote or other preservatives, whether or not stripped of bark or sapwood, or roughly squared;		
	— Split poles, piles, pickets and stakes pointed but not sawn lengthwise;		
	— Railway or tramway sleepers (cross-ties) of wood;		
	— Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6mm;		
	— Packing cases, boxes, crates, drums and similar packings; cable-drums; pallets, box pallets and other load boards, pallet collars of wood;		
	— Prefabricated buildings of wood;		

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<i>Item (1)</i>	<i>Description (2)</i>	<i>Quantity (3)</i>	<i>Fee (4)</i>
	originating in the USA.		
7.	Wood of <i>Populus</i> L., including wood which has not kept its natural round surface, in the form of:	Per consignment	
	— Fuel Wood; in logs, billets, twigs, faggots or in similar forms;	— up to 100 cubic metres	£13.00
	— Chips, particles, wood waste or scrap not agglomerated in logs, briquettes, pellets or similar forms;	— for each additional cubic metre	£0.13
	— Wood in the rough, treated with paint, stains, creosote or other preservatives not stripped of bark or sapwood or roughly squared;		
	— Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, not treated with paint, stains, creosote or other preservatives;		
	— Split poles, piles, pickets and stakes pointed but not sawn lengthwise;		
	— Railway or tramway sleepers (cross-ties) of wood;		
	— Wood sawn or chipped lengthwise, sliced or peeled, whether or not		

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	planed, sanded or end-jointed, of a thickness exceeding 6mm; — Packing cases, boxes, crates, drums and similar packings; cable-drums; pallets, box pallets and other load boards, pallet collars of wood; — Casks, barrels, vats, tubs and other coopers' products and parts thereof, including staves; — Prefabricated buildings of wood; originating in countries of the American continent.		
8.	Isolated Bark of: — <i>Acer Saccharum</i> Marsh., <i>Populus</i> L., and <i>Quercus</i> L., other than <i>Quercus suber</i> L., — Conifers ( <i>Coniferales</i> )  originating in third countries.	Per consignment — up to 25,000 kg in weight — for each additional 1,000 kg — maximum price	£13.24 £0.52 £105.92

## SCHEDULE 1

## PART B

**Specified wood subject to emergency measures on entry into Northern Ireland**

<i>Item (1)</i>	<i>Description (2)</i>	<i>Quantity (3)</i>	<i>Fee (4)</i>
1.	Wood of <i>Acer macrophyllum</i> Pursh., including wood which has not kept its natural round surface, in the form of: <ul style="list-style-type: none"> <li>— Fuel Wood; in logs, billets, twigs, faggots or in similar forms;</li> <li>— Chips, particles, wood waste or scrap not agglomerated in logs, briquettes, pellets or similar forms;</li> <li>— Wood in the rough, treated with paint, stains, creosote or other preservatives not stripped of bark or sapwood or roughly squared;</li> <li>— Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, not treated with paint, stains, creosote or other preservatives;</li> <li>— Split poles, piles, pickets and stakes pointed but not sawn lengthwise;</li> <li>— Railway or tramway sleepers</li> </ul>	Per consignment <ul style="list-style-type: none"> <li>— up to 100 cubic metres</li> <li>— for each additional cubic metre</li> </ul>	£13.00  £0.13

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Item (1)	Description (2)	Quantity (3)	Fee (4)
	(cross-ties) of wood; — Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6mm; — Packing cases, boxes, crates, drums and similar packings; cable-drums; pallets, box pallets and other load boards, pallet collars of wood; — Casks, barrels, vats, tubs and other coopers' products and parts thereof, including staves; — Prefabricated buildings of wood; originating in the USA.		
2.	Wood of <i>Aesculus californica</i> Nutt., including wood which has not kept its natural round surface, in the form of: — Fuel Wood; in logs, billets, twigs, faggots or in similar forms; — Chips, particles, wood waste or scrap not agglomerated in logs, briquettes, pellets or similar forms;	Per consignment — up to 100 cubic metres — for each additional cubic metre	£13.00 £0.13

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<i>Item (1)</i>	<i>Description (2)</i>	<i>Quantity (3)</i>	<i>Fee (4)</i>
	— Wood in the rough, treated with paint, stains, creosote or other preservatives not stripped of bark or sapwood or roughly squared;		
	— Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, not treated with paint, stains, creosote or other preservatives;		
	— Split poles, piles, pickets and stakes pointed but not sawn lengthwise;		
	— Railway or tramway sleepers (cross-ties) of wood;		
	— Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6mm;		
	— Packing cases, boxes, crates, drums and similar packings; cable-drums; pallets, box pallets and other load boards, pallet collars of wood;		
	— Casks, barrels, vats, tubs and other coopers' products and		

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Item (1)	Description (2)	Quantity (3)	Fee (4)
	parts thereof, including staves; — Prefabricated buildings of wood; originating in the USA.		
3.	Wood of <i>Lithocarpus densiflorus</i> (H & A), including wood which has not kept its natural round surface, in the form of: — Fuel Wood; in logs, billets, twigs, faggots or in similar forms; — Chips, particles, wood waste or scrap not agglomerated in logs, briquettes, pellets or similar forms; — Wood in the rough, treated with paint, stains, creosote or other preservatives not stripped of bark or sapwood or roughly squared; — Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, not treated with paint, stains, creosote or other preservatives; — Split poles, piles, pickets and stakes pointed but not sawn lengthwise; — Railway or tramway sleepers	Per consignment — up to 100 cubic metres — for each additional cubic metre	£13.00 £0.13

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<i>Item (1)</i>	<i>Description (2)</i>	<i>Quantity (3)</i>	<i>Fee (4)</i>
	(cross-ties) of wood;		
	— Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6mm;		
	— Packing cases, boxes, crates, drums and similar packings; cable-drums; pallets, box pallets and other load boards, pallet collars of wood;		
	— Casks, barrels, vats, tubs and other coopers' products and parts thereof, including staves;		
	— Prefabricated buildings of wood; originating in the USA.		

## SCHEDULE 2

Regulation 4(3)

**IMPORT INSPECTION FEES FOR DOCUMENTARY  
CHECKS AND IDENTITY CHECKS**

<i>Check (1)</i>	<i>Quantity (2)</i>	<i>Fee (3)</i>
Documentary check	Per consignment	£5.29
Identity check	Per consignment	£5.29
	— up to a size of a truck load, railway wagon load or the load of a container of comparable size	£10.58
	— bigger than the above size	

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## EXPLANATORY NOTE

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

These Regulations, which apply only to Northern Ireland and come into operation on 1st September 2005, implement Article 13d of Council Directive [2000/29/EC](#) of 8th May 2000 (OJNo. L 169, 10.7.00, p. 1), as last amended by Commission Directive [2005/15/EC](#) of 28th February 2005 (OJ No. L 56, 2.3.2005, p. 12), (“the Directive”), which requires member States to charge fees to cover the costs occasioned by the documentary checks, identity checks and plant health checks of imports of specified wood or isolated bark from third countries provided for in Article 13a(1) of the Directive.

The Regulations also apply to consignments of specified wood that are subject to emergency measures under The Plant Health (Wood and Bark)(*Phytophthora ramorum*) Order (Northern Ireland) 2005 (regulation 3(1)(b)).

An importer is required to pay the fee specified in Parts A and B of Schedule 1 for plant health checks which are carried out (regulation 4(2)).

An importer is required to pay the fee specified in Schedule 2 for documentary checks and identity checks (regulation 4(3)). Wood packaging material actually in use is exempt from fees (regulation 4(4)).

An importer must provide certain information concerning the consignment at least 3 days before it is landed in Northern Ireland (regulation 5).

No Regulatory Impact Assessment has been undertaken in respect of these regulations.