

2009 No. 134

PLANT HEALTH

**The Plant Health (Import Inspection Fees) (Amendment)
Regulations (Northern Ireland) 2009**

Made - - - - - *25th March 2009*

Coming into operation - *30th April 2009*

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

The Department 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) 2009 and come into operation on 30th April 2009.

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

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

2. The Plant Health (Import Inspection Fees) Regulations (Northern Ireland) 2005(**f**) shall be amended in accordance with regulations 3 and 4.

3. In regulation 2(1), omit the definition “official body of point of entry”(**g**).

4. For Schedule 2, substitute—

(a) Formerly the Department of Agriculture for Northern Ireland; see S.I. 1999/283 (N.I.1), Art. 3(4)
(b) 1972 c. 68
(c) 1973 c. 51
(d) S.I. 2000/2812
(e) 1954 c. 33 (N.I.)
(f) S.R. 2005/373, amended by S.R. 2007/21, S.R. 2007/252 and S.R. 2008/60
(g) Inserted by S.R. 2008/60

“SCHEDULE 2

Regulation 4(3)

IMPORT INSPECTION FEES (REDUCED RATES)

<i>Genus</i>	<i>Quantity</i>	<i>Country of origin</i>	<i>Fee</i>	<i>Fee (non-daytime working hours)</i>
<i>Cut flowers</i>				
<i>Dianthus</i>	Per consignment			
	— up to 20,000 in number	Colombia	£0.40	£0.60
		Kenya	£1.32	£1.98
		Ecuador	£1.98	£2.97
		Turkey	£3.31	£4.96
		Israel	£4.63	£6.95
	— for each additional 1,000 units or part thereof	Colombia	£0.003	£0.004
		Kenya	£0.01	£0.015
		Ecuador	£0.01	£0.02
		Turkey	£0.02	£0.03
		Israel	£0.03	£0.05
	— maximum price	Colombia	£3.17	£4.75
		Kenya	£10.59	£15.89
		Ecuador	£15.88	£23.83
		Turkey	£26.48	£39.72
Israel		£37.07	£55.60	
<i>Rosa</i>	Per consignment			
	— up to 20,000 in number	Ecuador	£0.40	£0.60
		Colombia	£0.66	£0.99
		Ethiopia, Kenya	£1.32	£1.98
		Tanzania	£1.98	£2.97
		Zambia	£3.31	£4.96
		India, Uganda	£6.62	£9.93
		— for each additional 1,000 units or part thereof	Ecuador	£0.003
	Colombia		£0.005	£0.007
	Ethiopia, Kenya		£0.01	£0.015
	Tanzania		£0.01	£0.02
	Zambia		£0.02	£0.03
	— maximum price	India, Uganda	£0.05	£0.07
		Ecuador	£3.17	£4.75
		Colombia	£5.29	£7.94
Ethiopia, Kenya		£10.59	£15.89	
Tanzania		£15.88	£23.83	
Zambia		£26.48	£39.72	
India, Uganda		£52.96	£79.44	
<i>Fruit</i>				
<i>Malus</i>	Per consignment			
	— up to 25,000 kg in weight	Chile	£0.93	£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	£0.66	£0.99
	— for each additional 1,000 kg or part thereof	Brazil	£0.02	£0.03
<i>Prunus</i>	Per consignment			
	— up to 25,000 kg in weight	Chile, South Africa, Turkey	£1.32	£1.98
		Argentina	£3.31	£4.96
		USA	£6.62	£9.93
	— for each additional 1,000 kg or part thereof	Chile, South Africa, Turkey	£0.05	£0.07
		Argentina	£0.13	£0.19
		USA	£0.26	£0.39
<i>Pyrus</i>	Per consignment			
	— up to 25,000 kg in weight	South Africa	£1.98	£2.97
		Argentina	£3.31	£4.96
		Chile	£4.63	£6.95
		China	£6.62	£9.93
	— for each additional 1,000 kg or part thereof	South Africa	£0.07	£0.11
		Argentina	£0.13	£0.19
		Chile	£0.18	£0.27
		China	£0.26	£0.39
<i>Citrus</i>	Per consignment			
	— up to 25,000 kg in weight	Turkey	£0.40	£0.60
		Morocco	£0.66	£0.99
		Uruguay, USA	£1.98	£2.97
		Egypt, Israel, Mexico, Peru	£3.31	£4.96
		Honduras	£9.93	£14.89
	— for each additional 1,000 kg or part thereof	Turkey	£0.01	£0.02
		Morocco	£0.02	£0.03
		Uruguay, USA	£0.07	£0.11
		Egypt, Israel, Mexico, Peru	£0.13	£0.19
		Honduras	£0.39	£0.58
<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	£0.05	£0.07
		Zimbabwe	£0.18	£0.27
		South Africa	£0.26	£0.39
<i>Vegetables</i>				

<i>Solanum melongena</i>	Per consignment			
	— up to 25,000 kg in weight	Turkey	£1.98	£2.97
	— for each additional 1,000 kg or part thereof	Turkey	£0.07	£0.11

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

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 23rd March 2009.



John Speers

A senior officer of the Department of Agriculture and Rural Development

The Department of Finance and Personnel consents to the foregoing Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on 25th March 2009.



Jack Layberry

A senior officer of the Department of Finance and Personnel

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Plant Health (Import Inspection Fees) Regulations (Northern Ireland) 2005 (S.R. 2005/373) (“the principal Regulations”). The principal Regulations implement Article 13d of Council Directive 2000/29/EC (OJ No. L169, 10.7.00, P.1) as amended by Council Directive 2002/89/EC (O.J. No. L355, 30.12.02, P.45-60), which requires Member States to charge fees to cover the 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. These minimum fees are revised annually by the EC.

These Regulations substitute a new Schedule 2 to the principal Regulations, to give effect to the latest agreed reduced rates for inspections of certain material. (Schedule 2 to the principal Regulations includes provision for reduced rates for certain plants and plant products agreed under the procedure provided for in Articles 13d(2) and 18(2) of the Directive). 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>	Kenya	100% ⁽²⁾	-	10%	£1.32
<i>Rosa</i>	Ethiopia	5%	£0.66	10%	£1.32
<i>Rosa</i>	Kenya	5%	£0.66	10%	£1.32
<i>Rosa</i>	Uganda	10%	£1.32	50%	£6.62
<i>Rosa</i>	Zambia	10%	£1.32	25%	£3.31
<i>Rosa</i>	Zimbabwe	50%	£6.62	100% ⁽²⁾	-
Fruit					
<i>Malus</i>	Argentina	15%	£1.98	10%	£1.32
<i>Malus</i>	Brazil	25%	£3.31	15%	£1.98
<i>Malus</i>	China	35%	£4.63	25%	£3.31
<i>Mangifera</i>	Peru	50%	£6.62	100% ⁽²⁾	-
<i>Passiflora</i>	Colombia	15%	£1.98	10%	£1.32
<i>Prunus</i>	Chile	15%	£1.98	10%	£1.32
<i>Citrus</i>	Honduras	100% ⁽²⁾	-	75%	£9.93
<i>Citrus</i>	Turkey	5%	£0.66	3%	£0.40
<i>Citrus</i>	USA	10%	£1.32	15%	£1.98
<i>Momordica</i>	Suriname	50%	£6.62	100% ⁽²⁾	-
Vegetables					
<i>Solanum melongena</i>	Turkey	25%	£3.31	15%	£1.98

(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.

2009 No. 134

PLANT HEALTH

The Plant Health (Import Inspection Fees) (Amendment)
Regulations (Northern Ireland) 2009