
STATUTORY INSTRUMENTS

2002 No. 3176

The Seed (Registration, Licensing and Enforcement) (England) Regulations 2002

PART IV

LICENSED SEED SAMPLERS

Applications for licences

17.—(1) An individual may apply to the Secretary of State for a licence authorising him to take samples of seed of the species specified in Part I of Schedule 3 for the purposes of the Seed Marketing Regulations.

(2) An application made under paragraph (1) shall be made in such form and manner as the Secretary of State may require and shall be accompanied by such information as the Secretary of State may reasonably require.

Licences

18.—(1) Where an application is made under regulation 17 the Secretary of State shall grant the applicant a seed sampler's licence if—

- (a) she is satisfied that the applicant has undertaken a training course on seed sampling organised by or on behalf of the Secretary of State, the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development; and
- (b) the applicant, having completed such a course, has passed an examination on seed sampling organised by or on behalf of the Secretary of State, the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development.

(2) A licence granted under paragraph (1)—

- (a) shall specify which of the functions listed in Part II of Schedule 3 are covered by the licence and may in addition specify any other functions which the Secretary of State thinks necessary or desirable; and
- (b) may impose any of the conditions listed in Part III of Schedule 3 and such other conditions as the Secretary of State may think necessary or desirable.

(3) A licensed seed sampler who is employed by a person who is engaged in a seed industry activity shall only sample seed lots produced by or on behalf of his employer unless otherwise agreed between his employer, the applicant for certification and by the Secretary of State.

Variation of licences

19. Subject to regulation 36, the Secretary of State may vary a seed sampler's licence as she thinks fit.

Termination of licences

20. If a seed sampler requests the Secretary of State to terminate his licence the Secretary of State shall comply with the request.

Suspension and revocation of licences

21. Subject to regulation 36, the Secretary of State may suspend or revoke a seed sampler's licence if she is satisfied that he—

- (a) is no longer qualified to sample seed or is otherwise unfit to perform any of the functions specified in his licence; or
- (b) is not carrying out the functions specified in his licence or complying with the conditions imposed on him by his licence.

List

22. The Secretary of State—

- (a) shall keep a list of the names and addresses of licensed seed samplers;
- (b) shall make the list available for inspection by any person at any reasonable time; and
- (c) may from time to time publish the list in such manner as she thinks appropriate.

Fees

23. A licensed seed sampler may charge reasonable fees for carrying out his functions as a licensed seed sampler but shall not derive any private gain in connection with the carrying out of such functions.