

2014 No. 1759 (W. 174)

PLANT HEALTH, WALES

**The Plant Health (Export
Certification) (Wales)
(Amendment) Order 2014**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Plant Health (Export Certification) (Wales) Order 2006 (S.I. 2006/1701 (W 163)) (“the 2006 Order”).

This Order provides for increases on the fees specified in the 2006 Order as follows:

- (a) fees for services in respect of applications for certificates by a range from 4% to 52% (article 2(3)), and
- (b) fees for pre-export services by 19% (article 2(4)).

Further details are provided in the Explanatory Memorandum which can be viewed on the National Assembly for Wales website at www.assemblywales.org. The fee levels provided for in this Order form the second part of a move towards full cost recovery of fees over three years.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Natural Environment and Agriculture Team, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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PLANT HEALTH, WALES

**The Plant Health (Export
Certification) (Wales)
(Amendment) Order 2014**

Made 2 July 2014

Laid before the National Assembly for Wales

4 July 2014

Coming into force 31 July 2014

The Welsh Ministers, with the consent of the Treasury, make the following Order in exercise of the powers conferred by sections 3(1) and 4A of the Plant Health Act 1967⁽¹⁾.

Title, commencement and application

1.—(1) The title of this Order is the Plant Health (Export Certification) (Wales) (Amendment) Order 2014.

(2) This Order comes into force on 31 July 2014 and applies in relation to Wales.

Amendment of the Plant Health (Export Certification) (Wales) Order 2006

2.—(1) The Plant Health (Export Certification) (Wales) Order 2006⁽²⁾ is amended as follows.

(2) In paragraph (1) of article 2 (Interpretation)—

(a) after the definition of “certificate” (“*tystysgrif*”), insert—

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- (1) 1967 c. 8. Section 1(2) was amended by the Natural Resources Body for Wales (Functions) Order 2013/755 (W. 90), Schedule 2, paragraph 43. Section 3(1) was amended by the European Communities Act 1972 (c. 68), section 4 and Schedule 4, paragraph 8 and further amended by S.I. 2011/1043, Part 2, article 6(1)(e). Section 4A was inserted by the Agriculture Act 1986 (c. 49), section 3. The powers conferred by sections 3 and 4A are conferred on a “competent authority”, which is defined in section 1(2), for Wales, as the Welsh Ministers.
- (2) S.I. 2006/1701 (W. 163), amended by S.I. 2013/1658 (W. 156).

““laboratory examination” (“*archwiliad mewn labordy*”) includes laboratory testing;”;

(b) for the definition of “third country” substitute—

““third country” (“*trydedd wlad*”) has the same meaning in this Order as in the Plant Health (Wales) Order 2006(1)”.

(3) For Schedule 3(2) substitute—

□ SCHEDULE 3 Articles 3 and 5

Applications for certificates: fees

Services in respect of applications for certificates	Fee (£)	Fee (small exporter) (£)
(1) Services for consignments other than grain:		
(a) inspection and, where necessary, laboratory examination	58.92 for each quarter hour or part thereof with a minimum fee of 117.84	29.46 for each quarter hour or part thereof with a minimum fee of 58.92
(b) laboratory examination only	32.93	16.47
(c) issue of a certificate where no inspection or laboratory examination is required	12.53	6.27
(2) Services for consignments of grain:		
monitoring of inspections carried out by a person authorised under	53.78	26.89□.

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- (1) S.I. 2006/1643 (W. 158), amended by S.I. 2011/1043, article 9(1); there are other amending instruments but none is relevant.
- (2) Schedule 3 was substituted by S.I. 2013/1658 (W. 156), article 2(3).

article 3(3) and,
where
necessary,
laboratory
examination
carried out by
an authorised
officer

(4) For Schedule 4(1) substitute—

“SCHEDULE 4 Article 5

Pre-export service fees

Service	Fee (£)	Fee (small exporter) (£)
Pre-export service	44.88 for each quarter hour or part thereof with a minimum fee of 89.75	22.44 for each quarter hour or part thereof with a minimum fee of 44.88 ⁽¹⁾ .

Alun Davies

Minister for Natural Resources and Food, one of the
Welsh Ministers

2 July 2014

(1) Schedule 4 was substituted by S.I. 2013/1658 (W. 156), article 2(4).