

2013 No. 1658 (W. 156)

PLANT HEALTH, WALES

**The Plant Health (Export
Certification) (Wales)
(Amendment) Order 2013**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which comes into force on 31 July 2013, amends the Plant Health (Export Certification) (Wales) Order 2006 (S.I. 2006/1701) (“the 2006 Order”).

The fee levels provided for in this Order form the first part of a move towards full cost recovery of fees over three years. This Order provides for increases on the fees specified in the 2006 Order as follows:

(1) fees for services in respect of application for certificates by a range from 15% to 130% (article 2(3)), and

(2) fees for pre-export services by 85% (article 2(4)).

Further details are provided in the Explanatory Memorandum which can be viewed on the National Assembly for Wales website (www.assemblywales.org).

A regulatory impact assessment of the effects of this Order on the costs of business, in relation to the types of fee covered, has been prepared in respect of this Order. Copies can be obtained from the Department of Environment and Sustainable Development, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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PLANT HEALTH, WALES

**The Plant Health (Export
Certification) (Wales)
(Amendment) Order 2013**

Made 3 July 2013

Laid before the National Assembly for Wales

5 July 2013

Coming into force 31 July 2013

The Welsh Ministers in exercise of the powers conferred by sections 3(1) and 4A of the Plant Health Act 1967⁽¹⁾ and now vested in them⁽²⁾ make the following Order with the consent of the Treasury.

Title, application and commencement

1.—(1) The title of this Order is the Plant Health (Export Certification) (Wales) (Amendment) Order 2013.

(2) This Order applies in relation to Wales.

(3) This Order comes into force on 31 July 2013.

(1) 1967 c. 8; see section 1(2) for the definition of “the competent authorities”. Section 3(1) was amended by the European Communities Act 1972 (c. 68), section 4A was inserted by the Agriculture Act 1986 (c. 49), section 3.

(2) The functions of the Minister of Agriculture, Fisheries and Food under the Plant Health Act 1967 (c. 8) were, so far as exercisable in relation to Wales, transferred to the Secretary of State for Wales by article 2 of, and Schedule 1 to, the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272). Those functions were transferred from the Secretary of State for Wales to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The functions of the National Assembly for Wales were transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32). The Treasury approval requirements under section 4A of the Plant Health Act 1967 continue in effect.

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

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

(2) In the Welsh text of article 3(3), for “gronynnau” substitute “grawn”.

(3) For Schedule 3 substitute—

□ SCHEDULE 3

Articles 3 and 5

<i>Services in respect of applications for certificates</i>	<i>Fee (£)</i>	<i>Fee (small exporter) (£)</i>
(1) Services for consignments other than grain: inspection and, where necessary, laboratory examination	46.61 for each quarter hour or part thereof with a minimum fee of 93.22	23.31 for each quarter hour or part thereof with a minimum fee of 46.62
laboratory examination only	26.43	13.22
issue of a certificate where no inspection or laboratory examination is required	8.21	4.11
(2) Services for consignments of grain: monitoring of inspections carried out by a person authorised under article 3(3) and, where necessary, laboratory examination carried out by an authorised officer	51.47	25.73 □

(4) For Schedule 4 substitute—

(1) S.I. 2006/1701 (W. 163).

□ SCHEDULE 4

Article 5

<i>Service</i>	<i>Fee (£)</i>	<i>Fee (small exporter) (£)</i>
Pre-export service	37.46 for each quarter hour or part thereof with a minimum fee of 74.92	18.73 for each quarter hour or part thereof with a minimum fee of 37.46□

Alun Davies

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

3 July 2013