

# SL(5)461 – The Plant Health etc. (Miscellaneous Fees) (Wales) (Amendment) Regulations 2019

## Background and Purpose

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These Regulations amend the Plant Health (Export Certification) (Wales) Order 2006 to provide for increases in the fees for services in respect of applications for phytosanitary certificates (including phytosanitary certificates for re-export) and related pre-export services, and to increase the maximum amount for services to which the concessionary rate for small exporters applies, from £250 to £750.

These Regulations also amend the Plant Health etc. (Fees) (Wales) Regulations 2018 (“2018 Regulations”), which specify fees payable to the Welsh Ministers in relation to plant health services and the certification of seed potatoes and fruit plants and fruit plant propagating material.

## Procedure

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Negative.

## Technical Scrutiny

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No technical points are identified for reporting under Standing Order 21.2 in respect of this instrument.

## Merits Scrutiny

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The following merits point is identified for reporting under Standing Order 21.3 in respect of this instrument.

- 1. Standing Order 21.3(i) – that it imposes a charge on the Welsh Consolidated Fund or contains provisions requiring payments to be made to that Fund or any part of the government or to any local or public authority in consideration of any licence or consent or of any services to be rendered, or prescribes the amount of any such charge or payment.**

These Regulations amend the fees payable to the Welsh Ministers in the circumstances described above.

## Implications arising from exiting the European Union

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These Regulations amend the 2018 Regulations which implement, in Wales, various EU obligations in relation to plant health. The amended 2018 Regulations will form part of retained EU law after exit day.

## Government Response

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A government response is not required.

### Legal Advisers

Constitutional and Legislative Affairs Committee

29 October 2019

