

S.I. No. 710 of 2005

European Communities (Seed Potatoes) (Amendment) (No. 2) Regulations 2005

I, Mary Coughlan, Minister for Agriculture and Food, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Council Directive 2002/56/EC of 13 June 2002¹, hereby make the following Regulations:

1. These Regulations may be cited as the European Communities (Seed Potatoes) (Amendment) (No. 2) Regulations 2005.
2. The European Communities (Seed Potatoes) Regulations 1980 (S.I. No. 343 of 1980) (as amended by the European Communities (Seed Potatoes) Regulations 1999 (S.I. No. 381 of 1999)) are amended by inserting after Regulation 17 the following Regulation:
 - “18. (1) The Minister may set fees, payable to him or her, for inspection, certification and carrying out tests and different fees may be set for different inspections, certificates or tests.
 - (2) A fee payable under this Regulation may be recovered by the Minister as a simple contract debt in a court of competent jurisdiction.
 - (3) A fee payable under this Regulation shall not exceed an amount equal to the costs, estimated by the Minister, incurred in respect of an inspection, processing of an application for a certificate or test.
 - (4) The Public Offices Fees Act 1879 does not apply in respect of fees payable under this Regulation.
 - (5) A fee under this Regulation shall be disposed of for the benefit of the Exchequer in such manner as the Minister for Finance may direct.”.

L.S. **GIVEN** under my Official Seal,
3 November 2005

Mary Coughlan,
Minister for Agriculture and Food.

¹ OJ L 193, 20.7.2002, p.60

Explanatory Note

(This note is not part of the instrument and does not purport to be a legal interpretation)

These Regulations provide for the setting of fees for the testing and certification of seed potatoes and for the sampling and analysis of the soil in which the crops are to be grown.

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