RURAL ECONOMY AND CONNECTIVITY COMMITTEE

AGENDA

16th Meeting, 2018 (Session 5)

Wednesday 23 May 2018

The Committee will meet at 10.00 am in the Mary Fairfax Somerville Room (CR2).

1. **Major transport infrastructure projects update:** The Committee will take evidence from—

   Keith Brown, Cabinet Secretary for Economy, Jobs and Fair Work, and Michelle Rennie, Director, Major Transport Infrastructure Projects, Scottish Government.

2. **Annual report:** The Committee will consider a draft annual report for the parliamentary year from 12 May 2017 to 11 May 2018.

3. **Subordinate legislation:** The Committee will consider the following negative instrument—

   The Plant Health (Export Certification) (Scotland) Order 2018 (SSI 2018/132).

Steve Farrell
Clerk to the Rural Economy and Connectivity Committee
Room T3.40
The Scottish Parliament
Edinburgh
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The papers for this meeting are as follows—

**Agenda Item 1**

Cover note  
PRIVATE PAPER

**Agenda Item 2**

Annual Report 2017-18

**Agenda Item 3**

SSI cover note
The Committee will receive an update from the Cabinet Secretary for Economy, Jobs and Fair Work, Keith Brown MSP, on the progress of major transport infrastructure projects in Scotland for which he is responsible, such as:

- **Aberdeen Western Peripheral Route (AWPR):** The Aberdeen Western Peripheral Route/Balmedie to Tipperty project consists of four sections:
  - Balmedie to Tipperty: 12km from Blackdog to Tipperty
  - Northern Leg: 16.1km from North Kingswells to Blackdog
  - Southern Leg: 18.7km from Charleston to North Kingswells
  - Fastlink: 11.5km from Stonehaven to Cleanhill
Main construction works began during February 2015, with the entire project due to be completed by autumn 2018.

- **A9 Dualling:** The A9 dualling project aims to dual 80 miles of single carriageway between Perth and Inverness, plus associated upgrades, by 2025. The project will be completed in 11 sections and is due to cost £3bn. Work to build the 7.5km section between Kincraig and Dalraddy, the first to be dualled as part of the project, was completed during summer 2017. Transport Scotland has identified preferred routes for over 36 miles of the 80 miles to be dualled.

- **A96 Dualling:** The A96 dualling project aims to dual 86 miles of single carriageway road between Aberdeen and Inverness, by 2030. The scheme is currently under development and is due to cost £3bn.

- High Speed Rail – the involvement of Scotland in the development of a UK high speed rail network.

- Queensferry Crossing

- Glasgow Prestwick Airport
Annual Report

This report covers the work of the Rural Economy and Connectivity Committee during the parliamentary year between 12 May 2017 and 11 May 2018.
Introduction

1. This report covers the work of the Rural Economy and Connectivity (REC) Committee during the parliamentary year between 12 May 2017 and 11 May 2018.

2. The role of the Committee is to scrutinise the Scottish Government's policies and expenditure on a number of matters including agriculture, forestry, fisheries and aquaculture, crofting, transport, food and drink, digital connectivity and islands issues.
Meetings

3. During the parliamentary year, the Committee met 35 times. Of these meetings 2 were wholly in private and 7 were partly in private. In general, items taken in private were to consider the Committee's work programme, approach papers and draft reports. Agendas and minutes of all meetings of the Committee, including details of matters considered in private, are published on the Parliament's website. The Committee met once externally in Orkney, with all other meetings being held in Edinburgh.

Membership changes

4. Two members left during the period covered by this report, as follows:
   - Rhoda Grant (from 8 June 2016 to 9 January 2018)
   - Fulton MacGregor (from 30 March 2017 until 19 April 2018)

They were replaced by Colin Smyth and Kate Forbes respectively.
Bills scrutinised

1 External committee meetings

Fact finding visits

Reports published

SSIs considered

Committee meetings

1630 followers
2509 tweets
*as of 11 May 2018
Legislation

Seat Belts on School Transport (Scotland) Bill

5. In last year's annual report by the Committee, it outlined the Committee's recommendation to the Parliament that general principles of the Seat Belts on School Transport (Scotland) Bill be agreed at Stage 1. The Committee considered amendments to the Bill at Stage 2 on 28 June 2017.

6. The Bill was passed on 9 November 2017 and received Royal Assent on 18 December 2017.

Forestry and Land Management (Scotland) Bill

7. The Forestry and Land Management (Scotland) Bill was introduced on 10 May 2017. It made provision about Scottish Ministers’ functions in relation to the management of forestry land and other land; and for connected purposes.

8. The Committee's general call for evidence on the Bill garnered 42 responses, primarily from Regional Forestry Forums, land owners, the forestry industry, forestry policy and environmental stakeholders.
9. The Committee agreed its Stage 1 report on the general principles of the Bill on 4 October 2017. A response from the Cabinet Secretary for the Rural Economy and Connectivity to the Committee's report was received on 3 November 2017. The Committee considered amendments to the Bill at Stage 2 in December 2017.

10. The Bill was passed on 20 March 2018 and received Royal Assent on 1 May 2018.

Islands (Scotland) Bill

11. On 9 June 2017, the Islands (Scotland) Bill was introduced to create a statutory duty to develop a National Islands Plan and to impose duties in relation to island communities on certain public authorities. As well as making provisions about the electoral representation of island communities, it established a licensing scheme in respect of marine development adjacent to islands.

12. The Committee took oral evidence on the Bill from September to November 2017 from a range of local authorities, national bodies, businesses and communities groups. It launched a call for views on 26 June which ran to October 2017 and resulted in 51 written submissions.

13. As part of its evidence gathering the Committee spent 3 days in Orkney for a formal external Committee meeting and visits. It also visited communities and organisations on Mull and the Western Isles, as well as conducting video conferences with islanders on Arran and with students in multiple locations who attend the University of the Highlands and Islands or Heriot Watt University.

14. The Committee agreed its Stage 1 report on the Bill at its meeting on 17 January 2018. Stage 2 of the Bill was completed by the Committee on 21 and 28 March.

UK Parliament Legislation

15. Throughout the parliamentary year the Committee considered A Legislative Consent Memorandum on the Laser Misuse (Vehicles) Bill.
As part of its scrutiny of the Legislative Consent Memorandum (LCM), the Committee took evidence from the Minister for Transport and the Islands and his officials. The Committee recommended to the Parliament that it approve the LCM.

**Subordinate Legislation**

During this parliamentary year the Committee considered 34 statutory instruments of which 31 were negative and 3 were affirmative.
Inquiries

16. The Committee undertook the following pieces of scrutiny work during the parliamentary year.

Salmon Farming in Scotland

17. On 31 January 2018, the Committee agreed to undertake an inquiry into the farmed salmon sector in Scotland. The remit of the inquiry is to consider the current state of the salmon industry in Scotland, identify opportunities for its future development and explore how the various fish health and environmental challenges it currently faces can be addressed.

18. A call for written evidence was published and 161 submissions were received.

19. Six evidence sessions were held with aquaculture research bodies, environmental and fishing organisations, regulatory bodies, development bodies, salmon farming representatives and the Cabinet Secretary for the Rural Economy and Connectivity.

20. As part of its evidence gathering, the Committee met with the former Norwegian Minister of Fisheries, Per Sandberg and took part in a video conference with the Aquaculture Stewardship Council. Committee members also visited a wild fishery, salmon hatcheries and salmon farms to discuss issues relevant to the inquiry.
21. The Environment, Land Reform and Climate Change Committee carried out a related inquiry into the environmental impacts of salmon farming, to contribute towards the Committee’s broader inquiry.


**Post Legislative Scrutiny**

23. At its meeting on 17 January 2018, the Committee agreed to undertake an exercise to identify any pieces of legislation within its remit from sessions 1-3 which might benefit from an assessment to establish if they are delivering their stated policy intentions.

24. The Committee launched a call for views and 9 submissions were received. The Committee will consider its response to these submissions in summer 2018.
Other evidence sessions

Forth Replacement Crossing

25. The Committee continued its scrutiny of the Forth Replacement Crossing over this period, which included its opening on 30 August 2017. The Committee received updates from the Cabinet Secretary for Economy Jobs and Fair Work and the project team on 31 May 2017, 28 June 2017 and 24 January 2018. The project team also appeared before the Committee on 29 November 2017.

26. The evidence session on 29 November 2017 resulted in the Committee requesting and receiving a full breakdown of planned and ongoing works on both the new Queensferry Crossing and the Forth Road Bridge from Transport Scotland.

Transport

27. The Committee has looked at a broad range of transport issues during the reporting year, including those related to air, bus, road, rail, ferry services and active travel.

28. The Committee has paid particularly close attention to the performance of rail services and the management of the rail network in Scotland, including the progress of developments such as the Edinburgh Glasgow Improvement Project. It took evidence on these issues from Scotrail Alliance on 8 November 2017, the Minister for Transport and Islands on 22 November 2017, and as part of a wider session on winter resilience on 28 March 2018.

29. The session on winter resilience, saw the Committee taking evidence from the Minister for Transport and Islands, the Scotrail Alliance and the Confederation of Passenger Transport. The Committee sought evidence on the management of road and public transport systems during a period of severe winter weather in February and March 2018.

30. The Committee took views from passenger transport representatives on bus and train services on 25 April 2018.

31. The Committee also took evidence from the Cabinet Secretary for Economy, Fair Work and Jobs on the Aberdeen Western Peripheral Route on 24 January 2018, following the collapse of Carillion, which was part of the consortium contracted to deliver the project. The evidence session included discussion on the completion time for this project. The Cabinet Secretary subsequently announced to the Parliament on 22 March 2018 that completion of this project would be delayed until Autumn 2018.
Common Agricultural Policy (CAP)

32. The Committee received regular updates from the Cabinet Secretary for the Rural Economy and Connectivity on Common Agriculture Policy (CAP) during the parliamentary year.

33. He provided the Committee with a final update on CAP Payments to farmers and crofters on 28 June 2017. A further session on the impact the failure in the CAP IT systems has had on farming businesses was held on 27 September 2017.

34. The CAP as also considered during the Committee’s scrutiny of the Scottish Government’s draft budget 2018-19 on 20 December 2017.

Implications for Scotland of the UK leaving the European Union

35. Following the sessions the Committee held in early 2017 on the implications of Brexit for the agriculture, forestry and fisheries sectors, the Committee had a subsequent evidence session on 29 November 2017 with the Cabinet Secretary for the Rural Economy and the Minister for Negotiations of Scotland’s Place in Europe.

36. The Committee conducted further scrutiny on these issues as the negotiations to exit the EU progress on 21 February 2018 with agriculture and fisheries stakeholders. It also agreed in its work programme to consider issues around the implications of Brexit for the transport, digital and food and drink sectors when suitable opportunities arose.

Review of legislation on small landholdings in Scotland

37. The Committee had an evidence session to consider the Scottish Government’s Review of Legislation Governing Small Landholdings in Scotland report on 13 September 2017, taking evidence from the Cabinet Secretary for the Rural Economy and Connectivity.

Digital Connectivity

38. In 2017, the Scottish Government published its latest digital strategy, Realising Scotland’s full potential in a digital world: A Digital Strategy for Scotland which the Committee has continued to monitor the implementation of during evidence sessions on 20 December 2017 as part of budget scrutiny and on 31 January 2018.
Budget Process

39. On 13 September the committee agreed to undertake scrutiny of support for the food and drink sector in advance of the Scottish Government's publication of the Draft Budget 2018-19.

40. It therefore agreed to hold a pre-introduction budget evidence session to hear from stakeholders with an interest in the food and drink sector on 15 November 2017.

41. The Committee subsequently took from Fergus Ewing MSP, the Cabinet Secretary for the Rural Economy and Connectivity and Humza Yousaf MSP, Minister for Transport and Islands, on 20 December 2017, following the publication of the draft budget documents. This session included discussion of all areas of the draft budget pertinent to the Rural Economy and Connectivity portfolio, with a focus on the food and drink sector.

42. The Committee received 14 responses to its call for written evidence on food and drink. In addition, the Committee received 3 general submissions on the Draft budget.

43. The Committee published its report on 19 January 2018 and made a number of recommendations on food and drink, transport, EU support and related services, rural services, forestry and digital connectivity. The Scottish Government responded to the Committee's report on 27 February 2018.
Petitions

44. Over the course of the parliamentary year the Committee considered the following public petition:

   PE1598: Protecting wild salmonids from sea lice from the Scottish salmon farms

45. The Committee considered the petition on 21 June 2017 and agreed that in early 2018 it would conduct an inquiry into aquaculture in Scotland, which would seek to include consideration of the issues raised in the petition. The Committee decided on 31 January 2018 that this inquiry should focus on the farmed salmon sector in Scotland.
Engagement and Innovation

46. The Committee was grateful to the wide number of individuals and organisations who engaged with the Committee’s work this year.

47. The Committee undertook a number of engagement activities particularly as part of its scrutiny for the Islands (Scotland) Bill and Forestry and Land Management (Scotland) Bill.

48. On the Islands (Scotland) Bill engagement activities included Committee visits in Orkney, Mull and the Western Isles, video conferences with other islands (including multi-location video-conference), and a formal committee meeting in Orkney. An Instagram story of the Committee’s visit was developed to assist in engaging younger audiences. This received 319 views.

49. A Facebook live session was also broadcast on the winter resilience session of 28 March 2018, receiving just under 3,000 views. A further session on public transport representatives was streamed on Facebook live on 25 April 2018, receiving over 2,500 views. Facebook live allowed the public to comment directly as evidence was being taken.
Equalities

50. The Committee mainstreamed equalities issues throughout its work in the parliamentary year. For example, the Committee took evidence from members of the Mobility and Access Committee for Scotland on access to bus and rail services to on 25 April 2018.

51. The Committee also sought to understand equality implications of the Bills it scrutinised during this period. For example, on the Islands (Scotland) Bill, the Committee heard about inequalities that exist between protected characteristic groups on islands and the potential for the Bill to enhance equality. The Committee was keen to hear from a range of people on the Bill, such as young people and community members, and ran accessible discussion events, including through video conference, to support this. The Committee, on this Bill, also made Gaelic translations of its call for views and its executive summary of its report, to make this accessible for Gaelic speaking communities.

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1. The Committee will consider the following negative SSI:

- SSI 2018/132: The Plant Health (Export Certification) (Scotland) Order 2018 (see Annex A)

Annex A – SSI 2018/132: The Plant Health (Export Certification) (Scotland) Order 2018

Type of Instrument: Negative

Laid Date: 27 April 2018

Coming into force: 1 June 2018

Minister to attend the meeting: No

Procedure

1. Under the negative procedure, an instrument comes into force on the date specified on it (the “coming into force date”) unless a motion to annul is agreed to by the Parliament within the 40-day period. Lead committees are not obliged to report to the Parliament on negative instruments, except where a motion recommending annulment has been lodged.

Consideration by the Delegated Powers and Law Reform Committee

2. At its meeting on 8 May 2018, the Delegated Powers and Law Reform (DPLR) Committee considered the instrument and determined that it did not need to draw the attention of the Parliament to the instruments on any grounds within its remit.

Policy Objectives

3. These Regulations revoke and replace the Plant Health Export Certification) (Scotland) Order 2004 (SSI 2004/248, as amended by S.S.I. 2007/137), which contain fees and measures relating to plant health services for the export of plants and other objects to countries outside of the EU.

4. The Scottish Government carries out services to enable plants and plant products to be exported such as, issuing phytosanitary (plant health) certificates and inspecting material for export. These costs are currently not met by the fees. The instrument introduces a full cost recovery regime for plant health inspection services.

5. A fee has also been included to produce a intra-EU phytosanitary communication document. This records phytosanitary requirements allowing materials to be exported by third countries by other EU member states.

6. The Scottish Government intends to carry out a post-implementation review of the new arrangements a year after implementation.

Consultation

7. The Scottish Government ran a consultation on the changes in this instrument and received 8 responses. Concerns were raised about the timing of the changes, given uncertainty due to Brexit and the export season for seed
potatoes, as well as concerns about the impact on export business’ revenue. As a result, the coming into force date was moved from 31 March 2018 to 1 June 2018.

8. The policy note, partial business and regulatory impact assessment and instrument are attached and also available online at the below link:  

Recommendation

9. The Committee is invited to consider any issues that it wishes to raise in relation to this instrument.

Rural Economy and Connectivity Committee Clerks
May 2018
POLICY NOTE

THE PLANT HEALTH (EXPORT CERTIFICATION) (SCOTLAND) ORDER 2018

S.S.I. 2018/132

Introduction

1. The above instrument is made by the Scottish Ministers in exercise of powers conferred by sections 3(1), (2) and (4), 4(1) and 4A of the Plant Health Act 1967. The instrument is subject to negative procedure.

Purpose of the Instrument

2. This instrument revokes and replaces the Plant Health (Export Certification) (Scotland) Order 2004 (SSI 2004/248, as amended by S.S.I. 2007/137). It also introduces a full cost recovery regime for the plant health inspection services and incorporates a fee associated with the issue of an intra-EU phytosanitary communication document.

EU Legislative Background


Policy Background

5. To prevent the introduction of harmful pests and diseases, most countries require that consignments of plants and plant products meet certain plant health standards before they are allowed entry. The export of consignments to most countries outside the EU must be accompanied by a phytosanitary (plant health) certificate which indicates compliance with the relevant importing country’s plant health requirements.

6. The Scottish Government are responsible for issuing certificates in Scotland. These certificates provide importing countries with the assurance that the consignment
meets their plant health standards. Consignments without this certificate are likely to be rejected at the point of entry: destroyed or returned to the exporting country. In most cases, phytosanitary certificates can only be issued following satisfactory official inspection of the material for export. In some circumstances, however, it may also be necessary for a sample to be examined by the official laboratory.

7. The Plant Health Act 1967 allows for the charging of fees for these services through the making of an order. In Scotland, The Plant Health (Export Certification) (Scotland) Order 2004, as amended, currently prescribes the fees for such services.

Policy Objective

8. The current charges do not reflect the true cost to government of providing the service. In line with the Scottish Government policy on recovering the cost of government services, the objective of this Order is to contribute to a full cost recovery regime for the plant health inspection services. The intended aim is to make more efficient use of public resources by transferring the cost of the service from the taxpayer to the user of the service (i.e. exporters of plant, plant products or other objects).

9. This instrument revokes the Plant Health (Export Certification) (Scotland) Order 2004 and the Plant Health (Export Certification) (Scotland) Amendment Order 2007. The revised structure of services offered and the corresponding fees are detailed in the schedule of the 2018 Instrument.

10. This work contributes to the Scottish Government’s Wealthier and Fairer strategic objective by creating a high quality, efficient public service to encourage trade with countries out with the EU and help Scotland’s agriculture and horticulture industries achieve responsible and sustainable future growth. It also ensures that the cost of public services are met by those who benefit directly and the cost to Government is neutral.

Timing

11. The instrument will come into force on 1st June 2018. This date was selected to ensure that full cost recovery is in place as early as possible within this financial year whilst providing minimal disruption and impact on Scottish export businesses.

Business and Regulatory Impact Assessment

12. The instrument will only impact on a narrow and specific group of stakeholders in Scotland therefore a partial business and regulatory impact assessment was carried out.
13. The proposed amendments may present an additional cost to those exporting plants, plant products or other objects which require to be accompanied by a phytosanitary certificate issued by the Scottish Government. This may include businesses, scientific and academic institutions and private individuals.

**Consultation Exercise**

14. The consultation ran for 8 weeks from 14 December 2017 to 8 February 2018.

15. The consultation received 8 responses, all from organisations. Concerns were raised about the timings of the changes, due to the uncertainty surrounding Brexit and the proposed implementation date of 31 March 2018 as this fell within the export season for seed potatoes. Other concerns raised were the impact of fee increases on the revenue of Scottish export businesses. However, there was also an acceptance of the need for an increase in fees and an appreciation of the important work carried out by the inspectors, with a caveat that any increase should not be prohibitive for small businesses.

16. All concerned parties were consulted directly about the proposals and were given the opportunity to comment. The Scottish Government was able to discuss directly the proposed fees and the concerns, giving assurances as to the level of increase and the likely impact on their business.

**Outcome**

17. With a need to ensure full cost recovery for services prescribed in this Instrument, the Scottish Government will move to implement the new fees structure as set out in the consultation paper. To ensure fairness and to minimise the impact of these changes the implementation date has been delayed from 31 March 2018 to 1 June 2018.

18. With any fee increase, there is a clear requirement in the short term to monitor the effectiveness of the approach. The Scottish Government will assess the impact of the changes a year after implementation of any revised fees through a post-implementation review and will review service delivery procedures as necessary.

Scottish Government
Directorate for Agriculture and Rural Economy (ARE)
25 April 2018
Partial Business and Regulatory Impact Assessment

Title of Proposal
The Plant Health (Export Certification) (Scotland) Order 2018

Purpose and intended effect

Background
In order to prevent the introduction of harmful pests and diseases, most countries outside the EU require that consignments of plants and plant products meet certain plant health standards before they are allowed entry. To support this, the consignments must be accompanied by a phytosanitary (plant health) certificate, issued in the exporting country. Consignments without this certificate will be rejected at the point of entry, i.e. destroyed or returned to the exporting country.

In most cases, depending on the requirement of the importing country, phytosanitary certificates can only be issued following satisfactory official inspection of the material for export. In some circumstances it may also be necessary for a sample to be examined by the official laboratory. In Scotland, the majority of these statutory inspections are carried out by Scottish Government inspectors, who are also responsible for issuing the certificates.

The Plant Health (Export Certification) (Scotland) Order 2004, as amended, sets charges for pre-export inspections, issuing of phytosanitary certificates, certificates for re-export and any associated laboratory work in support of the plants, plant products or other objects for export to countries outside the European Union. The current charges do not reflect the true cost to Government of providing the service.

Objective
In line with the Scottish Government policy on recovering the cost of Government services, the objective of this amendment is to contribute to a full cost recovery regime for the plant health inspection services. The intended aim is to make more efficient use of public resources by transferring the cost of the service from the taxpayer to those who benefit directly from the service (i.e. exporters of plant, plant products or other objects).

The policy will not compromise the Scottish Government’s ability to meet its obligations under the International Plant Protection Convention (IPPC): the international plant health agreement which works to prevent the spread and introduction and spread of pests and diseases across international boundaries and to promote appropriate measures for their control.

Rationale for Government intervention
Although the service aims to be as efficient as possible, a recent review of the plant health export fees has established that the current charges set do not reflect the costs incurred of providing the service. There is a Government responsibility to remove the subsidy for exporters and the financial cost to taxpayers. The proposed fee arrangement has the ability to reduce the discrepancy.

This work contributes to the Scottish Government’s Wealthier and Fairer strategic objective by creating a high quality, efficient public service to encourage trade with countries out with the EU and help Scotland’s agriculture and horticulture industries achieve responsible and sustainable future growth. It also ensures that the cost of public services are met by those who benefit directly and the cost to Government is neutral.

Consultation

Within Government
We have consulted internally with colleagues in Policy, Finance, Science and Advice for Scottish Agriculture (SASA) and Rural Payments and Inspections Division (RPID) to establish the processes,
procedures and costs currently involved in providing the export certification services and to seek their advice and comments on our proposals as they have developed.

Public Consultation
A public consultation will take place from 14 December 2017. Responses to the consultation will influence the decision on whether to adopt the proposed charges. If the proposed fees are adopted, they will be implemented on 31 March 2018.

Business
The consultation is relevant to a narrow and specific group of stakeholders who will be contacted directly about the consultation. It will also be placed on the Scottish Government website for wider awareness.

Fee Structure Options
To meet the stated aim of introducing a full cost recovery regime for the plant health export certification service, we have considered the following options:

1. Do Nothing (No change to current policy of partial cost recovery)
Under this option charges would remain at the existing cost. As with the current scenario, applicants would continue to gain access to the subsidised service. This would not meet the Scottish Government objective of achieving full cost recovery.

2. Streamline the service procedures and introduce fee amendments to achieve full cost recovery
This option would deliver the Scottish Government’s aims to recover the full cost of the service. Fees would increase so that those who benefit from the service (i.e. exporters) would be required to meet the true costs of providing export certificates.

3. Remove individual certification, inspection and testing fees and introduce a fee based purely on time spent on inspection work.
This option would introduce a single combined fee, which would cover certificate processing work, growing season inspections, pre-export testing and any associated laboratory work. It would be applied on a pro rata basis. Adopting this option would simplify the current charging process, however the transparency element would be lost. It would not be clear from a combined fee, based on time, of the exact services that were being charged for. The inspectors would also be put under time related pressure from the industry which may have a detrimental effect on the quality of the service.

Preferred Option
Option 2 is preferred by the Scottish Government. It will achieve the objective of removing the financial cost of service provision from the general taxpayer, without compromising our international obligations.

Sectors and groups affected
The proposed amendments may present an additional cost to those exporting plants, plant products or other objects to be accompanied by a phytosanitary certificate issued by the Scottish Government, including businesses, scientific and academic institutions and private individuals.

Timing of New Fees
The Scottish Government’s aim is to implement the revised fees at the earliest opportunity, however we would welcome your thoughts on this before a final decision is made. Question 2 of the Questionnaire in the consultation paper asks for any comments on timing and this should be used to highlight any potential impacts.
Costs
A cost review of inspections has been carried out to give an indication of the current level of recovery and what could be achieved under each of the proposed options. The level of recovery varies between the individual services in the charging schedule.

A table displaying the revised charging schedule proposed by the Scottish Government is attached at Annex B. Each of the newly proposed fees was derived based on full economic costing. The level of fee includes salaries of the inspectors, facilities and equipment for the inspectors, sampling for visual or laboratory inspection, laboratory testing, travel costs and administrative activities. Data extracted from the relevant TRAC (transparent approach to costing) reports was used where possible to calculate the staff cost elements.

A pragmatic approach has been taken to ensure that users of the service at a geographical disadvantage are not penalised. Also, where possible, costs have been reduced.

Further explanations for services which would see a significant structural or financial change are detailed below. This should be read in conjunction with the proposed fee schedule at Annex B.

Grain
While the issuing of phytosanitary certificates is done by Scottish Government inspectors, inspections of grain for certification are undertaken by trade inspectors. The fee listed in the charging schedule has been reduced in line with other entries where an inspection does not contribute to the cost.

In order to meet certain import permit requirements, it is sometimes necessary for grain samples to be examined by the Official Seed Testing Station (OSTS) for the presence of particular seed-borne pests and diseases and/or for freedom from prohibited weed seeds. In line with achieving full cost recovery, a new fee of £70 per hour is proposed to cover any testing that may be required (see entry 10 in the proposed fee schedule).

Soil Sampling for Potato Cyst Nematode (PCN)
A flat rate fee is proposed in line with the intention to streamline and simplify the fee structure.

Bulbs, malt barley, oil seed rape, plants and plant products, ware potatoes and used agricultural machinery, where an inspection at the premises of the grower is necessary

It is no longer sustainable to maintain the current monetary value ranges which are used for bulbs, plants and plant products and ware potatoes. There are currently five charging levels, depending on the value of the consignment. We propose to reduce this to two. This maintains a reduced charge for those who export consignments of a lesser value.

The fee for used agricultural machinery, malt barley and oil seed rape have been incorporated into this entry.

Inspections of consignments of bulbs, malt barley and oil seed rape can be valid for up to 28 days. Within this time period, additional certificates can be issued without the need for further inspection. It is proposed that the cost of the initial inspection and phytosanitary certificate is increased to £70. A fee of £25 is proposed for the additional certificates where no inspection is required.

Bulbs, plants and plant products, other than seeds, delivered to Scottish Government Horticulture and Marketing Unit (HMU), or for botanical research
The entries for inspections of products delivered to HMU and for botanical research are listed separately in the current charging schedule. We propose to combine them. In recent years, fees for these services have rarely been used as the majority of inspections are carried out at the premises of the grower. We propose to introduce a flat rate instead of the current tiered structure.
Dried, frozen and processed plant products
Importing countries should not require phytosanitary certificates for plant products that have been processed to the point where they have no potential for introducing regulated pests, or for other commodities that do not require phytosanitary measures. There are occasions when some importing countries take a different view on technical justification for requiring a phytosanitary certificate. On these occasions certificates are issued in order to facilitate trade. Exporters who find themselves in this situation are urged to check with the importing country if a phytosanitary certificate is necessary.

The new fee reflects the administrative time required for processing and issuing the certificate.

Growing season inspection (GSI)
It is suggested that the charge for the first 0.5 ha (or part thereof) is reduced to £40.00. Any additional area will be charged per 0.1 ha (instead of 0.5 ha). This will allow a more accurate reflection of time and costs associated with inspection.

Growing season inspections relating to indoor and outdoor plants are rarely used and there is limited data to base the fees on. The charges for these have therefore been amended in line with bulbs to mirror the current regulations.

Intra-EU Phytosanitary Communication (IPC) Document
Introducing a new fee to allow charging for an IPC document is proposed. The EU, as a single market, allows people and business to move and trade freely across borders within the EU. In practical terms, for plants, plant products and other commodities, this means that shipments can be dispatched to other member states of the EU without special customs documentation. The IPC document is an official way to record phytosanitary requirements to allow consignments to be exported to third countries by other member states.

The IPC document is not a legal document and it is rarely used by member states, including Scotland and the rest of the UK, hence there is not currently a provision for charging for it under the Plant Health (Export Certification) (Scotland) Order 2004. Due to emerging markets, it may be needed more frequently in coming years and a fee for this document has been introduced as part of the proposed amendment to the export fee regime. Inclusion is necessary for consistency with the objective of achieving full cost recovery.

The processes involved in issuing an IPC document are similar to those of issuing a phytosanitary certificate and so the proposed charge is also £25. This is in line with the basic fee for issuing a phytosanitary certificate.

Amending a certificate at the request of the exporter after issue
There is not currently a fee associated with this service. In line with achieving full cost recovery, a charge should be introduced.

Scottish Firms Impact Test
The individuals and bodies who apply for use of the service will, of course, be affected by any proposal to increase fees and may have concerns. The proposed consultation based on this partial businesses and regulatory impact assessment will draw out the extent of these concerns and provide information to make a decision on future action. The level of fee will be the same regardless of the size of the institution involved. All affected parties will be consulted directly about the proposals and will be given the opportunity to comment. We will also identify a number of impacted businesses to discuss the proposed fees with face to face.

Competition Assessment
The competition filter has been applied and the conclusion is that there are no significant risks on competition. The proposals will not directly, or indirectly, limit the number or range of suppliers,
limit the ability of suppliers to compete or reduce suppliers’ incentives to compete vigorously therefore a detailed assessment has not been prepared.

**Test run of business forms**
Changes to existing fees will not involve any new forms or changes to existing forms and therefore a test run is not required.

Newly introduced fees may require new forms however they would be very similar to those that already exist and therefore no test run is required.

**Legal Aid Impact Test**
An amendment to the export certification fees would not introduce new criminal sanctions or civil penalties so there are no implications for legal aid.

**Enforcement, sanctions and monitoring**
Compliance costs covered by this Regulation relate to provisions for plant health inspections, laboratory testing (where appropriate) and issuing of phytosanitary certificates for consignments which are exported from Scotland to third countries to ensure they are allowed entry to the importing country. The Scottish Government carries out the collection of fees for the services provided. The income levels and fee rates are monitored and reviewed regularly.

**Implementation and delivery plan**
After a consultation period, subject to Ministerial approval, any change to the charges will be implemented by a Scottish Statutory Instrument in the form of a regulation amendment. It is intended that the new charges will come into force in 31 March 2018.

**Post-implementation review**
With any fee increase, there is a clear requirement in the short term to monitor the effectiveness of the approach. The Scottish Government will assess the impact of the changes a year after implementation of any revised fees and review service delivery procedures as necessary.

**Declaration and publication**
I have read the Business and Regulatory Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options. I am satisfied that business impact has been assessed with the support of businesses in Scotland.

**Signed:**

**Date:**

**Mr Fergus Ewing**  
*Cabinet Secretary for the Rural Economy and Connectivity*

**Scottish Government Contact point:**

Romy Strachan  
Scottish Government  
Agriculture and Rural Economy  
D Spur  
Saughton House  
Broomhouse Drive  
Edinburgh  
EH11 3XD
T: 0300 244 9853
E: romy.strachan@gov.scot
Citation, commencement and extent

1.—(1) This Order may be cited as the Plant Health (Export Certification) (Scotland) Order 2018 and comes into force on 1st June 2018.

(2) This Order extends to Scotland only.

Interpretation

2. In this Order—

“certificate” means a phytosanitary certificate or a phytosanitary certificate for re-export;

“consignment” means a quantity of goods being covered by a single document required for customs formalities or for other formalities, such as a single phytosanitary certificate or single alternative document or mark and may be composed of one or more lots;

“inspector” means any person authorised by the Scottish Ministers to be an inspector for the purposes of the principal plant health Order;

“IPC document” means an intra-EU phytosanitary communication document, being an official document which—

(a) is issued in relation to a consignment which is intended to be exported from another member State to a third country; and

(b) communicates to the national plant protection organisations of other member States that certain phytosanitary procedures have been applied;

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(a) 1967 c.8; sections 3(1) and (2) were amended by the European Communities Act 1972 (c.68), section 4 and schedule 4, paragraph 8; section 3(1) was also amended by S.I. 2011/1043, article 6(1); section 3(4) was substituted by the Criminal Justice Act 1982 (c.48), section 42 and amended by the Statute Law (Repeals) Act 1993 (c.50), schedule 1, part XIV; and section 4A was inserted by the Agriculture Act 1986 (c.49), section 3. Section 1(2) of the 1967 Act specifies the competent authorities for the purposes of the Act. The functions of the Secretary of State insofar as exercisable within devolved competence were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46). The requirement to obtain Treasury consent was removed by section 55 of that Act.
“phytosanitary certificate” means a certificate which complies with the relevant requirements of articles 7 and 15 of the principal plant health Order(a);

“phytosanitary certificate for re-export” means a certificate for re-export which complies with the relevant requirements of articles 7 and 15 of the principal plant health Order;

“premises” includes any land, building, vessel, vehicle, aircraft, hovercraft or freight container;

“principal plant health Order” means the Plant Health (Scotland) Order 2005(b);

“soil” includes any medium used for the growing of plant material and “soil sample” is construed accordingly; and

“third country” means a country or territory other than one within the European Union.

Phytosanitary certificates for export of plants etc. to third countries

3.—(1) Any requirement of a third country for a plant, plant product or other object to be accompanied by a phytosanitary certificate, or a phytosanitary certificate for re-export, issued by an official national plant protection organisation whether for the purposes of—

(a) Article V of the International Plant Protection Convention 1951(c); or

(b) any arrangement corresponding to that Article,

may be met by the issue of such a certificate by an inspector to accompany that plant, plant product or other object, subject to an application and payment of a fee as mentioned in article 4.

(2) In connection with the issue, or proposed issue, of a certificate under paragraph (1), an inspector may—

(a) carry out any of the services listed in column 2 of the table in the schedule which the inspector considers are necessary to meet the phytosanitary requirements of the third country; and

(b) where appropriate, certify that a consignment has been inspected on the basis of a laboratory examination alone.

(3) An inspector may enter any premises, other than premises used wholly or mainly as a private dwelling, for the purpose of any examination or inquiry under this Order.

Fees for export certification services

4.—(1) A person who applies to the Scottish Ministers for a certificate or IPC document in relation to a plant, plant product or other object, must pay to the Scottish Ministers any fee prescribed in column 3 of the table in the schedule which corresponds to a service described in column 2 of the table which has been performed by an inspector in connection with that application.

(2) Paragraph (3) applies where—

(a) a service listed in column 2 of the table in the schedule includes the issue of a certificate or IPC document; and

(b) the application for the issue of the certificate or IPC document is refused by an inspector by reason of the results of any related inspection, examination or test.

(a) S.S.I. 2005/613; articles 7 and 15 were amended by S.I. 2011/1043, article 6(1); article 15 was also amended by S.S.I. 2016/83.


(3) A fee is still payable for the service mentioned in paragraph (2)(a) by the person mentioned in paragraph (1).

Offences and penalties

5.—(1) A person commits an offence if, for the purposes of procuring the issue of a certificate or IPC document under this Order, that person—
   (a) knowingly or recklessly makes a statement which is false or misleading in any material particular; or
   (b) intentionally fails to disclose any material information,

(2) A person who commits an offence under paragraph (1) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Offences by bodies corporate etc.

6.—(1) Where—
   (a) an offence under article 5(1) has been committed by a body corporate or a Scottish partnership or other unincorporated association; and
   (b) it is proved that the offence was committed with the consent or connivance of, or was attributable to any neglect on the part of—
      (i) a relevant individual; or
      (ii) an individual purporting to act in the capacity of a relevant individual,
   the individual (as well as the body corporate, Scottish partnership or unincorporated association) commits the offence and is liable to be proceeded against and punished accordingly.

(2) In paragraph (1), “relevant individual” means—
   (a) in relation to a body corporate—
      (i) a director, manager, secretary or other similar officer of the body;
      (ii) where the affairs of the body are managed by its members, a member;
   (b) in relation to a Scottish partnership, a partner;
   (c) in relation to an unincorporated association other than a Scottish partnership, a person who is concerned in the management or control of the association.

Revocations

7. The following Orders are revoked—
   (a) the Plant Health (Export Certification) (Scotland) Order 2004(a).
   (b) the Plant Health (Export Certification) (Scotland) Amendment Order 2007(b).

FERGUS EWING
A member of the Scottish Government

St Andrew’s House,
Edinburgh
25th April 2018

(b) S.S.I. 2007/137.
## SCHEDULE

### Articles 3(2) and 4

#### Applications for certificates: table of fees

<table>
<thead>
<tr>
<th>Column 1 No.</th>
<th>Column 2 Service</th>
<th>Column 3 Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>(a) Issue of a phytosanitary certificate for the export of grain.</td>
<td>£25.00</td>
</tr>
<tr>
<td></td>
<td>(b) Pre-export laboratory testing of grain.</td>
<td>£70.00 per hour or any part thereof</td>
</tr>
<tr>
<td>2</td>
<td>Pre-planting testing for the presence of potato cyst nematodes of one soil sample from a field, or part thereof, comprising not more than 4 hectares, or from a glass-house or container.</td>
<td>£40.00</td>
</tr>
<tr>
<td>3</td>
<td>(a) Pre-export inspection of, and issue of a phytosanitary certificate for the export of, a consignment of bulbs (where the value of the consignment is more than £250.00), malt barley or oil seed rape, where an inspection at the premises of the grower is necessary.</td>
<td>£70.00</td>
</tr>
<tr>
<td></td>
<td>(b) Issue of a second or subsequent phytosanitary certificate for the export of such a consignment, where no additional inspection is required.</td>
<td>£25.00</td>
</tr>
<tr>
<td></td>
<td>(c) Pre-export laboratory testing for malt barley or oil seed rape.</td>
<td>£70.00 per hour or any part thereof</td>
</tr>
<tr>
<td>4</td>
<td>(a) Pre-export inspection of, and the issue of a phytosanitary certificate for the export of, a consignment of bulbs, ware potatoes, other plants and plant products (other than those mentioned in another entry of this table), where an inspection at the premises of the grower is necessary—</td>
<td>£40.00</td>
</tr>
<tr>
<td></td>
<td>(i) where the value of the consignment is less than or equal to £250.00;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(ii) where the value of the consignment is more than £250.00.</td>
<td>£70.00</td>
</tr>
<tr>
<td></td>
<td>(b) Issue of a second or subsequent phytosanitary certificate for the export of a consignment of equal or lesser value to that mentioned in paragraph (a) of this entry, where an inspection is carried out at the same location on the same day.</td>
<td>£25.00</td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Fee</td>
</tr>
<tr>
<td>---</td>
<td>---------------------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>5</td>
<td>(a) Pre-export inspection of, and the issue of a phytosanitary certificate for the export of, used agricultural machinery to ensure that any machinery is free of any trace of soil or plant debris.</td>
<td>£70.00</td>
</tr>
<tr>
<td></td>
<td>(b) Issue of a second or subsequent phytosanitary certificate for the export of used agricultural machinery of equal or lesser value to that mentioned in paragraph (a) of this entry, where an inspection is carried out at the same location on the same day.</td>
<td>£25.00</td>
</tr>
<tr>
<td>6</td>
<td>Pre-export inspection of, and the issue of a phytosanitary certificate for the export of, a consignment of bulbs, plants and plant products (other than seeds) delivered to the Scottish Government or for botanical research.</td>
<td>£35.00</td>
</tr>
<tr>
<td>7</td>
<td>Issue of a phytosanitary certificate for the export of a consignment containing plant products which are either dried, frozen or processed.</td>
<td>£25.00</td>
</tr>
<tr>
<td>8</td>
<td>Pre-export consignment testing of one soil sample for the presence of potato cyst nematodes and the issue of a phytosanitary certificate for the export of seed potatoes where such testing is necessary.</td>
<td>£40.00</td>
</tr>
<tr>
<td>9</td>
<td>Growing season inspection of—</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) outdoor plants:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) first 0.5 hectares, or part thereof;</td>
<td>£40.00 per day</td>
</tr>
<tr>
<td></td>
<td>(ii) each additional 0.1 hectare, or part thereof, inspected on the same day as those under (i);</td>
<td>£5.00</td>
</tr>
<tr>
<td></td>
<td>(b) indoor plants:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) first 5,000 or part thereof;</td>
<td>£40.00 per day</td>
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<tr>
<td></td>
<td>(ii) each additional 1,000, or part thereof, up to a maximum of 70,000 per day,</td>
<td>£5.00</td>
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<tr>
<td></td>
<td>inspected on the same day as those under (i);</td>
<td></td>
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<tr>
<td></td>
<td>(c) bulbs:</td>
<td></td>
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<tr>
<td></td>
<td>(i) first 0.5 hectares, or part thereof;</td>
<td>£40.00 per day</td>
</tr>
<tr>
<td></td>
<td>(ii) each additional 0.1 hectare, or part thereof, inspected on the same day as those under (i).</td>
<td>£5.00</td>
</tr>
<tr>
<td>10</td>
<td>Pre-export testing of potato tuber samples—</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) for potato brown rot and ring rot:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) brown rot visual test;</td>
<td>£55.00</td>
</tr>
<tr>
<td></td>
<td>(ii) brown rot latent test;</td>
<td>£158.00</td>
</tr>
<tr>
<td></td>
<td>(iii) ring rot latent test;</td>
<td>£158.00</td>
</tr>
<tr>
<td></td>
<td>(iv) combined brown rot and ring rot latent test;</td>
<td>£170.00</td>
</tr>
<tr>
<td></td>
<td>(b) for gangrene;</td>
<td>£95.00</td>
</tr>
<tr>
<td></td>
<td>(c) for potato viruses:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Fee</td>
</tr>
<tr>
<td>---</td>
<td>------------------------------------------------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>i</td>
<td>(aa) growing on test (200 tubers tested for 2 viruses);</td>
<td>£240.00</td>
</tr>
<tr>
<td></td>
<td>(bb) growing on test (each additional 50 tubers or part thereof tested for 2 viruses);</td>
<td>£60.00</td>
</tr>
<tr>
<td></td>
<td>(cc) testing for additional viruses (200 tubers);</td>
<td>£20.00 (per virus)</td>
</tr>
<tr>
<td></td>
<td>(dd) testing for additional viruses (each additional 50 tubers or part thereof);</td>
<td>£5.00 (per virus)</td>
</tr>
<tr>
<td>ii</td>
<td>(aa) direct tuber test (200 tubers tested for 2 viruses);</td>
<td>£270.00</td>
</tr>
<tr>
<td></td>
<td>(bb) direct tuber test (each additional 50 tubers or part thereof);</td>
<td>£63.00 (per virus)</td>
</tr>
<tr>
<td></td>
<td>(cc) testing for additional viruses (200 tubers);</td>
<td>£20.00 (per virus)</td>
</tr>
<tr>
<td></td>
<td>(dd) testing for additional viruses (each additional 50 tubers or part thereof);</td>
<td>£5.00 (per virus)</td>
</tr>
<tr>
<td>iii</td>
<td>(aa) leaf sample test (100 leaves tested for 4 viruses);</td>
<td>£155.00</td>
</tr>
<tr>
<td></td>
<td>(bb) leaf sample test (each additional 50 leaves or part thereof tested for 4 viruses);</td>
<td>£78.00</td>
</tr>
<tr>
<td></td>
<td>(cc) testing for additional viruses (100 leaves);</td>
<td>£10.00 (per virus)</td>
</tr>
<tr>
<td></td>
<td>(dd) testing for additional viruses (each additional 50 leaves or part thereof).</td>
<td>£5.00 (per virus)</td>
</tr>
<tr>
<td></td>
<td>Pre-export testing for potato spindle tuber viroid.</td>
<td>£50.00 per hour or any part thereof</td>
</tr>
<tr>
<td>11</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Any other pre-export laboratory testing, other than seed testing or testing of the commodities listed in entries 1(a) and 3(a) of this table.</td>
<td>£45.00 per hour or any part thereof</td>
</tr>
<tr>
<td>13</td>
<td>Growing crop inspection and pre-export seed testing work and the issue of a phytosanitary certificate in respect of seed samples.</td>
<td>£70.00 per hour or any part thereof</td>
</tr>
<tr>
<td>14</td>
<td>Issue of an IPC document.</td>
<td>£25.00</td>
</tr>
<tr>
<td>15</td>
<td>Issue of a phytosanitary certificate for re-export or a duplicate phytosanitary certificate or a phytosanitary certificate for re-export where the original has been lost, stolen, destroyed or materially damaged.</td>
<td>£15.00</td>
</tr>
<tr>
<td>16</td>
<td>Amending a certificate at the request of the exporter after issue.</td>
<td>£15.00</td>
</tr>
</tbody>
</table>
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the issue of phytosanitary certificates and phytosanitary certificates for re-export and for the provision of related services for the export of plants, plant products or other objects to third countries. It revokes and replaces the Plant Health (Export Certification) (Scotland) Order 2004 (S.S.I. 2004/248, as amended by S.S.I. 2007/137).

Phytosanitary certificates, phytosanitary certificates for re-export and IPC documents are required to accompany exports of certain plants, plant products or other objects to third countries.

The Order prescribes fees for the issue of these certificates and for related services (article 4 and the schedule). The Order authorises an inspector to enter any premises for the purpose of carrying out examinations or inquiries under the Order (article 3(3)).

Provision is made in the Order for offences in relation to procuring the issue of a phytosanitary certificates, phytosanitary certificates or IPC documents for re-export (article 5).

The fees prescribed by this Order are necessary to recover the costs expected to be incurred in the provision of the export services.

A partial business and regulatory impact assessment has been prepared for this Order and has been placed in the Scottish Parliament Information Centre. Copies may be obtained from the Scottish Government, Directorate for Agriculture and Rural Economy, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD or at http://www.gov.scot/Publications/2017/12/2001/348911.

This table provides a comparison of changes to the fees previously set out in schedule 1 of the Plant Health (Export Certification) (Scotland) Order 2004 and now revised in the schedule to this Order (where the fees are equivalent):

<table>
<thead>
<tr>
<th>No.</th>
<th>Service</th>
<th>New Fee</th>
<th>Previous Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>(a) Issue of a phytosanitary certificate for the export of grain.</td>
<td>£25.00</td>
<td>£45.00</td>
</tr>
<tr>
<td></td>
<td>(b) Pre-export laboratory testing of grain.</td>
<td>£70.00 per hour or any part thereof</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Pre-planning testing for the presence of potato cyst nematodes of one soil sample from a field, or part thereof, comprising not more than 4 hectares, or from a glass-house or container.</td>
<td>£40.00</td>
<td>£69.00</td>
</tr>
<tr>
<td>3</td>
<td>(a) Pre-export inspection of, and issue of a phytosanitary certificate for the export of, a consignment of bulbs (where the value of the consignment is more than £250.00), malt barley or oil seed rape, where an inspection at the premises of the grower is necessary.</td>
<td>£70.00</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>(b) Issue of a second or subsequent phytosanitary certificate for the export of such a consignment, where no additional inspection is required.</td>
<td>£25.00</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>(c) Pre-export laboratory testing for malt barley or oil seed rape.</td>
<td>£70.00 per hour or any part thereof</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Fee</td>
<td>Charge</td>
</tr>
<tr>
<td>---</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------</td>
<td>--------</td>
</tr>
<tr>
<td>4</td>
<td>(a) Pre-export inspection of, and the issue of a phytosanitary certificate for the export of, a consignment of bulbs, ware potatoes, other plants or plant products (other than those mentioned in another entry of this table), where an inspection at the premises of the grower is necessary—&lt;br&gt; (i) where the value of the consignment is where the value of the consignment is less than or equal to £250.00;&lt;br&gt; (ii) where the value of the consignment is more than £250.00.&lt;br&gt; (b) Issue of a second or subsequent phytosanitary certificate for the export of a consignment of equal or lesser value to that mentioned in paragraph (a) of this entry, where an inspection is carried out at the same location on the same day.</td>
<td>£40.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>£70.00</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>(a) Pre-export inspection of, and the issue of a phytosanitary certificate for the export of, used agricultural machinery to ensure that any machinery is free of any trace of soil or plant debris.&lt;br&gt; (b) Issue of a second or subsequent phytosanitary certificate for the export of used agricultural machinery to ensure that any machinery is free of any trace of soil or plant debris.</td>
<td>£70.00</td>
<td>£62.00</td>
</tr>
<tr>
<td>6</td>
<td>Pre-export inspection of, and the issue of a phytosanitary certificate for the export of, a consignment of bulbs, plants and plant products (other than seeds) delivered to the Scottish Government or for botanical research.</td>
<td>£35.00</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Issue of a phytosanitary certificate for the export of a consignment containing plant products which are either dried, frozen or processed.</td>
<td>£25.00</td>
<td>£17.00</td>
</tr>
<tr>
<td>8</td>
<td>Pre-export consignment testing of one soil sample for the presence of potato cyst nematodes and the issue of a phytosanitary certificate for the export of seed potatoes where such testing is necessary.</td>
<td>£40.00</td>
<td>£30.50</td>
</tr>
<tr>
<td>9</td>
<td>Growing season inspection of—&lt;br&gt; (a) outdoor plants:&lt;br&gt; (i) first 0.5 hectares, or part</td>
<td>£40.00 per day</td>
<td></td>
</tr>
</tbody>
</table>
thereof;
(ii) each additional 0.1 hectare, or part thereof, inspected on the same day as those under (i): £5.00 -

(b) for indoor plants:
(i) first 5,000 or part thereof; £40.00 per day £45.00
(ii) each additional 1,000, or part thereof, up to a maximum of 70,000 per day, inspected on the same day as those under (i); £5.00 -

(c) for bulbs:
(i) first 0.5 hectares or part thereof; £40.00 per day £45.00
(ii) each additional 0.1 hectare, or part thereof, inspected on the same day as those under (i). £5.00 -

10 Pre-export testing of potato tuber samples—

(a) for potato brown rot and ring rot:
   (i) brown rot visual test; £55.00 £45.00
   (ii) brown rot latent test; £158.00 £135.00
   (iii) ring rot latent test; £158.00 £135.00
   (iv) combined brown rot and ring rot latent test; £170.00 £140.00

(b) for gangrene; £95.00 £62.10

(c) for potato viruses:
   (i) (aa) growing on test (200 tubers tested for 2 viruses); £240.00 £220.00
   (bb) growing on test (each additional 50 tubers or part thereof tested for 2 viruses); £60.00 £55.00
   (cc) testing for additional viruses (200 tubers); £20.00 (per virus) £10.00 (per virus)
   (dd) testing for additional viruses (each additional 50 tubers or part thereof); £5.00 (per virus) £2.50 (per virus)

(ii) (aa) direct tuber test (200 tubers tested for 2 viruses); £270.00 £260.00
   (bb) direct tuber test (each additional 50 tubers or part thereof); £63.00 (per virus) £65.00 (per virus)
   (cc) testing for additional £20.00 (per virus) £10.00 (per virus)
<table>
<thead>
<tr>
<th>Entry</th>
<th>Description</th>
<th>Cost per hour or any part thereof</th>
<th>Reduction Cost per hour or any part thereof</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>Pre-export testing for potato spindle tuber viroid.</td>
<td>£50.00 per hour or any part thereof</td>
<td>£51.93 (per hour)</td>
</tr>
<tr>
<td>12</td>
<td>Any other pre-export laboratory testing, other than seed testing or testing of the commodities listed in entries 1(a) and 3(a) of this table.</td>
<td>£45.00 per hour or any part thereof</td>
<td>£40.64 (per hour)</td>
</tr>
<tr>
<td>13</td>
<td>Growing crop inspection and pre-export seed testing work and the issue of a phytosanitary certificate in respect of seed samples.</td>
<td>£70.00 per hour or any part thereof</td>
<td>£69.00 (per hour or any part thereof)</td>
</tr>
<tr>
<td>14</td>
<td>Issue of an IPC document.</td>
<td>£25.00</td>
<td>-</td>
</tr>
<tr>
<td>15</td>
<td>Issue of a phytosanitary certificate for re-export or a duplicate phytosanitary certificate or a phytosanitary certificate for re-export where the original has been lost, stolen, destroyed or materially damaged.</td>
<td>£15.00</td>
<td>£5.00</td>
</tr>
<tr>
<td>16</td>
<td>Amending a certificate at the request of the exporter after issue.</td>
<td>£15.00</td>
<td>-</td>
</tr>
</tbody>
</table>