

**L.N. 91 of 2010**

**PLANT QUARANTINE ACT  
(CAP. 433)  
Plant Quarantine (Fees) Regulations, 2010**

IN exercise of the powers conferred by article 32 of the Plant Quarantine Act, the Minister for Resources and Rural Affairs in concurrence of the Minister responsible for finance has made the following regulations:-

- 1.** (1) The title of these regulations is the Plant Quarantine (Fees) Regulations. Title and commencement.
- (2) These regulations shall come into force on the 1st March 2010
- 2.** The fees specified in the schedule hereto shall be charged and paid to the Director, Financial Management at the Ministry for Resources and Rural Affairs for any inspection carried out, for testing and for certification of plant propagation material or whole plants that fall under the Plant Quarantine Act, and regulations made thereunder. Fees.
- 3.** The applicant shall pay the fees on the date of inspection or on filling an application for any type of testing. Due date for payment.
- 4.** (1) There shall be payable to the Department of Plant Health for inspections carried out and certificates issued, relating to plants and plant products the fees specified against each respective service in accordance with the regulations under this Act, the fees specified in Schedule I and Schedule II to these regulations: Provisions as to fees, for Phytosanitary Inspections and Phytosanitary Certificates.

Provided that where the checks and the tests for confirmation require supplementary checks and testing beyond what is normally carried out, an additional charge to cover the costs of such additional services shall be levied by the Director.

- (2) The Director shall also levy a fee of €7.00 for the

issue of a Phytosanitary Certificate for export and of €7.00 for the issue of phytosanitary certificate for re-export issued in accordance to the regulations under the Plant Quarantine Act for consignments of less than a container. A fee of €12.00 shall be levied for the issue of a re-export or export certificate for fruits (per container) and of €17.00 for grains for re-export (per ship) .

Additional fees  
for services by  
phytosanitary  
inspectors.

**5.** (1) When the services specified in regulation 4 of this regulation are rendered outside the official business hours of the Department, the importer or exporter, as the case may be, shall pay to the Director an additional charge equivalent to the overtime paid to the inspectors, calculated at the rates which the Government from time to time pays to such inspectors on overtime, together with an administrative charge of ten per centum calculated on the charge and expenses if any. Such charge shall be at the rate per hour or part thereof, subject to a minimum of two hours.

(2) For the purposes of this regulation the official business hours of the Department shall be as follows:

From 1st October to the 15th June:

Monday to Fridays (except public holidays): 7.00 a.m.  
to 4.00 p.m.

From 16th June to 30th September:

Monday to Fridays (except public holidays): 7.00 a.m.  
to 1.00 p.m.

(3) When the services are provided at any premises outside the Department, there shall be paid to the Director a charge for transport at the rate of €0.50 per kilometer for the distance between the Department's offices and the place of inspection:

Provided that, no charges shall be demanded in respect of any ferry fares between Malta and Gozo:

Provided further that when attendance by an inspector is given outside official business hours, transport charges shall be calculated as specified above with an additional charge of €3.50 and this additional charge shall be reduced to €1.75 whenever attendance commences or ends during the period when the officer is on-duty.

(4) Where in the rendering of services on the importation of plants, plant products and other articles in accordance with any regulations under the Plant Quarantine Act, there is a delay in the arrival of such plants, plant products and other objects beyond one hour from the advised time of arrival, a charge shall be paid by the importer at the rate per hour established under sub-regulation (1) of this regulation.

The Plant Protection (Fees) Regulations, are hereby being revoked. Revokes L.N. 27 of 1998

|                   |
|-------------------|
| <b>SCHEDULE I</b> |
|-------------------|

|   |
|---|
| <b>FEEES TO COVER THE COSTS OCCASSIONED BY THE DOCUMENTARY CHECKS, IDENTITY CHECKS AND PLANT HEALTH AND QUALITY CHECKS AT THE POINT OF IMPORTATION PROVIDED FOR IN THE REGULATIONS UNDER THE PLANT QUARANTINE ACT</b> |
|---|

| Item  | Quantity  | Fee<br>(EUR) |
|---|---|--------------|
| (a) for documentary checks  | Per consignment   | 7.00         |
| (b) for identity checks   | Per consignment   |              |
|   | - Up to a size of a truck load, or the load of a container of comparable size | 7.00         |
|   | - Bigger than the above size  | 14.00        |
| (c) for plant health and quality checks, in accordance with the following specifications:   |   |              |
| - Cuttings, seedlings (except forestry reproductive material), young plants of strawberries or of vegetables                          | Per consignment   |              |
|   | - Up to 10,000 in number  | 17.50        |
|   | - For each additional 1,000 units   | 0.70         |
|   | - Maximum price   | 140.00       |
| - Shrubs, trees (other than cut Christmas trees), other woody nursery plants including forest reproductive material (other than seed) | Per consignment   |              |
|   | - Up to 1,000 in number   | 17.50        |
|   | - For each additional 100 units   | 0.44         |
|   | - Maximum price   | 140.00       |
| - Bulbs, corms, rhizomes, tubers, intended for planting (other than tubers of potatoes)   | Per consignment   |              |
|   | - Up to 200 kg of weight  | 17.50        |
|   | - For each additional 10 kg   | 0.16         |
|   | - Maximum price   | 140.00       |
| - Seeds, tissue cultures  | Per consignment   |              |
|   | - Up to 200 kg of weight  | 7.50         |
|   | - For each additional 10 kg   | 0.175        |
|   | - Maximum price   | 140.00       |

|   |   |                         |
|---|---|-------------------------|
| - Other plants intended for planting, not specified elsewhere in this table | Per consignment<br>- Up to 5,000 in number<br>- For each additional 100 units<br>- Maximum price    | 17.50<br>0.18<br>140.00 |
| - Cut flowers   | Per consignment<br>- Up to 20,000 in number<br>- For each additional 1,000 units<br>- Maximum price | 17.50<br>0.14<br>140.00 |
| - Branches with foliage, parts of conifers (other than cut Christmas trees) | Per consignment<br>- Up to 100 kg of weight<br>- For each additional 1000 kg<br>- Maximum price     | 17.50<br>1.75<br>140.00 |
| - Cut Christmas trees   | Per consignment<br>- Up to 1,000 in number<br>- For each additional 100 units<br>- Maximum Price    | 17.50<br>1.75<br>140.00 |
| - Leaves of plants, such as herbs, spices and leafy vegetables.             | Per consignment<br>- Up to 100 kg of weight<br>- For each additional 10 kg<br>- Maximum price       | 17.50<br>1.75<br>140.00 |
| - Fruits, vegetables (other than leafy vegetables)                          | Per consignment<br>- Up to 25,000 kg of weight<br>- For each additional 1,000 kg                    | 17.50<br>0.70           |
| - Tubers of potatoes  | Per lot<br>- Up to 25,000 kg of weight<br>- For each additional 25,000 kg                           | 52.50<br>52.50          |
| - Wood (other than bark)  | Per consignment<br>- Up to 1000m <sup>3</sup> of volume<br>- For each additional m <sup>3</sup>     | 17.50<br>0.175          |
| - Soil and growing medium, bark   | Per consignment<br>- Up to 25,000 kg of weight<br>- For each additional 1,000 kg<br>- Maximum Price | 17.50<br>0.70<br>140.00 |

B 950

|  |  |                         |
|--|--|-------------------------|
| <ul style="list-style-type: none"> <li>- Grain</li> </ul>  | Per consignment <ul style="list-style-type: none"> <li>- Up to 25,000 kg of weight</li> <li>- For each additional 1,000 kg</li> <li>- Maximum Price</li> </ul> | 17.50<br>0.70<br>700.00 |
| <ul style="list-style-type: none"> <li>- Other plants or plant products not specified elsewhere in this table</li> </ul> | Per consignment  | 17.50                   |

Where a consignment does not consists exclusively of products coming under the description of the relevant indent, those parts thereof consisting of products coming under the description of the relevant indent (lot or lots) shall be treated as separate consignment.

**SCHEDULE II**

**FEES TO COVER THE COSTS OCCASSIONED FOR INSPECTIONS CARRIED OUT BY THE PLANT HEALTH SURVEILLANCE AND INSPECTORATE UNIT IN ACCORDANCE WITH THE ISSUING OF PLANT PASSPORT,PHYTOSANITARY CERTIFICATES AND SUPPLIERS DOCUMENT AND CERTIFICATION LABELS PURSUANT TO THE REGULATIONS UNDER THE PLANT QUARANTINE ACT, 2001**

| <b>Item</b>  | <b>Quantity</b>   | <b>Fee (EUR)</b> |
|--|---|------------------|
| (a) for documentary checks   | Per consignment   | 7.00             |
| (b) for identity checks  | Per consignment   | 7.00             |
|  | - Up to a size of a truck load, or the load of a container of comparable size |                  |
|  | - Bigger than the above size  | 14.00            |
| (c) for plant health and quality checks, in accordance with the following specifications:  |   |                  |
| - Cuttings, seedlings (except forestry reproductive material), young plants of strawberries or of vegetables                         | Per consignment   |                  |
|  | - Up to 10,000 in number  | 17.50            |
|  | - For each additional 1,000 units   | 0.70             |
|  | - Maximum Price   | 140.00           |
| - Shrubs, trees (other than cut Christmas trees) other woody nursery plants including forest reproductive material (other than seed) | Per consignment   |                  |
|  | - Up to 10,000 in number  | 17.50            |
|  | - For each additional 100 units   | 0.44             |
|  | - Maximum Price   | 140.00           |
| - Bulb, corms, rhizomes, tubers, intended for planting (other than tubers of potatoes)   | Per consignment   |                  |
|  | - Up to 200 kg of weight  | 17.50            |
|  | - For each additional 10 kg   | 0.16             |
|  | - Maximum Price   | 140.00           |
| - Seeds, tissue cultures   | Per consignment   |                  |
|  | - Up to 200 kg of weight  | 7.50             |
|  | - For each additional 10 kg   | 0.175            |
|  | - Maximum Price   | 140.00           |

|  |   |                         |
|--|---|-------------------------|
| - Other plants intended for planting, not specified elsewhere in this table  | Per consignment<br>- Up to 5,000 in number<br>- For each additional 100 units<br>- Maximum Price    | 17.50<br>0.18<br>140.00 |
| - Cut flowers  | Per consignment<br>- Up to 20,000 in number<br>- For each additional 1,000 units<br>- Maximum Price | 17.50<br>0.14<br>140.00 |
| - Tubers of potatoes (for export including inspection (tests) but excluding the cost of the phytosanitary certificate)                   | Per lot<br>- Up to 25,000 kg of weight<br>- For each additional 25,000 kg                           | 52.50<br>52.50          |
| - Grain (for re-export including tests but excluding the cost of the phytosanitary certificate and transport)                            | Per consignment<br>- Up to 100,000 kg of weight<br>- For each additional 100,000                    | 46.00<br>1.50           |
| - Other plants or plant products not specified elsewhere in this table including fumigated wood packaging material (excluding transport) | - Minimum charge inspection for the first 2 hours<br>- Each additional hour                         | 23.00<br>5.00           |

