

**COMMON MINISTERIAL DECISION
NUM 10777/120593/26-9-2014**

[Unofficial translation]

**"Settings for fees of article 6, Law 4036/2012
(Official Gazette A'8)"**

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The Ministers of Finance and Rural
Development and Food

Having regard to:

1. The provisions:
 - a) of the paragraph 4 of Article 3 and of the paragraph 3 of Article 6 of Law 4036/2012 "Placing of pesticides on the market, sustainable use of these and related provisions" (Official Gazette A'8), as amended by paragraph 1 of article 44 of Law 4235/2014 (Official Gazette A'32).
 - b) of the paragraph 3 of Article 29 of Law 3943/2011 "Fight evasion, staffing audit services and other provisions concerning the Ministry of Finance" (Official Gazette A'66).
 - c) of the article 90 of the Code of Laws for the Government and government agencies, as effected by the first article of Presidential Decree 63/2005 "Codification of Laws for the government and government institutions" (Official Gazette A'98).
2. The Presidential Decree 89/2014 "Appointment of Ministers, Deputy Ministers and Deputy Ministers" (Official Gazette A'134).
3. The provisions of Law 4160/1929 "Regarding to May 11th, 1929 Law Decree on the establishment of the Benaki Phytopathological Institute" (Official Gazette A'198).
4. The fact that the provisions of this Decision shall not incur expenses on the State Budget.
5. The No. Y48 / 9-7-2012 Decision of the Prime Minister (Official Gazette B'2105) to delegate

powers to the Deputy Minister of Finance Christos Staikouras.

6. The memo of 03.07.2014 of the Directorate of Plant Produce Protection of the Ministry of Rural Development and Food, decide:

**Article 1
Purpose**

With this decision, they are defined: the method of acquisition and issue of special fee forms, the type, the mode of use, the allocation and the management of these, the way of recall and any relevant issue relating to the fees required for the evaluation of active substances and plant protection products, for granting or amending the authorization of plant protection products, for the import permit of plant protection products, for the laboratory chemical control of plant protection products, for the parallel trade permit of the plant protection products and other plant protection formulations regulated by the Ministry of Rural Development & Food, and of the fees for the evaluation and control of residues of plant protection products and other fees categories of Law 4036/2012 (Official Gazette A'8).

**Article 2
Special fee forms**

1. The amounts of fees provided for in paragraph 3 of Article 6 of Law 4036/2012, as substituted by paragraph 1 of Article 44 of Law 4235/2014 are collected by the Benaki Phytopathological Institute by deposit to a bank account and specifically in the National Bank of Greece (<https://www.nbg.gr/en>) account number IBAN GR7601100400000004048638524. The bank deposit slip, stating the nature of the fee (the purpose of adoption) and the payer information, constitutes a receipt of the fee.
2. On presentation of bank deposit slip, the Financial Department of the Benaki Phytopathological Institute issues the special fee form, stating the reasons, the type of fee and the full details of the debtor who pays. Simultaneously, a promissory collection is issued with nominal value equal to a percentage of: a) 70% of the current amount of the fee in favor of the Benaki Phytopathological Institute, and b) 30% of the current amount of the fee in favor of the Fund

for Agriculture and Livestock of the Ministry of Rural Development and Food.

3. The Benaki Phytopathological Institute attributes to the Fund for Agriculture and Livestock of the Ministry of Rural Development and Food the collected amounts corresponding to 30% of any fee, within 10 days from the end of next month, with a deposit of the amount in the account of the Fund for Agriculture and Livestock, in the Bank of Greece.
4. The unused fees canceled by the Financial Department of the Benaki Phytopathological Institute, after been certified by the Plant Produce Protection Directorate of the Ministry of Rural Development and Food that was not actually used, and the amount of fee should be paid to the debtor.

Article 3

Fees mode of use, allocation and management

1. The amounts of fees are used only to cover the costs for any work carried out within the provisions of Law 4036/2012 (Official Gazette A'8). Such costs are:
 - a. Costs of employees exclusively employed in the evaluation and control of plant protection products,
 - b. Costs on maintenance, upgrade and supply of consumables and software, and any other structure necessary for the evaluation and control of plant protection products,
 - c. Costs for the accreditation of laboratories for controls within the provisions of Law 4036/2012 (Official Gazette A'8) and also
 - d. Costs required for the maintenance, upgrade and supply of relevant laboratory, scientific and general equipment, computers, building and other infrastructure as well as for any other work, service or activity carried out covering liabilities within the provisions of Law 4036/2012 (Official Gazette A'8).
 - e. Due to the recovery nature, the allocation of the amounts of fees for costs not related to liabilities within the provisions of Law 4036/2012 (Official Gazette A'8) is forbidden.
2. The allocation of the amounts the fees attributable to Benaki Phytopathological

Institute and representing 70% of the relevant amount of fee is conducted by a decision of the Administrative Committee of the Benaki Phytopathological Institute, issued by 31 January each year, which is published on the internet under the responsibility of the Benaki Phytopathological Institute for cost exclusively of Law 4036/2012 (Official Gazette A'8) to be held in the year of adoption.

3. At the beginning of each year, a budget is prepared for revenues and allocation of expected revenues from the fees broken down by type of costs and approved by the Administrative Committee of the Benaki Phytopathological Institute. At the end of the financial year, a budget of the accounts of income and allocation is approved, which after the approval of the Administrative Committee shall be published on the internet. Especially for the 2014, the budget for revenues and allocation will be established within one month from the publication hereof.
4. The allocation of the amounts of fees attributable to the Fund for Agriculture and Livestock of the Ministry of Rural Development and Food and representing 30% of the current fee is conducted by a decision of the Board the Fund for Agriculture and Livestock of the Ministry of Rural Development and Food, issued by 31 January each year, published on the internet under the responsibility of the Directorate of Plant Produce Protection of the Ministry of Rural Development and Food and the allocation of revenue fees of the previous year refers to costs to be held in the year of adoption.

Article 4

Entry into force - Repeals

The validity of this Decision shall start from the date of publication in the Official Gazette.

The decision shall be published in the Government Gazette.

The Deputy Minister of Finance
The Minister of Rural Development and Food