



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2002 Rhif 1554 (Cy.152)

2002 No. 1554 (W.152)

HADAU, CYMRU

SEEDS, WALES

Rheoliadau Hadau (Ffioedd)
(Diwygio) (Cymru) 2002

The Seeds (Fees) (Amendment)
(Wales) Regulations 2002

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn, sy'n gymwys i Gymru yn unig, yn diwygio Rheoliadau Hadau (Ffioedd) 1985 (fel y'u diwygiwyd). Mae angen y diwygiadau o ganlyniad i Rheoliadau Hadau Planhigion Porthiant (Diwygio) (Cymru) 2001 (O.S. 2001/3665 (Cy.297)) a dynnodd bysedd y blaidd gwynion, bysedd y blaidd daill cul (bysedd y blaidd glas), bysedd y blaidd melyn, ffacbys Hwngaraidd, ffacbys maethol, ffacbys blewog a maglys o'r diffiniad o "Hadau Ardystiedig" yn Rheoliadau Hadau Planhigion Porthiant 1993 a'u cynnwys yn hytrach o fewn y diffiniad o "Hadau Ardystiedig Cenhedlaeth Gyntaf". Mae angen y diwygiadau er mwyn sicrhau bod y disgrifiadau o gategoriâu o hadau y mae ffioedd yn cael eu rhagnodi ar eu cyfer yn Atodlen 2 i'r Rheoliadau yn adlewyrchu'r newidiadau hyn.

These Regulations, which apply only to Wales, amend the Seeds (Fees) Regulations 1985 (as amended). The amendments are necessary as a result of the Fodder Plants Seeds (Amendment) (Wales) Regulations 2001 (S.I. 2001/3665 (W.297)) which removed white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne from the definition of "Certified Seed" in the Fodder Plant Seeds Regulations 1993 and included them instead within the definition of "Certified Seed of the First Generation". The amendments are required to ensure that the descriptions of categories of seeds for which fees are prescribed in Schedule 2 to the Regulations reflect these changes.

2002 Rhif 1554 (Cy.152)**2002 No. 1554 (W.152)****HADAU, CYMRU****SEEDS, WALES****Rheoliadau Hadau (Ffioedd)
(Diwygio) (Cymru) 2002****The Seeds (Fees) (Amendment)
(Wales) Regulations 2002***Wedi'u gwneud**11 Mehefin 2002**Made**11th June 2002**Yn dod i rym**9 Gorffennaf 2002**Coming into force**9th July 2002*

Mae Cynulliad Cenedlaethol Cymru, gan weithredu mewn perthynas â Chymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 16(1) ac (1A)(e) a 36 o Ddeddf Amrywiaethau Planhigion a Hadau 1964(a), ar ôl ymgynghori yn unol â'r adran 16(1) honno â chynrychiolwyr buddiannau o'r fath y mae'n ymddangos iddo eu bod yn berthnasol, drwy hyn yn gwneud y Rheoliadau canlynol:

The National Assembly for Wales, acting in relation to Wales, in exercise of the powers conferred by sections 16(1) and (1A)(e) and 36 of the Plant Varieties and Seeds Act 1964(a), after consultation in accordance with the said section 16(1) with representatives of such interests as appear to it to be concerned, hereby makes the following Regulations:

Teitl, cymhwyso a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Hadau (Ffioedd) (Diwygio) (Cymru) 2002, maent yn gymwys i Gymru a deuant i rym ar 9 Gorffennaf 2002.

Title, application and commencement

1. These Regulations may be cited as the Seeds (Fees) (Amendment) (Wales) Regulations 2002, shall apply to Wales and shall come into force on 9th July 2002.

Diwygio

2.-(1) Caiff Rheoliadau Hadau (Ffioedd) 1985(b) eu diwygio yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Yn rheoliad 2 diwygir y diffiniad o "the Minister"-

- (a) drwy fewnosod yn union ar ôl "Food" y geiriau "in relation to Wales the National Assembly for Wales"; a
- (b) drwy ddileu'r geiriau "or Wales".

Amendment

2.-(1) The Seeds (Fees) Regulations 1985(b) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 2 the definition of "the Minister" shall be amended by -

- (a) inserting immediately after "Food," the words "in relation to Wales the National Assembly for Wales"; and
- (b) deleting the words "or Wales".

(a) 1964 p.14; diwygiwyd adran 16 gan Ddeddf Cymunedau Ewropeaidd 1972 (p.68), adran 4(1) ac Atodlen 4, paragraffau 5(1), (2) a (3); gweler adran 38(1) (fel y'i diwygiwyd gan O.S. 1978/272) am ddiffiniad o "the Minister"; trosglwyddwyd swyddogaethau y Gweinidog Amaethyddiaeth, Pysgodfeydd a Bwyd o dan Ddeddf Amrywiaethau Planhigion a Hadau 1964, i'r graddau yr oeddent yn arferadwy mewn perthynas â Chymru, i'r Ysgrifennydd Gwladol gan Orchymyn Trosglwyddo Swyddogaethau (Cymru) (Rhif 1) 1978 (O.S. 1978/272); ac o dan erthygl 2(a) o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672), ac Atodlen 1 iddo, fe drosglwyddwyd y swyddogaethau hyn, i'r graddau y maent yn arferadwy mewn perthynas â Chymru i Gynulliad Cenedlaethol Cymru.

(b) O.S. 1985/981; yr offerynnau diwygio perthnasol yw O.S. 1990/610, 1999/1553, 1999/1865 a 2001/2533 (Cy.210).

(a) 1964 c.14; section 16 was amended by the European Communities Act 1972 (c.68), section 4(1) and Schedule 4, paragraphs 5(1), (2) and (3); see section 38(1) (as amended by S.I. 1978/272) for a definition of "the Minister"; the functions of the Minister of Agriculture, Fisheries and Food under the Plant Varieties and Seeds Act 1964 were, so far as they are exercisable in relation to Wales, transferred to the Secretary of State by the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272); and under article 2(a) and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) these functions, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales.

(b) S.I. 1985/981; relevant amending instruments are S.I. 1990/610, 1999/1553, 1999/1865 and 2001/2533 (W.210).

(3) Ym mharagraff A (Ffioedd cychwynnol) o Atodlen 2 -

- (a) yn is-baragraff (ii) yn lle'r geiriau "(except field beans and field peas)" rhoddir y geiriau "(except field beans, field peas, white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne)"; a
- (b) ar ôl is-baragraff (iii) mewnosodir y geiriad canlynol -

"(iv) certified seed of the first generation of white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne".	9.10 (-)
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(4) Ym mharagraff B (Ffi archwilio cnydau) o Atodlen 2-

- (a) yn lle'r geiriau "(except field beans and field peas)" rhoddir y geiriau "(except field beans, field peas, white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne)"; a
- (b) ar ôl y geiriau "field beans and field peas", yn y lle olaf y maent yn digwydd, rhoddir y geiriau-

"or certified seed of the first generation of white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne".

(5) Ym mharagraff C (Ffi lot hadau) o Atodlen 2 -

- (a) yn is-baragraff (iii) yn lle'r geiriau "(except field beans and field peas)" rhoddir y geiriau "(except field beans, field peas, white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne)"; a
- (b) ar ôl is-baragraff (iv) rhoddir y geiriad canlynol -

"(ivA) certified seed of the first generation of white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne".	66.00 (-)
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(6) Ym mharagraff D (Ffi ailgyflwyno lot hadau) o Atodlen 2 -

(3) In paragraph A (Initial fees) of Schedule 2 -

- (a) in sub-paragraph (ii) for the words "(except field beans and field peas)" there shall be substituted the words "(except field beans, field peas, white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne)"; and
- (b) after sub-paragraph (iii) the following wording shall be inserted -

"(iv) certified seed of the first generation of white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne".	9.10 (-)
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(4) In paragraph B (Crop inspection fee) of Schedule 2 -

- (a) for the words "(except field beans and field peas)" there shall be substituted the words "(except field beans, field peas, white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne)"; and
- (b) after the words "field beans and field peas", in the last place where they occur, the following words shall be inserted -

"or certified seed of the first generation of white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne".

(5) In paragraph C (Seed lot fee) of Schedule 2 -

- (a) in sub-paragraph (iii) for the words "(except field beans and field peas)" there shall be substituted the words "(except field beans, field peas, white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne)"; and
- (b) after sub-paragraph (iv) the following wording shall be inserted -

"(ivA) certified seed of the first generation of white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne".	66.00 (-)
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(6) In paragraph D (Seed lot re-entry fee) of Schedule 2 -

- (a) yn is-baragraff (ii) yn lle'r geiriau "(except field beans and field peas)" rhoddir y geiriau "(except field beans, field peas, white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne)"; a
- (b) ar ôl is-baragraff (iii) rhoddir y geiriad canlynol -

"(iiiA) certified seed of the first generation of white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne".	46.20 (-)
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- (a) in sub-paragraph (ii) for the words "(except field beans and field peas)" there shall be substituted the words "(except field beans, field peas, white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne)"; and
- (b) after sub-paragraph (iii) the following wording shall be inserted -

"(iiiA) certified seed of the first generation of white lupin, narrow-leaved lupin (blue lupin), yellow lupin, Hungarian vetch, common vetch, hairy vetch and lucerne".	46.20 (-)
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Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a)

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a)

11 Mehefin 2002

11th June 2002

John Marek

Dirprwy Lywydd Cynulliad Cenedlaethol Cymru

The Deputy Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

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£1.75

W0084/06/02

ON

ISBN 0-11-090511-3



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