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STATUDOL CYMRU

WELSH
STATUTORY INSTRUMENTS

2007 Rhif 1765 (Cy.154)

2007 No. 1765 (W.154)

IECHYD PLANHIGION, CYMRU

PLANT HEALTH, WALES

Rheoliadau Iechyd Planhigion (Ffioedd Pasbortau Planhigion) (Cymru) 2007

The Plant Health (Plant Passport Fees) (Wales) Regulations 2007

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn, sy'n gymwys o ran Cymru, yn rhagnodi ffioedd o ran arolygiadau a wneir at ddibenion rhoi awdurdod i ddyroddi pasbortau planhigion (gan gynnwys gwirio cofnodion busnes) o dan naill ai Orchymyn Iechyd Planhigion (Cymru) 2006 (O.S. 2006/1643 (Cy. 158)) neu Orchymyn Iechyd Planhigion (*Phytophthora ramorum*) (Cymru) 2006 (O.S. 2004/1344 (Cy. 134)) ("y Gorchmynion").

O dan y Gorchmynion, mae'n ofynnol i blanhigion rhestredig penodol, cynhyrchion planhigion penodol a gwrthrychau eraill gael pasbort planhigion ar gyfer symud o fewn y Gymuned Ewropeaidd gan gynnwys unrhyw fasnachu o fewn y Deyrnas Unedig. Caiff Gweinidogion Cymru awdurdodi cynhyrchwyr, masnachwyr a mewnforwyr deunyddiau o'r fath i ddyroddi pasbortau planhigion. Mae'r broses awdurdodi ddechreuol yn golygu arolygu'r fangre a'r deunydd planhigion rhestredig ac mae'n cynnwys gwirio cofnodion busnes a chaniateir cynnal arolygiadau pellach ar ôl rhoi'r awdurdodiad er mwyn sicrhau cydymffurfedd â gofynion perthnasol.

Pennir y ffioedd sy'n daladwy o ran y cyfryw arolygiadau yn rheoliad 3(2).

Mae rheoliad 4 yn dirymu Rheoliadau Pasbortau Planhigion (Ffioedd Iechyd Planhigion) (Cymru a Lloegr) 1993 (O.S. 1993/1642) a Rheoliadau Pasbortau Planhigion (Ffioedd Iechyd Planhigion) (Cymru a Lloegr) (Diwygio) 1997 (O.S. 1997/1961). Nid oes newid yn lefel y ffioedd a geir yn O.S. 1997/1961 ond maent yn awr yn gymwys hefyd i awdurdodiadau o dan Orchymyn Iechyd Planhigion (*Phytophthora ramorum*) (Cymru) 2006.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to Wales, prescribe fees in respect of inspections carried out for the purpose of conferring authority to issue plant passports (including check of business records) under either the Plant Health (Wales) Order 2006 (S.I. 2006/1643 (W. 158)) or the Plant Health (*Phytophthora ramorum*) (Wales) Order 2006 (S.I. 2004/1344 (W. 134)) ("the Orders").

Under the Orders, certain listed plants, certain plant products and other objects require a plant passport for movement within the European Community including any trade within the United Kingdom. Producers, traders and importers of such material may be authorised to issue plant passports by the Welsh Ministers. The initial authorisation process involves an inspection of premises and the listed plant material and includes a check on business records and further inspections may be carried out subsequent to the grant of authority to ensure compliance with relevant requirements.

The fees payable in respect of such inspections are specified in regulation 3(2).

Regulation 4 revokes the Plant Passport (Plant Health Fees) (England and Wales) Regulations 1993 (S.I. 1993/1642) and the Plant Passport (Plant Health Fees) (England and Wales) (Amendment) Regulations 1997 (S.I. 1997/1961). The level of fees remains unchanged from S.I. 1997/1961 but now apply also to authorisations under the Plant Health (*Phytophthora ramorum*) (Wales) Order 2006.

Paratowyd Arfarniad Rheoliadol ar gyfer y Rheoliadau hyn. Gellir cael copïau oddi wrth yr Adran Amgylchedd, Cynllunio a Chefn Gwlad, Llywodraeth Cynulliad Cymru, Parc Cathays, Caerdydd CF10 3NQ.

A Regulatory Appraisal has been prepared for these Regulations. Copies are available from the Department for Environment, Planning and Countryside, Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ.

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IECHYD PLANHIGION, CYMRU

Rheoliadau Iechyd Planhigion (Ffioedd Pasbortau Planhigion) (Cymru) 2007

Wedi'u gwneud	*19 Mehefin 2007*
Wedi'u gosod gerbron Cynulliad Cenedlaethol Cymru	*20 Mehefin 2007*
Yn dod i rym	*13 Gorffennaf 2007*

Mae Gweinidogion Cymru, gyda chydsyniad y Trysorlys, yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd gan adran 56 o Ddeddf Cyllid 1973(**1**), ac a freiniwyd bellach ynddynt hwy:

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Iechyd Planhigion (Ffioedd Pasbortau Planhigion) (Cymru) 2007.

(2) Mae'r Rheoliadau hyn yn dod i rym ar 13 Gorffennaf 2007 ac maent yn gymwys o ran Cymru.

Dehongli

2. Yn y Rheoliadau hyn-

ystyr "awdurdodiad" ("*authority*") yw awdurdodiad i ddyroddi pasbortau planhigion a roddir o dan erthygl 8 o Orchymyn Iechyd Planhigion (*Phytophthora ramorum*) (Cymru) 2006(**2**) neu, yn ôl y digwydd, o dan erthygl 29 o Orchymyn Iechyd Planhigion (Cymru) 2006(**3**); a

mae i'r ymadrodd "pasbort planhigion" ("*plant passport*") yr ystyr a roddir iddo gan-

(**1**) 1973 p. 51. Caiff Gweinidogion Cymru arfer y pwer hwn yn rhinwedd adran 59(5) o Ddeddf Llywodraeth Cymru 2006 (2006 p. 32).

(**2**) O.S. 2006/1344 (Cy.134).

(**3**) O.S. 2006/1643 (Cy.158).

WELSH
STATUTORY INSTRUMENTS

2007 No. 1765 (W.154)

PLANT HEALTH, WALES

The Plant Health (Plant Passport Fees) (Wales) Regulations 2007

Made	*19 June 2007*
Laid before the National Assembly for Wales	*20 June 2007*
Coming into force	*13 July 2007*

The Welsh Ministers, with the consent of the Treasury, make the following Regulations in exercise of the powers conferred by section 56 of the Finance Act 1973(**1**) and now vested in them:

Title, commencement and application

1.-(1) The title of these Regulations is the Plant Health (Plant Passport Fees) (Wales) Regulations 2007.

(2) These Regulations come into force on 13 July 2007 and apply in relation to Wales.

Interpretation

2. In these Regulations-

"authority" ("*awdurdodiad*") means an authority to issue plant passports conferred under article 8 of the Plant Health (*Phytophthora ramorum*) (Wales) Order 2006(**2**) or, as the case may be, under article 29 of the Plant Health (Wales) Order 2006(**3**); and

"plant passport" ("*pasbort planhigion*") has the meaning given by-

(**1**) 1973 c. 51. The Welsh Ministers may exercise this power by virtue of section 59(5) of the Government of Wales Act 2006 (2006 c. 32).

(**2**) S.I. 2006/1344 (W. 134).

(**3**) S.I. 2006/1643 (W. 158).

(a) erthygl 2 o Orchymyn Iechyd Planhigion (Phytophthora ramorum) (Cymru) 2006 o ran awdurdodiad o dan y Gorchymyn hwnnw; neu

(b) erthygl 2(1) o Orchymyn Iechyd Planhigion (Cymru) 2006 o ran awdurdodiad o dan y Gorchymyn hwnnw.

Ffioedd am arolygiadau at ddibenion pasbortau planhigion

3.-(1) Rhaid talu'r ffi a bennir ym mharagraff (2) i Weinidogion Cymru o ran unrhyw arolygiad (gan gynnwys gwiriad o gofnodion busnes) sy'n cael ei gynnal mewn cysylltiad ag-

(a) cais am awdurdodiad; neu

(b) sicrhau cydymffurfedd ag unrhyw ofynion a osodir ar ddeiliad awdurdodiad yn rhinwedd erthygl 8 o Orchymyn Iechyd Planhigion (Phytophthora ramorum) (Cymru) 2006 neu erthygl 29 o Orchymyn Iechyd Planhigion (Cymru) 2006.

(2) Y ffi yw £20.25 am bob chwarter awr neu ran o chwarter awr y mae arolygydd yn ei dreulio ar y safle gyda lleiafswm o £40.50 o ran unrhyw ymweliad.

Dirymu

4. Dirymir y Rheoliadau canlynol i'r graddau y maent yn gymwys o ran Cymru-

(a) Rheoliadau Pasbortau Planhigion (Ffioedd Iechyd Planhigion) (Cymru a Lloegr) 1993(**1**); a

(b) Rheoliadau Pasbortau Planhigion (Ffioedd Iechyd Planhigion) (Cymru a Lloegr) (Diwygio) 1997(**2**).

(a) article 2 of the Plant Health (Phytophthora ramorum) (Wales) Order 2006 in respect of an authority under that Order; or

(b) article 2(1) of the Plant Health (Wales) Order 2006 in respect of an authority under that Order.

Fee for inspections for plant passporting purposes

3.-(1) The fee specified in paragraph (2) is to be paid to the Welsh Ministers in respect of any inspection (including a check of business records) carried out in connection with-

(a) an application for an authority; or

(b) ensuring compliance with any requirements imposed on the holder of an authority by virtue of article 8 of the Plant Health (Phytophthora ramorum) (Wales) Order 2006 Order or article 29 of the Plant Health (Wales) Order 2006 .

(2) The fee is £20.25 for each quarter of an hour or part thereof spent on site by an inspector with a minimum of £40.50 in respect of any visit.

Revocations

4. The following Regulations are revoked insofar as they apply to Wales-

(a) the Plant Passport (Plant Health Fees) (England and Wales) Regulations 1993(**1**); and

(b) the Plant Passport (Plant Health Fees) (England and Wales) (Amendment) Regulations 1997(**2**).

Jane Davidson

Y Gweinidog dros Gynaliadwyedd a Datblygu Gwledig un o Weinidogion Cymru

19 Mehefin 2007

Minister for Sustainability and Rural Development one of the Welsh Ministers

19 June 2007

(**1**) O.S. 1993/1642.

(**2**) O.S. 1997/1961.

(**1**) S.I. 1993/1642.

(**2**) S.I. 1997/1961.

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