OFFERYNNAU STATUDOL CYMRU

# 2013 Rhif 1658 (Cy. 156)

# IECHYD PLANHIGION, CYMRU

## Gorchymyn Iechyd Planhigion (Tystysgrifau Allforio) (Cymru) (Diwygio) 2013

### NODYN ESBONIADOL

*(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)*

Mae'r Gorchymyn hwn, sy'n dod i rym ar 31 Gorffennaf 2013, yn diwygio Gorchymyn Iechyd Planhigion (Tystysgrifau Allforio) (Cymru) 2006 (O.S. 2006/1701) ("Gorchymyn 2006").

Lefelau'r ffioedd y darperir ar eu cyfer yn y Gorchymyn hwn yw'r rhan gyntaf o symudiad tuag at adennill costau llawn y ffioedd dros gyfnod o dair blynedd. Mae'r Gorchymyn hwn yn darparu ar gyfer cynyddu'r ffioedd a bennwyd yng Ngorchymyn 2006 fel a ganlyn:

(1) ffioedd am wasanaethau o ran ceisiadau am dystysgrifau yn ôl ystod rhwng 15% a 130% (erthygl 2(3)), a

(2) ffioedd am wasanaethau cyn-allforio yn ôl 85% (erthygl 2(4)).

Ceir rhagor o fanylion yn y Memorandwm Esboniadol sydd i'w weld ar wefan Cynullid Cenedlaethol Cymru (www.cynulliadcymru.org).

Mae asesiad effaith rheoleiddiol o effeithiau'r Gorchymyn hwn ar gostau busnesau, o ran y mathau o ffioedd sydd o dan sylw, wedi ei baratoi ynglŷn â'r Gorchymyn hwn. Gellir cael copïau gan Adran yr Amgylchedd a Datblygu Cynaliadwy, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

WELSH STATUTORY INSTRUMENTS

# 2013 No. 1658 (W. 156)

# PLANT HEALTH, WALES

## The Plant Health (Export Certification) (Wales) (Amendment) Order 2013

### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order, which comes into force on 31 July 2013, amends the Plant Health (Export Certification) (Wales) Order 2006 (S.I. 2006/1701) ("the 2006 Order").

The fee levels provided for in this Order form the first part of a move towards full cost recovery of fees over three years. This Order provides for increases on the fees specified in the 2006 Order as follows:

(1) fees for services in respect of application for certificates by a range from 15% to 130% (article 2(3)), and

(2) fees for pre-export services by 85% (article 2(4)).

Further details are provided in the Explanatory Memorandum which can be viewed on the National Assembly for Wales website (www.assemblywales.org).

A regulatory impact assessment of the effects of this Order on the costs of business, in relation to the types of fee covered, has been prepared in respect of this Order. Copies can be obtained from the Department of Environment and Sustainable Development, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

O F F E R Y N N A U S T A T U D O L C Y M R U

# 2013 Rhif 1658 (Cy. 156)

# IECHYD PLANHIGION, CYMRU

## Gorchymyn Iechyd Planhigion (Tystysgrifau Allforio) (Cymru) (Diwygio) 2013

*Gwnaed* *3 Gorffennaf 2013*

*Gosodwyd gerbron Cynulliad Cenedlaethol Cymru* *5 Gorffennaf 2013*

*Yn dod i rym* *31 Gorffennaf 2013*

Mae Gweinidogion Cymru dwy arfer y pwerau a roddir gan adrannau 3(1) a 4A o Ddeddf Iechyd Planhigion 1967(**1**) ac sydd bellach wedi eu breinio ynddynt hwy(**2**) yn gwneud y Gorchymyn a ganlyn â chydsyniad y Trysorlys.

**Enwi, cymhwyso a chychwyn**

**1.**—(1) Enw'r Gorchymyn hwn yw Gorchymyn Iechyd Planhigion (Tystysgrifau Allforio) (Cymru) (Diwygio) 2013.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

(3) Daw'r Gorchymyn hwn i rym ar 31 Gorffennaf 2013.

(**1**) 1967 p. 8; gweler adran 1(2) i gael y diffiniad o "the competent authorities". Diwygiwyd adran 3(1) gan Ddeddf y Cymunedau Ewropeaidd 1972 (p. 68), mewnosodwyd adran 4A gan Ddeddf Amaethyddiaeth 1986 (p. 49), adran 3.

(**2**) Trosglwyddwyd swyddogaethau'r Gweinidog Amaethyddiaeth, Pysgodfeydd a Bwyd o dan Ddeddf Iechyd Planhigion 1967 (p. 8), i'r graddau y maent yn arferadwy o ran Cymru, i Ysgrifennydd Gwladol Cymru gan erthygl 2 o Orchymyn Trosglwyddo Swyddogaethau (Cymru) (Rhif 1) 1978 (O.S. 1978/272) ac Atodlen 1 iddo. Trosglwyddwyd y swyddogaethau hynny o Ysgrifennydd Gwladol Cymru i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen 1 iddo. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru gan adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi. Mae'r gofynion ynglŷn â chymeradwyaeth y Trysorlys o dan adran 4A o Ddeddf Iechyd Planhigion 1967 yn dal yn effeithiol.

W E L S H S T A T U T O R Y I N S T R U M E N T S

# 2013 No. 1658 (W. 156)

# PLANT HEALTH, WALES

## The Plant Health (Export Certification) (Wales) (Amendment) Order 2013

*Made* *3 July 2013*

*Laid before the National Assembly for Wales* *5 July 2013*

*Coming into force* *31 July 2013*

The Welsh Ministers in exercise of the powers conferred by sections 3(1) and 4A of the Plant Health Act 1967(**1**) and now vested in them(**2**) make the following Order with the consent of the Treasury.

**Title, application and commencement**

**1.**—(1) The title of this Order is the Plant Health (Export Certification) (Wales) (Amendment) Order 2013.

(2) This Order applies in relation to Wales.

(3) This Order comes into force on 31 July 2013.

(**1**) 1967 c. 8; see section 1(2) for the definition of "the competent authorities". Section 3(1) was amended by the European Communities Act 1972 (c. 68), section 4A was inserted by the Agriculture Act 1986 (c. 49), section 3.

(**2**) The functions of the Minister of Agriculture, Fisheries and Food under the Plant Health Act 1967 (c. 8) were, so far as exercisable in relation to Wales, transferred to the Secretary of State for Wales by article 2 of, and Schedule 1 to, the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272). Those functions were transferred from the Secretary of State for Wales to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The functions of the National Assembly for Wales were transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32). The Treasury approval requirements under section 4A of the Plant Health Act 1967 continue in effect.

**Diwygio Gorchymyn Iechyd Planhigion (Tystysgrifau Allforio) (Cymru) 2006**

**2.**—(1) Mae Gorchymyn Iechyd Planhigion (Tystysgrifau Allforio) (Cymru) 2006(**1**) wedi ei ddiwygio fel a ganlyn.

(2) Yn nhestun Cymraeg erthygl 3(3), yn lle "gronynnau" rhodder "grawn".

(3) Yn lle Atodlen 3 rhodder—

## "ATODLEN 3

Erthyglau 3 a 5

| *Gwasanaethau o ran ceisiadau am dystysgrifau* | *Ffi (£)* | *Ffi (allforiwr bach) (£)* |
|---|---|---|
| (1) Gwasanaethau am lwythi heblaw grawn: | | |
| arolygiad a, phan fo angen, archwiliad mewn labordy | 46.61 am bob chwarter awr neu ran ohono gydag isafswm ffi o 93.22 | 23.31 am bob chwarter awr neu ran ohono gydag isafswm ffi o 46.62 |
| archwiliad mewn labordy yn unig | 26.43 | 13.22 |
| dyroddi tystysgrif pan nad yw arolygiad neu archwiliad mewn labordy yn ofynnol | 8.21 | 4.11 |
| (2) Gwasanaethau ar gyfer llwythi o rawn: | | |
| monitro arolygiadau a gyflawnir gan berson awdurdodedig o dan erthygl 3(3), a phan fo angen hynny, archwiliad mewn labordy a gyflawnir gan swyddog awdurdodedig | 51.47 | 25.73" |

(4) Yn lle Atodlen 4 rhodder—

(**1**) O.S. 2006/1701 (Cy. 163).

**Amendment of the Plant Health (Export Certification) (Wales) Order 2006**

**2.**—(1) The Plant Health (Export Certification) (Wales) Order 2006(**1**) is amended as follows.

(2) In the Welsh text of article 3(3), for "gronynnau" substitute "grawn".

(3) For Schedule 3 substitute—

## "SCHEDULE 3

Articles 3 and 5

| *Services in respect of applications for certificates* | *Fee (£)* | *Fee (small exporter) (£)* |
|---|---|---|
| (1) Services for consignments other than grain: | | |
| inspection and, where necessary, laboratory examination | 46.61 for each quarter hour or part thereof with a minimum fee of 93.22 | 23.31 for each quarter hour or part thereof with a minimum fee of 46.62 |
| laboratory examination only | 26.43 | 13.22 |
| issue of a certificate where no inspection or laboratory examination is required | 8.21 | 4.11 |
| (2) Services for consignments of grain: | | |
| monitoring of inspections carried out by a person authorised under article 3(3) and, where necessary, laboratory examination carried out by an authorised officer | 51.47 | 25.73" |

(4) For Schedule 4 substitute—

(**1**) S.I. 2006/1701 (W. 163).

## "ATODLEN 4

Erthygl 5

| *Gwasanaeth* | *Ffi (£)* | *Ffi (allforiwr bach) (£)* |
|---|---|---|
| Gwasanaeth cyn-allforio | 37.46 am bob chwarter awr neu ran ohono gydag isafswm ffi o 74.92 | 18.73 am bob chwarter awr neu ran ohono gydag isafswm ffi o 37.46" |

## "SCHEDULE 4

Article 5

| *Service* | *Fee (£)* | *Fee (small exporter) (£)* |
|---|---|---|
| Pre-export service | 37.46 for each quarter hour or part thereof with a minimum fee of 74.92 | 18.73 for each quarter hour or part thereof with a minimum fee of 37.46" |

*Alun Davies*

Y Gweinidog Adnoddau Naturiol a Bwyd, un o Weinidogion Cymru

3 Gorffennaf 2013

Minister for Natural Resources and Food, one of the Welsh Ministers

3 July 2013

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