
WELSH STATUTORY INSTRUMENTS

2017 No. 1095 (W. 276)

SEEDS, WALES

**The Seed (Miscellaneous Amendments)
(Wales) Regulations 2017**

<i>Made</i>	- - - -	<i>14 November 2017</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>16 November 2017</i>
<i>Coming into force</i>	- -	<i>15 December 2017</i>

The Welsh Ministers, in exercise of the powers conferred by section 16(1), (2), and (3) of the Plant Varieties and Seeds Act 1964⁽¹⁾, and now vested in them⁽²⁾, make the following Regulations.

In accordance with section 16(1) of that Act, the Welsh Ministers have consulted with representatives of such interests as appear to the Welsh Ministers to be concerned.

Title, commencement and application

1.—(1) The title of these Regulations is the Seed (Miscellaneous Amendments) (Wales) Regulations 2017 and they come into force on 15 December 2017.

(2) These Regulations apply in relation to Wales.

Amendment of the Seed Marketing (Wales) Regulations 2012

2. In the table in Schedule 1 (seed to which these Regulations apply) to the Seed Marketing (Wales) Regulations 2012⁽³⁾, in the first column (plants to which the Regulations apply), for “*Lolium x boucheanum* Kunth” substitute “*Lolium x hybridum* Hausskn”.

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- (1) 1964 c. 14. Section 16(1) was amended by section 4 of and paragraph 5 of Schedule 4 to the European Communities Act 1972 (c. 68). Section 16(3) was amended by S.I. 1977/1112.
- (2) See section 38(1) for a definition of “the Minister”. In accordance with article 2(1) of and Schedule 1 to the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272) the functions of the Minister of Agriculture, Fisheries and Food under the Plant Varieties and Seeds Act 1964 were, so far as exercisable in relation to Wales, transferred to the Secretary of State. In accordance with article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) the functions transferred to the Secretary of State by the 1978 Order were transferred to the National Assembly for Wales. By virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32) those functions are now exercisable by the Welsh Ministers.
- (3) S.I. 2012/245 (W. 39), amended by S.I. 2013/889 (W. 101), S.I. 2014/519 (W. 61) and S.I. 2016/1242 (W. 294).

Amendment of the Seed Potatoes (Wales) Regulations 2016

3. In Part 1 of Schedule 2 (official labels and official documents) to the Seed Potatoes (Wales) Regulations 2016⁽⁴⁾, after paragraph 8(b)(i) insert—

“(ia) an officially assigned serial number;”.

14 November 2017

Hannah Blythyn
Minister for Environment under the authority of
the Cabinet Secretary for Energy, Planning and
Rural Affairs, one of the Welsh Ministers

⁽⁴⁾ S.I. 2016/106 (W. 52), amended by S.I. 2017/596 (W. 139).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Seed Marketing (Wales) Regulations 2012 and the Seed Potatoes (Wales) Regulations 2016.

Regulation 2 implements Commission Implementing Directive (EU) 2016/2109 which amends [Directive 66/401/EEC](#) to reflect the change of the botanical name of the species *Lolium x boucheanum* Kunth (OJ No L 327, 2.12.2016, p. 59). Regulation 2 amends the Seed Marketing (Wales) Regulations 2012 to reflect that change of botanical name.

Regulation 3 implements Commission Implementing Decision (EU) 2016/320 (“the Decision”). The Decision amends [Decision 2004/842/EC](#) regarding the rules by which Member States may authorise the placing on the market of seed belonging to varieties for which an application for entry in the national catalogue of varieties of agricultural plant or vegetable species has been submitted (OJ L 60, 5.3.2016, p. 88). The Decision includes the requirement for an officially assigned serial number to be stated on the official label of seed potatoes that are authorised to be marketed for the purposes of tests and trials. Regulation 3 amends the Seed Potatoes (Wales) Regulations 2016 to reflect that requirement.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.