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WELSH STATUTORY INSTRUMENTS

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**2020 No. 1573**

**The Marketing of Seeds and Plant Propagating Material  
(Amendment) (Wales) (EU Exit) Regulations 2020**

**The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2019**

4.—(1) The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2019(1) are amended as follows.

(2) In the Welsh language text, regulations 2 to 6 are renumbered as regulations 1 to 5 and the following paragraphs refer to those regulations as renumbered.

(3) In regulation 4—

(a) for paragraph (2) substitute—

“(2) In regulation 3, for paragraph (1) substitute—

“(1) For the purposes of these Regulations—

(a) the “GB Variety List” is the list of plant varieties prepared and published by the Secretary of State in accordance with the provisions of the Seeds (National Lists of Varieties) Regulations 2001(2);

(b) a “country granted equivalence” means—

(i) a country that has been granted equivalence under Council Decision 2003/17/EC on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries; or

(ii) a country that has been assessed by the Welsh Ministers that the seed from that country is produced under conditions equivalent to the requirements in these Regulations for seed to which these Regulations apply;

(c) “Crown Dependency” means any of the Channel Islands or the Isle of Man;

(d) the “NI Variety List” means the list of plant varieties prepared and published by the Department of Agriculture, Environment and Rural Affairs in Northern Ireland in accordance with legislation having equivalent effect to the Seeds (National Lists of Varieties) Regulations 2001.”;

(b) for paragraph (3) substitute—

“(3) In regulation 4(2), for “the European Union” substitute “Great Britain”.”;

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(1) S.I. 2019/368 (W. 90); prospectively amended by S.I. 2019/1382 (W. 245), regulation 3: that regulation is being omitted by these Regulations.

(2) S.I. 2001/3510, amended by S.S.I. 2004/317, S.I. 2004/2949, S.S.I. 2005/328, 329, S.I. 2007/1871, 2009/1273, 2010/1195, 2011/464, 2012/2897, 2013/2042, 2014/487, S.S.I. 2015/395, S.I. 2016/106 (W. 52), 2018/942, 2020/579. It is prospectively amended by S.I. 2019/162.

- (c) for paragraph (4) substitute—
  - “(4) In regulation 7, for the words from “United Kingdom” to the end substitute “GB Variety List, NI Variety List or an equivalent list in a country granted equivalence”.”;
- (d) omit paragraph (5);
- (e) for paragraph (6) substitute—
  - “(6) In regulation 10, in paragraph (a), for “United Kingdom National List or the Common Catalogue” substitute “GB Variety List”.”;
- (f) in paragraph (9)—
  - (i) for sub-paragraph (a) substitute—
    - “(a) in the heading, for “outside the European Union” substitute “a country granted equivalence”.”;
  - (ii) after sub-paragraph (a) insert—
    - “(aa) for paragraph (1) substitute—
      - “(1) Seed imported from a country granted equivalence must—
        - (a) be a variety listed in the GB Variety List; and
        - (b) be labelled with—
          - (i) for standard vegetable seed, a supplier’s label in accordance with paragraph 25(4) or (5) of Schedule 3;
          - (ii) for all other seed, a label approved by the Organisation for Economic Cooperation and Development for the varietal certification on the control of seed moving in international trade.”.”;
  - (iii) in sub-paragraph (b), for “into the United Kingdom” substitute “from a country granted equivalence”;
  - (iv) omit sub-paragraph (c);
- (g) in paragraph (10)—
  - (i) in the new regulation 32A and in its heading to be inserted by that paragraph, after “Crown Dependency” insert “or a country granted equivalence”;
  - (ii) in the new regulation 32B and in its heading to be inserted by that paragraph—
    - (aa) for “exit day”, in each place where it occurs, substitute “implementation period completion day”;
    - (bb) for “two years” substitute “one year”;
- (h) in paragraph (11)—
  - (i) in sub-paragraph (a)(iii), in the new sub-paragraph (6)(b)(i)(bb) to be inserted by that sub-paragraph, for “United Kingdom National” substitute “GB Variety”;
  - (ii) for sub-paragraph (e) substitute—
    - “(e) in paragraph 43(2), for “United Kingdom National List or the Common Catalogue” substitute “GB Variety List”.”;
- (i) in paragraph (12)—
  - (i) in sub-paragraph (c)(i), for “UK” substitute “GB”;
  - (ii) for sub-paragraph (e) substitute—
    - “(e) in paragraphs 12(2)(a) and 14(1)(a), for “United Kingdom National List or the Common Catalogue” substitute “GB Variety List”.”;

- (iii) in sub-paragraphs (g) and (j), for “UK” substitute “GB”;
- (j) in paragraph (13)—
  - (i) in sub-paragraph (d)—
    - (aa) before paragraph (i), insert—
      - “(ai) in sub-paragraphs (2) and (3), for “United Kingdom National” substitute “GB Variety”;;”;
    - (bb) in paragraph (i), in the new sub-paragraph (5A) to be inserted by that paragraph, for “the United Kingdom”, in each place where it occurs, substitute “Great Britain”;
  - (ii) in sub-paragraph (e)(ii), for “UK” substitute “GB”;
  - (iii) after sub-paragraph (e) insert—
    - “(ea) in paragraph 9—
      - (i) in sub-paragraphs (1), (5) and (6), for “United Kingdom National” substitute “GB Variety”;
      - (ii) in sub-paragraph (8), in the words before paragraph (a), for “the United Kingdom” substitute “Great Britain”;;”;
  - (iv) for sub-paragraph (f) substitute—
    - “(f) in paragraph 10—
      - (i) in sub-paragraph (1), for the words from “United Kingdom” to the end substitute “GB Variety List provided an application has been made for entry into the GB Variety List or the NI Variety List”;
      - (ii) in sub-paragraph (4), for “relevant National List” substitute “GB Variety List, NI Variety List or an equivalent list of a country granted equivalence”;
      - (iii) omit sub-paragraphs (7) and (8);”;
  - (v) for sub-paragraph (g) substitute—
    - “(g) in paragraph 11(2), for “United Kingdom National List or the Common Catalogue” substitute “GB Variety List”;;”;
  - (vi) in sub-paragraph (h)(ii)(bb), for “exit day” substitute “implementation period completion day”;
  - (vii) for sub-paragraph (l) substitute—
    - “(l) omit paragraph 16;”;
  - (viii) for sub-paragraph (n) substitute—
    - “(n) in paragraph 18, for “United Kingdom National List or the Common Catalogue” substitute “GB Variety List”;;”.
- (4) In regulation 5—
  - (a) in paragraph (2)—
    - (i) in sub-paragraphs (a), (b), (c), (f), and (i)—
      - (aa) in the new sub-paragraph (ii) to be inserted by each of those sub-paragraphs, after “Crown Dependency” insert “or a country granted equivalence”;
      - (bb) omit the new sub-paragraph (iii) to be inserted by each of those sub-paragraphs;
    - (ii) after sub-paragraph (c) insert—

- “(ca) in the appropriate place insert—
  - ““country granted equivalence” (“*gwlad y caniatawyd cywerthedd iddi*”) means a country that has been assessed under regulation 5(3) and the Welsh Ministers are satisfied that the plant material from the country is produced under conditions equivalent to the requirements in these Regulations for plant material;”;
  - (iii) in sub-paragraph (g), for “, any member State or any Crown Dependency” substitute “, any Crown Dependency or country granted equivalence”;
- (b) for paragraph (3) substitute—
  - “(3) In regulation 4(3), for “the European Union” substitute “Great Britain”;
- (c) for paragraph (4) substitute—
  - “(4) In regulation 5, in paragraph (3), for “European Union” substitute “United Kingdom”;
- (d) omit paragraphs (6), (7) and (8);
- (e) in paragraph (9)—
  - (i) in sub-paragraphs (a) and (c)(i), for “UK” substitute “GB”;
  - (ii) in sub-paragraph (c)(ii), for “sub-paragraphs (b)(i) and (x)” substitute “sub-paragraph (b)(i)”;
- (f) in paragraphs (13)(a), (15)(a) and (16), in the new sub-paragraph (ii) to be inserted by those paragraphs, for “exit day” substitute “implementation period completion day”.