
WELSH STATUTORY INSTRUMENTS

2022 No. 149 (W. 47)

**EXITING THE EUROPEAN UNION, WALES
PLANT HEALTH, WALES
SEEDS, WALES**

The Plant Health etc. (Fees) (Amendment)
(Wales) (EU Exit) Regulations 2022

Made - - - - 17 February 2022

Coming into force - - 18 February 2022

The Welsh Ministers make these Regulations, in exercise of the powers conferred by paragraph 7(2) of Schedule 4 and paragraphs 12 and 21(b) of Schedule 7 to the European Union (Withdrawal) Act 2018(1).

A draft of this instrument has been laid before, and approved by a resolution of, Senedd Cymru in accordance with paragraph 1(8) of Schedule 7 to that Act(2).

Title and commencement

1. The title of these Regulations is the Plant Health etc. (Fees) (Amendment) (Wales) (EU Exit) Regulations 2022 and they come into force on the day after the day on which they are made.

Amendment of the Plant Health etc. (Fees) (Wales) Regulations 2018

2.—(1) The Plant Health etc. (Fees) (Wales) Regulations 2018(3) are amended as follows.

(2) In regulation 3—

(a) in paragraph (2E), for “1 March 2022” substitute “the end of the transitional staging period”;

(b) in paragraph (3), after sub-paragraph (b) insert—

(1) 2018 c. 16; see paragraph 8 of Schedule 4 for the meaning of “appropriate authority”. Paragraph 21 of Schedule 7 was amended by section 41(4) of, and paragraphs 38 and 53(2) of Schedule 5 to, the European Union (Withdrawal Agreement) Act 2020 (c. 1).

(2) The reference in the European Union (Withdrawal) Act 2018 to the National Assembly for Wales now has effect as a reference to Senedd Cymru by virtue of section 150A(2) of the Government of Wales Act 2006 (c. 32).

(3) S.I. 2018/1179 (W. 238); relevant amending instruments are S.I. 2019/1378 (W. 244), S.I. 2020/44 (W. 5), S.I. 2020/69 (W. 10), S.I. 2020/1628 (W. 342) and S.I. 2021/713 (W. 181).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“(ba) “the transitional staging period” has the meaning given in Annex 6 to Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products.”

(3) In the heading of Schedule 2A, for “1 March 2022” substitute “the end of the transitional staging period”.

17 February 2022

Julie James
Minister for Climate Change, one of the Welsh
Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by paragraph 7(2) of Schedule 4 and paragraphs 12 and 21(b) of Schedule 7 to the European Union (Withdrawal) Act 2018 (c. 16) and amend the Plant Health etc. (Fees) (Wales) Regulations 2018 (S.I. 2018/1179) (W. 238) (“the 2018 Regulations”).

They make modifications to the 2018 Regulations, in consequence of amendments made by the Official Controls (Extension of Transitional Periods) (England and Wales) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/1443). The amendments in those Regulations extended “the transitional staging period” (defined in Annex 6 to Regulation (EU) 2017/625 (EUR 2017/625)).

Regulation 2 amends the 2018 Regulations to align the timing of the imposition of certain fees in Wales with the extended transitional staging period.

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.