CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2006 Rhif 519 (Cy.63)

HADAU, CYMRU

Rheoliadau Tatws Hadyd (Ffioedd) (Cymru) 2006

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn rhagnodi'r ffioedd sydd i'w talu gan bobl sy'n gwneud cais am gael tatws hadyd (tatws plannu) wedi'u dosbarthu o dan Reoliadau Tatws Hadyd 1991. Maent yn dirymu ac yn disodli Rheoliadau Tatws Hadyd (Ffioedd) 1998 mewn perthynas â Chymru.

Mae'r Rheoliadau yn cyflwyno dau ddosbarth newydd o ffi, sef ffi ar gyfer arolygu tatws hadyd cyn-sylfaenol, a ffi ar gyfer arolygu tatws o dan gynllun neu drefniant y darperir ar ei gyfer gan baragraff 4(c)(ii) o Ran II o Atodlen 1 i Reoliadau 1991.

Mae pob ffi arall a ragnodir gan y Rheoliadau yn aros heb ei newid ers Rheoliadau 1998. Cost cyflawni'r gwasanaethau y codir taliadau amdanynt yw pob ffi. Mae Arfarniad Rheoliadol wedi ei baratoi ar gyfer y Rheoliadau hyn a gellir cael copi oddi wrth yr Adran Amgylchedd Cynllunio a Chefn Gwlad, Cynulliad Cenedlaethol Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2006 No. 519 (W.63)

SEEDS, WALES

The Seed Potatoes (Fees) (Wales) Regulations 2006

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which revoke and replace the Seed Potatoes (Fees) Regulations 1998 in relation to Wales, prescribe the fees payable by applicants for classification of seed potatoes under the Seed Potatoes Regulations 1991.

The Regulations introduce two new categories of fee. These are for the inspection of pre-basic seed potatoes and for the inspection of seed potatoes under a scheme or arrangement as provided for by paragraph 4(c)(ii) of Part II of Schedule 1 to the 1991 Regulations.

All of the other fees prescribed by the Regulations remain unchanged from the 1998 Regulations. All fees represent the cost of performing the services for which charges are made. A Regulatory Appraisal in relation to these Regulations has been prepared and a copy is available from the Department for Environment, Planning and Countryside, Welsh Assembly Government, Cathays Park, Cardiff, CF10 3NQ.

OFFERYNNAU STATUDOL

2006 Rhif 519 (Cy.63)

HADAU, CYMRU

Rheoliadau Tatws Hadyd (Ffioedd) (Cymru) 2006

Wedi'u gwneud *28 Chwefror 2006*

Yn dod i rym *3 Mawrth 2006*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd gan adran 16(1) ac (1A)(e) o Ddeddf Amrywogaethau a Hadau Planhigion 1964(**1**) ac sydd bellach wedi'u breinio ynddo(**2**), ar ôl ymgynghori â chynrychiolwyr y buddiannau hynny y mae'n ymddangos iddo yr effeithir arnynt, drwy hyn yn gwneud y Rheoliadau a ganlyn:

Enw, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Tatws Hadyd (Ffioedd) (Cymru) 2006 a deuant i rym ar 3 Mawrth 2006.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru.

Ffioedd

2.-(1) Rhaid i berson sy'n gwneud cais am gael tatws hadyd wedi'u dosbarthu dalu i Gynulliad Cenedlaethol Cymru o ran ei swyddogaethau o dan Reoliadau Tatws Hadyd 1991(**3**) ac a restrir yn yr Atodlen, neu i unrhyw berson a awdurdodir ganddo i gyflawni'r swyddogaethau hynny ar ei ran, y ffioedd a restrir yn yr Atodlen o ran y swyddogaethau hynny.

(**1**) 1964 p.14; diwygiwyd adran 16(1) a mewnosodwyd adran 16(1A) gan Ddeddf y Cymunedau Ewropeaidd 1972 (p.68), adran 4(1) ac Atodlen 4, paragraff 5(1) a (2).

(**2**) O dan Orchymyn Trosglwyddo Swyddogaethau (Cymru) (Rhif 1) 1978 (OS 1978/272), erthygl 2(1) ac Atodlen 1, trosglwyddwyd swyddogaethau'r Gweinidog Amaethyddiaeth, Pysgodfeydd a Bwyd o dan y Ddeddf Amrywogaethau a Hadau Planhigion 1964, i'r graddau yr oeddent yn arferadwy mewn perthynas â Chymru, i'r Ysgrifennydd Gwladol ac o dan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (OS 1999/672), erthygl 2(1) ac Atodlen 1, trosglwyddwyd y swyddogaethau a drosglwyddwyd i'r Ysgrifennydd Gwladol gan Orchymyn 1978 i Gynulliad Cenedlaethol Cymru.

(**3**) OS 1991/2206, a ddiwygiwyd gan OS 1992/1031, 1993/1878, 1994/2592, 1997/1474, 2001/3666. Mae swyddogaethau wedi eu breinio yng Nghynulliad Cenedlaethol Cymru yn rhinwedd Erthygl 3 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

STATUTORY INSTRUMENTS

2006 No. 519 (W.63)

SEEDS, WALES

The Seed Potatoes (Fees) (Wales) Regulations 2006

Made *28 February 2006*

Coming into force *3 March 2006*

The National Assembly for Wales, in exercise of the powers conferred by section 16(1) and (1A)(e) of the Plant Varieties and Seeds Act 1964(**1**) and now vested in it(**2**), after consultation with representatives of such interests as appear to it to be concerned, hereby makes the following Regulations:

Title, commencement and application

1.-(1) The title of these Regulations is the Seed Potatoes (Fees) (Wales) Regulations 2006 and these Regulations come into force on 3 March 2006.

(2) These Regulations apply in relation to Wales.

Fees

2.-(1) An applicant for classification of seed potatoes must pay to the National Assembly for Wales in respect of its functions under the Seed Potatoes Regulations 1991(**3**) listed in the Schedule, or to any person authorised by it to carry out such functions on its behalf, the fees listed in the Schedule in respect of such functions.

(**1**) 1964 c.14; section 16(1) was amended and section 16(1A) inserted by the European Communities Act 1972 (c.68), section 4(1) and Schedule 4, paragraph 5(1) and (2).

(**2**) Under the Transfer of Functions (Wales) (No.1) Order 1978 (SI 1978/272), article 2(1) and Schedule 1, the functions of the Minister of Agriculture, Fisheries and Food under the Plant Varieties and Seeds Act 1964 were, so far as they were exercisable in relation to Wales, transferred to the Secretary of State and under the National Assembly for Wales (Transfer of Functions) Order 1999 (SI 1999/672), article 2(1) and Schedule 1, the functions transferred to the Secretary of State by the 1978 Order were transferred to the National Assembly for Wales.

(**3**) SI 1991/2206, amended by SI 1992/1031, 1993/1878, 1994/2592, 1997/1474, SI 2001/3666. Functions are vested in the National Assembly for Wales by virtue of Article 3 of the National Assembly for Wales (Transfer of Functions) Order 1999 (SI 1999/672)

(2) Mae'r ffi a bennir yn yr Atodlen fel y ffi sy'n daladwy am bob swyddogaeth yn ddarostyngedig i unrhyw leiafswm ffi a bennir yno.

Tynnu cais yn ôl

3. Os yw person sy'n gwneud cais am gael tatws hadyd wedi'u dosbarthu yn tynnu ei gais neu ei chais yn ôl cyn i'r arolygydd gyrraedd er mwyn arolygu'r cnwd am y tro cyntaf, rhaid i'r person hwnnw neu honno dalu ffi o £15 i Gynulliad Cenedlaethol Cymru neu i unrhyw berson a awdurdodir ganddo i wneud arolygiad o'r fath ar ei ran.

Dirymu rheoliadau blaenorol

4. Mae Rheoliadau Tatws Hadyd (Ffioedd) 1998(**1**) yn cael eu dirymu mewn perthynas â Chymru.

Llofnodwyd ar ran y Cynulliad Cenedlaethol o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**2**)

28 Chwefror 2006

(**1**) OS 1998/1228.

(**2**) 1998 p.68

(2) The fee specified in the Schedule as payable for each function is subject to any minimum fee there specified.

Withdrawal of application

3. Where an application for the classification of seed potatoes is withdrawn by the applicant before the arrival of an inspector for the purpose of inspecting the crop for the first time, the applicant must pay to the National Assembly for Wales or to any person authorised by it to carry out such inspection on its behalf a fee of £15.

Revocation of previous regulations

4. The Seed Potatoes (Fees) Regulations 1998(**1**) are revoked in respect of Wales.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**2**)

28 February 2006

D. Elis-Thomas

Llywydd y Cynulliad Cenedlathol

The Presiding Officer of the National Assembly

(**1**) SI 1998/1228.

(**2**) 1998 c.38.

YR ATODLEN

Rheoliad 2

Y Swyddogaeth	*Ffi**	*(Ffi flaenorol)*	*Lleiafswm y ffi*	*(Lleiafswm blaenorol y ffi)*
Arolygu cnydau sy'n tyfu a darparu selau a labeli o ran ceisiadau am iddynt gael eu ddosbarthu:-				
fel tatws hadyd cyn-sylfaenol	£81.00*	*(-)*	N/A	*(N/A)*
fel tatws hadyd sylfaenol:-				
dosbarth VTSC	£75.00	*(£75.00)*	N/A	*(N/A)*
dosbarth Super Elite	£40.50	*(£40.50)*	£81.00	*(£81.00)*
dosbarth Elite	£40.50	*(£40.50)*	£81.00	*(£81.00)*
dosbarth AA	£38.50	*(£38.50)*	£77.00	*(£77.00)*
fel tatws hadyd ardystiedig	£35.00	*(£35.00)*	£70.00	*(£70.00)*
o dan gynllun neu drefniadau eraill yn unol â pharagraff 4(c)(ii) o Ran II o Atodlen 1 i Reoliadau Tatws Hadyd 1991	£81.00*	*(-)*	N/A	*(N/A)*
Arolygu cloron a gynaeafwyd				
Hyd at ddau arolygiad	£12.00	*(£12.00)*	£24.00	*(£24.00)*
Y trydydd arolygiad a phob arolygiad wedyn	£81.00*	*(£81.00)*	N/A	*(N/A)*

* O'r cyfraddau a restrir yn y golofn hon, mae'r rheini a nodir â seren yn gyfraddau fesul awr neu ran o awr, mae'r rheini heb seren yn gyfraddau fesul hanner hectar neu ran o hanner hectar.

SCHEDULE

Regulation 2

Function	*Fee**	*(Previous fee)*	*Minimum fee*	*(Previous Minimum fee)*
Inspection of growing crops and provision of seals and labels in respect of applications for classification:-				
as pre-basic seed potatoes	£81.00*	*(-)*	N/A	*(N/A)*
as basic seed potatoes:-				
VTSC class	£75.00	*(£75.00)*	N/A	*(N/A)*
Super Elite class	£40.50	*(£40.50)*	£81.00	*(£81.00)*
Elite class	£40.50	*(£40.50)*	£81.00	*(£81.00)*
AA class	£38.50	*(£38.50)*	£77.00	*(£77.00)*
as certified seed potatoes	£35.00	*(£35.00)*	£70.00	*(£70.00)*
under a scheme or other arrangements in accordance with paragraph 4(c)(ii) of Part II of Schedule 1 to the Seed Potatoes Regulations 1991	£81.00*	*(-)*	N/A	*(N/A)*
Inspection of harvested tubers				
Up to two inspections	£12.00	*(£12.00)*	£24.00	*(£24.00)*
Third and subsequent inspections	£81.00*	*(£81.00)*	N/A	*(N/A)*

* Of the rates listed in this column those that are marked with an asterisk are per hour or part thereof and those not so marked are per half-hectare or part thereof.

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