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OFFERYNNAU STATUDOL  
CYMRU

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WELSH  
STATUTORY INSTRUMENTS

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**2007 Rhif 2190 (Cy.174)**

**2007 No. 2190 (W.174)**

**IECHYD PLANHIGION,  
CYMRU**

**PLANT HEALTH,  
WALES**

Rheoliadau Marchnata Deunyddiau  
Planhigion Llysieuol (Cymru)  
(Diwygio) 2007

The Marketing of Vegetable Plant  
Material (Wales) (Amendment)  
Regulations 2007

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

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

Mae'r Rheoliadau hyn, sy'n gymwys o ran Cymru, yn dod i rym ar 28 Awst 2007. Maent yn diwygio Rheoliadau Marchnata Deunyddiau Planhigion Llysieuol 1995 (O.S. 1995/2652) ("y prif Reoliadau"), i ddiweddarau'r rhestr o genera a rhywogaethau deunyddiau planhigion y mae'r Rheoliadau hynny yn gymwys iddynt. Mae hyn yn rhoi ei heffaith i Erthygl 1 o Gyfarwyddeb y Comisiwn 2006/124/EC (OJ Rhif L 339, 6.12.2006, t.12) sy'n diwygio Atodiad II i Gyfarwyddeb y Cyngor 92/33/EEC (OJ Rhif L 157, 10.6.1992, t.1) ar farchnata deunyddiau lluosogi a phlannu llysieuol ac eithrio hadau, drwy estyn cwmpas yr Atodiad hwnnw i Zea Mays L. (popcorn ac indiacorn).

These Regulations, which apply in relation to Wales, come into force on 28 August 2007. They amend the Marketing of Vegetable Plant Material Regulations 1995 (S.I. 1995/2652) ("the principal Regulations"), to update the list of genera and species of plant material to which those Regulations apply. This gives effect to Article 1 of Commission Directive 2006/124/EC (OJ No. L 339, 6.12.2006, p.12) which amends Annex II to Council Directive 92/33/EEC (OJ No. L 157, 10.6.1992, p.1) on the marketing of vegetable propagating and planting material other than seed, by extending its scope to Zea Mays L. (popcorn and sweetcorn).

Yn ychwanegol at fân ddiwygiadau a diwygiadau drafftio, mae rheoliad 2 yn darparu bod y prif Reoliadau yn gymwys i'r rhestr o genera a rhywogaethau yn Atodiad II i Gyfarwyddeb y Cyngor 92/33/EEC.

In addition to minor and drafting amendments, regulation 2 provides that the principal Regulations apply to the list of genera and species in Annex II to Council Directive 92/33/EEC.

Mae asesiad effaith rheoleiddiol wedi'i gyflawni mewn perthynas â'r Rheoliadau hyn. Gellir cael copïau o'r asesiad hwnnw oddi wrth Lywodraeth Cynulliad Cymru, Parc Cathays, Caerdydd CF10 3NQ.

A regulatory impact assessment has been carried out in relation to these Regulations. Copies of that assessment can be obtained from the Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ.

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(Diwygio) 2007**

*Wedi'u gwneud* 25 Gorffennaf 2007

*Wedi'u gosod gerbron  
Cynulliad Cenedlaethol  
Cymru* 27 Gorffennaf 2007

*Yn dod i rym* 28 Awst 2007

Mae Gweinidogion Cymru wedi eu dynodi(1) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(2) o ran polisi amaethyddol cyffredin y Gymuned Ewropeaidd.

Maent yn gwneud y Rheoliadau a ganlyn o dan y pwerau a roddwyd gan yr adran honno:

**Enwi, cychwyn a chymhwyso**

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Marchnata Deunyddiau Planhigion Llysieuol (Cymru) (Diwygio) 2007.

(2) Daw'r Rheoliadau hyn i rym ar 28 Awst 2007 ac maent yn gymwys o ran Cymru.

**Diwygio Rheoliadau Marchnata Deunyddiau  
Planhigion Llysieuol 1995**

2.-(1) Diwygir Rheoliadau Marchnata Deunyddiau Planhigion Llysieuol 1995(3) fel a ganlyn.

(2) Yn rheoliad 2 (dehongli), ym mharagraff (1), yn

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(1) O.S. 2005/2766. Yn rhinwedd adrannau 59(1) a 162 o Ddeddf Llywodraeth Cymru 2006 a pharagraffau 28 a 30 o Atodlen 11 iddi, mae swyddogaethau a roddwyd i Gynulliad Cenedlaethol Cymru gan y dynodiad hwn i'w harfer gan Weinidogion Cymru.

(2) 1972 p.68.

(3) O.S. 1995/2652.

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**PLANT HEALTH,  
WALES**

**The Marketing of Vegetable Plant  
Material (Wales) (Amendment)  
Regulations 2007**

*Made* 25 July 2007

*Laid before the National  
Assembly for  
Wales* 27 July 2007

*Coming into force* 28 August 2007

The Welsh Ministers are designated(1) for the purposes of section 2(2) of the European Communities Act 1972(2) in relation to the common agricultural policy of the European Community.

They make the following Regulations under the powers conferred by that section:

**Title, commencement and application**

1.-(1) The title of these Regulations is the Marketing of Vegetable Plant Material (Wales) (Amendment) Regulations 2007.

(2) These Regulations come into force on 28 August 2007 and apply in relation to Wales.

**Amendments to the Marketing of Vegetable Plant  
Material Regulations 1995**

2.-(1) The Marketing of Vegetable Plant Material Regulations 1995(3) are amended as follows.

(2) In regulation 2 (interpretation), in paragraph (1),

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(1) S.I. 2005/2766. By virtue of sections 59(1) and 162 of and paragraphs 28 and 30 of Schedule 11 to the Government of Wales Act 2006, functions conferred on the National Assembly for Wales by this designation are exercisable by the Welsh Ministers.

(2) 1972 c.68.

(3) S.I. 1995/2652.

lle'r diffiniad o "Directive 92/33/EEC" rhodder-

" "Directive 92/33/EEC" means Council Directive 92/33/EEC on the marketing of vegetable propagating and planting material other than seed;"(1).

(3) Yn rheoliad 3 (deunyddiau planhigion y mae'r Rheoliadau hyn yn gymwys iddynt)-

- (a) ym mharagraff (1)(a), yn lle "Schedule 1" rhodder "Annex II to Directive 92/33/EEC";
- (b) ym mharagraff (1)(b), yn lle "Schedule 1" rhodder "that Annex".

(4) Yn rheoliad 8 (gwybodaeth i fynd gyda'r deunyddiau planhigion)-

- (a) ym mharagraff (2), yn lle "Council Directive 77/93/EEC" rhodder "Council Directive 2000/29/EC"(2);
- (b) ym mharagraff (4), yn lle "Schedule 1" rhodder "Schedule 2".

(5) Hepgorer Atodlen 1 (genera a rhywogaethau y mae Rheoliadau yn gymwys iddynt).

for the definition of "Directive 92/33/EEC" substitute-

" "Directive 92/33/EEC" means Council Directive 92/33/EEC on the marketing of vegetable propagating and planting material other than seed;"(1).

(3) In regulation 3 (plant material to which these Regulations apply)-

- (a) in paragraph (1)(a), for "Schedule 1" substitute "Annex II to Directive 92/33/EEC";
- (b) in paragraph (1)(b), for "Schedule 1" substitute "that Annex".

(4) In regulation 8 (information to accompany plant material)-

- (a) in paragraph (2), for "Council Directive 77/93/EEC" substitute "Council Directive 2000/29/EC"(2);
- (b) in paragraph (4), for "Schedule 1" substitute "Schedule 2".

(5) Omit Schedule 1 (genera and species to which Regulations apply).

*I. W. Jones*

Gweinidog dros Faterion Gwledig, un o Weinidogion Cymru

Deputy First Minister and Minister for Economy and Transport, one of the Welsh Ministers

25 Gorffennaf 2007

25 July 2007

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(1) OJ Rhif L 157, 10.6.1992, t. 1, fel y'i diwygiwyd ddiwethaf gan Gyfarwydddeb y Comisiwn 2006/124/EC, OJ Rhif L 339, 6.12.2006, t. 12.

(2) OJ Rhif L 169, 10.7.2000, t.1, fel y'i diwygiwyd ddiwethaf gan Gyfarwydddeb y Comisiwn 2006/35/EC, OJ Rhif L 88, 25.3.2006, t.9.

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(1) OJ No. L 157, 10.6.1992, p. 1, as last amended by Commission Directive 2006/124/EC, OJ No. L 339, 6.12.2006, p. 12.

(2) OJ No. L 169, 10.7.2000, p.1, as last amended by Commission Directive 2006/35/EC, OJ No. L 88, 25.3.2006, p.9.

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