OFFERYNNAU STATUDOL CYMRU

2022 Rhif 1276 (Cy. 259)

HADAU, CYMRU

Rheoliadau Hadau (Cywerthedd) (Diwygio) (Cymru) 2022

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Erthygl 6 o Benderfyniad y Cyngor 2003/17 dyddiedig 16 Rhagfyr 2002 ar gywerthedd archwiliadau maes a gynhelir mewn trydydd gwledydd ar gnydau sy'n cynhyrchu hadau ac ar gywerthedd hadau a gynhyrchir mewn trydydd gwledydd er mwyn estyn dyddiad dod i ben y Penderfyniad hwn.

WELSH STATUTORY INSTRUMENTS

2022 No. 1276 (W. 259)

SEEDS, WALES

The Seed (Equivalence) (Amendment) (Wales) Regulations 2022

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Article 6 of Council Decision 2003/17 of 16 December 2002 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 to extend the expiry date of this Decision.

OFFERYNNAU STATUDOL CYMRU

2022 Rhif 1276 (Cy. 259)

HADAU, CYMRU

Rheoliadau Hadau (Cywerthedd) (Diwygio) (Cymru) 2022

Gwnaed	*5 Rhagfyr 2022*
Gosodwyd gerbron Senedd Cymru	*7 Rhagfyr 2022*
Yn dod i rym	*30 Rhagfyr 2022*

Mae Gweinidogion Cymru, y mae'r pwerau a roddir gan adran 16(1) i (4) o Ddeddf Amrywogaethau a Hadau Planhigion 1964(**1**) wedi eu breinio bellach ynddynt(**2**), yn gwneud y Rheoliadau a ganlyn.

Mae Gweinidogion Cymru wedi ymgynghori â chynrychiolwyr y buddiannau hynny sy'n ymddangos i'r Gweinidogion yn rhai cysylltiedig â'r Rheoliadau hyn yn unol ag adran 16(1) o'r Ddeddf honno.

(**1**) 1964 p. 14. Diwygiwyd adran 16(1), a mewnosodwyd adran 16(1A), gan baragraff 5 o Atodlen 4 i Ddeddf y Cymunedau Ewropeaidd 1972 (p. 68). Mae'r pwerau yn Neddf Amrywogaethau a Hadau Planhigion 1964, o'u darllen ynghyd â pharagraff 5 o Atodlen 8 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16) yn caniatáu gwneud addasiadau i "retained direct minor EU legislation" fel y'i diffinnir yn adran 7(6) o Ddeddf Amrywogaethau a Hadau Planhigion 1964. Gweler adran 38(1) am y diffiniad o "the Minister".

(**2**) Trosglwyddwyd swyddogaethau'r Gweinidog, i'r graddau yr oeddent yn arferadwy o ran Cymru, i'r Ysgrifennydd Gwladol gan erthygl 2 o Orchymyn Trosglwyddo Swyddogaethau (Cymru) (Rhif 1) 1978 (O.S. 1978/272), ac Atodlen 1 iddo. Trosglwyddwyd y swyddogaethau hynny wedi hynny i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymaru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672), ac Atodlen 1 iddo. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru gan adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32), a pharagraff 30 o Atodlen 11 iddi.

WELSH STATUTORY INSTRUMENTS

2022 No. 1276 (W. 259)

SEEDS, WALES

The Seed (Equivalence) (Amendment) (Wales) Regulations 2022

Made	*5 December 2022*
Laid before Senedd Cymru	*7 December 2022*
Coming into force	*30 December 2022*

The Welsh Ministers in whom the powers conferred by section 16(1) to (4) of the Plant Varieties and Seeds Act 1964(**1**) are now vested(**2**), make the following Regulations.

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

(**1**) 1964 c. 14. Section 16(1) was amended, and section 16(1A) was inserted, by paragraph 5 of Schedule 4 to the European Communities Act 1972 (c. 68). The powers in the Plant Varieties and Seeds Act 1964, when read with paragraph 5 of Schedule 8 to the European Union (Withdrawal) Act 2018 (c. 16) allow for modification to be made to "retained direct minor EU legislation" as defined in section 7(6) of the Plant Varieties and Seeds Act 1964. See section 38(1) for the definition of "the Minister".

(**2**) The functions of the Minister, so far as exercisable in relation to Wales, transferred to the Secretary of State by article 2 of, and Schedule 1 to, the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272). Those functions were then transferred to the National Assembly of Wales by article 2 of, and Schedule 1, to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I 1999/672). The functions of the National Assembly for Wales were transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

Enwi, cymhwyso a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Hadau (Cywerthedd) (Diwygio) (Cymru) 2022, maent yn gymwys o ran Cymru a deuant i rym ar 30 Rhagfyr 2022.

Diwygio Penderfyniad y Cyngor 2003/17/EC

2.—(1) Mae Penderfyniad y Cyngor 2003/17 ar gywerthedd archwiliadau maes a gynhelir mewn trydydd gwledydd ar gnydau sy'n cynhyrchu hadau ac ar gywerthedd hadau a gynhyrchir mewn trydydd gwledydd(**1**) wedi ei ddiwygio fel a ganlyn.

(2) Yn Erthygl 6, yn lle "31 December 2022" rhodder "31 December 2029".

Title, application and commencement

1. The title of these Regulations is the Seed (Equivalence) (Amendment) (Wales) Regulations 2022, they apply in relation to Wales and they come into force on 30 December 2022.

Amendment of Council Decision 2003/17/EC

2.—(1) Council Decision 2003/17 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(**1**)is amended as follows.

(2) In Article 6, for "31 December 2022" substitute "31 December 2029".

Lesley Griffiths

Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd, un o Weinidogion Cymru
5 Rhagfyr 2022

Minister for Rural Affairs and North Wales, and Trefnydd, one of the Welsh Ministers
5 December 2022

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(**1**) EUDN 2003/17. Mae diwygiadau i'r Penderfyniad hwn ond nid yw'r un ohonynt yn berthnasol.

(**1**) EUDN 2003/17. There are amendments to this Decision but none are relevant.

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