OFFERYNNAU STATUDOL CYMRU

2022 Rhif 149 (Cy. 47)

YMADAEL Â'R UNDEB EWROPEAIDD, CYMRU

IECHYD PLANHIGION, CYMRU

HADAU, CYMRU

Rheoliadau Iechyd Planhigion etc. (Ffioedd) (Diwygio) (Cymru) (Ymadael â'r UE) 2022

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn wedi eu gwneud drwy arfer y pwerau a roddir gan baragraff 7(2) o Atodlen 4 a pharagraffau 12 ac 21(b) o Atodlen 7 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16) ac maent yn diwygio Rheoliadau Iechyd Planhigion etc. (Ffioedd) (Cymru) 2018 (O.S. 2018/1179) (Cy. 238) ("Rheoliadau 2018").

Maent yn gwneud addasiadau i Reoliadau 2018, o ganlyniad i ddiwygiadau a wnaed gan Reoliadau Rheolaethau Swyddogol (Estyn Cyfnodau Trosiannol) (Cymru a Lloegr) (Diwygio) (Rhif 2) 2021 (O.S. 2021/1443). Gwnaeth y diwygiadau yn y Rheoliadau hynny estyn y "cyfnod graddoli trosiannol" (a ddiffiniwyd yn Atodiad 6 i Reoliad (EU) 2017/625 (EUR 2017/625)).

Mae rheoliad 2 yn diwygio Rheoliadau 2018 er mwyn alinio amseriad gosod ffioedd penodol yng Nghymru â'r cyfnod graddoli trosiannol estynedig.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

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

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.

OFFERYNNAU STATUDOL CYMRU

2022 Rhif 149 (Cy. 47)

YMADAEL Â'R UNDEB EWROPEAIDD, CYMRU

IECHYD PLANHIGION, CYMRU

HADAU, CYMRU

Rheoliadau Iechyd Planhigion etc. (Ffioedd) (Diwygio) (Cymru) (Ymadael â'r UE) 2022

Gwnaed	*17 Chwefror 2022*
Yn dod i rym	*18 Chwefror 2022*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir gan baragraff 7(2) o Atodlen 4 a pharagraffau 12 ac 21(b) o Atodlen 7 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018(**1**).

Gosodwyd drafft o'r offeryn hwn gerbron Senedd Cymru ac fe'i cymeradwywyd ganddi drwy benderfyniad yn unol â pharagraff 1(8) o Atodlen 7 i'r Ddeddf honno(**2**).

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Iechyd Planhigion etc. (Ffioedd) (Diwygio) (Cymru) (Ymadael â'r UE) 2022 a deuant i rym drannoeth y diwrnod y'u gwneir.

(**1**) 2018 p. 16; gweler paragraff 8 o Atodlen 4 am ystyr "appropriate authority". Diwygiwyd paragraff 21 o Atodlen 7 gan adran 41(4) o Ddeddf yr Undeb Ewropeaidd (Y Cytundeb Ymadael) 2020 (p. 1) a pharagraffau 38 a 53(2) o Atodlen 5 iddi.

(**2**) Mae'r cyfeiriad yn Neddf yr Undeb Ewropeaidd (Ymadael) 2018 at Gynulliad Cenedlaethol Cymru bellach yn cael effaith fel cyfeiriad at Senedd Cymru yn rhinwedd adran 150A(2) o Ddeddf Llywodraeth Cymru 2006 (p. 32).

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.

(**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).

Diwygio Rheoliadau Iechyd Planhigion etc. (Ffioedd) (Cymru) 2018

2.—(1) Mae Rheoliadau Iechyd Planhigion etc. (Ffioedd) (Cymru) 2018(**1**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 3—

(a) ym mharagraff (2E), yn lle "1 Mawrth 2022" rhodder "diwedd y cyfnod graddoli trosiannol";

(b) ym mharagraff (3), ar ôl is-baragraff (b) mewnosoder—

"(ba) mae i "y cyfnod graddoli trosiannol" yr ystyr a roddir i "the transitional staging period" yn Atodiad 6 i Reoliad (EU) 2017/625 Senedd Ewrop a'r Cyngor ar reolaethau swyddogol a gweithgareddau swyddogol eraill a gyflawnir i sicrhau y cymhwysir cyfraith bwyd a bwyd anifeiliaid, rheolau ar iechyd a lles anifeiliaid, iechyd planhigion a chynhyrchion gwarchod planhigion."

(3) Ym mhennawd Atodlen 2A, yn lle "1 Mawrth 2022" rhodder "ddiwedd y cyfnod graddoli trosiannol".

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

2.—(1) The Plant Health etc. (Fees) (Wales) Regulations 2018(**1**) 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—

"(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".

Julie James

Y Gweinidog Newid Hinsawdd, un o Weinidogion Cymru
17 Chwefror 2022

Minister for Climate Change, one of the Welsh Ministers
17 February 2022

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(**1**) O.S. 2018/1179 (Cy. 238); yr offerynnau diwygio perthnasol yw O.S. 2019/1378 (Cy. 244), O.S. 2020/44 (Cy. 5), O.S. 2020/69 (Cy. 10), O.S. 2020/1628 (Cy. 342) ac O.S. 2021/713 (Cy. 181).

(**1**) 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).

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