

SL(5)561 – The Vegetable Plant Material and Seed (Miscellaneous Amendments) (Wales) Regulations 2020

Background and Purpose

These Regulations amend—

- the Marketing of Vegetable Plant Material Regulations 1995 (S.I. 1995/2652) (“the 1995 Regulations”) in relation to Wales, and
- the Seed Marketing (Wales) Regulations 2012 (S.I. 2012/245) (W. 39) (“the 2012 Regulations”).

These Regulations implement Commission Implementing Directive (EU) 2019/990 amending the list of genera and species in Article 2(1)(b) of Council Directive 2002/55/EC, in Annex II to Council Directive 2008/72/EC and in the Annex to Commission Directive 93/61/EEC (OJ No. L 160, 18.6.2019, p. 14) (“the 2019 Directive”).

The 1995 Regulations implement Council Directive 2008/72/EC on the marketing of vegetable propagating and planting material, other than seed (OJ No. L 205, 1.8.2008, p. 28), and Commission Directive 93/61/EEC setting out the schedules indicating the conditions to be met by vegetable propagating and planting material, other than seed pursuant to Council Directive 2008/72/EC (OJ No. L 250, 7.10.1993, p. 19). The 2012 Regulations implement Council Directive 2002/55/EC on the marketing of vegetable seed.

Regulation 2 updates definitions in the 1995 Regulations to ensure that references to Directives 2008/72/EC and 93/61/EEC refer to those Directives as amended by the 2019 Directive.

Regulation 3 amends the list of vegetable plants and their associated common names in Schedule 1 to the 2012 Regulations (seed to which these Regulations apply) to make explicit where all varieties of a species are included and where only certain varieties of a species are included. It also provides for the application of the 2012 Regulations to hybrids of the species and groups of vegetable plants listed.

Procedure

Negative.

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Implications arising from exiting the European Union

These Regulations are made under section 2(2) of the European Communities Act 1972 (in addition to section 16(1) and (1A) of the Plant Varieties and Seeds Act 1964). As such, they will form part of retained EU law after IP completion day (i.e. the end of the implementation period, on 31 December 2020).



Government Response

A Welsh Government response is not required.

Legal Advisers

Legislation, Justice and Constitution Committee

June 2020



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament

Legislation, Justice and Constitution Committee