

2007 No. 2190 (W.174)

PLANT HEALTH, WALES

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

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).

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.

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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Material (Wales) (Amendment)
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<i>Made</i>	<i>25 July 2007</i>
<i>Laid before the National Assembly for Wales</i>	<i>27 July 2007</i>
<i>Coming into force</i>	<i>28 August 2007</i>

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), for the definition of “Directive 92/33/EEC” substitute—

(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.

“ “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

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

25 July 2007

(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.