
WELSH STATUTORY INSTRUMENTS

2019 No. 463 (W. 111)

AGRICULTURE, WALES

LIVESTOCK INDUSTRIES

ANIMALS, WALES

ANIMAL HEALTH

ANIMAL WELFARE

EDUCATION, WALES

ENVIROMENTAL PROTECTION, WALES

FOOD, WALES

PLANT HEALTH, WALES

SEA FISHERIES, WALES

CONSERVATION OF SEA FISH

WATER, WALES

The Rural Affairs, Environment, Fisheries
and Food (Miscellaneous Amendments and
Revocations) (Wales) Regulations 2019

<i>Made</i>	- - - -	<i>5th March 2019</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>6 March 2019</i>
<i>Coming into force</i>	- -	<i>28 March 2019</i>

The Welsh Ministers make these Regulations in exercise of the powers conferred by—

- (a) except so far as relating to the regulations mentioned in paragraph (b), section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972 (“the 1972 Act”)(1); and

(1) 1972 c. 68. Section 2(2) was amended by section 27 of the Legislative and Regulatory Reform Act 2006 (c. 51) and section 3 of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c.7). Paragraph 1A of Schedule 1 was inserted

- (b) so far as relating to regulations 5, 6, 10 and 11, sections 1, 7(1), 8(1), 10, 14(1) and 23 of the Animal Health Act 1981(2).

The Welsh Ministers are designated (3) for the purposes of section 2(2) of the 1972 Act in relation to—

- (a) measures in the veterinary and phytosanitary field for the protection of human health (4);
- (b) the common agricultural policy(5);
- (c) measures in respect of food (including drink) including the primary production of food and measures relating to feed produced for or fed to food-producing animals(6);
- (d) measures relating to prevention and remedy of environmental damage(7);
- (e) measures relating to the control and regulation of the deliberate release, placing on the market and transboundary movements of genetically modified organisms(8);
- (f) measures relating to the assessment and management of ambient air quality and compliance with air quality limit values, target values and objectives (9);
- (g) materials providing or intended to provide nutrients for plants(10);
- (h) the quality of water intended for domestic purposes or for use in a food production undertaking(11).

These Regulations make provision for a purpose mentioned in section 2(2) of the 1972 Act and it appears to the Welsh Ministers that it is expedient for references to EU instruments in regulation 9 to be construed as references to those instruments as amended from time to time.

There has been open and transparent public consultation during the preparation and evaluation of these Regulations as required by Article 9 of Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(12).

by section 28 of the Legislative and Regulatory Reform Act 2006 and was amended by Part 1 of the Schedule to the European Union (Amendment) Act 2008 and S.I. 2007/1388.

- (2) 1981. c.22]. Functions under the Act are exercisable by the Welsh Ministers (in relation to Wales) by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); the National Assembly for Wales (Transfer of Functions) Order 2004 (S.I. 2004/3044); and section 162 of, and paragraph 11 to, Schedule 11 of the Government of Wales Act 2006 (c.32).
- (3) By virtue of section 59(2) of the Government of Wales Act 2006, the Welsh Ministers may exercise the power conferred by section 2(2) of the European Communities Act 1972 in relation to any matter, or for any purpose, if they have been designated in relation to that matter or for that purpose.
- (4) S.I. 2008/1792, to which there are amendments not relevant to these Regulations.
- (5) S.I. 2010/2690. By virtue of paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006, this designation has effect as if made under section 59(1) of that Act.
- (6) S.I. 2005/1971. By virtue of paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006, this designation has effect as if made under section 59(1) of that Act.
- (7) S.I. 2014/1890.
- (8) S.I. 2003/2901, to which there are amendments not relevant to these Regulations. By virtue of paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006, this designation has effect as if made under section 59(1) of that Act.
- (9) S.I. 2000/2812. By virtue of paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006, this designation has effect as if made under section 59(1) of that Act.
- (10) S.I. 2001/3919.
- (11) S.I. 2004/3328. By virtue of paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006, S.I. this designation has effect as if made under section 59(1) of that Act.
- (12) OJ No L 31, 1.2.2002, p. 1, as last amended by Commission Regulation (EU) 2017/228 (OJ No L 35, 10.2.2017, p10).

PART 1

General provisions

Title, application and commencement

1.—(1) The title of these Regulations is the Rural Affairs, Environment, Fisheries and Food (Miscellaneous Amendments and Revocations) (Wales) Regulations 2019.

(2) These Regulations apply in relation to Wales.

(3) These Regulations come into force on 28 March 2019.

PART 2

Amendments to legislation concerning agriculture

The EC Fertilisers (England and Wales) Regulations 2006

2. In regulation 2(1) of the EC Fertilisers (England and Wales) Regulations 2006⁽¹³⁾, in the definition of “the Community Regulation” after “fertilisers” insert “, as last amended by Commission Regulation (EU) 2016/1618⁽¹⁴⁾”.

The Bovine Semen (Wales) Regulations 2008

3. In regulation 17(1)(c) of the Bovine Semen (Wales) Regulations 2008⁽¹⁵⁾, for “articles 3(2) (a) or 3(2)(b) of the Veterinary Surgery (Blood Sampling) Order 1983⁽¹⁶⁾” substitute “articles 5(2) and 5(3) of the Veterinary Surgery (Exemptions) Order 2015⁽¹⁷⁾”.

The Official Feed and Food Controls (Wales) Regulations 2009

4.—(1) The Official Feed and Food Controls (Wales) Regulations 2009⁽¹⁸⁾ are amended as follows.

(2) In Schedule 3, in paragraph (a)—

(a) omit sub-paragraph (iii);

(b) for sub-paragraph (iv) substitute—

“(iv) the application of the rules on quality schemes which provide the basis for the identification and protection of names and terms that indicate or describe agricultural products with value-adding characteristics laid down in Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs⁽¹⁹⁾”.

⁽¹³⁾ S.I. 2006/2486.

⁽¹⁴⁾ OJ No L 242, 9.9.2016, p 24.

⁽¹⁵⁾ S.I. 2008/1040 (W. 110).

⁽¹⁶⁾ S.I. 1983/6.

⁽¹⁷⁾ S.I. 2015/772.

⁽¹⁸⁾ S.I. 2009/3376 (W. 298), amended by S.I. 2018/806 (W. 162).

⁽¹⁹⁾ OJ No L 343, 14.12.2012 p 1, as corrected by a corrigendum (OJ No L 55, 27.2.2013, p 27).

PART 3

Amendments to legislation concerning animals

The Foot and Mouth Disease (Wales) Order 2006

- 5.—(1) The Foot and Mouth (Wales) Order 2006(20) is amended as follows.
- (2) In article 3—
- (a) in the definition of “the Directive”, at the end insert “, as last amended by Commission Implementing Decision (EU) 2018/1099(21)”;
 - (b) in the definition of “Regulation (EC) No. 1069/2009”, at the end insert “, as last amended by Council Regulation (EU) 1385/2013(22)”;
 - (c) in the definition of “Regulation (EU) No. 142/2011”, at the end insert “, as last amended by Commission Regulation (EU) 2017/1262(23)”.
- (3) In article 32, for paragraph (5) substitute —
- “(5) In this article, “border inspection post” means one that has been listed in Commission Decision 2009/821/EC(24) drawing up a list of approved border inspection posts.”.

The Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No 2) Order 2006

6. In article 2(2) of the Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No 2) Order 2006(25), after “Directive 92/40/EEC” insert “, as last amended by Council Directive 2008/73/EC(26)”.

The Cattle Identification (Wales) Regulations 2007

- 7.—(1) The Cattle Identification (Wales) Regulations 2007(27) are amended as follows.
- (2) In regulation 2(1)—
- (a) after the definition of “Commission Regulation (EC) No 494/98(28)” insert—

““Commission Regulation (EC) No 911/2004” (“*Rheoliad y Comisiwn (EC) Rhif 911/2004*”) means Commission Regulation (EC) No 911/2004 implementing Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards eartags, passports and holding registers, as last amended by Commission Implementing Regulation (EU) 2017/949(29).”;
 - (b) in the definition of “Regulation (EC) No 1760/2000(30)” (“*Rheoliad (EC) Rhif 1760/2000*”), at the end insert “, as amended by Regulation (EU) 2016/429 of the European Parliament and the Council(31)”.
- (3) In regulation 2(2)(c), omit the words from “(implementing” to “registers)”.

(20) S.I. 2006/179 (W. 30).

(21) OJ No L 219, 14.8.2008, p 40.

(22) OJ No L 35, 28.12.2013 p 86.

(23) OJ No L 182, 13.7.2017, p 34.

(24) OJ No L 296, 28.9.2001, p 1.

(25) S.I.2006/2927 (W. 262), to which there are amendments not relevant to these Regulations.

(26) OJ L 219, 14.8.2008, p. 40.

(27) S.I. 2007/842 (W. 74).

(28) OJ No L 60, 28.2.1998, p 78.

(29) OJ No L 143, 3.6.2017, p 1.

(30) OJ No L 204, 11.8.2000, p 1.

(31) OJ No L 84, 31.3.2016, p 1.

(4) In Schedule 3, in paragraph 3(3)(a) of Part 1, after “Council” insert “, as last amended by Regulation (EU) No 1385/2013 of the European Parliament and of the Council(32)”.

The Zoonoses (Monitoring) (Wales) Regulations 2007

8. In regulation 6(2) of the Zoonoses (Monitoring) (Wales) Regulations 2007(33), for “the Poultry Breeding Flocks and Hatcheries (Wales) Order 2007(34)” substitute “the Control of Salmonella in Poultry (Wales) Order 2008(35)”.

The Welfare of Farmed Animals (Wales) Regulations 2007

9. In Schedule 5A to the Welfare of Farmed Animals (Wales) Regulations 2007 (36), in paragraph 1 of Part 1—

- (a) in the definition of “Regulation 853/2004(37)” (“*Rheoliad 853/2004*”), at the end insert “, as last amended by Commission Regulation (EU) 2017/1981 of 31 October 2017(38)”;
- (b) in the definition of “Regulation 854/2004(39)” (“*Rheoliad 854/2004*”), at the end insert “, as last amended by Commission Regulation (EU) 2015/2285 of 8 December 2015(40)”.

The Control of Salmonella in Poultry (Wales) Order 2008

10. In article 3 of the Control of Salmonella in Poultry (Wales) Order 2008(41), before paragraph (a), insert —

“(za) Regulation (EC) No 2160/2003;”.

The Control of Salmonella in Turkey Flocks (Wales) Order 2010

11. In article 3 of the Control of Salmonella in Turkey Flocks (Wales) Order 2010(42), before paragraph (a), insert —

“(za) Regulation (EU) No 1190/2012;”.

The Trade in Animals and Related Products (Wales) Regulations 2011

12.—(1) The Trade in Animal and Related Products Regulations (Wales) Regulations 2011(43) are amended as follows.

(2) In regulation 2(1), in the definition of “product” (“*cynnyrch*”), after “97/78/EC” insert “, as last amended by Commission Implementing Decision (EU) 2016/1196(44)”.

(3) In regulation 9, after “2007/275/EC”, insert “, as last amended by Commission Implementing Decision (EU) 2016/1196(45)”.

(32) OJ No L 354, 28.12.2013, p 86.

(33) S.I. 2007/2459 (W. 207).

(34) S.I. 2007/1708 (W. 147).

(35) S.I. 2008/524 (W. 50).

(36) S.I. 2007/3070 (W. 264).

(37) OJ No L 139, 30.4.2004, p 55.

(38) OJ No L 285, 1.1.2017, p 10.

(39) OJ No L 139, 30.4.2004, p 206.

(40) OJ No L 323, 9.12.2015, p 2.

(41) S.I. 2008/524 (W.50)

(42) S.I. 2010/65 (W. 15).

(43) S.I. 2011/2379 (W. 252).

(44) OJ No L 197, 22.7.2016, p 10.

(45) OJ No L 197, 22.7.2016, p 10.

(4) In regulation 10(a) after “countries” insert “, as last amended by Commission Implementing Regulation (EU) No 494/2014(46)”.

(5) In regulation 11(4) after “countries” insert “, as last amended by Commission Implementing Decision (EU) 2016/1196”.

(6) In regulation 12(4), after “2007/275/EC” insert “, as last amended by Commission Implementing Decision (EU) 2016/1196”.

(7) In regulation 15(1)(a), after “countries” insert “as last amended by Council [Directive 2013/20/EU\(47\)](#)”.

(8) In regulation 20 after sub-paragraph (3) insert—

“(4) In this regulation “Regulation (EC) No 1069/2009” (“*Rheoliad (EC) Rhif 1069/2009*”) means Regulation (EC) No 1069/2009(48) of the European Parliament and of the Council laying down health rules as regards animal by-products and derived by-products, as last amended by Council Regulation (EU) No 1385/2013(49)

(9) In regulation 28, for the words from “in a free zone” to the end, substitute—

“in contravention of the following provisions of Regulation (EU) No 952/2013(50) of the European Parliament and of the Council laying down the Union Customs Code—

(a) [Title 5, Chapter 3, in section 2,] regarding free zones, and

(b) Title 7, Chapter 3, in section 2, regarding warehouses”.

(10) In regulation 32(4) for the words “Articles 37” to the end substitute “Articles 135 to 137 of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code”.

(11) In regulation 35(2), in the words before paragraph “(a)”, after “Council [Directive 90/425/EEC\(51\)](#)” insert “, as last amended by Regulation (EU) 2016/1012(52)”.

(12) In Schedule 2—

(a) in Part 1, after paragraph 7 insert —

“Interpretation

8. In this part—

“Council [Directive 64/432/EEC\(53\)](#)” (“*Cyfarwyddeb y Cyngor 64/432/EEC*”) means Council [Directive 64/432/EEC](#) on animal health problems affecting intra-Community trade in bovine animals and swine, as last amended by Commission Implementing Decision (EU) 2015/819(54);

“Council [Directive 91/68/EEC](#)” (“*Cyfarwyddeb y Cyngor 91/68/EEC*”) means Council [Directive 91/68/EEC\(55\)](#) on animal health conditions governing intra-community trade in ovine and caprine animals, as last amended by Commission Implementing Decision (EU) 2016/2002(56).”;

(46) OJ No L 139, 14.5.2014, p 11.

(47) OJ No L 158, 10.6.2013, p 234.

(48) OJ No L 300, 1.14.2009, p 1.

(49) OJ No L 354, 28.12.2013, p 86.

(50) OJ No L 269, 10.10.2013, p 1, as last amended by Regulation (EU) 2016/2339 (OJ No L 354, 23.12.2016, p. 32).

(51) OJ No L 224, 18.8.1990, p 29, as last amended by Regulation (EU) 2016/1012 (OJ No L 171, 29.6.2016, p 66).

(52) OJ No L 171, 29.6.2016, p 66.

(53) OJ No L 121, 29.7.1964, p 1977.

(54) OJ No L 129, 27.5.2015, p 28.

(55) OJ No L 46, 19.2.1991, p 19.

(56) OJ No L 308, 12.11.2016, p 29.

- (b) in Part 2, for paragraph 10, substitute “When a horse is imported temporarily from a third country, the provisions of Section 7 of Commission Implementing Regulation (EU) 2018/659 apply.”.

The African Horse Sickness (Wales) Regulations 2013

13. In regulation 20(1)(a) of the African Horse Sickness (Wales) Regulations 2013(57), for “outside Wales” substitute “, as last amended by Council Directive 2008/72/EC(58), outside Wales”.

The Animal By-Products (Enforcement) (Wales) Regulations 2014

14. In Schedule 1 of the Animal By-Products (Enforcement) (Wales) Regulations 2014(59), in entry 17 of the table, in the third column, omit “and 36(1)”.

PART 4

Amendments to legislation concerning education

The Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013

15.—(1) The Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013(60) are amended as follows.

(2) In regulation 2(1) in the definition of “relevant European Union Regulations” (“*Rheoliadau Undeb Ewropeaidd perthnasol*”)—

- (a) after the definition of “Regulation (EC) No 1333/2008” insert “as amended from time to time”;
- (b) after the definition of “Regulation (EC) No 1334/2008” insert “as amended from time to time”.

PART 5

Amendments to legislation concerning environmental protection

The Genetically Modified Organisms (Risk Assessment) (Records and Exemptions) Regulations 1996

16.—(1) The Genetically Modified Organisms (Risk Assessment) (Records and Exemptions) Regulations 1996(61) are amended as follows.

(2) In regulation 1(3)—

- (a) after the definition of “the Act” omit “and”;
- (b) in the definition of “the Contained Use Regulations”, for “the Genetically Modified Organisms (Contained Use) Regulations 2000(62)” substitute “the Genetically Modified Organisms (Contained Use) Regulations 2014(63)”.

(57) S.I. 2013/1662 (W. 158).

(58) OJ No L 219, 14.08.2008, p 40.

(59) S.I. 2014/517 (W.60), to which there are amendments not relevant to these Regulations.

(60) S.I.2013/1984 (W. 194).

(61) S.I. 1996/1106, amended by S.I. 2000/2831; there are other amending instruments but none is relevant to these Regulations.

(62) S.I. 2000/2831, revoked by S.I. 2014/1663.

(3) In regulation 3(2)—

- (a) in sub-paragraph (b)(ii) for “regulation 3(2)” substitute “regulation 3(1)”;
- (b) in sub-paragraph (d) for “the Genetically Modified Organisms (Deliberate Release) Regulations 1992(64)” substitute “the Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002(65)”.

The Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002

17. In regulation 2(1) of the Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002, in the definition of “the Deliberate Release Directive” (“*y Gyfarwydddeb Gollwng Bwriadol*”) from the words “as amended” to the end substitute “as last amended by Directive (EU) 2015/412 of the European Parliament and of the Council as regards the possibility for the Member States to restrict or prohibit the cultivation of genetically modified organisms (GMOs) in their territory(66)”.

The Genetically Modified Organisms (Traceability and Labelling) (Wales) Regulations 2005

18. In regulation 2(1) of the Genetically Modified Organisms (Traceability and Labelling) (Wales) Regulations 2005(67), in the definition of “the Council Regulation” (“*Rheoliad y Cyngor*”) at the end insert “, as last amended by Regulation (EC) No 1137/2008 of the European Parliament and of the Council adapting a number of instruments subject to the procedure laid down in Article 251 of the Treaty to Council Decision 1999/468/EC, with regard to the regulatory procedure with scrutiny(68)”.

The Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009

19. In paragraph 7 of Schedule 2 to the Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009(69), after sub-paragraph (b) insert—

- “(ba) hazardous substances as defined in Article 3 of Regulation (EC) No. 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures(70);”.

The Air Quality Standards (Wales) Regulations 2010

20. In regulation 14 of the Air Quality Standards (Wales) Regulations 2010(71)—

- (a) in sub-paragraph (5)(b) for “Directive 2008/1/EC” substitute “Directive 2010/75/EU”;
- (b) in sub-paragraph (7) for the definition of “Directive 2008/1/EC” (“*Cyfarwydddeb 2001/81/EC*”) substitute “Directive 2010/75/EU (“*Cyfarwydddeb 2010/75/EU*”) means Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions in so far as it has been transposed into the law that applies in Wales”.

(63) S.I. 2014/1663, to which there are amendments not relevant to these Regulations.

(64) S.I. 1992/3280, revoked in relation to Wales by S.I. 2002/3188 (W. 304).

(65) S.I. 2002/3188 (W. 304).

(66) OJ No L 68, 13.3.2015, p 1.

(67) S.I. 2005/1914 (W. 157).

(68) OJ No L 311, 21.11.2008, p 1.

(69) S.I. 2009/995 (W. 81), to which there are amendments not relevant to these Regulations.

(70) OJ No L 353, 31.12.2008, p. 1, as last amended by Commission Regulation (EU) 2017/776 (OJ No L 116, 5.5.17, p 1).

(71) S.I. 2010/1433 (W.126), to which there are amendments not relevant to these Regulations.

PART 6

Amendments to legislation concerning food

The Fishery Products (Official Controls Charges) (Wales) Regulations 2007

21. In regulation 2(1) of the Fishery Products (Official Controls Charges) (Wales) Regulations 2007(72), in the definition of “third country import” (“*mewnforyn trydedd wlad*”), for the words from “Part” to “applies” substitute “a charge is payable under Regulation 882/2004”.

The Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations) (Wales) Regulations 2008

22. In regulation 2(1) of the Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations) (Wales) Regulations 2008(73), in the definition of “Regulation (EU) 2013” (“*Rheoliad (EU) 2013*”), for the words from “the Regulation” to “1234/2007” substitute “Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products(74)”.

The Drinking Milk (Wales) Regulations 2010

23. In regulation 2(1) of the Drinking Milk (Wales) Regulations 2010(75), in the definition of “Part IV” (“*Rhan IV*”) for the words from “Part IV of” to “1234/2007” substitute “Part 4 of Annex 7 to Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products”.

The Eggs and Chicks (Wales) Regulations 2010

24.—(1) The Eggs and Chicks (Wales) Regulations 2010(76) are amended as follows.

(2) In regulation 3(1)—

- (a) in the definition of “Regulation (EU) 2013” (“*Rheoliad (EU) 2013*”), for the words from “the Regulation” to “1234/2007” substitute “Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products”;
- (b) after the definition of “Regulation (EU) 2013” omit “and”;
- (c) in paragraph (6)(a) omit “the Single CMO Regulation or”.

(3) In Schedule 2—

- (a) in Part 1, in the first column of the table, in both entries relating to Article 75(2) and (3), omit “of Regulation (EU) 2013”;
- (b) in Part 2, in the second column of the table, for the entry relating to the first and second sub-paragraphs of Article 12(2), for the words from “Article 2” to “foodstuffs” substitute “Article 23(1) of Regulation (EU) 834/2007 on organic production and labelling of organic products”.

(72) S.I. 2007/3462 (W. 307).

(73) S.I. 2008/1341 (W. 141) as amended by S.I. 2013/3270 (W. 320).

(74) OJ No L 347, 20.12.2013, p 671, as last amended by Regulation (EU) 2017/2393 of the European Parliament and of the Council (OJ No L 350, 29.12.2017, p 15).

(75) S.I. 2010/1492 (W. 135), as amended by S.I. 2013/3270 (W. 320); there are other amending instruments but none is relevant to these Regulations.

(76) S.I. 2010/1671 (W. 158), amended by S.I. 2013/3270 (W. 320).

The Poultrymeat (Wales) Regulations 2011

25. In regulation 2(1) of the Poultrymeat (Wales) Regulations 2011⁽⁷⁷⁾, in the definition of “Regulation (EU) 2013” (“*Rheoliad (EU) 2013*”) for the words from “the Regulation (EU) 2013” to “1234/2007” substitute “Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products”.

PART 7

Amendments to legislation concerning plant health

The Marketing of Ornamental Plant Propagating Material Regulations 1999

26.—(1) The Marketing of Ornamental Plant Propagating Material Regulations 1999⁽⁷⁸⁾ are amended as follows.

(2) In regulation 7(4) for “regulation 15 of the Plant Health (Great Britain) Order 1993” substitute “article 25 of the Plant Health (Wales) Order 2018⁽⁷⁹⁾”.

(3) In regulation 8(3)—

- (a) for the words from “plant pest” to “1993” substitute “notifiable plant pest as defined in article 42(3) of the Plant Health (Wales) Order 2018”;
- (b) for “article 20” substitute “article 42”.

(4) In regulation 12(3) for the words from “article 12(5)” to the end substitute “article 9(1) of the Plant Health (Wales) Order 2018”.

The Plant Health (Wales) Order 2018

27. In Part A of Schedule 9 to the Plant Health (Wales) Order 2018⁽⁸⁰⁾, in paragraph 8 for subparagraph (b) substitute—

- “(b) Article 5(2) of Commission Implementing [Directive 2014/96/EU](#) on the requirements for the labelling, sealing and packaging of fruit propagating material and fruit plants intended for fruit production falling within the scope of Council [Directive 2008/90/EC](#)⁽⁸¹⁾.”.

PART 8

Amendments to legislation concerning sea fisheries

The Prohibition of Fishing with Multiple Trawls (Wales) Order 2003

28. In Article 2(1) of the Prohibition of Fishing with Multiple Trawls (Wales) Order 2003, in the definition of “the Council Regulation” (“*Rheoliad y Cyngor*”) substitute “as corrected by Corrigendum to Annex XII of the Council Regulation and amended by Council Regulation (EC) No. 308/1999, Council Regulation (EC) No. 1459/1999, Council Regulation (EC) No. 2723/1999,

⁽⁷⁷⁾ S.I. 2011/1719.

⁽⁷⁸⁾ S.I. 1999/1801, as amended by S.I. 2018/974.

⁽⁷⁹⁾ S.I. 2018/1064 (W. 223).

⁽⁸⁰⁾ 2018/1064 (W. 223)

⁽⁸¹⁾ OJ No L 298, 16.10.2014, p 12.

Council Regulation (EC) No. 812/200 and Council Regulation (EC) No. 1298/2000;” with “as last amended by Regulation (EU) 2015/812 of the European Parliament and of the Council(82);”

PART 9

Amendments to legislation concerning water

The Private Water Supplies (Wales) Regulations 2017

- 29.**—(1) The Private Water Supplies (Wales) Regulations 2017(83) are amended as follows.
- (2) In regulation 6(4)(c), after “Article 7(1)” insert “and Article 8”.
- (3) In Schedule 4, in Part 3, for paragraph 13(a) substitute—
- “(a) the measured radionuclide concentrations and the dose coefficients referred to as “standard values and relationships” in Article 13, and recommended for the estimation of doses from internal exposure in the definition of “standard values and relationships” in Article 4(96), of Council Directive 2013/59/Euratom laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation(84); or”.

The Water Supply (Water Quality) Regulations 2018

- 30.**—(1) The Water Supply (Water Quality) Regulations 2018(85) are amended as follows.
- (2) In regulation 8(1), for “items 1 to 11” substitute “items 1 to 12”.
- (3) In Table 3 in Part 1 of Schedule 3—
- (a) in the table heading, for “supply points” substitute “in water supply zones (or supply points)”;
- (b) for item 5, for the entry in column 2 substitute—
- “*Colstridium perfringens* (including spores)⁽¹⁾”;
- (c) for item 11, for the entry in column 2 substitute—
- “Indicative dose⁽¹⁾”;
- (d) for item 17, for the entry in column 2 substitute—
- “Tetrachloroethene/Trichloroethene⁽¹⁾”;
- (e) omit the row that relates to item 20.

PART 10

Miscellaneous revocations

Miscellaneous revocations

- 31.** The following are revoked—

(82) 2018/1064 (W.223)

(83) S.I. 2017/1041 (W. 270).

(84) OJ No L 13, 17.1.2014, p 1. For the estimation of doses from internal exposure, Article 4(96) refers to chapter 1 of ICRP (International Commission on Radiological Protection) Publication 119. See Table F.1 in Annex F. A copy of ICRP Publication 119 can be obtained from the ICRP website (www.icrp.org) or from the Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

(85) S.I. 2018/647 (W.121).

- (a) the Fish Producers' Organisations (Formation Grants) Regulations 1999**(86)**;
- (b) the Agricultural Subsidies (Appeals) (Wales) Regulations 2001**(87)**;
- (c) the Fisheries and Aquaculture Structures (Grants) (Wales) Regulations 2002**(88)**;
- (d) the Common Agricultural Policy Basic Payment Scheme (Provisional Payment Region Classification) (Wales) Regulations 2014**(89)**.

5 March 2019

Lesley Griffiths
Minister for Environment, Energy and Rural
Affairs, one of the Welsh Ministers

(86) S.I. 1999/1110.

(87) S.I. 2001/2537 (W.212).

(88) S.I. 2002/675 (W. 72)

(89) S.I. 2014/1835 (W.189).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments in relation to Wales to a number of pieces of secondary legislation.

The amendments update references to various pieces of UK and European legislation within domestic legislation relating to agriculture, animal health, animal welfare, education, environmental protection, food, plant health, sea fisheries and water.

Regulation 31 revokes four instruments in relation to agriculture and sea fisheries.

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.