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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 328**

**The Cereal Seed (Scotland) Regulations 2005**

**PART II**

**MARKETING**

**General exemptions**

**10.**—(1) Subject to paragraphs (2) and (3), the Scottish Ministers may, by a general licence, exempt any person or class of persons, or persons generally, from compliance with any provision of these Regulations.

[<sup>F1</sup>(2) The Scottish Ministers may exercise the power under paragraph (1)—

- (a) for the purposes of a temporary experiment seeking improved alternatives to provisions of these Regulations and organised in accordance with regulations made under section 16(5) of the Act; or
- (b) to the extent that the provisions of the general licence are—
  - (i) necessary in order to overcome any temporary difficulties in the supply of basic or certified seed—
    - (aa) by permitting the marketing of seed of a category subject to less stringent requirements, or of seed of a variety not included in a GB Variety List or an NI Variety List;
    - (bb) for a specified period; and
    - (cc) in quantities necessary to resolve the supply difficulties; or
  - (ii) permitted by Commission Regulation 217/2006 or an authorisation granted thereunder.

(2A) The duration of a temporary experiment referred to in paragraph (2)(a) must not exceed 7 years.

(2B) When seed is marketed in accordance with paragraph (2)(b)(i), the following labelling requirements apply—

- (a) for a category of seed of any given variety, the official label must be that provided for the corresponding category;
  - (b) for seed of varieties not included in a GB Variety List or an NI Variety List the colour of the official label must be brown;
  - (c) the label must always state that the seed in question is of a category satisfying less stringent requirements.]
- (3) A general licence issued under paragraph (1)—
- (a) shall have effect during the period specified in it unless the Scottish Ministers revoke it earlier; and

- (b) may impose such conditions as the Scottish Ministers may think necessary or desirable having regard to the marketing permitted by the general licence and the nature of the seed to which it relates, including a condition relating to the keeping of records in respect of the marketing of the seed.

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**Textual Amendments**

- F1** Reg. 10(2)-(2B) substituted for reg. 10(2) (31.12.2020) by [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **13(10)** (as amended by S.S.I. 2020/445, regs. 1(1)(b), **14(9)**); 2020 c. 1, **Sch. 5 para. 1(1)**

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**Commencement Information**

- II** Reg. 10 in force at 1.7.2005, see [reg. 1\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Cereal Seed (Scotland) Regulations 2005, Section 10.