
WELSH STATUTORY INSTRUMENTS

2005 No. 3036

The Cereal Seed (Wales) Regulations 2005

PART III

CONTROL OF CEREAL SEED

Exception for test and trials

20.—(1) The prohibition in regulation 15(1) shall not apply to the marketing by a producer of seed for test and trial purposes for which—

- (a) an authorisation has been granted to the producer by the National Assembly in accordance with this regulation, or
- (b) an authorisation has been granted to the producer by or on behalf of—
 - (i) the Secretary of State;
 - (ii) the Scottish Ministers;
 - (iii) the Department of Agriculture and Rural Development; or
 - (iv) a competent seed certification authority in another member State, pursuant to Article 4a(1)(b) of the Cereal Seed Directive.

(2) A producer in Wales may apply to the National Assembly for a regulation 20 authorisation.

(3) An application under this regulation shall be made in such form and manner and at such time as the National Assembly shall require and shall be accompanied by such information as the National Assembly may require for the purpose of determining whether to grant an authorisation.

(4) The National Assembly shall not grant a regulation 20 authorisation unless—

- (a) it considers that the amount of seed that may be marketed under it is of an appropriate quantity for the test or trial;
- (b) an application has been submitted to the relevant authority under regulation 4(1)(a) of the Seeds (National Lists of Varieties) Regulations 2001⁽¹⁾ for acceptance of the variety concerned on to a National List that has not been withdrawn or finally determined; and
- (c) in the case of seed of a genetically modified variety, an authorisation is in force in respect of the variety concerned under either—
 - (i) Part C of the Deliberate Release Directive; or
 - (ii) the Food and Feed Regulation.

(5) A regulation 20 authorisation—

- (a) shall specify the amount of seed that may be marketed under it, and
- (b) may impose such conditions as the National Assembly may think necessary or desirable having regard to the nature of the test or trial and the nature of the seed to which the

authorisation relates, including a condition relating to the keeping of records in respect of the marketing of the seed.