
WELSH STATUTORY INSTRUMENTS

2012 No. 245

The Seed Marketing (Wales) Regulations 2012

PART 4

Licensing

Operations requiring a licence from the Welsh Ministers

20.—(1) Any person carrying out any of the following operations must be licensed to do so by the Welsh Ministers—

- (a) marketing seed;
 - (b) packing, sealing or labelling seed;
 - (c) re-packing, re-sealing or re-labelling seed;
 - (d) preparing mixtures of seed for marketing;
 - (e) cleaning, treating or in any other way processing seed intended for marketing.
- (2) But the requirement for a licence does not apply in relation to the marketing of—
- (a) small packages of seed as defined in Schedule 3;
 - (b) unpacketed seed; or
 - (c) seed, as grown, for processing, provided the identity of the seed is ensured under paragraph 2 of Schedule 4.

Licensing crop inspectors, seed samplers and seed testing stations

21.—(1) The Welsh Ministers may license crop inspectors, seed samplers and seed testing stations to act under these Regulations.

(2) Before licensing a crop inspector or seed sampler the Welsh Ministers must be satisfied that the person is competent to act as such, and has passed an examination specified by the Welsh Ministers.

(3) Before licensing a seed testing station the Welsh Ministers must be satisfied that the station has adequate premises, qualified personnel and equipment to test for the purposes of these Regulations.

(4) A licensed crop inspector, seed inspector or seed testing station may charge reasonable fees for carrying out functions under these Regulations but may not derive any private gain in connection with the carrying out of such functions.

[^{F1}Licences for temporary experiments

21A. The Welsh Ministers may by licence exempt any person or class of person from compliance with any provision of these Regulations for the purposes of a temporary experiment organised under—

- (a) Article 19 of Council Directive [2002/54/EC](#) on the marketing of beet seed;
- (b) Article 13a of Council Directive [66/402/EEC](#) on the marketing of cereal seed;

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Seed Marketing (Wales) Regulations 2012*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (c) Article 13a of Council Directive [66/401/EEC](#) on the marketing of fodder plant seed;
- (d) Article 16 of Council Directive [2002/57/EC](#) on the marketing of seed of oil and fibre plants; or
- (e) Article 33 of Council Directive [2002/55/EC](#) on the marketing of vegetable seed.]

Textual Amendments

F1 [Reg. 21A](#) inserted (10.5.2013) by [The Seed Marketing \(Wales\) \(Amendment\) Regulations 2013 \(S.I. 2013/889\)](#), regs. 1, 4

General provisions relating to licences

22.—(1) A licence must be in writing, and may be subject to such conditions as the Welsh Ministers consider appropriate.

(2) The Welsh Ministers may vary, suspend or revoke a licence by notice in writing at any time.

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 2 para. 7(6) inserted by [S.I. 2019/368 reg. 4\(11\)\(a\)\(iii\)](#)
- Sch. 2 para. 15(2A) inserted by [S.I. 2019/368 reg. 4\(11\)\(b\)\(iii\)](#)
- Sch. 2 para. 28(1A) inserted by [S.I. 2019/368 reg. 4\(11\)\(c\)\(ii\)](#)
- Sch. 2 para. 42(1A) inserted by [S.I. 2019/368 reg. 4\(11\)\(d\)\(ii\)](#)
- Sch. 2 para. 50(2A) inserted by [S.I. 2019/368 reg. 4\(11\)\(f\)\(iii\)](#)
- Sch. 2 para. 7(6)(b)(i)(bb) word substituted in earlier amending provision S.I. 2019/368, reg. 4(11)(a)(iii) by [S.I. 2020/1573 reg. 4\(3\)\(h\)\(i\)](#)
- Sch. 4 para. 12(1) Sch. 4 para. 12 renumbered as Sch. 4 para. 12(1) by [S.I. 2019/368 reg. 4\(13\)\(h\)\(i\)](#)
- Sch. 4 para. 7(5A) inserted by [S.I. 2019/368 reg. 4\(13\)\(d\)\(i\)](#)
- Sch. 4 para. 8(8) inserted by [S.I. 2019/368 reg. 4\(13\)\(e\)\(iv\)](#)
- Sch. 4 para. 10(9) inserted by [S.I. 2019/368 reg. 4\(13\)\(f\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(13)(f) substituted immediately before IP completion day by S.I. 2020/1573, regs. 1(2)(b), 4(3)(j)(iv))
- Sch. 4 para. 12(1)(c)(2) inserted by [S.I. 2019/368 reg. 4\(13\)\(h\)\(ii\)\(dd\)](#)
- Sch. 4 para. 12(1)(a) word omitted by [S.I. 2019/368 reg. 4\(13\)\(h\)\(ii\)\(bb\)](#)
- Sch. 4 para. 7(5A) word substituted in earlier amending provision S.I. 2019/368, reg. 4(13)(d)(i) by [S.I. 2020/1573 reg. 4\(3\)\(j\)\(i\)\(bb\)](#)
- Sch. 4 para. 12(1)(a) word substituted in earlier amending provision S.I. 2019/368, reg. 4(13)(h)(ii)(bb) by [S.I. 2020/1573 reg. 4\(3\)\(j\)\(vi\)](#)
- Sch. 4 para. 12(1)(a) words inserted by [S.I. 2019/368 reg. 4\(13\)\(h\)\(ii\)\(bb\)](#)
- Sch. 4 para. 12(1)(b) words inserted by [S.I. 2019/368 reg. 4\(13\)\(h\)\(ii\)\(cc\)](#)
- Sch. 4 para. 12(1) words omitted by [S.I. 2019/368 reg. 4\(13\)\(h\)\(ii\)\(aa\)](#)
- reg. 3(1)(d)(e) inserted by [S.I. 2019/368 reg. 4\(2\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(2) substituted immediately before IP completion day by S.I. 2020/1573, regs. 1(2)(b), 4(3)(a))
- reg. 8A inserted by [S.I. 2019/368 reg. 4\(5\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(5) omitted immediately before IP completion day by virtue of S.I. 2020/1573, regs. 1(2)(b), 4(3)(d))
- reg. 10(a)(i)(ii) and word substituted for words by [S.I. 2019/368 reg. 4\(6\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(6) substituted immediately before IP completion day by S.I. 2020/1573, regs. 1(2)(b), 4(3)(e))
- reg. 27(4) inserted by [S.I. 2019/368 reg. 4\(9\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 4(9)(c) omitted immediately before IP completion day by virtue of S.I. 2020/1573, regs. 1(2)(b), 4(3)(f)(iv))
- reg. 32A32B inserted by [S.I. 2019/368 reg. 4\(10\)](#)
- reg. 32A word substituted in earlier amending provision S.I. 2019/368, reg. 4(10) by [S.I. 2020/1573 reg. 4\(3\)\(g\)\(i\)](#)
- reg. 32B word substituted in earlier amending provision S.I. 2019/368, reg. 4(10) by [S.I. 2020/1573 reg. 4\(3\)\(g\)\(ii\)\(aa\)](#)
- reg. 32B word substituted in earlier amending provision S.I. 2019/368, reg. 4(10) by [S.I. 2020/1573 reg. 4\(3\)\(g\)\(ii\)\(bb\)](#)