

WELSH STATUTORY INSTRUMENTS

2019 No. 738 (W. 141)

**EXITING THE EUROPEAN UNION, WALES
SEEDS, WALES**

**The Seed Potatoes (Wales) (Amendment)
(EU Exit) Regulations 2019**

Made - - - - 6pm on 26 March 2019
Coming into force in accordance with regulation 1(2)
and (3)

The Welsh Ministers, in exercise of the powers conferred by paragraph 1(1) of Schedule 2, and paragraph 21 of Schedule 7, to the European Union (Withdrawal) Act 2018^{M1}, make the following Regulations.

In accordance with paragraph 1(9) of Schedule 7 to the European Union (Withdrawal) Act 2018 a draft of this instrument has been laid before the National Assembly for Wales and approved by a resolution of the National Assembly for Wales.

Marginal Citations

M1 2018 c.16. See section 20(1) of that Act for the definition of “devolved authority”.

Title, commencement and application

1.—(1) The title of these Regulations is the Seed Potatoes (Wales) (Amendment) (EU Exit) Regulations 2019.

(2) These Regulations^{F1}... come into force on exit day.

^{F2}(3)

(4) These Regulations apply in relation to Wales.

Textual Amendments

F1 Words in reg. 1(2) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1573\)](#), regs. 1(2)(b), **2(2)(a)**

*Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Seed Potatoes (Wales) (Amendment) (EU Exit) Regulations 2019. (See end of Document for details)*

F2 Reg. 1(3) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1573\)](#), regs. 1(2)(b), **2(2)(b)**

Commencement Information

I1 Reg. 1 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Amendment to the Seed Potatoes (Wales) Regulations 2016 consequent on the withdrawal of the United Kingdom from the European Union

2.—(1) The Seed Potatoes (Wales) Regulations 2016 are amended as follows.

(2) In regulation 2—

(a) in the definition of “basic seed potatoes”, in paragraph (b), for the words from “in accordance” to the end substitute—

“, stating that the potatoes were certified as basic seed potatoes and the grade, in accordance with—

(i) in the case of seed potatoes produced in the United Kingdom, the relevant seed potatoes regulations;

(ii) in the case of seed potatoes produced in a Crown Dependency [^{F3}or a country granted equivalence], legislation recognised by the Welsh Ministers as having equivalent effect to paragraphs 2, 5, 7, 9, 10 and 11 of Part 1 of Schedule 2;

^{F4}(iii)”;

(b) in the definition of “category” omit the words “ [^{F5}from “(or, in relation” to the end] ”;

(c) in the definition of “certification” in paragraph (b), for the words from “in accordance” to the end substitute—

“in accordance with—

(i) in the case of seed potatoes produced in the United Kingdom, the relevant seed potatoes regulations;

(ii) in the case of seed potatoes produced in a Crown Dependency [^{F6}or a country granted equivalence], legislation recognised by the Welsh Ministers as having equivalent effect to regulation 10(2) and (3);

^{F7}(iii)”;

(d) in the definition of “certified seed potatoes” in paragraph (b) for the words from “in accordance” to the end substitute—

“, stating that the potatoes were certified as certified seed potatoes and the grade, in accordance with—

[^{F8}(i) in the case of seed potatoes produced in England, Part 1 of Schedule 2 to the Seed Potatoes (England) Regulations 2015;]

(ii) in the case of seed potatoes produced in a Crown Dependency [^{F9}or a country granted equivalence], legislation recognised by the Welsh Ministers as having equivalent effect to paragraphs 3, 5, 7, 9, 10 and 11 of Schedule 2;

^{F10}(iii)”;

(e) [^{F11}in paragraph (1), at the appropriate place insert—]

““Crown Dependency” (“*Tiriogaeth Ddibynnol y Goron*”) means the Isle of Man and any of the Channel Islands;”

- (f) [^{F12}in paragraph (1), at the appropriate place insert—]
““the GMO regulations” (“*y Rheoliadau GMO*”) means—
- (a) in relation to England, the Genetically Modified Organisms (Deliberate Release) Regulations 2002 ^{M2};
 - (b) in relation to Wales, the Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002 ^{M3};
 - (c) in relation to Scotland, the Genetically Modified Organisms (Deliberate Release) (Scotland) Regulations 2002 ^{M4};
 - (d) in relation to Northern Ireland, the Genetically Modified Organisms (Deliberate Release) Regulations (Northern Ireland) 2003 ^{M5};
- (g) for the definition of “grade” substitute—
[^{F13}“grade” (“*gradd*”) includes the GB grade;”];
- [^{F14}(h) omit the definition of “National List”];
- (i) in the definition of “official document”, in paragraph (b), for the words from “requirements of” to the end substitute—
“requirements of—
- (i) in the case of seed potatoes produced in the United Kingdom, the relevant seed potatoes regulations;
 - (ii) in the case of seed potatoes produced in a Crown Dependency [^{F15}or a country granted equivalence], legislation recognised by the Welsh Ministers as having equivalent effect to the requirements of Part 2 of Schedule 2;
 - ^{F16}(iii)”;
- (j) in the definition of “official label” in paragraph (b), for the words from “ requirements of” to the end substitute—
“requirements of—
- (i) in the case of seed potatoes produced in the United Kingdom, the relevant seed potatoes regulations;
 - (ii) in the case of seed potatoes produced in a Crown Dependency [^{F17}or a country granted equivalence], legislation recognised by the Welsh Ministers as having equivalent effect to the requirements of Part 1 of Schedule 2;
 - ^{F18}(iii)”;
- (k) in the definition of “pre-basic seed potatoes” in paragraph (b), for the words “in accordance” to the end substitute—
“, stating that the potatoes were certified as pre-basic seed potatoes and the grade, in accordance with—
- (i) in the case of seed potatoes produced in the United Kingdom, the relevant seed potatoes regulations;
 - (ii) in the case of seed potatoes produced in a Crown Dependency [^{F19}or a country granted equivalence] , legislation recognised by the Welsh Ministers as having equivalent effect to paragraphs 1, 5, 6, 9, 10 and 11 of Part 1 of Schedule 2;

^{F20}(iii)”;

(l) for the definition of “seed potatoes of a conservation variety” substitute—
 ““seed potatoes of a conservation variety” (*“tatws hadyd o amrywogaeth gadwraeth”*) means any variety of seed potatoes listed as a conservation variety in the [^{F21}GB Variety List];”;

(m) in the definition of “seed potatoes produced outside Wales” [^{F22}omit paragraphs (b) and (c) and, at the end insert—

“or

(b) seed potatoes produced in a country granted equivalence;”]

(n) [^{F23}in paragraph (1), at the appropriate place insert—]

““the seed potatoes regulations” (*“y rheoliadau tatws hadyd”*) means—

(a) in relation to England, the Seed Potatoes (England) Regulations 2015;

(b) in relation to Scotland, the Seed Potatoes (Scotland) Regulations 2015 ^{M6};

(c) in relation to Northern Ireland, the Seed Potatoes Regulations (Northern Ireland) 2016 ^{M7};

and “the relevant seed potatoes regulations” (*“y rheoliadau tatws hadyd perthnasol”*), in relation to any constituent part of the United Kingdom, means the seed potatoes regulations applicable in relation to that part;”;

(o) in the definition of “test and trial seed potatoes” in paragraph (b), for the words from “accordance with Article 9 of the Decision” substitute—

“accordance with—

(i) in the case of seed potatoes produced in the United Kingdom, the relevant seed potatoes regulations;

(ii) in the case of seed potatoes produced in a Crown Dependency [^{F24}or a country granted equivalence], legislation recognised by the Welsh Ministers as having equivalent effect to paragraphs 4, 5, 8, 9, 10 and 11(c) of Part 1 of Schedule 2;

^{F25}(iii)”;

(p) for the definition of “Union grade” substitute—

““Union grade” (*“gradd yr Undeb”*) means, in relation to seed potatoes produced in [^{F26}Northern Ireland] —

(a) in the case of pre-basic seed potatoes, Union grade PBTC or Union grade PB, the minimum conditions for which are set out in Articles 2 and 3 of, and Annex 1 to, Directive 2014/21/EU ^{M8};

(b) in the case of basic seed potatoes, Union grade S, Union grade SE, or Union Grade E, the minimum conditions for which are set out in Article 1 of, and Annex 1 to, Directive 2014/20/EU ^{M9};

(c) in the case of certified seed potatoes, Union grade A or Union grade B, the minimum conditions for which are set out in Article 2 of, and Annex 2 to, Directive 2014/20/EU;”;

[^{F27}(q) in paragraph (1), at the appropriate places insert—

““country granted equivalence” (*“gwlad y caniatawyd cywerthedd iddi”*) means a country that has been assessed by the Welsh Ministers that seed potatoes from

that country are produced under conditions equivalent to the requirements of these Regulations;”;

““equivalent grade” (“*gradd gyfatebol*”) means—

- (a) for Northern Ireland, an equivalent Union grade;
- (b) for a Crown Dependency or a country granted equivalence, a grade recognised by the Welsh Ministers as being equivalent to a GB grade;”;

““equivalent Union grade” (“*gradd Undeb gyfatebol*”) means—

- (a) for “GB Grade PBTC”, “Union grade PBTC”;
- (b) for “GB Grade PB”, “Union grade PB”;
- (c) for “GB Grade S”, “Union grade S”;
- (d) for “GB Grade SE”, “Union grade SE”;
- (e) for “GB Grade E”, “Union grade E”;
- (f) for “GB Grade A”, “Union grade A”;
- (g) for “GB Grade B”, “Union grade B”;

““GB grade” (“*gradd Prydain Fawr*”) means—

- (a) in relation to seed potatoes produced in Wales, the GB grade determined in accordance with Schedule 4 during certification, this being—
 - (i) in the case of pre-basic seed potatoes, GB grade PBTC or GB grade PB;
 - (ii) in the case of basic seed potatoes, GB grade S, GB grade SE or GB grade E;
 - (iii) in the case of certified seed potatoes, GB grade A or GB grade B;
- (b) in relation to seed potatoes produced in England or Scotland, the GB grade determined in accordance with the relevant seed potatoes regulations;”;

““GB Variety List” (“*Rhestr Amrywogaethau Prydain Fawr*”) means a list of varieties of potato species prepared and published in accordance with regulation 3 of the National Lists Regulations;”;

[^{F28}(r) omit paragraph (2);]

(s) omit paragraph (4).

[^{F29}(3) In regulation 4, for “the European Union” substitute “Great Britain”.]

(4) In regulation 5, in paragraph 3(b), for the words from “accordance with” [^{F30}to the end substitute] —

“accordance with—

- (i) in the case of seed potatoes produced in the United Kingdom, the relevant seed potatoes regulations;
- (ii) in the case of seed potatoes produced in a Crown Dependency [^{F31}or a country granted equivalence], legislation recognised by the Welsh Ministers as having equivalent effect to regulation 8;

^{F32}(iii)”;

(5) In regulation 6—

[^{F33}(za) in paragraph (1)(a), for “National List” substitute “GB Variety List”];]

- (a) in paragraph (3), for the words from the beginning to “Directive 2008/62/EC” substitute “Where the quantities specified in Article 14 of Directive 2008/62/EC^{M10} would otherwise be likely to be exceeded”;
 - (b) after paragraph (3) insert—
 - “(3A) For the purposes of paragraph (3), Article 14 of Directive 2008/62/EC is to be read as if—
 - (a) in the first paragraph, in the first sentence—
 - (i) the words “Each Member State shall ensure that” were omitted;
 - (ii) for the words “does not exceed” there were substituted “ may not exceed ”;
 - (iii) for the reference to “that Member State” there were substituted “[^{F34}Great Britain]”;
 - (b) in the second paragraph—
 - (i) in the first sentence, for the reference to “each Member State” there were substituted “[^{F34}Great Britain]”;
 - (ii) for the references to “the Member State” in both places there were substituted “[^{F34}Great Britain]”.
- (6) In regulation 8(2), for the words from “the Food and Feed Regulation” to the end substitute—
- “(a) the Food and Feed Regulation;
 - (b) the GMO regulations; or
 - (c) before [^{F35}implementation period completion day], Part C of the Deliberate Release Directive”.
- (7) In regulation 9—
- (a) in paragraph (2)—
 - (i) in sub-paragraph (a), for “in excess of that permitted by Article 7 of the Decision” substitute “ which exceeds the greater of 0.1% of the annual number of seed potatoes used in [^{F36}Great Britain] or such quantity as the Welsh Ministers considers is sufficient to sow 10 hectares ”;
 - (ii) in sub-paragraph (b), for the words from “the Food and Feed Regulation” to the end substitute—
 - “(i) the Food and Feed Regulation;
 - (ii) the GMO regulations; or
 - (iii) before [^{F37}implementation period completion day], Part C of the Deliberate Release Directive”;
 - ^{F38}(b) in paragraph (6)(b), for “National List or the Common Catalogue” substitute “GB Variety List”;
 - (c) in paragraph (8)(b), for “member State” substitute “ country ”.
- (8) In regulation 11(3)(b), for the words from “pursuant to the Directive” to the end substitute—
- “, in respect of the marketing of potatoes of that category, pursuant to—
- (i) in the case of seed potatoes produced in the United Kingdom, the relevant seed potatoes regulations;
 - (ii) in the case of seed potatoes produced in a Crown Dependency [^{F39}or a country granted equivalence], legislation recognised by the Welsh Ministers as having equivalent effect to sub-paragraph (a);

^{F40}(iii)

(9) In regulation 14(2)(b), for the words from “accordance with” to the end substitute—
“accordance with—

- (i) in the case of seed potatoes produced in the United Kingdom, the relevant seed potatoes regulations;
- (ii) in the case of seed potatoes produced in a Crown Dependency [^{F41}or a country granted equivalence], legislation recognised by the Welsh Ministers as having equivalent effect to sub-paragraph (a);

^{F42}(iii)

- ^{F43}(10) In regulation 16 and in the heading, for “European Union” substitute “British Islands”.]
- (11) After regulation 23 insert—

“Transitional provision for official labels on [^{F44}implementation period completion day]

23A. A label pre-printed before [^{F44}implementation period completion day] which at the date on which it was printed was an official label for the purposes of these Regulations is to be treated as an official label for [^{F45}basic seed potatoes or certified seed potatoes for] the purposes of any use of that label before the end of the period of one year beginning with the day after the day on which [^{F44}implementation period completion day] falls.”.

^{F46}(12) In Schedule 1—

- (a) in paragraph 3(a), for “National List or the Common Catalogue” substitute “GB Variety List”;
- (b) in paragraphs 5, 6 and 10, for “Union”, in each place where it occurs, substitute “GB”;
- (c) in paragraph 8(b)—
 - (i) in the English language text, for “Union”, in each place where it occurs, substitute “GB”;
 - (ii) in the Welsh language text—
 - (aa) in paragraph (i), after “gradd S” insert “Prydain Fawr”;
 - (bb) in paragraph (ii), after “gradd SE” insert “Prydain Fawr”; and
 - (cc) in paragraph (iii), after “gradd E” insert “Prydain Fawr”.]

(13) In Schedule 2—

- (a) in paragraph 6(a), for “member State” substitute “country”;
- (b) in paragraph 7—
 - (i) in sub-paragraph (a), for “EU” substitute “[^{F47}GB]”;
 - (ii) in sub-paragraph (b)(i), for “member State” substitute “country”;

^{F48}(c) in paragraph 8(b)—

- (i) in paragraph (i), for “member State” substitute “country”;
- (ii) in paragraph (vi), for “a National List” substitute “a GB Variety List”];
- (d) in paragraph 9—
 - (i) for “required by” substitute “specified in ”;
 - (ii) at the end, insert “read as if, in point (a), for “EC ” there were substituted “[^{F49}GB]” ”;
- (e) in paragraph 11, for “Union”, in each place where it occurs, substitute “[^{F50}GB]”.

- (14) In Schedule 3—
- (a) in the headings to Parts 1 and 2 for “Union” substitute “[^{F51}GB]”;
 - (b) in the table in Part 3, in column 2, for “Union”, in each place where it occurs, substitute “[^{F52}GB]”.
- (15) Schedule 4 is amended in accordance with paragraphs 15 to 17.
- (16) In Part 1—
- (a) in the paragraph preceding Table 1, for “Union” substitute “[^{F53}GB]”;
 - (b) in Table 1—
 - (i) in the heading to column 1, for “Union” substitute “[^{F54}GB]”;
 - [^{F55}(ii) in the row relating to grade “PB” in column 2, in paragraph (1)(b), for “Union grade PB” substitute “GB grade PB or equivalent grade”]
- (17) In Part 2—
- (a) in the paragraph preceding Table 2, for “Union” substitute “[^{F56}GB]”;
 - (b) in Table 2—
 - (i) in the heading to column 1, for “Union” substitute “[^{F57}GB]”;
 - [^{F58}(ii) in the row relating to grade “S”, in column 2, in paragraph (1)(a), for “Union grade S” substitute “GB grade S or equivalent grade”;
 - (iii) in the row relating to grade “SE”, in column 2, in paragraph (1)(a), for “Union grade S or Union grade SE” substitute “GB grade S, GB grade SE or equivalent grade”;
 - (iv) in the row relating to grade “E”, in column 2—
 - (aa) in paragraph (1)(a), for “Union grade S or Union grade SE” substitute “GB grade S, GB grade SE or equivalent grade”;
 - (bb) in paragraph (1)(b), for “Union grade S, Union grade SE or Union grade E” substitute “GB grade S, GB grade SE, GB grade E or equivalent grade.”]
- [^{F59}(18) In Part 3, in Table 3—
- (a) in the heading to column 1, for “Union” substitute “GB”;
 - (b) in column 2, for “Union grade A”, in both places where it occurs, substitute “GB grade A or equivalent grade”;
 - (c) in column 2, for “Union grade B” substitute “GB grade B or equivalent grade.”]
- (19) In the heading to Schedule 6, for “other than a member state” substitute “ outside the British Islands ”.

Textual Amendments

- F3** Words in reg. 2(2)(a) inserted (31.12.2020 immediately before IP completion day) by [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1573\)](#), regs. 1(2)(b), **2(3)(a)(i)(aa)**
- F4** Words in reg. 2(2)(a) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1573\)](#), regs. 1(2)(b), **2(3)(a)(i)(bb)**
- F5** Words in reg. 2(2)(b) substituted (31.12.2020 immediately before IP completion day) by [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1573\)](#), regs. 1(2)(b), **2(3)(a)(ii)**

- F6** Words in reg. 2(2)(c) inserted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(i)(aa)**
- F7** Words in reg. 2(2)(c) omitted (31.12.2020 immediately before IP completion day) by virtue of The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(i)(bb)**
- F8** Words in reg. 2(2)(d) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(iii)**
- F9** Words in reg. 2(2)(d) inserted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(i)(aa)**
- F10** Words in reg. 2(2)(d) omitted (31.12.2020 immediately before IP completion day) by virtue of The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(i)(bb)**
- F11** Words in reg. 2(2)(e) inserted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(iv)**
- F12** Words in reg. 2(2)(f) inserted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(iv)**
- F13** Words in reg. 2(2)(g) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(v)**
- F14** Reg. 2(2)(h) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(vi)**
- F15** Words in reg. 2(2)(i) inserted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(i)(aa)**
- F16** Words in reg. 2(2)(i) omitted (31.12.2020 immediately before IP completion day) by virtue of The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(i)(bb)**
- F17** Words in reg. 2(2)(j) inserted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(i)(aa)**
- F18** Words in reg. 2(2)(j) omitted (31.12.2020 immediately before IP completion day) by virtue of The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(i)(bb)**
- F19** Words in reg. 2(2)(k) inserted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(i)(aa)**
- F20** Words in reg. 2(2)(k) omitted (31.12.2020 immediately before IP completion day) by virtue of The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(i)(bb)**
- F21** Words in reg. 2(2)(l) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(vii)**
- F22** Words in reg. 2(2)(m) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(viii)**

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- F23** Words in reg. 2(2)(n) inserted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(iv)**
- F24** Words in reg. 2(2)(o) inserted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(i)(aa)**
- F25** Words in reg. 2(2)(o) omitted (31.12.2020 immediately before IP completion day) by virtue of The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(i)(bb)**
- F26** Words in reg. 2(2)(p) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(ix)**
- F27** Reg. 2(2)(q) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(x)**
- F28** Reg. 2(2)(r) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(a)(xi)**
- F29** Reg. 2(3) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(b)**
- F30** Words in reg. 2(4) inserted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(c)(i)**
- F31** Words in reg. 2(4) inserted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(c)(ii)**
- F32** Words in reg. 2(4) omitted (31.12.2020 immediately before IP completion day) by virtue of The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(c)(iii)**
- F33** Reg. 2(5)(za) inserted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(d)(i)**
- F34** Words in reg. 2(5)(b) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(d)(ii)**
- F35** Words in reg. 2(6) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(e)**
- F36** Words in reg. 2(7)(a)(i) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(f)(i)(aa)**
- F37** Words in reg. 2(7)(a)(ii) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(f)(i)(bb)**
- F38** Reg. 2(7)(b) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(f)(ii)**
- F39** Words in reg. 2(8) inserted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(g)(i)**

- F40** Words in reg. 2(8) omitted (31.12.2020 immediately before IP completion day) by virtue of The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(g)(ii)**
- F41** Words in reg. 2(9) inserted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(g)(i)**
- F42** Words in reg. 2(9) omitted (31.12.2020 immediately before IP completion day) by virtue of The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(g)(ii)**
- F43** Reg. 2(10) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(h)**
- F44** Words in reg. 2(11) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(i)**
- F45** Words in reg. 2(11) inserted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(i)(ii)**
- F46** Reg. 2(12) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(j)**
- F47** Word in reg. 2(13)(b)(i) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(k)(i)**
- F48** Reg. 2(13)(c) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(k)(ii)**
- F49** Word in reg. 2(13)(d)(ii) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(k)(iii)**
- F50** Word in reg. 2(13)(e) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(k)(iii)**
- F51** Word in reg. 2(14)(a) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(l)**
- F52** Word in reg. 2(14)(b) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(l)**
- F53** Word in reg. 2(16)(a) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(m)(i)**
- F54** Word in reg. 2(16)(b)(i) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(m)(ii)**
- F55** Reg. 2(16)(b)(ii) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(m)(iii)**
- F56** Word in reg. 2(17)(a) substituted (31.12.2020 immediately before IP completion day) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1573), regs. 1(2)(b), **2(3)(n)(i)**

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Seed Potatoes (Wales) (Amendment) (EU Exit) Regulations 2019. (See end of Document for details)

- F57** Word in reg. 2(17)(b)(i) substituted (31.12.2020 immediately before IP completion day) by [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1573\)](#), regs. 1(2)(b), **2(3)(n)(ii)**
- F58** Reg. 2(17)(b)(ii)-(iv) substituted (31.12.2020 immediately before IP completion day) by [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1573\)](#), regs. 1(2)(b), **2(3)(n)(iii)**
- F59** Reg. 2(18) substituted (31.12.2020 immediately before IP completion day) by [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1573\)](#), regs. 1(2)(b), **2(3)(o)**

Commencement Information

- I2** Reg. 2 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

Marginal Citations

- M2** [S.I. 2002/2443](#), amended by [S.I. 2004/2411](#), 2018/575.
- M3** [S.I. 2002/3188](#) (W. 304), amended by [S.I. 2005/2759](#), 2013/755 (W. 90).
- M4** [S.S.I. 2002/541](#), amended by [S.S.I. 2004/439](#), 2015/100.
- M5** [S.R. 2003 No. 167](#).
- M6** [S.S.I. 2015/395](#), amended by [S.S.I. 2016/68](#), 434.
- M7** [S.R. 2016 No. 190](#), amended by [S.R. 2017 No. 155](#).
- M8** [OJ No L 38, 7.2.2014](#), p. 39.
- M9** [OJ No L 38, 7.2.2014](#), p. 32.
- M10** [OJ No L 162, 21.6.2008](#), p. 13.

PROSPECTIVE

Marketing of seed potatoes produced in a member State or Switzerland

^{F60}**3.**

Textual Amendments

- F60** Reg. 3 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1573\)](#), regs. 1(2)(b), **2(4)**

PROSPECTIVE

Marketing of seed potatoes produced in a member State or Switzerland: saving provision

^{F61}**4.**

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Seed Potatoes (Wales) (Amendment) (EU Exit) Regulations 2019. (See end of Document for details)

Textual Amendments

- F61** Reg. 4 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1573\)](#), regs. 1(2)(b), **2(4)**

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

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Seed Potatoes (Wales) (Amendment) (EU Exit) Regulations 2019. (See end of Document for details)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by paragraph 1(1) of Schedule 2 and paragraph 21 of Schedule 7 to the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to the Seed Potatoes (Wales) Regulations 2016 (S.I. 2016/106 W.52).

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.

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Status:

This version of this Instrument contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the The Seed Potatoes (Wales) (Amendment) (EU Exit) Regulations 2019.