
WELSH STATUTORY INSTRUMENTS

2020 No. 833 (W. 182)

**PLANT HEALTH, WALES
SEEDS, WALES**

**The Marketing of Seed, Plant and Propagating
Material (Wales) Regulations 2020**

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| <i>Made</i> | - - - - | <i>4 August 2020</i> |
| <i>Laid before Senedd Cymru</i> | | <i>6 August 2020</i> |
| <i>Coming into force</i> | - - | <i>29 August 2020</i> |

The Welsh Ministers are designated for the purposes of section 2(2) of the European Communities Act 1972(1) in relation to the common agricultural policy(2).

The Welsh Ministers make these Regulations in exercise of the powers conferred by sections 16(1), (1A), (3), (4) and 36 of the Plant Varieties and Seeds Act 1964(3) and section 2(2) of the European Communities Act 1972.

The Welsh Ministers have consulted representatives of such interests as appear to them to be concerned in accordance with section 16(1) of the Plant Varieties and Seeds Act 1964.

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- (1) [1972 c. 68](#). The European Communities Act 1972 (“the 1972 Act”) was repealed by section 1 of the European Union (Withdrawal) Act [2018 \(c. 16\)](#) (“the 2018 Act”) with effect from exit day. “Exit day” is defined in section 20 of the 2018 Act as 31 January 2020 at 11pm. Despite that repeal the 1972 Act continues to have effect with modifications until IP completion day, by virtue of section 1A of the 2018 Act. Section 1A was inserted by section 1 of the European Union (Withdrawal Agreement) Act [2020 \(c. 1\)](#) (“the 2020 Act”). “IP completion day” is defined in section 1A as 31 December 2020 at 11pm (the meaning given in section 39 of the 2020 Act). Section 2(2) of the 1972 Act was previously amended by section 27(1) of the Legislative and Regulatory Reform Act [2006 \(c. 51\)](#) and by section 3(3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act [2008 \(c. 7\)](#).
- (2) [S.I. 2010/2690](#), which is prospectively revoked by [S.I. 2018/1011](#) from IP completion day.
- (3) [1964 c. 14](#). Section 16(1A) was inserted by section 4 of, and paragraph 5 of Schedule 4 to, the European Communities Act 1972. See section 38(1) for a definition of “the Minister”. In accordance with article 2(1) of, and Schedule 1 to, the Transfer of Functions (Wales) (No. 1) Order 1978 ([S.I. 1978/272](#)) the functions of the Minister of Agriculture, Fisheries and Food under the Plant Varieties and Seeds Act 1964 were, so far as exercisable in relation to Wales, transferred to the Secretary of State. In accordance with article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 ([S.I. 1999/672](#)) the functions transferred to the Secretary of State by the 1978 Order were transferred to the National Assembly for Wales. By virtue of paragraph 30 of Schedule 11 to the Government of Wales Act [2006 \(c. 32\)](#) those functions are now exercisable by the Welsh Ministers.