OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2021 Rhif 838 (Cy. 195)

2021 No. 838 (W. 195)

YMADAEL Â'R UNDEB EWROPEAIDD, CYMRU

IECHYD PLANHIGION, CYMRU

EXITING THE EUROPEAN UNION, WALES

PLANT HEALTH, WALES

Rheoliadau Iechyd Planhigion (Ffioedd) (Coedwigaeth) (Cymru) (Diwygio) (Rhif 2) 2021

The Plant Health (Fees) (Forestry) (Wales) (Amendment) (No. 2) Regulations 2021

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mae'r Rheoliadau hyn wedi eu gwneud drwy arfer y pwerau a roddir gan baragraff 7 o Atodlen 4 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16) ac maent yn diwygio Rheoliadau Iechyd Planhigion (Ffioedd) (Coedwigaeth) (Cymru) 2019 (O.S. 2019/497 (Cy. 114)).

Mae'r Rheoliadau hyn yn darparu ar gyfer cynyddu'r ffioedd am wasanaethau mewn perthynas ag awdurdodiadau pasbortau planhigion a cheisiadau am dystysgrifau ffytoiechydol (gan gynnwys tystysgrifau ffytoiechydol ar gyfer ailallforio) i adlewyrchu cynnydd chwyddiannol o ran y gost o ddarparu'r gwasanaethau hynny ers cyflwyno'r ffioedd hynny. Mae'r ffioedd sy'n ymwneud ag awdurdodiadau pasbortau planhigion wedi cynyddu 34% ar gyfer y cyfnod rhwng 2006 a 2020, tra bod y ffioedd ar gyfer tystysgrifau allforio wedi cynyddu 40% ar gyfer y cyfnod rhwng 2004 a 2020 (yn seiliedig ar y Mynegai Prisiau Defnyddwyr gan gynnwys costau tai perchen-feddianwyr (CPIH)).

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by paragraph 7 of Schedule 4 to the European Union (Withdrawal) Act 2018 (c. 16) and amend the Plant Health (Fees) (Forestry) (Wales) Regulations 2019 (S.I. 2019/497 (W. 114)).

These Regulations provide for increases in the fees for services in relation to plant passport authorities and applications for phytosanitary certificates (including phytosanitary certificates for re-export) to reflect an inflationary rise in the cost of providing those services since the introduction of those fees. The fees relating to plant passport authorities have increased by 34% for the period between 2006 and 2020, while fees for export certification have increased by 40% for the period between 2004 and 2020 (based on the Consumer Price Index including owner occupiers' housing costs (CPIH)).

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.

OFFERYNNAU STATUDOL CYMRU

2021 Rhif 838 (Cy. 195)

YMADAEL Â'R UNDEB EWROPEAIDD, CYMRU

IECHYD PLANHIGION, CYMRU

Rheoliadau Iechyd Planhigion (Ffioedd) (Coedwigaeth) (Cymru) (Diwygio) (Rhif 2) 2021

Gwnaed	*13 Gorffennaf 2021*
Gosodwyd gerbron Senedd Cymru	*15 Gorffennaf*
Yn dod i rym	*5 Awst 2021*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir gan baragraff 7 o Atodlen 4 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018(**1**).

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Iechyd Planhigion (Ffioedd) (Coedwigaeth) (Cymru) (Diwygio) (Rhif 2) 2021.

(2) Mae'r Rheoliadau hyn yn dod i rym ar 5 Awst 2021.

(**1**) 2018 p. 16 ("Deddf 2018"). Mae Gweinidogion Cymru yn "appropriate authority" yn rhinwedd paragraff 8 o Atodlen 4 i Ddeddf 2018. Diwygiwyd ystyr "appropriate authority" ym mharagraff 8 o Atodlen 4 i Ddeddf 2018 gan adran 41(4) o Ddeddf yr Undeb Ewropeaidd (Y Cytundeb Ymadael) 2020 (p. 1) a pharagraff 47(5) o Atodlen 5 iddi.

WELSH STATUTORY INSTRUMENTS

2021 No. 838 (W. 195)

EXITING THE EUROPEAN UNION, WALES

PLANT HEALTH, WALES

The Plant Health (Fees) (Forestry) (Wales) (Amendment) (No. 2) Regulations 2021

Made	*13 July 2021*
Laid before Senedd Cymru	*15 July 2021*
Coming into force	*5 August 2021*

The Welsh Ministers make these Regulations in exercise of the powers conferred by paragraph 7 of Schedule 4 to the European Union (Withdrawal) Act 2018(**1**).

Title and commencement

1.—(1) The title of these Regulations is the Plant Health (Fees) (Forestry) (Wales) (Amendment) (No. 2) Regulations 2021.

(2) These Regulations come into force on 5 August 2021.

(**1**) 2018 c. 16 ("the 2018 Act"). The Welsh Ministers are an "appropriate authority" by virtue of paragraph 8 of Schedule 4 to the 2018 Act. The meaning of "appropriate authority" in paragraph 8 of Schedule 4 to the 2018 Act was amended by section 41(4) of, and paragraph 47(5) of Schedule 5 to, the European Union (Withdrawal Agreement) Act 2020 (c. 1).

Diwygio Rheoliadau Iechyd Planhigion (Ffioedd) (Coedwigaeth) (Cymru) 2019

2.—(1) Mae Rheoliadau Iechyd Planhigion (Ffioedd) (Coedwigaeth) (Cymru) 2019(**1**) wedi eu diwygio fel a ganlyn.

(2) Yn lle Atodlen 1 rhodder—

"ATODLEN 1 Rheoliad 3(2)

Ffioedd am arolygiadau mewn cysylltiad ag awdurdodiad pasbort planhigion

Math o arolygiad	Ffi
Arolygiad ffisegol a gweithgareddau cysylltiedig (gan gynnwys amser teithio ac amser swyddfa) mewn cysylltiad â rhoi, amrywio neu atal dros dro awdurdodiad pasbort planhigion neu er mwyn monitro cydymffurfedd â'r awdurdodiad hwnnw—	
(a) hyd at a chan gynnwys yr awr gyntaf;	£49.50
(b) wedi hynny, am bob 15 munud ychwanegol neu ran o'r cyfnod hwnnw	£12.38".

(3) Yn lle Atodlen 4A rhodder—

"ATODLEN 4A

Rheoliad 3(5A)

Ffioedd mewn cysylltiad â chais am dystysgrif ffytoiechydol ar gyfer allforio neu dystysgrif ffytoiechydol ar gyfer ailallforio: Cymru

Gwasanaeth	*Ffi*
Ystyried cais, gan gynnwys dyroddi, pan fo'n briodol, tystysgrif ffytoiechydol ar gyfer allforio neu dystysgrif ffytoiechydol ar gyfer ailallforio	£21.00

(**1**) O.S. 2019/497 (Cy. 114), a ddiwygiwyd gan O.S. 2020/44 (Cy. 5); mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol.

Amendment of the Plant Health (Fees) (Forestry) (Wales) Regulations 2019

2.—(1) The Plant Health (Fees) (Forestry) (Wales) Regulations 2019(**1**) are amended as follows.

(2) For Schedule 1 substitute—

"SCHEDULE 1 Regulation 3(2)

Fees for inspections in connection with a plant passport authority

Type of inspection	Fee
Physical inspection and associated activities (including travelling and office time) in connection with granting, variation or suspension of a plant passport authority or for monitoring compliance with that authority—	
(a) up to and including the first hour;	£49.50
(b) thereafter, for each additional 15 minutes or part thereof	£12.38".

(3) For Schedule 4A substitute—

"SCHEDULE 4A

Regulation 3(5A)

Fees in connection with an application for a phytosanitary certificate for export or phytosanitary certificate for re-export: Wales

Service	Fee
The consideration of an application, including the issue, where appropriate, of a phytosanitary certificate for export or a phytosanitary certificate for re-export	£21.00

(**1**) S.I. 2019/497 (W. 114), amended by S.I. 2020/44 (W. 5); there are other amending instruments but none is relevant.

Archwilio neu brofi pren, cynhyrchion pren, rhisgl wedi ei wahanu neu beiriannau coedwigaeth a ddefnyddiwyd a gweithgareddau cysylltiedig (gan gynnwys amser teithio ac amser swyddfa)—

(a)	hyd at a chan gynnwys yr awr gyntaf;	£37.80
(b)	wedi hynny, am bob 15 munud ychwanegol neu ran o'r cyfnod hwnnw	£10.50".

The examination or testing of wood, wood products, isolated bark or used forestry machinery and associated activities (including travelling and office time)—

(a)	up to and including the first hour;	£37.80
(b)	thereafter, for each additional 15 minutes or part thereof	£10.50".

Julie James

Y Gweinidog Newid Hinsawdd, un o Weinidogion Cymru
13 Gorffennaf 2021

Minister for Climate Change, one of the Welsh Ministers
13 July 2021

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£4.90

ISBN 978-0-348-39089-6

http://www.legislation.gov.uk/id/wsi/2021/838