

Government Response: The Seed (Equivalence) (Amendment) (Wales) Regulations 2022

Technical Scrutiny point 1:

The Welsh Government has considered the relevant provisions. It does not consider the reference to sections 16(2) to 16(4) affects the vires of the regulations. However, on reflection the powers under section 16(1) and 16(1A) for making provision for regulating seed importation are sufficiently wide enough to cover the extension of Council Decision 2003/17/EC of 16 December 2002.

Merit Scrutiny point 2:

A Regulatory Impact Assessment exists as set out in the Explanatory Memorandum and the Welsh Government is grateful to the Committee for bringing this point to our attention.

Merit Scrutiny point 3a:

In respect of the use of the term “cywerthedd” for “equivalence”, this term was used in order to ensure consistency with previous regulations in the same field. It was used in The Seed Marketing (Wales) Regulations 2012 and subsequent amending SIs. Upon further consideration, however, the Welsh Government agree that, for accessibility, it would be better to use the term “cyfwerthedd”, unless SIs using “cywerthedd” are being quoted.

Merit Scrutiny point 3b:

In relation to the use of the term “archwiliadau maes” the Welsh Government accept there has been inconsistency in previous regulations, and “arolygiadau maes” will be used in future.

An amending SI making corrections in respect of Technical Scrutiny Point 1 and Merit Scrutiny Point 2 will be made at the earliest opportunity.