OFFERYNNAU STATUDOL CYMRU

2016 Rhif 1084 (Cy. 259)

IECHYD PLANHIGION, CYMRU

Gorchymyn Iechyd Planhigion (Tystysgrifau Allforio) (Cymru) (Diwygio) 2016

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Iechyd Planhigion (Tystysgrifau Allforio) (Cymru) 2006 (O.S. 2006/1701 (Cy. 163)) ("Gorchymyn 2006").

Mae'r Gorchymyn hwn yn darparu ar gyfer cynnydd o 10.7% yn y ffioedd a bennir yng Ngorchymyn 2006 ar gyfer gwasanaethau o ran ceisiadau am dystysgrifau (erthygl 2(2)) a gwasanaethau cyn-allforio (erthygl 2(3)).

Mae'r lefelau ffioedd y darperir ar eu cyfer yn y Gorchymyn yn ffurfio'r drydedd ran a'r rhan olaf o symudiad tuag at adennill cost lawn ffioedd.

Mae'r Asesiad Effaith Rheoleiddiol sy'n gymwys i'r Gorchymyn hwn ar gael gan Lywodraeth Cymru yn: Parc Cathays, Caerdydd, CF10 3NQ ac ar wefan Llywodraeth Cymru yn www.llyw.cymru.

WELSH STATUTORY INSTRUMENTS

2016 No. 1084 (W. 259)

PLANT HEALTH, WALES

The Plant Health (Export Certification) (Wales) (Amendment) Order 2016

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Plant Health (Export Certification) (Wales) Order 2006 (S.I. 2006/1701 (W. 163)) ("the 2006 Order").

This Order provides for a 10.7% increase to the fees specified in the 2006 Order for services in respect of applications for certificates (article 2(2)) and pre-export services (article 2(3)).

The fee levels provided for in this Order form the third and final part of a move towards full cost recovery of fees.

The Regulatory Impact Assessment applicable to this Order is obtainable from the Welsh Government at: Cathays Park, Cardiff, CF10 3NQ and on the Welsh Government website at www.gov.wales.

O F F E R Y N N A U S T A T U D O L
C Y M R U

2016 Rhif 1084 (Cy. 259)

IECHYD PLANHIGION, CYMRU

Gorchymyn Iechyd Planhigion (Tystysgrifau Allforio) (Cymru) (Diwygio) 2016

Gwnaed	*9 Tachwedd 2016*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*14 Tachwedd 2016*
Yn dod i rym	*7 Rhagfyr 2016*

Mae Gweinidogion Cymru, gyda chydsyniad y Trysorlys, a thrwy arfer y pwerau a roddir gan adrannau 3(1) a 4A o Ddeddf Iechyd Planhigion 1967(**1**), yn gwneud y Gorchymyn a ganlyn:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Iechyd Planhigion (Tystysgrifau Allforio) (Cymru) (Diwygio) 2016.

(2) Daw'r Gorchymyn hwn i rym ar 7 Rhagfyr 2016 ac mae'n gymwys o ran Cymru.

Diwygio Gorchymyn Iechyd Planhigion (Tystysgrifau Allforio) (Cymru) 2006

2.—(1) Mae Gorchymyn Iechyd Planhigion (Tystysgrifau Allforio) (Cymru) 2006(**2**) wedi ei ddiwygio fel a ganlyn.

(**1**) 1967 p. 8. Diwygiwyd adran 3(1) gan adran 4 o Ddeddf y Cymunedau Ewropeiaidd 1972 (p. 68) a pharagraff 8 o Atodlen 4 iddi ac fe'i diwygiwyd ymhellach gan erthygl 6(1) o Ran 2 o O.S. 2011/1043. Mewnosodwyd adran 4A gan adran 3 o Ddeddf Amaethyddiaeth 1986 (p. 49). Mae'r pwerau a roddir gan adrannau 3 a 4A yn cael eu rhoi i "competent authority", a ddiffinnir yn adran 1(2) fel Gweinidogion Cymru, ar gyfer Cymru. Diwygiwyd adran 1(2) gan baragraff 43 o Atodlen 2 i Orchymyn Corff Adnoddau Naturiol Cymru (Swyddogaethau) 2013/755 (Cy. 90).

(**2**) O.S. 2006/1701 (Cy. 163), a ddiwygiwyd gan O.S. 2013/1658 (Cy. 156) ac O.S. 2014/1759 (Cy. 174).

W E L S H S T A T U T O R Y
I N S T R U M E N T S

2016 No. 1084 (W. 259)

PLANT HEALTH, WALES

The Plant Health (Export Certification) (Wales) (Amendment) Order 2016

Made	*9 November 2016*
Laid before the National Assembly for Wales	*14 November 2016*
Coming into force	*7 December 2016*

The Welsh Ministers, with the consent of the Treasury, and in exercise of the powers conferred by sections 3(1) and 4A of the Plant Health Act 1967(**1**), make the following Order:

Title, commencement and application

1.—(1) The title of this Order is the Plant Health (Export Certification) (Wales) (Amendment) Order 2016.

(2) This Order comes into force on 7 December 2016 and applies in relation to Wales.

Amendment of the Plant Health (Export Certification) (Wales) Order 2006

2.—(1) The Plant Health (Export Certification) (Wales) Order 2006(**2**) is amended as follows.

(**1**) 1967 c. 8. Section 3(1) was amended by the European Communities Act 1972 (c. 68), section 4 and Schedule 4, paragraph 8 and was further amended by S.I. 2011/1043, Part 2, article 6(1). Section 4A was inserted by the Agriculture Act 1986 (c. 49), section 3. The powers conferred by sections 3 and 4A are conferred on a "competent authority", which is defined in section 1(2), for Wales, as the Welsh Ministers. Section 1(2) was amended by the Natural Resources Body for Wales (Functions) Order 2013/755 (W. 90), Schedule 2, paragraph 43.

(**2**) S.I. 2006/1701 (W. 163), amended by S.I. 2013/1658 (W. 156) and S.I. 2014/1759 (W. 174).

(2) Yn lle Atodlen 3(**1**) rhodder—

"ATODLEN 3 Erthyglau 3 a 5

Ceisiadau am dystysgrifau: ffioedd

Gwasanaethau o ran ceisiadau am dystysgrifau	Ffi (£)	Ffi (allforiwr bach) (£)
(1) Gwasanaethau am lwythi heblaw grawn:		
(a) arolygiad a, phan fo angen, archwiliad mewn labordy	65.24 am bob chwarter awr neu ran ohono gydag isafswm ffi o 130.48	32.62 am bob chwarter awr neu ran ohono gydag isafswm ffi o 65.24
(b) archwiliad mewn labordy yn unig	36.35	18.18
(c) dyroddi tystysgrif pan nad oes angen arolygiad neu archwiliad mewn labordy	13.87	6.94
(2) Gwasanaethau ar gyfer llwythi o rawn:		
Monitro arolygiadau a gyflawnir gan berson awdurdodedig o dan erthygl 3(3) a, phan fo angen hynny, archwiliad mewn labordy a gyflawnir gan swyddog awdurdodedig	59.53	29.74".

(**1**) Amnewidwyd Atodlen 3 gan erthygl 2(3) o O.S. 2013/1658 (Cy. 156), ac erthygl 2(3) o O.S. 2014/1759 (Cy. 174).

(2) For Schedule 3(**1**) substitute—

"SCHEDULE 3 Articles 3 and 5

Applications for certificates: fees

Services in respect of applications for certificates	Fee (£)	Fee (small exporter) (£)
(1) Services for consignments other than grain:		
(a) inspection and, where necessary, laboratory examination	65.24 for each quarter hour or part thereof with a minimum fee of 130.48	32.62 for each quarter hour or part thereof with a minimum fee of 65.24
(b) laboratory examination only	36.35	18.18
(c) issue of a certificate where no inspection or laboratory examination is required	13.87	6.94
(2) Services of consignments of grain:		
Monitoring of inspections carried out by a person authorised under article 3(3) and, where necessary, laboratory examination carried out by an authorised officer	59.53	29.74".

(**1**) Schedule 3 was substituted by S.I. 2013/1658 (W. 156), article 2(3) and S.I. 2014/1759 (W. 174), article 2(3).

(3) Yn lle Atodlen 4(**1**) rhodder—

"ATODLEN 4 Erthygl 5

Ffioedd gwasanaethau cyn-allforio

Gwasanaeth	Ffi (£)	Ffi (allforiwr bach) (£)
Gwasanaeth cyn-allforio	49.68 am bob chwarter awr neu ran ohono gydag isafswm ffi o 99.36	24.84 am bob chwarter awr neu ran ohono gydag isafswm ffi o 49.68."

(3) For Schedule 4(**1**) substitute—

"SCHEDULE 4 Article 5

Pre-export service fees

Service	Fee (£)	Fee (small exporter) (£)
Pre-export service	49.68 for each quarter hour or part thereof with a minimum fee of 99.36	24.84 for each quarter hour or part thereof with a minimum fee of 49.68."

Lesley Griffiths

Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig, un o Weinidogion Cymru
9 Tachwedd 2016

Cabinet Secretary for Environment and Rural Affairs, one of the Welsh Ministers
9 November 2016

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(**1**) Amnewidwyd Atodlen 4 gan erthygl 2(4) o O.S. 2013/1658 (Cy. 156) a chan erthygl 2(4) o O.S. 2014/1759 (Cy. 174).

(**1**) Schedule 4 was substituted by S.I. 2013/1658 (W. 156), article 2(4) and by S.I. 2014/1759 (W. 174), article 2(4).

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