



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2006 Rhif 1261 (Cy.118)

2006 No. 1261 (W.118)

**HAWLIAU BRIDWYR
PLANHIGION, CYMRU**

**PLANT BREEDERS' RIGHTS,
WALES**

Gorchymyn Hawliau Bridwyr
Planhigion (Dirwyn i Ben
Esemtiad o Ddefnydd Blaenorol)
(Cymru) 2006

The Plant Breeders' Rights
(Discontinuation of Prior Use
Exemption) (Wales) Order
2006

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn gymwys o ran Cymru a daw i rym ar 12 Mai 2006.

This Order applies in relation to Wales and comes into force on 12 May 2006.

Mae'r Gorchymyn yn dirwyn i ben yr esemptiad o ddefnydd blaenorol yn adran 9(5) o Ddeddf Amrywogaethau Planhigion 1997.

The Order discontinues the prior use exemption in section 9(5) of the Plant Varieties Act 1997.

Paratowyd Arfarniad Rheoliadol ar gyfer y Rheoliadau hyn. Gellir cael copïau oddi wrth yr Adran dros yr Amgylchedd, Cynllunio a Chefn Gwlad, Llywodraeth Cynulliad Cymru, Parc Cathays, Caerdydd CF10 3NQ.

A Regulatory Appraisal has been prepared for these Regulations. Copies can be obtained from the Department for Environment, Planning and Countryside, Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ.

2006 Rhif 1261 (Cy.118)**2006 No. 1261 (W.118)****HAWLIAU BRIDWYR
PLANHIGION, CYMRU****PLANT BREEDERS' RIGHTS,
WALES****Gorchymyn Hawliau Bridwyr
Planhigion (Dirwyn i Ben
Esemptiad o Ddefnydd Blaenorol)
(Cymru) 2006****The Plant Breeders' Rights
(Discontinuation of Prior Use
Exemption) (Wales) Order
2006***Wedi'i wneud**3 Mai 2006**Made**3 May 2006**Yn dod i rym**12 Mai 2006**Coming into force**12 May 2006*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adran 9(6) o Ddeddf Amrywogaethau Planhigion 1997(1) ac sydd bellach wedi'u breinio ynddo(2) ar ôl ymgynghori â'r cyrff hynny y mae'n ymddangos iddo eu bod yn gynrychioliadol o'r personau y mae'n debygol yr effeithir arnynt yn sylweddol, yn gwneud y Gorchymyn canlynol:

The National Assembly for Wales in exercise of the powers conferred by section 9(6) of the Plant Varieties Act 1997(1) and now vested in it(2) after consultation with such organisations as appear to it to be representative of persons likely to be substantially affected, makes the following Order:

Enwi, cychwyn a chymhwys**Title, commencement and application**

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Hawliau Bridwyr Planhigion (Dirwyn i Ben Esemptiad o Ddefnydd Blaenorol) (Cymru) 2006 a daw i rym ar 12 Mai 2006.

1.-(1) The title of this Order is the Plant Breeders' Rights (Discontinuation of Prior Use Exemption) (Wales) Order 2006 and comes into force on 12 May 2006.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

(2) This Order applies in relation to Wales.

Dirwyn i Ben Esemptiad o Ddefnydd Blaenorol**Discontinuation of Prior Use Exemption**

2. Mae adran 9(5) o Ddeddf Amrywogaethau Planhigion 1997 yn peidio â chael effaith.

2. Section 9(5) of the Plant Varieties Act 1997 ceases to have effect.

(1) 1997 p.66. gweler adran 49(1) i gael y diffiniad o "the Ministers".

(2) Trosglwyddodd erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau 1999 ac Atodlen 1 iddo (O.S. 1999/672) swyddogaethau'r Gweinidogion o dan adran 9 o Ddeddf Amrywogaethau Planhigion 1997, i'r graddau y maent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru.

(1) 1997 c.66. see section 49(1) for a definition of "the Ministers".

(2) Article 2 and Schedule 1 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) transferred the functions of the Ministers under Section 9 of the Plant Varieties Act 1997, so far as they are exercisable in relation to Wales, to the National Assembly for Wales.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o
dan adran 66(1) o Ddeddf Llywodraeth Cymru
1998(1)

Signed on behalf of the National Assembly for Wales
under section 66(1) of the Government of Wales Act
1998(1)

3 Mai 2006

3 May 2006

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

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