WELSH STATUTORY INSTRUMENTS

2008 No. 2500 (W.218)

AGRICULTURE, WALES

The Common Agricultural Policy Single Payment and Support Schemes (Wales) (Amendment) Regulations 2008

Made - - - -	*22 September 2008*
Laid before the National Assembly for Wales - -	*23 September 2008*
Coming into force - -	*21 October 2008*

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

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Welsh Ministers that it is expedient for references in these Regulations to certain Community instruments to be construed as references to those instruments as amended from time to time.

In exercise of the powers conferred upon them under section 2(2) of, and paragraph 1A of Schedule 2(**3**) to, the European Communities Act 1972, the Welsh Ministers make the following Regulations.

Title and commencement

1. The title of these Regulations is the Common Agricultural Policy Single Payment and Support Schemes (Wales) (Amendment) Regulations 2008. They apply in relation to Wales and come into force on 21 October 2008.

Amendments

2. The Common Agricultural Policy Single Payment and Support Schemes (Wales) Regulations 2005(**4**) are amended as follows.

3. For regulation 2 substitute the following—

(**1**) S.I.2005/2766. By virtue of sections 59(1) and 162 of and paragraphs 28 and 30 of Schedule 11 to the Government of Wales Act 2006, functions conferred on the National Assembly for Wales are exercisable by the Welsh Ministers.
(**2**) 1972 c. 68.
(**3**) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51).
(**4**) S.I. 2005/360 (W.29), amended by S.I. 2006/357 (W.45).

"**Interpretation**

2.—(1) In these Regulations—

"Commission Regulation 795/2004" means Commission Regulation (EC) No. 795/2004 laying down detailed rules for the implementation of the single payment scheme provided for in the Council Regulation(**5**);

"Commission Regulation 796/2004" means Commission Regulation (EC) No. 796/2004 laying down detailed rules for the implementation of cross-compliance, modulation and the integrated administration and control system provided for in the Council Regulation(**6**);

"Commission Regulation 1973/2004" means Commission Regulation (EC) No. 1973/2004 laying down detailed rules for the application of Council Regulation (EC) No. 1782/2003 as regards the support schemes provided for in Titles IV and IVa of that Regulation and the use of land set aside for the production of raw materials(**7**);

"the Council Regulation" means Council Regulation (EC) No. 1782/2003 establishing common rules for direct support under the common agricultural policy and establishing certain support schemes for farmers(**8**);

"direct payment" has the meaning given by Article 2(d) of the Council Regulation;

"farmer" has the meaning given by Article 2(a) of the Council Regulation;

"holding" has the meaning given by Article 2(b) of the Council Regulation;

"the IACS Regulations" means the Common Agricultural Policy Single Payment and Support Schemes (Integrated Administration and Control System) Regulations 2005(**9**);

"relevant competent authority" has the meaning given by regulation 5 of the IACS Regulations;

"single application" has the meaning given by Article 2(11) of Commission Regulation 796/2004;

"single payment scheme" means the support scheme established under Title III of the Council Regulation;

"sugar quota" has the same meaning as it has in Council Regulation (EC) Regulation No. 318/2006 on the common organisation of the markets in the sugar sector(**10**);

(2) Other expressions used in these Regulations that are also used in the Council Regulation, Commission Regulation 795/2004, Commission Regulation 796/2004 or Commission Regulation 1973/2004 have the meaning they bear in those instruments.

(3) Any reference in paragraph (1) to a Community instrument is a reference to that instrument as amended from time to time.".

4. For Regulation 6 (10 month period), substitute—

"**Date on which eligible land must be at the farmer's disposal**

6. In relation to any year in which the farmer makes a declaration in respect of parcels pursuant to article 44(3) of the Council Regulation, the date on which those parcels must be at the farmer's disposal is 15 May.".

(**5**) OJ No. L141, 30.4.2004, p.1, last amended by Commission Regulation (EC) No 319/2008 (OJ No. L95, 8.4.2008, p.63-65).
(**6**) OJ No. L141, 30.4.2004, p.18, last amended by Commission Regulation (EC) No. 319/2008 (OJ No. L95, 8.4.2008, p.63-65).
(**7**) OJ No. L345, 20.11.2004, p.1, last amended by Commission Regulation (EC) No. 829/2008 (OJ No. L 224, 22.8.2008, p. 3).
(**8**) OJ No. L270, 21.10.2003, p.1, last amended by Commission Regulation (EC) No. 674/2008 (OJ No. L189, 17.7.2008, p.5-13).
(**9**) S.I. 2005/218.
(**10**) OJ No. L58, 28.2.2006, last amended by Commission Regulation (EC) No. 1260/2007 OJ No. L283, 27.10.2007, p. 1-7).