WELSH STATUTORY INSTRUMENTS

2005 No. 1269 (W. 89)

AGRICULTURE, WALES

The Tir Mynydd (Wales) (Amendment) Regulations 2005

Made - - - -	*4 May 2005*
Coming into force - -	*5 May 2005*

The National Assembly for Wales, being 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, in exercise of the powers conferred on it by the said section 2(2), hereby makes the following Regulations:

Title, commencement and application

1. The title of these Regulations is the Tir Mynydd (Wales) (Amendment) Regulations 2005. They come into force on 5 May 2005 and apply in relation to Wales.

Amendment of the Tir Mynydd (Wales) Regulations 2001

2. The Tir Mynydd (Wales) Regulations 2001(**3**) are amended in accordance with regulations 3 to 9 of these Regulations.

3. In regulation 2 (Definitions), in paragraph (1) —

(a) the definition of "area aid application" ("*cais am gymorth arwynebedd*") is deleted;

(b) in the definition of "claimed forage area" ("*arwynebedd porthiant y gwneir cais amdano*") for the words "an area aid application" substitute the words "a single application";

(c) insert the following definitions in the appropriate place in accordance with the alphabet —

> ""Code of Good Farming Practice" (" *Cod Ymarfer Ffermio Da*") means the Good Farming Practice provisions set out in section 9.1 of the Rural Development Plan for Wales 2000 — 2006(**4**);
>
> "Commission Regulation 796/2004" ("*Rheoliad y Comisiwn 796/2004*") means Commission Regulation (EC) No 796/2004(**5**) laying down detailed rules

(**1**) By virtue of the European Communities (Designation) (No. 3) Order (S.I.1999/2788) ("the Order").
(**2**) 1972 c. 68.
(**3**) S.I. 2001/496 (W.23) as amended by S.I. 2001/1154 (W.61) and S.I. 2002/1806 (W.176).
(**4**) Prepared by the National Assembly for Wales and approved by the European Commission initially on 11 October 2000 by way of Commission Decision C(2000) 2932 with subsequent modifications approved by Commission Decisions C(2002) 1743 and C(2003) 1432.
(**5**) OJ No. L141, 30.4.2004, p.18 as last amended by Commission Regulation (EC) No. 239/2005 (OJ No. L042, 12.2.2005, p.3).

for the implementation of cross-compliance, modulation and the integrated administration and control system provided for in Council Regulation 1782/2003;";

(d) substitute the following definition for the definition of "Commission Regulation 1750/1999" ("*Rheoliad y Comisiwn 1750/1999*") —

""Commission Regulation 817/2004" ("*Rheoliad y Comisiwn 817/2004*") means Commission Regulation (EC) No 817/2004(**6**) laying down detailed rules for the application of Council Regulation (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF);";

(e) insert the following definition in the appropriate place in accordance with the alphabet —

""Council Regulation 1254/1999" ("*Rheoliad y Cyngor 1254/1999*") means Council Regulation (EC) No 1254/1999(**7**) on the common organisation of the market in beef and veal;";

(f) the definition of "Council Regulation 3508/92" ("*Rheoliad y Cyngor 3508/92*") is deleted;

(g) insert the following definition in the appropriate place in accordance with the alphabet —

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

(h) insert the following definition in the appropriate place in accordance with the alphabet —

""Hill Livestock Compensatory Allowances" ("*Lwfansau Iawndal Da Byw*") or "HLCA" means allowances paid under the Hill Livestock (Compensatory Allowances) Regulations;";

(i) substitute the following definition for the definition of "IACS" —

""IACS" means the Integrated Administration and Control System established under Chapter 4 of Council Regulation 1782/2003;";

(j) insert the following definition in the appropriate place in accordance with the alphabet —

""single application" ("*cais sengl*") has the meaning given to it in Article 2(11) of Commission Regulation 796/2004;".

4. In regulation 3 (Eligible claimants), in paragraph (1) —

(1) in sub-paragraph (a), for the words "area aid" substitute the word "single";

(2) in sub-paragraph (b) —

(a) before the words "the claimant" insert the words "subject to sub-paragraph (e) below,";

(b) after the words "has submitted a" insert the word "valid";

(c) before the word "year" insert the words "2004 scheme";

(d) delete the words "for which a claim has been submitted for a Tir Mynydd payment".

(3) In sub-paragraph (c) after the words "sustainable farming" insert the words "and has complied with the provisions of the Code of Good Farming Practice".

(4) After sub-paragraph (d), there is inserted the following sub-paragraph —

(**6**) OJ No. L153, 30.4.2004, p.30 as corrected by a Corrigendum (OJ No. L231, 30.6.2004, p.24).
(**7**) OJ No. L160, 26.6.1999, p.21 as last amended by Commission Regulation (EC) No. 1899/2004 (OJ No. L328, 30.10.2004, p.67).
(**8**) OJ No. L270, 21.10.2003, p.1 as last amended by Commission Regulation (EC) No. 118/2005 (OJ No. L024, 27.1.2005, p.15).