WELSH STATUTORY INSTRUMENTS

2004 No. 1218 (W.133)

LANDLORD AND TENANT, WALES

The Agricultural Holdings (Units of Production) (Wales) Order 2004

Made - - - -	*27th April 2004*
Coming into force - -	*30th April 2004*

In exercise of the powers conferred by paragraph 4 of Schedule 6 to the Agricultural Holdings Act 1986(**1**), which are now vested in it(**2**), the National Assembly for Wales hereby makes the following Order:—

Title, commencement and interpretation

1.—(1) This Order is called the Agricultural Holdings (Units of Production) (Wales) Order 2004 and comes into force on 30th April 2004.

(2) Any reference in this Order to "the Schedule" is a reference to the Schedule to this Order.

(3) Any reference in this Order to a Community instrument is a reference to that instrument and any amendment of such instrument in force on the date this order is made.

(4) In this Order:

"Council Regulation 2529/01" ("*Rheoliad 2529/01 y Cyngor*") means Council Regulation (EC) No. 2529/01 on the common organisation of the market in sheepmeat and goatmeat(**3**);

"Council Regulation 1251/99" ("*Rheoliad 1251/99 y Cyngor*") means Council Regulation (EC) No. 1251/99 establishing a support system for producers of certain arable crops(**4**);

"Council Regulation 1254/99" ("*Rheoliad 1254/99 y Cyngor*") means Council Regulation (EC) No. 1254/99 on the common organisation of the market in beef and veal(**5**).

(**1**) 1986 c. 5.
(**2**) By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672), the functions of the Minister (defined in section 96(1) of the Act as the Secretary of State in relation to Wales) under paragraph 4 of Schedule 6 to the Agricultural Holdings Act 1986, were, so far as they were exercisable in relation to Wales, transferred to the National Assembly for Wales.
(**3**) OJ No. L341, 22.12.01, p.3.
(**4**) OJ No. L10, 26.6.99, p.1, as last amended by Council Regulation (EC) No. 1038/01 (OJ No. L145, 31.5.01, p.16).
(**5**) OJ No. L160, 26.6.99, p.21, as last amended by Council Regulation (EC) No. 806/03 (OJ No. L122, 16.05.03, p.1).

Assessment of productive capacity of land

2.—(1) Paragraphs (2) and (3) of this article have effect for the purpose of the assessment of the productive capacity of a unit of agricultural land situated in Wales, in order to determine whether that unit is a commercial unit of agricultural land within the meaning of sub-paragraph (1) of paragraph 3 of Schedule 6 to the Agricultural Holdings Act 1986.

(2) Where the land in question is capable, when farmed under competent management, of being used to produce any livestock, crop, fruit or miscellaneous product, as is mentioned in any of the entries 1 to 6 in column 1 of the Schedule, then —

(a) the unit of production prescribed in relation to that use of the land shall be the unit specified in column 2 of the Schedule opposite to that entry, and

(b) the amount determined, for the period of 12 months beginning with 12th September 2003, as the net annual income from that unit of production in that period shall be the amount specified in column 3 of the Schedule opposite that unit of production.

(3) Where land capable, when farmed under competent management, of producing a net annual income is the subject of Tir Mynydd payments or is designated as set aside land, as is mentioned in entries 7 and 8 in column 1 of the Schedule, then —

(a) the unit of production prescribed in relation to that use of the land shall be the unit specified in column 2 of the Schedule opposite to that entry, and

(b) the amount determined, for the period of 12 months beginning with 12th September 2003, as the net annual income from that unit of production in that period shall be the amount in the entry in column 3 of the Schedule opposite to that entry.

(4) The Schedule has effect subject to the Notes to the Schedule.

Revocation

3. The Agricultural Holdings (Units of Production) (Wales) Order 2003(**6**) is hereby revoked.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**7**).

John Marek
The Deputy Presiding Officer of the National Assembly

27th April 2004

(**6**) S.I. 2003/4 (W.2).
(**7**) 1998 c. 38.

THE SCHEDULE Articles 1(2) and 2

PRESCRIBED UNITS OF PRODUCTION AND DETERMINATION OF NET ANNUAL INCOME

Column 1 *Farming use*	*Column 2* *Unit of production*	*Column 3* *Net annual income from unit of production* *£*
1. Livestock		
Dairy cows:		
Channel Islands breeds	cow	373
Other breeds	cow	460
Beef breeding cows:		
On eligible land under the Tir Mynydd (Wales) Regulations 2001(**8**)	cow	43(1)
On other land	cow	73(1)
Beef fattening cattle (semi-intensive)	head	75(2)
Dairy replacements	head	35(3)
Ewes:		
On eligible land under the Tir Mynydd Regulations (Wales) 2001.	ewe	11(4)
On other land	ewe	19(5)
Store lambs (including ewe lambs sold as shearlings)	head	1.00
Pigs:		
Sows and gilts in pig	sow or gilt	85
Porker	head	1.75
Cutter	head	3.25
Bacon	head	5.00
Poultry:		
Laying hens	bird	1.00
Broilers	bird	0.12
Point-of-lay pullets	bird	0.25
Christmas turkeys	bird	2.00
2. Farm arable crops		

(**8**) S.I. 2001 / 496 (W.23) as amended by S.I. 2002/1806 (W.176).