
WELSH STATUTORY INSTRUMENTS

2001 No. 496

The Tir Mynydd (Wales) Regulations 2001

**PART I—
GENERAL**

Name commencement and application

1.—(1) These Regulations are called the Tir Mynydd (Wales) Regulations 2001 and come into force on 1st March 2001.

(2) These Regulations apply in relation to Wales.

Definitions

2.—(1) In these Regulations unless the context otherwise requires—

“agriculture” (“*amaethyddiaeth*”) includes horticulture, fruit growing, seed growing, dairy farming and livestock breeding and keeping, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the use of land for other agricultural purposes, and “agricultural” (“*amaethyddol*”) shall be construed accordingly;

“area aid application” (“*cais am gymorth arwynebedd*”) has the same meaning as in article 6 of Council Regulation 3508/1992(1);

“authorised person” (“*person awdurdodedig*”) means a person who is authorised by the National Assembly, either generally or specifically, to act in matters arising under these Regulations, whether or not an officer of the National Assembly;

“breeding cow” (“*buwch fridio*”) shall mean a suckler cow or a dairy cow;

“claimant” (“*ceisydd*”) means a person who makes a claim for a compensatory allowance called a Tir Mynydd payment and “claim” (“*cais*”) shall be construed accordingly;

“Commission Regulation 1750/1999” (“*Rheoliad y Comisiwn 1750/1999*”) means Commission Regulation (EC) No. 1750/1999(2) which laid down detailed rules for the application of Council Regulation (EC) No. 1257/1999(3) on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF);

“Council Regulation 1257/1999” (“*Rheoliad y Cyngor 1257/1999*”) means Council Regulation (EC) No. 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and which also amended certain Regulations and repealed others

(1) O.J. No. L355, 05.12.92, p1.

(2) O.J. No. L214, 13.08.99, p.31.

(3) O.J. No. L160, 26.06.99, p.80.

“Council Regulation 3508/92” (“*Rheoliad y Cyngor 3508/92*”) means Council Regulation (EEC) 3508/92 establishing an integrated administration and control system for community aid schemes;

“designated maps” (“*mapiau dynodedig*”) means the two volumes of maps numbered 1 and 2, each volume being marked “Volume of Maps of less favoured farming areas in Wales” and with the number of the volume, dated 20th May 1991, signed by the Secretary of State for Wales, and deposited at the offices of the National Assembly for Wales Agriculture Department at Cathays Park, Cardiff CF10 3NQ;

“disadvantaged land” (“*tir tan anfantais*”) (except in the expression “severely disadvantaged land”) means land shown coloured blue on the designated maps;

“eligible land” (“*tir cymwys*”) means disadvantaged land or severely disadvantaged land that complies with the requirements of these Regulations;

“ewe” (“*mamog*”) means a female sheep which is at least one year old or has given birth by 15th May in the year in which a claim for a Tir Mynydd payment is made;

“forage land” (“*tir porthiant*”) means land used to graze or feed livestock which was included as such in a valid area aid application submitted for the relevant year;

“heifer” (“*heffer*”) has the same meaning as in Article 3 of Council Regulation (EC) 1254/1999(4);

“holding” (“*daliad*”) means all the production units managed by the claimant situated within the United Kingdom;

“IACS” means the Integrated Administration and Control System established by Council Regulation 3508/92;

“less favoured area” (“*tir llai ffafriol*”) means land that is disadvantaged or severely disadvantaged;

“livestock unit” (“*uned da byw*”) is a unit of measurement of livestock numbers, and the following constitute a single livestock unit—

- (a) one suckler cow;
- (b) 1.67 heifers;
- (c) 6.67 female sheep eligible under the Sheep Annual Premium Scheme pursuant to the Sheep Annual Premium Regulations 1992(5) as amended;

“overgrazing” (“*gorbori*”) means grazing land with livestock in such numbers as adversely to affect the growth, quality or species composition of vegetation (other than vegetation normally grazed to destruction) on that land to a significant degree, and “overgrazed” (“*wedi'i orbori*”) shall be construed accordingly;

“production unit” (“*uned gynhyrchu*”) means land farmed by a claimant as a single unit, having regard to supplies of machinery, livestock, feeding stuffs and workforce;

“retirement pension” (“*pensiwn ymddeol*”) means a category A or category B pension within the meaning of section 20(1)(f) of the Social Security Contributions and Benefits Act 1992(6), or a category C or category D pension within the meaning of section 63(f) of that Act or a graduated retirement benefit as referred to in section 62 of that Act;

“scheme year” (“*blwyddyn gynllun*”) means a calendar year;

“severely disadvantage land” (“*tir tan anfantais ddifrifol*”) means land shown coloured pink on the designated maps;

(4) O.J. No. L160, 26.06.99, p.21.

(5) S.I.1992/2677.

(6) 1992 c. 4.

“stocking density” (“*dwysedd stocio*”) means the number of livestock units divided by the number of hectares;

“suckler cow” (“*buwch sugno*”) has the same meaning as in Article 3 of Council Regulation 1254/1999;

“woodland” (“*coetir*”) means land used primarily for the growing of trees.

(2) Any reference in these Regulations to a Community instrument is reference to that instrument as amended on the date on which these Regulations are made.

(3) Any reference in these Regulations to a numbered regulation or schedule (without a corresponding reference to a specific instrument) is a reference to the regulation or schedule so numbered in these Regulations.