



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2014 Rhif 2367 (Cy. 230)

2014 No. 2367 (W. 230)

AMAETHYDDIAETH, CYMRU

AGRICULTURE, WALES

Rheoliadau Cynllun Taliad
Sylfaenol y Polisi Amaethyddol
Cyffredin (Dosbarthiad
Rhanbarthau Talu Dros Dro)
(Cymru) (Diwygio) 2014

The Common Agricultural Policy
Basic Payment Scheme (Provisional
Payment Region Classification)
(Wales) (Amendment) Regulations
2014

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Cynllun Taliad Sylfaenol y Polisi Amaethyddol Cyffredin (Dosbarthiad Rhanbarthau Talu Dros Dro) (Cymru) 2014 (O.S. 2014/1835) (Cy. 189) ("y Prif Reoliadau").

Mae rheoliad 2(2) yn diwygio rheoliad 2(1) o'r Prif Reoliadau drwy ddileu'r diffiniad o gnydau â'r, diwygio'r diffiniad o ddsbarthiad rhanbarthau talu dros dro a mewnosod diffiniad o lystyfiant ucheldirol lled-naturiol.

Mae rheoliad 2(3) yn diwygio'r diffiniadau o rostir ac ardal dan anfantais ddifrifol yn y Prif Reoliadau.

Mae rheoliad 2(4) yn rhoi Atodlen newydd sydd â rhestr o rywogaethau o lystyfiant ucheldirol lled-naturiol yn lle Atodlen y Prif Reoliadau.

Mae Aseiad Effaith Rheoleiddiol o effeithiau'r Rheoliadau hyn ar gostau busnes, mewn perthynas â busnesau fferm yng Nghymru, wedi ei baratoi mewn cysylltiad â'r Rheoliadau hyn. Gellir cael copïau ohono oddi wrth yr Adran Dyfodol Cynaliadwy, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Common Agricultural Policy Basic Payment Scheme (Provisional Payment Region Classification) (Wales) Regulations 2014 (S.I. 2014/1835)(W. 189) ("the Principal Regulations").

Regulation 2(2) amends regulation 2(1) of the Principal Regulations by deleting the definition of arable crops, amending the definition of provisional payment region classification and inserting a definition of semi-natural upland vegetation.

Regulation 2(3) amends the definition of moorland and severely disadvantaged area in the Principal Regulations.

Regulation 2(4) replaces the Schedule of the Principal Regulations with a new Schedule with a list of species of semi-natural upland vegetation.

A Regulatory Impact Assessment of the effects of these Regulations on the costs of business, in relation to farm businesses in Wales, has been prepared in respect of these Regulations. Copies can be obtained from the Department of Sustainable Futures, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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Gwnaed 5 Medi 2014
Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru 5 Medi 2014
Yn dod i rym 26 Medi 2014

Made 5 September 2014
Laid before the National Assembly for Wales
5 September 2014
Coming into force 26 September 2014

Mae Gweinidogion Cymru wedi eu dynodi(1) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(2) mewn perthynas â pholisi amaethyddol cyffredin yr Undeb Ewropeaidd.

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 Union.

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddwyd gan adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972 a pharagraff 1A o Atodlen 2 iddi.

The Welsh Ministers make these Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972.

Enwi, cychwyn a chymhwys

Title, application and commencement

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynllun Taliad Sylfaenol y Polisi Amaethyddol Cyffredin (Dosbarthiad Rhanbarthau Talu Dros Dro) (Cymru) (Diwygio) 2014.

1.—(1) The title of these Regulations is the Common Agricultural Policy Basic Payment Scheme (Provisional Payment Region Classification) (Wales) (Amendment) Regulations 2014.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(2) These Regulations apply in relation to Wales.

(3) Daw'r Rheoliadau hyn i rym ar [...] 2014.

(3) These Regulations come into force on [...] 2014.

(1) O.S. 2010/2690.

(2) 1972 p. 68. Diwygiwyd adran 2(2) gan adran 27(1)(a) o Ddeddf Diwygio Deddfwriaethol a Rheoleiddiol 2006 (p. 51) ac adran 3(3) o Ddeddf yr Undeb Ewropeaidd (Diwygio) 2008 (p. 7) a Rhan 1 o'r Atodlen iddi. Mewnosodwyd paragraff 1A o Atodlen 2 gan adran 28 o Ddeddf Diwygio Deddfwriaethol a Rheoleiddiol 2006.

(1) S.I. 2010/2690.

(2) 1972 c. 68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and by section 3(3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c. 7). Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006.

Diwygio Rheoliadau Cynllun Taliad Sylfaenol y Polisi Amaethyddol Cyffredin (Dosbarthiad Rhanbarthau Talu Dros Dro) (Cymru) 2014

2.—(1) Mae Rheoliadau Cynllun Taliad Sylfaenol y Polisi Amaethyddol Cyffredin (Dosbarthiad Rhanbarthau Talu Dros Dro) (Cymru) 2014(1) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2(1)—

- (a) dilëer y diffiniad o “cnydau âr” (“*arable crops*”);
- (b) yn y diffiniad o “dosbarthiad rhanbarthau talu dros dro” (“*provisional payment region classification*”), ar ôl “parsel cyfeirio” pan fo’n ymddangos am y tro cyntaf mewnosoder “, neu ardal o dir o fewn parsel cyfeirio,”;
- (c) ar ôl y diffiniad o “dosbarthiad rhanbarthau talu dros dro” (“*provisional payment region classification*”) mewnosoder—

“ystyr “*llystyfiant ucheldirol lled-naturiol*” (“*semi-natural upland vegetation*”) yw’r rhywogaethau hynny a restrir yn yr Atodlen;”.

(3) Yn rheoliad 3(2)—

- (a) yn lle paragraff (c) o’r diffiniad o “rhostir” (“*moorland*”) rhodder—
 - “(c) y mae 50% neu fwy ohono’n llystyfiant ucheldirol lled-naturiol, neu’n gerrig brig a llystyfiant ucheldirol lled-naturiol a ddefnyddir yn bennaf ar gyfer pori garw.”
- (b) dilëer paragraff (d) o’r diffiniad o “rhostir” (“*moorland*”);
- (c) dilëer paragraff (e) o’r diffiniad o “rhostir” (“*moorland*”);
- (d) yn y diffiniad o “yr ardal dan anfantais ddifrifol” (“*the severely disadvantaged area*”), ar ôl “tir” rhodder “nad yw’n rhostir ac”.

(4) Yn lle’r Atodlen (Rhywogaethau Amaethyddol Wedi eu Gwella) rhodder yr Atodlen i’r Rheoliadau hyn.

Amendment to the Common Agricultural Policy Basic Payment Scheme (Provisional Payment Region Classification) (Wales) Regulations 2014

2.—(1) The Common Agricultural Policy Basic Payment Scheme (Provisional Payment Region Classification) (Wales) Regulations 2014(1) are amended as follows.

(2) In regulation 2(1)—

- (a) delete the definition of “arable crops” (“*cnydau âr*”);
- (b) in the definition of “provisional payment region classification” (“*dosbarthiad rhanbarthau talu dros dro*”), after “reference parcel” in the first place it appears insert “, or an area of land within a reference parcel,”;
- (c) after the definition of “provisional payment region classification” (“*dosbarthiad rhanbarthau talu dros dro*”) insert—
“*semi-natural upland vegetation*” (“*llystyfiant ucheldirol lled-naturiol*”) means those species listed in the Schedule;”.

(3) In regulation 3(2)—

- (a) for paragraph (c) of the definition of “moorland” (“*rhostir*”) substitute—
“(c) has 50% or more semi-natural upland vegetation, or is comprised of 50% or more rock outcrops and semi-upland vegetation used primarily for rough grazing.”
- (b) delete paragraph (d) of the definition of “moorland” (“*rhostir*”);
- (c) delete paragraph (e) of the definition of “moorland” (“*rhostir*”);
- (d) in the definition of “the severely disadvantaged area” (“*yr ardal dan anfantais ddifrifol*”), after “which” insert “is not moorland and”.

(4) For the Schedule (Improved Agricultural Species) substitute the Schedule to these Regulations.

Rebecca Evans

Y Dirprwy Weinidog Amaeth a Physgodfeydd, o dan awdurdod y Gweinidog Economi, Gwyddoniaeth a Thrafnidiaeth, un o Weinidogion Cymru

Deputy Minister for Agriculture and Fisheries under authority of the Minister for Economy, Science and Transport, one of the Welsh Ministers

5 Medi 2014

5 September 2014

Rhywogaethau o lystyfiant ucheldirol lled-naturiol

Maeswellt	(<i>Agrostis spp.</i>)
Peisgwellt	(<i>Festuca spp.</i>)
Brigwellt main	(<i>Deschampsia flexuosa</i>)
Llwydwellt y calch	(<i>Sesleria albicans</i>)
Glaswellt y gweunydd	(<i>Molinia caerulea</i>)
Cawn du	(<i>Nardus stricta</i>)
Rhedyn ungoes	(<i>Pteridium aquilinum</i>)
Grug	(<i>Calluna vulgaris; Erica spp.</i>)
Llus	(<i>Vaccinium myrtillus</i>)
Creiglus	(<i>Empetrum nigrum</i>)
Eithin	(<i>Ulex spp.</i>)
Plu'r gweunydd	(<i>Eriophorum spp.</i>)
Clwbfrwyn y mawn	(<i>Trichophorum cespitosum</i>)
Brwyn troellgorun	(<i>Juncus squarrosus</i>)
Migwyn	(<i>Sphagnum spp.</i>)

SCHEDULE

Regulation 2(1)

Species of semi-natural upland vegetation

Bent grass	(<i>Agrostis spp.</i>)
Fescue	(<i>Festuca spp.</i>)
Wavy hair-grass	(<i>Deschampsia flexuosa</i>)
Blue moor-grass	(<i>Sesleria albicans</i>)
Purple moor-grass	(<i>Molinia caerulea</i>)
Mat-grass	(<i>Nardus stricta</i>)
Bracken	(<i>Pteridium aquilinum</i>)
Heather	(<i>Calluna vulgaris; Erica spp.</i>)
Bilberry	(<i>Vaccinium myrtillus</i>)
Crowberry	(<i>Empetrum nigrum</i>)
Gorse	(<i>Ulex spp</i>)
Cotton-grass	(<i>Eriophorum spp.</i>)
Deer-grass	(<i>Trichophorum cespitosum</i>)
Heath rush	(<i>Juncus squarrosus</i>)
Bog moss	(<i>Sphagnum spp.</i>)

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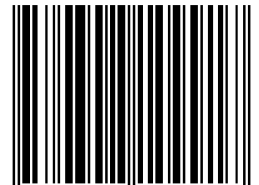
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