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WELSH STATUTORY INSTRUMENTS

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**2021 No. 400**

**The Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021**

**PART 2**

**Rural Development: Horizontal Legislation**

**Amendment of Commission Implementing Regulation (EU) No. 809/2014**

4.—(1) Commission Implementing Regulation (EU) No. 809/2014 laying down rules for the application of Regulation (EU) No. 1306/2013 of the European Parliament and of the Council with regard to the integrated administration and control system, rural development measures and cross compliance<sup>(1)</sup>, is amended, in so far as it relates to domestic support for rural development, as follows.

- (2) In Article 4, omit the final paragraph.
- (3) In Article 6(2), in point (c), for “Articles 13 and 14” substitute “Article 13”.
- (4) In Article 15—
  - (a) omit paragraph 1b;
  - (b) omit paragraph 2b;
  - (c) in paragraph 3, omit the final subparagraph.
- (5) In Article 17—
  - (a) omit paragraph 2;
  - (b) omit paragraph 5;
  - (c) omit paragraph 6.
- (6) In Article 25, omit “and shall not exceed 14 days”.
- (7) In Article 26—
  - (a) omit paragraph 2;
  - (b) omit paragraph 4.
- (8) In Article 27, omit the second and third paragraphs.
- (9) In Article 32—
  - (a) in paragraph 1—
    - (i) in the first subparagraph, omit the last sentence;
    - (ii) omit the second subparagraph;

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(1) EUR 2014/809, amended in relation to direct payment schemes by [S.I. 2020/90](#) and [576](#). EUR 2014/809 is also amended in relation to rural development schemes in Wales by [S.I. 2020/510](#) and [575](#). EUR 2014/809 is also amended by [S.I. 2019/765](#). However, by virtue of the amendments in [S.I. 2020/1445](#), these amendments do not have effect in relation to rural development support.

- (b) omit paragraph 2;
  - (c) omit paragraph 2a;
  - (d) omit paragraph 4.
- (10) After Article 32 insert—

*“Article 32a*

For animal aid schemes, the control sample for on-the-spot checks carried out each year shall for each of the aid schemes cover at least 5% of all beneficiaries applying for that respective aid scheme.”

- (11) In Article 34—
- (a) in paragraph 2, omit the final subparagraph;
  - (b) omit paragraphs 3, 4 and 4a;
  - (c) in paragraph 5—
    - (i) for “shall” substitute “may”;
    - (ii) in point (d), after “that” insert “may”.
- (12) In Article 35, omit “or in a region or part of a region”.
- (13) In Article 36(4), omit the second subparagraph.
- (14) In Article 38—
- (a) omit the final sentence in paragraph 5;
  - (b) omit paragraph 9;
  - (c) in paragraph 10, omit “or permanent pastures”.
- (15) In Article 39, omit paragraph 4.
- (16) Omit Article 40a.
- (17) In Article 41—
- (a) omit the final subparagraph of paragraph 1;
  - (b) in the final subparagraph of paragraph 2—
    - (i) omit “or by means of monitoring in accordance with Article 40a.”;
    - (ii) omit “or by monitoring” in both places that it occurs;
    - (iii) omit the final sentence.
- (18) In Article 42(1), in the second subparagraph—
- (a) omit “at least 50% of”;
  - (b) for “shall”, in both places it occurs, substitute “may”.
- (19) In Article 43(2), for “shall” substitute “may” in the first place it occurs.
- (20) In Article 46, omit “, Article 39b and Article 51(2)”.
- (21) In Article 47(2), omit “and 19(1)(c),”.
- (22) In Article 48—
- (a) in paragraph 2—
    - (i) in the first subparagraph, omit “State aid”;
    - (ii) in point (e)—
      - (aa) for “EUR 5 000” substitute “£5 000”;
      - (bb) omit “ex ante”;

- (b) in paragraph 5—
  - (i) at the end of the first subparagraph insert—

“Those checks shall, to the extent possible, be carried out before the final payment is made for an operation.”;
  - (ii) omit point (a).
- (23) Omit Articles 49 to 51.
- (24) In Article 52(3), for the final sentence substitute “A sample shall be selected randomly.”
- (25) Omit Article 62.
- (26) In Article 63—
  - (a) in paragraph 1, for “calculated” substitute “adjusted”;
  - (b) omit paragraph 2.
- (27) In Article 68—
  - (a) in paragraph 1—
    - (i) in the first subparagraph, omit “and the other beneficiaries receiving direct payment support”;
    - (ii) omit the second and third subparagraphs;
  - (b) in paragraph 4, for “shall” substitute “may”.
- (28) In Article 69(1), omit the final sentence of the first subparagraph.
- (29) In Article 70—
  - (a) in paragraph 3, omit the words from “or by using” to the end;
  - (b) omit paragraph 4.
- (30) Omit Articles 70a and 70b.
- (31) In Article 72—
  - (a) in paragraph 1, omit the final subparagraph;
  - (b) in paragraph 2, omit “checked by monitoring in accordance with Article 70a,”;
  - (c) in paragraph 3, omit the final sentence in the first subparagraph;
  - (d) in paragraph 4, omit the second sentence of the first subparagraph.