CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2006 Rhif 357 (Cy.45)

AMAETHYDDIAETH, CYMRU

Rheoliadau Cynllun Taliad Sengl a Chynlluniau Cymorth y Polisi Amaethyddol Cyffredin (Cymru) (Diwygio) 2006

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn, sy'n gymwys o ran Cymru, yn diwygio Rheoliadau Cynllun Taliad Sengl a Chynlluniau Cymorth y Polisi Amaethyddol Cyffredin (Cymru) 2005 (O.S. 2005/360 (Cy.29)) ("y prif Reoliadau"). Mae'r prif Reoliadau yn gwneud darpariaeth ar gyfer gweinyddu Rheoliad y Cyngor (EC) Rhif 1782/2003 (O.J. Rhif L270, 21.10.2003, t.1) ("Rheoliad y Cyngor"), Rheoliad y Comisiwn (EC) Rhif 795/2004 (O.J. Rhif L 141, 30.4.2004, t.1) ("Rheoliad y Comisiwn 795/2004") a Rheoliad y Comisiwn (EC) Rhif 796 /2004 (O.J. L141, 30.4.2004, t.18) ("Rheoliad y Comisiwn 796/2004") mewn perthynas â sefydlu system newydd o gynlluniau cymorth uniongyrchol (gan gynnwys Cynllun y Taliad Sengl) o dan y Polisi Amaethyddol Cyffredin. Daeth y system newydd hon yn effeithiol ar 1 Ionawr 2005.

Mae'r Rheoliadau hyn yn diweddaru cyfeiriadau yn y prif Reoliadau at Reoliad y Comisiwn 795/2004 a Rheoliad y Comisiwn 796/2004 i adlewyrchu'r diwygiadau a wnaed i'r rheoliadau hynny ers i'r prif Reoliadau ddod i rym (rheoliad 3).

Maent hefyd yn rhoi rheoliad 6 newydd yn y prif Reoliadau er mwyn awdurdodi ffermwyr i wneud defnydd o'r posibilrwydd, a gyflwynwyd gan Reoliad y Comisiwn (EC) Rhif 606/2005, o bennu dau ddyddiad gwahanol ar gyfer dechrau'r cyfnod o 10 mis pan fo'n rhaid i barseli o dir cymwys fod ar gael at ddefnydd ffermwr at ddibenion cynllun y taliad sengl (rheoliad 4).

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2006 No. 357 (W.45)

AGRICULTURE, WALES

The Common Agricultural Policy Single Payment and Support Schemes (Wales) (Amendment) Regulations 2006

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations, which apply in relation to Wales, amend the Common Agricultural Policy Single Payment and Support Schemes (Wales) Regulations 2005 (S.I. 2005/360 (W.29)) ("the principal Regulations"). The principal Regulations make provision for the administration of Council Regulation (EC) No. 1782/2003 (O.J. No. L270, 21.10.2003, p.1) ("the Council Regulation"), Commission Regulation (EC) No. 795/2004 (O.J. No. L 141, 30.4.2004, p.1) ("Commission Regulation 795/2004") and Commission Regulation (EC) No. 796/2004 (O.J. L141, 30.4.2004, p.18) ("Commission Regulation 796/2004") in relation to establishing a new system of direct support schemes (including the Single Payment Scheme) under the Common Agricultural Policy. This new system came into effect on 1 January 2005.

These regulations update references in the principal Regulations to the Commission Regulation 795/2004 and Commission Regulation 796/2004 to reflect the amendments that have been made to those regulations since the coming into force of the principal Regulations (regulation 3).

They also substitute a new regulation 6 in the principal Regulations so as to authorise farmers to make use of the possibility, introduced by Commission Regulation (EC) No. 606/2005, to fix two different dates for the beginning of the 10 month period in respect of which parcels of eligible land have to be at a farmer's disposal for the purposes of the single payment scheme (regulation 4).

Mae'r Rheoliadau hyn hefyd yn dileu paragraff (2) o reoliad 9 o'r prif Reoliadau a thrwy hynny'n caniatáu i'r cyfnod pan fo'n rhaid hysbysu'r Cynulliad Cenedlaethol o drosglwyddiadau hawl i daliad gael ei benderfynu'n unol â phwerau disgresiynol a roddir i'r Cynulliad Cenedlaethol, fel un o awdurdodau cymwys yr aelod-wladwriaeth, o dan Erthygl 25(3) o Reoliad y Comisiwn 795/2004.

Paratowyd arfarniad rheoliadol mewn perthynas â'r Rheoliadau hyn ac mae ar gael i'w archwilio yn swyddfeydd Cynulliad Cenedlaethol Cymru, Adran yr Amgylchedd, Cynllunio a Chefn Gwlad, Adeiladau'r Goron, Parc Cathays, Caerdydd, CF10 3NQ.

These regulations also delete paragraph (2) of regulation 9 of the principal Regulations thereby allowing the period within which payment entitlement transfers are to be communicated to the National Assembly, to be determined in accordance with the discretionary powers granted to the National Assembly, as a competent authority of the member state, under Article 25(3) of Commission Regulation 795/2004.

A regulatory appraisal has been prepared in respect of these Regulations and is available for inspection at the offices of the National Assembly for Wales, Department for Environment, Planning and Countryside, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ.

OFFERYNNAU STATUDOL

2006 Rhif 357 (Cy.45)

AMAETHYDDIAETH, CYMRU

Rheoliadau Cynllun Taliad Sengl a Chynlluniau Cymorth y Polisi Amaethyddol Cyffredin (Cymru) (Diwygio) 2006

Wedi'u gwneud	*14 Chwefror 2006*
Yn dod i rym	*20 Chwefror 2006*

Mae Cynulliad Cenedlaethol Cymru, ac yntau wedi'i ddynodi(**1**) at ddibenion adran 2(2) o Ddeddf Cymunedau Ewrop 1972(**2**) mewn perthynas â pholisi amaethyddol cyffredin y Gymuned Ewropeaidd, drwy arfer y pwerau a roddwyd iddo gan yr adran honno, drwy hyn yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn a chymhwyso

1. Enw'r Rheoliadau hyn yw Rheoliadau Cynllun Taliad Sengl a Chynlluniau Cymorth y Polisi Amaethyddol Cyffredin (Cymru) (Diwygio) 2006. Deuant i rym ar 20 Chwefror 2006 ac maent yn gymwys o ran Cymru.

Diwygio Rheoliadau Cynllun Taliad Sengl a Chynlluniau Cymorth y Polisi Amaethyddol Cyffredin (Cymru) 2005

2. Diwygir Rheoliadau Cynllun Taliad Sengl a Chynlluniau Cymorth y Polisi Amaethyddol Cyffredin (Cymru) 2005(**3**) yn unol â rheoliadau 3 i 5.

3. Yn rheoliad 2(1) (Dehongli)-

(a) ar ddiwedd y diffiniad o "Commission Regulation 795/2004" mewnosoder ", as last amended by Commission Regulation (EC) No. 394/2005(**4**), Commission Regulation (EC) No. 606/2005(**5**), Commission Regulation (EC) No. 1085/2005(**6**) and Commission Regulation (EC) No. 1701/2005(**7**)."; a,

(**1**) O.S. 2005/2766.

(**2**) 1972 p.68.

(**3**) O.S. 2005/360 (Cy.29).

(**4**) O.J. Rhif L63, 10.3.2005, t.17.

(**5**) O.J. Rhif L100, 20.4.05, t.15.

(**6**) O.J. Rhif L 177, 9.7.05, t.27.

(**7**) O.J. Rhif L273, 19.10.05.

STATUTORY INSTRUMENTS

2006 No. 357 (W.45)

AGRICULTURE, WALES

The Common Agricultural Policy Single Payment and Support Schemes (Wales) (Amendment) Regulations 2006

Made	*14 February 2006*
Coming into force	*20 February 2006*

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 upon it by that section hereby makes the following Regulations:

Title, commencement and application

1. The title of these Regulations is the Common Agricultural Policy Single Payment and Support Schemes (Wales) (Amendment) Regulations 2006. They come into force on 20 February 2006 and apply in relation to Wales.

Amendment of the Common Agricultural Policy Single Payment and Support Schemes (Wales) Regulations 2005

2. The Common Agricultural Policy Single Payment and Support Schemes (Wales) Regulations 2005(**3**) are amended in accordance with Regulations 3 to 5.

3. In regulation 2(1) (Interpretation)-

(a) at the end of the definition of "Commission Regulation 795/2004" insert ", as last amended by Commission Regulation (EC) No. 394/2005(**4**), Commission Regulation (EC) No. 606/2005(**5**), Commission Regulation (EC) No. 1085/2005(**6**) and Commission Regulation (EC) No. 1701/2005(**7**)."; and,

(**1**) S.I. 2005/2766

(**2**) 1972 c.68

(**3**) S.I. 2005/360 (W.29)

(**4**) O.J. No. L63, 10.3.2005, p.17.

(**5**) O.J. No. L100, 20.4.05, p.15.

(**6**) O.J. No. L 177, 9.7.05, p.27

(**7**) O.J. No. L273, 19.10.05.

(b) ar ddiwedd y diffiniad o "Commission Regulation 796/2004" mewnosoder ", as last amended by Commission Regulation (EC) No. 239/2005(**1**) and Commission Regulation (EC) No.1954/2005(**2**) and Commission Regualtion (EC) No. 2184/2005(**3**).".

4. Yn lle rheoliad 6 (cyfnod o 10 mis), rhodder y canlynol-

"**10 month period**

6.-(1) For the purposes of Article 24(2), first subparagraph, of Commission Regulation 795/2004, the period in which the beginning of the 10 month period referred to in Article 44(3) of the Council Regulation is to be fixed, is the period beginning on 1 October of the calendar year preceding the year of submitting an application under the Single Payment Scheme and ending on 30 April of the year of application.

(2) For the purposes of Article 24(2), second subparagraph, of Commission Regulation 795/2004, farmers are authorised to fix two different dates for the beginning of the 10 month period.".

5. Yn rheoliad 9 (Trosglwyddiadau), dileer paragraff (2) ac yn lle'r cyfeiriad at rif "9.-(1)" rhodder y cyfeiriad at rif "9".

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**4**)

14 Chwefror 2006

Dirprwy Lywydd y Cynulliad Cenedlaethol

(**1**) O.J. Rhif L042, 12.2.05, t.3

(**2**) O.J. Rhif L314, 30.11.05, t.10.

(**3**) O.J. Rhif L347, 30.12.05, p.61.

(**4**) 1998 p.38.

(b) at the end of the definition of "Commission Regulation 796/2004" insert ", as last amended by Commission Regulation (EC) No. 239/2005(**1**) Commission Regulation (EC) No. 1954/2005(**2**) and Commission Regualtion (EC) No. 2184/2005(**3**).".

4. For regulation 6 (10 month period), substitute the following-

"**10 month period**

6.-(1) For the purposes of Article 24(2), first subparagraph, of Commission Regulation 795/2004, the period in which the beginning of the 10 month period referred to in Article 44(3) of the Council Regulation is to be fixed, is the period beginning on 1 October of the calendar year preceding the year of submitting an application under the Single Payment Scheme and ending on 30 April of the year of application.

(2) For the purposes of Article 24(2), second subparagraph, of Commission Regulation 795/2004, farmers are authorised to fix two different dates for the beginning of the 10 month period.".

5. In regulation 9 (Transfers), paragraph (2) is deleted and for the numerical reference "9.-(1)" substitute the numerical reference "9".

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**4**)

14 February 2006

John Marek

The Deputy Presiding Officer of the National Assembly

(**1**) O.J. No. L042, 12.02.05, p.3.

(**2**) O.J. No. L314, 30.11.05, p.10.

(**3**) O.J. No. L347, 30.12.05, p.61.

(**4**) 1998 c.38.

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2006 Rhif 357 (Cy.45)

AMAETHYDDIAETH, CYMRU

Rheoliadau Cynllun Taliad Sengl a Chynlluniau Cymorth y Polisi Amaethyddol Cyffredin (Cymru) (Diwygio) 2006

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The Common Agricultural Policy Single Payment and Support Schemes (Wales) (Amendment) Regulations 2006

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