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WELSH STATUTORY INSTRUMENTS

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**2017 No. 724**

**The School Milk (Wales) Regulations 2017**

**Interpretation**

**2.—(1)** In these Regulations—

[<sup>F1</sup>“aid” (“*cymorth*”) means aid granted pursuant to Article 23(1) of the Council Regulation and in accordance with the Commission Delegated Regulation and Commission Implementing Regulation (but see regulation 5(A1));]

“applicant” (“*ceisydd*”) means an applicant for aid as described in Article 5 of the Commission Delegated Regulation that has been approved in accordance with Article 6 of the Commission Delegated Regulation;

“authorised person” (“*person awdurdodedig*”) means any person authorised by the Welsh Ministers to act in matters arising under these Regulations or the European Regulations;

“Commission Delegated Regulation” (“*Rheoliad Dirprwyedig y Comisiwn*”) means Commission Delegated Regulation (EU) 2017/40 of 3 November 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to [<sup>F2</sup>aid] for the supply of fruit and vegetables, bananas and milk in educational establishments and amending Commission Delegated Regulation (EU) No 907/2014, as amended from time to time(1);

“Commission Implementing Regulation” (“*Rheoliad Gweithredu'r Comisiwn*”) means Commission Implementing Regulation (EU) 2017/39 of 3 November 2016 on rules of the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to [<sup>F2</sup>aid] for the supply of fruit and vegetables, bananas and milk in educational establishments, as amended from time to time(2);

“cost of supply” (“*cost cyflenwi*”) in relation to qualifying milk products means the cost of purchase plus an amount which the Welsh Ministers reasonably considers to be sufficient for the purposes of defraying the cost of procuring and administering the supply of those milk products;

“Council Regulation” (“*Rheoliad y Cyngor*”) means Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007(3) as amended by Regulation (EU) 2016/791 of the European Parliament and of the Council of 11 May 2016 amending Regulations (EU) No 1308/2013 (the Council Regulation) and (EU) No 1306/2013 as regards the aid scheme for the supply of fruit and vegetables, bananas and milk in educational establishments(4), and as amended from time to time;

“eligible pupils” (“*disgyblion cymwys*”) means pupils receiving education at a qualifying educational establishment and are in reception, year 1 or year 2;

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(1) OJ L 5, 10.1.2017, p. 11.

(2) OJ L 5, 10.1.2017, p. 1.

(3) OJ L 347, 20.12.2013, p. 671.

(4) OJ L 135, 24.5.2016, p. 1.

“European Regulations” (“*Rheoliadau Ewropeaidd*”) means the—

- (a) Council Regulation,
- (b) Commission Delegated Regulation,
- (c) Commission Implementing Regulation;

“Horizontal Implementing Regulation” (“*Rheoliad Gweithredu Llorweddol*”) means Commission Implementing Regulation (EU) No 809/2014 of 17 July 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, as amended from time to time<sup>(5)</sup>;

F3  
...

“qualifying educational establishment” (“*sefydliad addysgol cymhwysol*”) means an educational establishment referred to in Article 22 of the Council Regulation;

“qualifying milk products” (“*cynhyrchion llaeth cymhwysol*”) means the milk and milk products listed in Article 23(3)(b) and (4)(b) of, and Annex V to the Council Regulation;

“reception” (“*blwyddyn derbyn*”) means a year group in which the majority of children will, in the school year, attain the age of 5;

“the residual costs” (“*y costau gweddilliol*”) means the cost of supply, incurred by a purchaser in connection with the supply of qualifying milk products to a qualifying educational establishment, less any [<sup>F4</sup>aid] that may be granted in respect of that supply;

“school year” (“*blwyddyn ysgol*”) in relation to a school, means the period beginning with the first school term to begin after July and ending with the beginning of the first such term to begin after the following July;

F5  
...

“year 1” (“*blwyddyn 1*”) means a year group in which the majority of children will, in the school year, attain the age of 6;

“year 2” (“*blwyddyn 2*”) means a year group in which the majority of children will, in the school year, attain the age of 7;

“year group” (“*grŵp blwyddyn*”) means a group of children at a school the majority of whom will, in a particular school year, attain the same age.

(2) Except where the context otherwise requires, other expressions used in the Regulations have the meaning they bear in the European Regulations.

#### Textual Amendments

- F1** Words in reg. 2(1) inserted (31.12.2020) by The Food (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019 (S.I. 2019/732), regs. 1(2), **8(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Word in reg. 2(1) substituted (31.12.2020) by The Food (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019 (S.I. 2019/732), regs. 1(2), **8(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in reg. 2(1) omitted (31.12.2020) by virtue of The Food (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019 (S.I. 2019/732), regs. 1(2), **8(2)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Word in reg. 2(1) substituted (31.12.2020) by The Food (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019 (S.I. 2019/732), regs. 1(2), **8(2)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in reg. 2(1) omitted (31.12.2020) by virtue of The Food (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019 (S.I. 2019/732), regs. 1(2), **8(2)(e)**; 2020 c. 1, Sch. 5 para. 1(1)

(5) OJ L 227, 31.7.2014, p. 69.

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**Changes to legislation:** *There are currently no known outstanding effects for the The School Milk (Wales) Regulations 2017, Section 2. (See end of Document for details)*

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**Commencement Information**

**II** Reg. 2 in force at 1.8.2017, see [reg. 1\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The School Milk (Wales) Regulations 2017, Section 2.