WELSH STATUTORY INSTRUMENTS

2020 No. 104 (W. 17)

AGRICULTURE, WALES

The Common Agricultural Policy (Direct Payments to Farmers) (Miscellaneous Amendments) (Wales) Regulations 2020

Approved by Senedd Cymru

	at 3.51 p.m. 31st
Made - - - -	*January 2020*
Laid before the National Assembly for Wales - -	*4th February 2020*

Coming into force in accordance with regulation 1(2)

The Welsh Ministers, in exercise of the powers conferred by section 3(3)(a) of the Direct Payments to Farmers (Legislative Continuity) Act 2020(**1**), make the following Regulations.

Title and commencement

1.—(1) The title of these Regulations is the Common Agricultural Policy (Direct Payments to Farmers) (Miscellaneous Amendments) (Wales) Regulations 2020.

(2) These Regulations come into force on exit day and paragraph 1(1) of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020(**2**) does not apply.

The Common Agricultural Policy (Integrated Administration and Control System and Enforcement and Cross Compliance) (Wales) Regulations 2014

2.—(1) The Common Agricultural Policy (Integrated Administration and Control System and Enforcement and Cross Compliance) (Wales) Regulations 2014(**3**) are amended as follows.

(2) In regulation 2—

(a) in paragraph (1), for the definition of "direct payments" substitute—

> ""direct payments" ("*taliadau uniongyrchol*") has the meaning given by Article 1 of the Direct Payments Regulation;";

(b) after paragraph (1) insert—

> "(1A) References in these Regulations to the Horizontal Delegated Regulation, the Horizontal Implementing Regulation and the Horizontal Regulation are, to the extent that

(**1**) 2020 c. 2; see section 3(10) for the definition of "devolved authority".
(**2**) 2020 c. 1.
(**3**) S.I. 2014/3223 (W. 328), to which there are amendments not relevant to these Regulations.

they relate to the direct payments for claim year 2020, references to those Regulations as they exist in domestic law."

(3) In regulation 7, in paragraph (7)(a), at the beginning insert "except for matters relating to direct payments for claim year 2020,".

The Common Agricultural Policy Basic Payment and Support Schemes (Wales) Regulations 2015

3.—(1) The Common Agricultural Policy Basic Payment and Support Schemes (Wales) Regulations 2015(**4**) are amended as follows.

(2) In regulation 3—

(a) omit "and (2)", and

(b) for "Article 10(1)(b)" substitute "Article 10(1)".

(3) In regulation 7, omit "and (2)(c)".

(4) In regulation 11(1) and (2), after "Direct Payments Delegated Regulation" insert "as it applied immediately prior to exit day".

Lesley Griffiths
Minister for Environment, Energy and Rural Affairs, one of the Welsh Ministers

At 3:51 p.m. on 31 January 2020

(**4**) S.I. 2015/1252 (W. 84), amended by S.I. 2016/217 (W. 86).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 3(3)(a) of the Direct Payments to Farmers (Legislative Continuity) Act 2020 (c. 2) in order to address failures of retained EU law governing the Common Agricultural Policy Direct Payment Schemes to operate effectively, and deficiencies in that retained EU law.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.