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WELSH STATUTORY INSTRUMENTS

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**2020 No. 1556**

**The Direct Payments to Farmers and Rural  
Affairs (Miscellaneous Amendments  
etc.) (Wales) (EU Exit) Regulations 2020**

**PART 4**

**Direct Payments: Domestic Legislation**

**Amendment of the Common Agricultural Policy (Integrated Administration and Control System and Enforcement and Cross Compliance) (Wales) Regulations 2014**

**10.**—(1) The Common Agricultural Policy (Integrated Administration and Control System and Enforcement and Cross Compliance) (Wales) Regulations 2014(1) are amended, insofar as they relate to direct payments, as follows.

- (2) In regulation 2, omit paragraph (1A).
- (3) In regulation 5—
  - (a) for paragraph (2)(b) substitute—
    - “(b) includes a statement by the Welsh Ministers of the rate for that period;”;
  - (b) omit paragraph (3).
- (4) In Schedule 1, after paragraph 15 insert—

**“Converting, ploughing or reseeded land designated as environmentally sensitive permanent grassland**

**16.**—(1) A beneficiary may only convert, plough or reseed certain areas of environmentally sensitive permanent grassland if—

- (a) the site of special scientific interest notification requires or allows the beneficiary to plough or convert certain areas of the site of special scientific interest; or
  - (b) consent to do so has been provided by Natural Resources Wales.
- (2) In this paragraph—
- “environmentally sensitive permanent grassland” (*“glaswelltir parhaol amgylcheddol-sensitif”*) means—
- (a) grassland located in a site of special scientific interest; and
  - (b) grassland in relation to which written consent to plough is required in accordance with section 28E(1) of the Wildlife and Countryside Act 1981(2) but such consent has not been obtained;

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(1) S.I. 2014/3223 (W. 328), amended by S.I. 2016/217 (W. 86), S.I. 2016/1154, S.I. 2017/565 (W. 134), S.I. 2019/688 (W. 132) as from implementation period completion day, and S.I. 2020/104 (W. 17).

(2) 1981 c. 69.

“site of special scientific interest” (“*safle o ddiddordeb gwyddonol arbennig*”) has the meaning given in section 52(1) of the Wildlife and Countryside Act 1981.”

#### **Amendment of the Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) Regulations 2014**

**11.**—(1) The Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) Regulations 2014(3) are amended, insofar as they relate to direct payments, as follows.

(2) In regulation 2 (interpretation), in the definition of “competent authority”, omit “, except as otherwise provided by regulation 3,”.

(3) In regulation 3 (competent authority)—

- (a) omit paragraphs (2) to (3A);
- (b) for paragraph (4) substitute—

“(4) In this regulation, “holding” has the meaning given by Article 4(1)(b) of the Direct Payments Regulation.”

#### **Amendment of the Common Agricultural Policy Basic Payment and Support Schemes (Wales) Regulations 2015**

**12.**—(1) The Common Agricultural Policy Basic Payment and Support Schemes (Wales) Regulations 2015(4) are amended, insofar as they relate to direct payments, as follows.

(2) In regulation 3—

- (a) the existing provision is renumbered as paragraph (1);
- (b) at the beginning of renumbered paragraph (1), insert “Subject to paragraph (2),”;
- (c) after renumbered paragraph (1) insert—

“(2) Direct payments may be granted to a farmer where the eligible area of the holding referred to in paragraph (1) is less than 5 hectares if in 2020 direct payments were claimed by or due to be granted to that farmer—

- (a) before the application of Article 63 of Regulation (EU) No 1306/2013; and
- (b) in respect of such a holding (as defined for the 2020 claim year)—
  - (i) situated in Wales and at least one other territory;
  - (ii) where the eligible area situated in Wales of that holding was less than 5 hectares; and
  - (iii) for which a payment was claimed or due to be granted in respect of the eligible area situated in Wales.”

(3) Omit regulation 9.

(4) In regulation 10—

- (a) in paragraph (1), omit “Article 24 or”;
- (b) omit paragraphs (3) and (4).

(5) In regulation 11(3), for “30 April” substitute “15 May”.

(6) Omit regulations 14 to 16, and 19.

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(3) [S.I. 2014/3263](#), amended by [S.I. 2015/1325](#). There are other amending instruments but none are relevant.

(4) [S.I. 2015/1252 \(W. 84\)](#), amended by [S.I. 2016/217 \(W. 86\)](#), [S.I. 2019/688 \(W. 132\)](#) as from implementation period completion day, and [S.I. 2020/104 \(W. 17\)](#).

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**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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