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WELSH STATUTORY INSTRUMENTS

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**2022 No. 132 (W. 42)**

**AGRICULTURE, WALES**

**The Milk and Milk Products (Pupils in Educational Establishments) Aid Applications (Wales) Regulations 2022**

<i>Made</i>	- - - -	<i>10 February 2022</i>
<i>Laid before Senedd Cymru</i>		<i>15 February 2022</i>
<i>Coming into force</i>	- -	<i>9 March 2022</i>

The Welsh Ministers make these Regulations in exercise of the power conferred by Article 25(b) of [Regulation \(EU\) No 1308/2013](#) of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products<sup>(1)</sup>, as read with Article 3(5)(c)(i)(bb) of that Regulation<sup>(2)</sup>.

There has been consultation as required by Article 9 of Regulation [\(EC\) No 178/2002](#) of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety<sup>(3)</sup>.

**Title, commencement and application**

1.—(1) The title of these Regulations is the Milk and Milk Products (Pupils in Educational Establishments) Aid Applications (Wales) Regulations 2022.

(2) These Regulations come into force on 9 March 2022.

(3) These Regulations apply in relation to Wales.

**Amendment of [Commission Implementing Regulation \(EU\) 2017/39](#) in respect of Wales**

2.—(1) [Commission Implementing Regulation \(EU\) 2017/39](#) on rules for the application of [Regulation \(EU\) No 1308/2013](#) of the European Parliament and of the Council with regard to Union aid for the supply of fruit and vegetables, bananas and milk in educational establishments<sup>(4)</sup> is amended as follows.

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(1) [EUR 2013/1308](#). Article 25 was amended by [S.I. 2019/831](#). “Appropriate authority” is defined in Article 3(5)(c). The definition of “appropriate authority” was inserted by [S.I. 2019/821](#), and was subsequently amended by [S.I. 2019/1422](#).

(2) Article 3(5)(c)(i)(bb) defines the Welsh Ministers as the “appropriate authority” in relation to Wales.

(3) [EUR 2002/178](#). There are no relevant amendments.

(4) [EUR 2017/39](#). Articles 4 and 9 were amended by [S.I. 2019/1422](#). “Relevant authority” is defined in Article 1(3). The definition of “relevant authority” was inserted by [S.I. 2019/1422](#). Article 1(3)(a)(ii) defines the Welsh Ministers as the “relevant authority” in relation to Wales.

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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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- (2) In Article 4(5), in paragraph 6—
  - (a) after “evidence” where it first appears, insert “held available for the relevant authority”,
  - (b) omit the words from “The relevant authority shall specify” to “aid applications.”
- (3) In Article 9(6), omit paragraph 2.

10 February 2022

*Jeremy Miles*  
*Minister for Education and Welsh Language, one*  
*of the Welsh Ministers*

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(5) Article 4 was amended by [S.I. 2019/1422](#).  
(6) Article 9 was amended by [S.I. 2019/1422](#).

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made under the power contained in Article 25(b) of [Regulation \(EU\) No 1308/2013](#) of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products (“the CMO Regulation”), as read with Article 3(5)(c)(i)(bb) of that Regulation. They apply only in Wales.

These Regulations amend Articles 4 and 9 of [Commission Implementing Regulation \(EU\) 2017/39](#). They amend provisions relating to documentary evidence supporting applications for aid under the scheme established by Articles 22 to 25 of the CMO Regulation. As a result of these amendments, applicants must only hold such documentary evidence available for the relevant authority. Previously, they had to submit supporting documentary evidence with the application for aid.

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.