



# Agriculture (Wales) Act 2023

2023 asc 4

## PART 1

### SUSTAINABLE LAND MANAGEMENT

#### *The duty*

#### **2 Welsh Ministers' duty in relation to the objectives**

- (1) The Welsh Ministers must exercise each function referred to in this section in the way they consider best contributes to achieving the sustainable land management objectives, so far as consistent with the proper exercise of the function (but see section 3).
- (2) The functions referred to are—
  - (a) functions under this Act;
  - (b) functions under any other enactment that require or allow the Welsh Ministers to provide support for—
    - (i) agriculture (see section 51), or other activities carried out on land used for agriculture, or
    - (ii) ancillary activities (see section 52);
  - (c) functions under any other enactment that require or allow the Welsh Ministers to regulate—
    - (i) agriculture, or other activities carried out on land used for agriculture, or
    - (ii) ancillary activities.
- (3) Subsection (1) applies to the functions referred to in subsections (2)(b) and (2)(c) only to the extent that those functions are exercised to provide support for or to regulate—
  - (a) agriculture, or other activities carried out on land used for agriculture, or
  - (b) ancillary activities.

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*Changes to legislation: There are currently no known outstanding effects for the  
Agriculture (Wales) Act 2023, Cross Heading: The duty. (See end of Document for details)*

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**Commencement Information**

**I1** S. 2 in force at 17.10.2023, see [s. 56\(2\)\(a\)](#)

**3 Exceptions from the duty in section 2**

The duty in section 2 does not apply to the following functions—

- (a) the function under section 16 (power to modify legislation governing the basic payment scheme);
- (b) the function under section 17 (power to modify legislation relating to the common agricultural policy), so far as the function is being exercised in a way that has an effect on the basic payment scheme;
- (c) the function under section 49 (power to make consequential, transitional etc. provision), so far as it is being exercised for the purposes of, in consequence of, or for giving full effect to, any provision made under section 16 (power to modify legislation governing the basic payment scheme);
- (d) the function under section 49 (power to make consequential, transitional etc. provision), so far as—
  - (i) it is being exercised for the purposes of, in consequence of, or for giving full effect to, any provision made under section 17 (power to modify legislation relating to the common agricultural policy), and
  - (ii) it is being exercised in a way that has an effect on the basic payment scheme;
- (e) a function under legislation governing the basic payment scheme (within the meaning given by section 16);
- (f) a function under legislation governing the financing, management and monitoring of the common agricultural policy (within the meaning given by section 17), so far as the function is being exercised in a way that has an effect on the basic payment scheme.

**Commencement Information**

**I2** S. 3 in force at 17.10.2023, see [s. 56\(2\)\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Agriculture (Wales) Act 2023, Cross  
Heading: The duty.