



Agriculture (Wales) Act 2023

2023 asc 4

PART 1

SUSTAINABLE LAND MANAGEMENT

The objectives

1 The sustainable land management objectives

- (1) The sustainable land management objectives are as follows.
- (2) The first objective is to produce food and other goods in a sustainable manner, and in doing so—
 - (a) to meet the needs of the present without compromising the ability of future generations to meet their own needs, and
 - (b) to contribute to achieving the well-being goals in section 4 of the [Well-being of Future Generations \(Wales\) Act 2015 \(anaw 2\)](#).
- (3) The second objective is to mitigate and adapt to climate change, and in doing so—
 - (a) to meet the needs of the present without compromising the ability of future generations to meet their own needs, and
 - (b) to contribute to achieving the well-being goals in section 4 of the [Well-being of Future Generations \(Wales\) Act 2015](#).
- (4) The third objective is to maintain and enhance the resilience of ecosystems and the benefits they provide, and in doing so—
 - (a) to meet the needs of the present without compromising the ability of future generations to meet their own needs, and
 - (b) to contribute to achieving the well-being goals in section 4 of the [Well-being of Future Generations \(Wales\) Act 2015](#).
- (5) The fourth objective is to conserve and enhance the countryside and cultural resources and promote public access to and engagement with them, and to sustain the Welsh language and promote and facilitate its use, and in doing so—

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- (a) to meet the needs of the present without compromising the ability of future generations to meet their own needs, and
 - (b) to contribute to achieving the well-being goals in section 4 of the Well-being of Future Generations (Wales) Act 2015.
- (6) For the purposes of the first objective, factors relevant to whether food and other goods are produced in a sustainable manner include, among other things, the resilience of agricultural businesses within the communities in which they operate and their contribution to the local economy.
- (7) For the purposes of the third objective, factors relevant to the resilience of ecosystems include, among other things—
- (a) diversity between and within ecosystems;
 - (b) the connections between and within ecosystems;
 - (c) the scale of ecosystems;
 - (d) the condition of ecosystems (including their structure and functioning);
 - (e) the adaptability of ecosystems.
- (8) For the purposes of the fourth objective, “cultural resources” include, among other things, cultural heritage and the historic environment.

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
 - 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.

3 Exceptions from the duty in section 2

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

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- (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.

Monitoring and reporting

4 Sustainable land management indicators and targets

- (1) The Welsh Ministers must prepare a statement setting out—
 - (a) indicators that are to be applied to measure progress towards achieving the sustainable land management objectives through the exercise of the functions to which the duty in section 2 applies, and
 - (b) targets in relation to those indicators.
- (2) The statement must contain—
 - (a) at least one distinct indicator for each sustainable land management objective, and
 - (b) at least one distinct target relating to at least one distinct indicator for each sustainable land management objective.
- (3) The statement may in addition set out further indicators and further targets.
- (4) A further indicator set out under subsection (3) may be for one sustainable land management objective or more than one.
- (5) A further target set out under subsection (3) may relate to one indicator (whether an indicator set out under subsection (2) or a further indicator set out under subsection (3)) or more than one.
- (6) An indicator or target may relate to Wales or any part of Wales.
- (7) A target may be set by reference to any period that the Welsh Ministers consider appropriate.

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- (8) The Welsh Ministers must, no later than 31 December 2025—
 - (a) publish the statement, and
 - (b) lay it before Senedd Cymru.
- (9) The Welsh Ministers may review and revise the statement at any time.
- (10) Subsections (2) to (8) apply in relation to a revised statement as they apply to the original statement.
- (11) Where the Welsh Ministers revise the statement, they must as soon as reasonably practicable—
 - (a) publish the revised statement, and
 - (b) lay it before Senedd Cymru.

5 Steps to be taken in preparing or revising indicators and targets

- (1) In preparing or revising a statement under section 4, the Welsh Ministers must take the steps set out in subsections (2) and (3).
- (2) The Welsh Ministers must have regard to—
 - (a) any national indicators (as revised from time to time) published under section 10 of the [Well-being of Future Generations \(Wales\) Act 2015 \(anaw 2\)](#) that they consider to be relevant,
 - (b) the most recent state of natural resources report published under section 8 of the [Environment \(Wales\) Act 2016 \(anaw 3\)](#), so far as it relates to agriculture, other activities carried out on land used for agriculture, or ancillary activities,
 - (c) the most recent national natural resources policy published under section 9 of the [Environment \(Wales\) Act 2016](#), so far as it relates to agriculture, other activities carried out on land used for agriculture, or ancillary activities,
 - (d) the most recent Impact Report (if any) published under section 14, and
 - (e) any other matters (including, among other things, any statistics published by the Welsh Ministers on agricultural production or the income of agricultural businesses, deriving from surveys of the sector) the Welsh Ministers consider appropriate.
- (3) The Welsh Ministers must consult—
 - (a) the Future Generations Commissioner for Wales, and
 - (b) any other persons they consider appropriate.

6 Sustainable land management reports

- (1) The Welsh Ministers must prepare a report under this section, in relation to each reporting period, setting out their assessment of—
 - (a) the cumulative progress made, since section 2 came into force, towards achieving the sustainable land management objectives through the exercise of the functions to which the duty in section 2 applies, and
 - (b) the progress made, during the reporting period, towards achieving those objectives through the exercise of those functions.
- (2) The report must set out, in relation to each indicator in the statement (or revised statement) published under section 4—

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- (a) the progress made in relation to that indicator during the reporting period, and
 - (b) how that has contributed to achieving the sustainable land management objectives.
- (3) The report must also specify, in relation to each target in the statement (or revised statement), whether the target has been achieved during the reporting period.
- (4) If a target has been achieved during the reporting period, the report must explain how that has contributed to achieving one or more of the sustainable land management objectives.
- (5) If a target has not been achieved during the reporting period, the report must—
 - (a) explain why, and
 - (b) set out the steps the Welsh Ministers have taken, or intend to take—
 - (i) to achieve the target, or
 - (ii) to set an appropriate new target.
- (6) If the Welsh Ministers have not yet been able to determine whether a target has been achieved during the reporting period, the report must—
 - (a) explain why, and
 - (b) set out the steps that the Welsh Ministers have taken, or intend to take, in order to determine whether the target has been achieved.
- (7) The report may also assess and report on—
 - (a) any other matters that the Welsh Ministers consider relevant in assessing the progress made towards achieving the sustainable land management objectives;
 - (b) the key priorities, risks and opportunities in relation to achieving those objectives;
 - (c) the effect that the progress made towards achieving those objectives is having on achieving other goals and objectives.
- (8) The Welsh Ministers must, no later than 12 months after the end of each reporting period—
 - (a) publish the report that relates to the reporting period, and
 - (b) lay it before Senedd Cymru.
- (9) In this section, the “reporting period” means—
 - (a) in the case of the first report, the period beginning with the day on which section 2 comes into force and ending with 31 December 2025;
 - (b) in the case of subsequent reports, successive periods of five years.
- (10) The Welsh Ministers may by regulations amend subsection (9).

7 Steps to be taken in preparing reports

In preparing a report under section 6, the Welsh Ministers must have regard to—

- (a) the most recent state of natural resources report published under section 8 of the [Environment \(Wales\) Act 2016 \(anaw 3\)](#), so far as it relates to agriculture, other activities carried out on land used for agriculture, or ancillary activities,

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- (b) the most recent national natural resources policy published under section 9 of the Environment (Wales) Act 2016, so far as it relates to agriculture, other activities carried out on land used for agriculture, or ancillary activities,
- (c) the most recent Impact Report (if any) published under section 14, and
- (d) any other matters (including, among other things, any statistics published by the Welsh Ministers on agricultural production or the income of agricultural businesses, deriving from surveys of the sector) the Welsh Ministers consider appropriate.