
WELSH STATUTORY INSTRUMENTS

2003 No. 151 (W.21)

AGRICULTURE, WALES

**The Sheep Annual Premium
(Amendment) (Wales) Regulations 2003**

Made - - - - 29th January 2003

Coming into force - - 3rd February 2003

The National Assembly for Wales being designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the common agricultural policy of the European Community, in exercise of the powers conferred upon it by the said section 2(2), hereby makes the following Regulations:

Title and commencement

1. These Regulations may be cited as the Sheep Annual Premium (Amendment) (Wales) Regulations 2003 and come into force on 3rd February 2003.

Interpretation

2. In these Regulations—

“holding” (“*daliad*”) means all the production units managed by a producer situated within the United Kingdom;

“the IACS Regulations” (“*Rheoliadau IACS*”) means the Integrated Administration and Control System Regulations 1993⁽³⁾;

“the National Assembly” (“*y Cynulliad Cenedlaethol*”) means the National Assembly for Wales;

“the principal Regulations” (“*y prif Reoliadau*”) means the Sheep Annual Premium Regulations 1992⁽⁴⁾; and

(1) By virtue of the European Communities (Designation) (No.3) Order 1999 (S.I. 1999/2788) (“the Order”). The National Assembly’s power to make, as a body designated in relation to the common agricultural policy of the European Community, regulations which extend to holdings which include land situated within the United Kingdom but outside of Wales is confirmed by paragraph 2(b) of Schedule 2 to the Order.

(2) 1972 c. 68.

(3) S.I. 1993/1317, amended by S.I. 1994/1134, 1997/1148, 1999/1820 and 2000/2573.

(4) S.I. 1992/2677, amended by S.I. 1994/2741, 1995/2779, 1996/49, 1997/2500 and 2000/2573.

“producer” (“*cynhyrhydd*”) means a producer as defined in Article 3 of Council Regulation (EC) No. 2529/2001 on the common organisation of the market in sheepmeat and goatmeat(5).

Amendment of the principal Regulations

3.—(1) In so far as they relate to a producer to a relevant extent, the principal Regulations are amended in accordance with the provisions of paragraphs (3) to (5) of this regulation.

(2) In paragraph (1) above, “to a relevant extent” means to the extent that the National Assembly is the relevant competent authority for the purposes of the IACS Regulations in relation to the holding of the producer in question.

(3) In regulation 5 (powers of authorised officers), the following paragraph is substituted for the existing paragraph (5)(a)—

“(a) require any producer or any employee, servant or agent of a producer to produce any record that producer is required to keep pursuant to regulation 8 and to supply such additional information in that person’s possession or under his control relating to an application for premium as the authorised officer may reasonably request;”.

(4) After regulation 7, the following regulation is inserted—

“Record keeping

8.—(1) Where at any time during a marketing year a producer fails to comply with the record keeping requirements of paragraphs (2) to (4) of this regulation, the National Assembly may withhold or recover on demand the whole or any part of any premium payable or paid to the producer in respect of that marketing year.

(2) On or before 31st January each year, the producer shall record the total number of female sheep on the holding on 1st January of that year which either were over 12 months old or had given birth, and the date the entry was made.

(3) Without prejudice to the requirements of paragraph (2), within 14 days of any of the following events—

(a) the intentional movement on or off the holding of female sheep which either were over 12 months old or had given birth;

(b) a female sheep which has not given birth

reaching the age of 12 months;

(c) a sheep under 12 months old giving birth;

(d) the discovery that a female sheep which either was over 12 months old or had given birth has been lost from the holding, either because it has died or because it is missing from the holding,

the producer shall record the total number of female sheep on the holding which have given birth or are over 12 months old, the date of the entry and the reasons that the total number of such sheep on the holding has changed.

(4) All records under this regulation shall be retained by the producer for a period of four years.”.

(5) Regulation 8A is deleted.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(6).

29th January 2003

D. Elis-Thomas
The Presiding Officer of the National Assembly

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which come into force on 3rd February 2003, amend the Sheep Annual Premium Regulations 1992 (S.I.1992/2677, as already amended by S.I. 1994/2741, 1995/2779, 1996/49, 1997/2500 and 2000/2573) (“the principal Regulations”).

They amend the principal Regulations in so far as to a “relevant extent” the latter relate to any producer for the purposes of Council Regulation (EC) No.2529/2001 laying down general rules for the grant of premium to sheepmeat and goatmeat producers (OJ No. L341, 22.12.2001, p.3). The “relevant extent” for this purpose is the extent to which, in relation to the holding of the producer in question, the National Assembly for Wales is the relevant competent authority for the purposes of the Integrated Administration and Control System Regulations 1993 (S.I. 1993/1317, as amended by S.I. 1994/1134, 1997/1148, 1999/1820 and 2000/2573).

The Regulations insert a new regulation 8 into the principal Regulations which imposes record-keeping requirements on those producers relating to specified events. In addition, they make consequential amendments to the principal Regulations. These record-keeping requirements implement Article 4(1)(b) of Council Directive (EC) No. 92/102 on the identification and registration of animals (OJ No. L355, 5.12.92, p.32) and were previously specified in article 5 of the Sheep and Goats Identification (Wales) Regulations 2000 (S.I. 2000/2335 (W.152)).

No Regulatory Appraisal has been prepared in respect of these Regulations.