
WELSH STATUTORY INSTRUMENTS

2005 No. 360

**The Common Agricultural Policy Single Payment
and Support Schemes (Wales) Regulations 2005**

Additional modulation

10.—(1) For the purposes of calculating the total amount of direct payments to be paid to a farmer for any year, the National Assembly will deduct a sum equal to the specified proportion of the relevant amount and will apply the sum so deducted by way of funds for one or more of the relevant purposes⁽¹⁾.

(2) In this regulation —

“the relevant amount” means the amount which would have been granted to the farmer in respect of the year concerned but for the application of Article 10(1) of the Council Regulation;

“the relevant purposes” means the purposes of any payment made pursuant to any measure which implements any provisions of Articles 22 to 24 inclusive (agri-environment and animal welfare), and Article 31 (afforestation) of Council Regulation (EC) No. 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund⁽²⁾.

“the specified proportion” means—

- (a) in respect of 2005, 1.5%, and
- (b) in respect of 2006, 0.5%.

(1) Additional modulation is permitted under Article 1 of Commission Regulation (EC) No 1655/2004 (O.J. No. L 298, 23.9.2004, p.3.) in Member States which applied reductions to direct payments under Article 4 of Council Regulation 1259/1999 (O.J. No. L 160, 26.6.1999, p.113). Such reductions were applied in Wales from 2001 to 2004 under the Common Agricultural Policy Support Schemes (Modulation) (Wales) Regulations 2000 (S.I. 2000/3294 (W.216), amended by S.I. 2001/3680 (W.301) and 2004/2662 (W.233).

(2) O.J. No. L 160, 26.6.1999, p. 80 as last amended by Council Regulation (EC) No. 583/2004 (O.J. No. L91, 30.3.2004, p.1.).