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WELSH STATUTORY INSTRUMENTS

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**2012 No. 3093 (W.311)**

**AGRICULTURE, WALES**

**The Common Agricultural Policy Single Payment and  
Support Schemes (Wales) (Amendment) Regulations 2012**

<i>Made</i>	- - - -	<i>13 December 2012</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>13 December 2012</i>
<i>Coming into force</i>	- -	<i>3 January 2013</i>

The Welsh Ministers are designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy of the European Union and make these Regulations in exercise of the powers conferred by that section.

**Title, application and commencement**

1.—(1) The title of these Regulations is the Common Agricultural Policy Single Payment and Support Schemes (Wales) (Amendment) Regulations 2012.

(2) These Regulations apply in relation to Wales, and come into force on 3 January 2013.

**Amendment of Common Agricultural Policy Single Payment and Support Schemes (Wales) Regulations 2010**

2.—(1) The Common Agricultural Policy Single Payment and Support Schemes (Wales) Regulations 2010<sup>(3)</sup> are amended as follows.

(2) For regulation 7 substitute—

**“Voluntary modulation**

7. The rates in the third column of the Schedule are the voluntary modulation referred to in Article 1 of Council Regulation (EC) No 378/2007 laying down rules for voluntary modulation of direct payments provided for in Regulation (EC) No 1782/2003<sup>(4)</sup> for the period 2009 to

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(1) By virtue of article 3 of the European Communities (Designation) (No 5) Order 2010, S.I. 2010/2690.

(2) 1972 c. 68. Section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 (c. 51) section 27(1)(a) and the European Union (Amendment) Act 2008 (c. 7), Part 1 of the Schedule.

(3) 2010/1892 (W.185).

(4) OJ No L 95, 5.4.2007, p 1, as last amended by Regulation (EU) No 1231/2011 of the European Parliament and of the Council (OJ No L 326, 8.12.2011, p 24).

2012 and the voluntary adjustment referred to in Article 10b of Council Regulation (EC) No 73/2009<sup>(5)</sup> for 2013<sup>(6)</sup>.”

(3) In the Schedule—

(a) in the table headed “For amounts up to and including £5,000” after the row relating to 2012 insert—

“2013	0%	6.5%	6.5%”;
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(b) in the table headed “For amounts over £5,000 and up to and including £300,000” after the row relating to 2012 insert—

“2013	10%	1.5%	11.5%”;
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(c) in the table headed “For amounts over £300,000” after the row relating to 2012 insert—

“2013	14%	0%	14%”.
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*Alun Davies*

Deputy Minister for Agriculture, Food, Fisheries  
and European Programmes, under authority  
of the Minister for Business, Enterprise,  
Technology and Science, one of the Welsh  
Ministers

13 December 2012

(5) OJ No L 30, 31.1.2009, p 16, as last amended by Regulation (EU) No 671/2012 of the European Parliament and of the Council (OJ No L 204, 31.7.2012, p 11).

(6) The rates in the second column, provided for the sake of completeness, are the compulsory rates of modulation provided for in Article 7 of Council Regulation 73/2009 for the period 2009 to 2012 and the adjustments provided for in Article 10a of Council Regulation 73/2009 for 2013.

## EXPLANATORY NOTE

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

These Regulations amend the Common Agricultural Policy Single Payment and Support Schemes (Wales) Regulations 2010 ([S.I. 2010/1892](#)) ([W.185](#)) (“the principal Regulations”) which make provision in Wales for the administration of Council Regulation ([EC](#)) No 73/2009 (OJ No L 30, 31.1.2009, p 16), and other associated EU instruments, in relation to direct support schemes under the common agricultural policy.

Regulation 2 amends the principal Regulations to provide for additional modulation deductions which will be made from direct payments to farmers for 2013.

A regulatory impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.