

*Status: Point in time view as at 11/11/2020.*

*Changes to legislation: Agriculture Act 2020, Cross Heading: Declaration relating to exceptional market conditions is up to date with all changes known to be in force on or before 07 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 5

#### PROVISION RELATING TO WALES

#### PART 2

##### INTERVENTION IN AGRICULTURAL MARKETS

###### *Declaration relating to exceptional market conditions*

- 7 (1) The Welsh Ministers may make and publish a declaration in accordance with this paragraph if the Welsh Ministers consider that there are exceptional market conditions which justify making the powers conferred by or referred to in paragraph 8 available for use.
- (2) In this Part “exceptional market conditions” exist where—
- (a) there is a severe disturbance in agricultural markets or a serious threat of a severe disturbance in agricultural markets, and
  - (b) the disturbance or threatened disturbance has, or is likely to have, a significant adverse effect on agricultural producers in Wales in terms of the prices achievable for one or more agricultural products.
- (3) A declaration must—
- (a) state that the Welsh Ministers consider that there are exceptional market conditions which justify making the declaration,
  - (b) describe the exceptional market conditions in question, in particular by specifying—
    - (i) the disturbance or threatened disturbance in agricultural markets,
    - (ii) any agricultural product which is or is likely to be affected by the disturbance or threatened disturbance, and
    - (iii) the grounds for considering that the conditions in sub-paragraph (2) (a) and (b) are met in relation to that disturbance or threatened disturbance,
  - (c) describe the grounds for considering that the exceptional market conditions justify making the powers conferred by or referred to in paragraph 8 available for use, and
  - (d) state that the powers conferred by or referred to in paragraph 8 are (unless the declaration is revoked sooner) available for use in relation to the exceptional market conditions until such day as the declaration may specify.
- (4) A declaration has effect from when it is published until the end of the day specified under sub-paragraph (3)(d) (which may not be later than the last day of the period of three months beginning with the day on which it is published).

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- (5) The Welsh Ministers may revoke a declaration by making and publishing a further declaration stating that the declaration is revoked.
- (6) If at any time during the period of 7 days ending with the day specified under subparagraph (3)(d) the Welsh Ministers consider that—
- (a) there continue to be exceptional market conditions, and
  - (b) they justify extending the availability of the powers conferred by or referred to in paragraph 8,
- the Welsh Ministers may make and publish a further declaration extending the effect of the original declaration for such period (not exceeding three months) as the further declaration may specify.
- (7) The fact that a declaration under this paragraph has expired or been revoked does not prevent the Welsh Ministers from making and publishing another declaration relating in whole or part to the same exceptional market conditions.
- (8) A copy of any declaration made and published under this paragraph must be laid before Senedd Cymru by the Welsh Ministers as soon as practicable after it is published.
- (9) In this paragraph and paragraph 8 a reference to agricultural markets, agricultural producers or agricultural products includes horticultural markets, horticultural producers or horticultural products (as the case may be).

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**Commencement Information**

**II** Sch. 5 para. 7 in force at Royal Assent for specified purposes, see s. 57(1)(b)(c)

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