
WELSH STATUTORY INSTRUMENTS

2008 No. 3200

**The Agricultural Holdings (Units of
Production) (Wales) (No.2) Order 2008**

Assessment of productive capacity of land

2.—(1) Paragraphs (2) and (3) of this article have effect for the purpose of the assessment of the productive capacity of a unit of agricultural land situated in Wales, in order to determine whether that unit is a commercial unit of agricultural land within the meaning of paragraph 3(1) of Schedule 6 to the Agricultural Holdings Act 1986.

(2) Where the land in question is capable, when farmed under competent management, of being used to produce any livestock, farm arable crop, outdoor horticultural crop or fruit as is mentioned in any of the entries 1 to 3 in column 1 of the Schedule to this Order, then—

- (a) the unit of production prescribed in relation to that use of the land will be the unit in the entry in column 2 of that Schedule opposite to that entry, and
- (b) the amount determined, for the period of 12 months beginning with 12 September 2008, as the net annual income from that unit of production in that period will be the amount in the entry in column 3 of that Schedule opposite to that entry as read with any relevant note to that Schedule.

(3) Where land capable, when farmed under competent management, of producing a net annual income is eligible to receive a Tir Mynydd payment (as is mentioned in entry 4 in column 1 of the Schedule to this Order), or was set aside from production in 2007 (as is mentioned in entry 5 in that column), or was an eligible hectare in 2007 (as is mentioned in entry 6 of that column), then—

- (a) the unit of production prescribed in relation to that use of the land will be the unit in the entry in column 2 of that Schedule opposite to that entry, and
- (b) the amount determined, for the period of 12 months beginning with 12 September 2008, as the net annual income from that unit of production in that period will be the amount in the entry in column 3 of that Schedule opposite to that entry.