
WELSH STATUTORY INSTRUMENTS

2017 No. 1218

The Agricultural Holdings (Units of Production) (Wales) Order 2017

Title, commencement, application and interpretation

1.—(1) The title of this Order is the Agricultural Holdings (Units of Production) (Wales) Order 2017, it applies in relation to Wales and comes into force on 5 January 2018.

(2) In this Order—

“designated maps” (“*mapiau dynodedig*”) means the two volumes of maps numbered 1 and 2 each volume being marked “Volume of maps of less favoured farming areas in Wales” and with the number of the volume dated 20 May 1991 and signed by the Secretary of State for Wales and deposited at the offices of the Welsh Government, Cathays Park, Cardiff, CF10 3NQ;

“disadvantaged land” (“*tir dan anfantais*”) (except in the expression “severely disadvantaged land”) means any area of land shown coloured blue on the designated maps;

“eligible hectare” (“*hectar cymwys*”) has the same meaning as in Article 32(2) of Regulation 1307/2013;

“less favoured area” (“*ardal lai ffafriol*”) means any area of disadvantaged land or severely disadvantaged land;

“Regulation 1307/2013” (“*Rheoliad 1307/2013*”) means Regulation (EU) No 1307/2013 of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy⁽¹⁾;

“severely disadvantaged land” (“*tir dan anfantais ddifrifol*”) means any area of land shown coloured pink on the designated maps.

Assessment of productive capacity of land

2.—(1) Paragraphs (2) and (3) 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 is the unit in the corresponding entry in column 2, and

(b) the amount determined, for the period of 12 months beginning with 12 September 2017, as the net annual income from that unit of production in that period is the amount in the corresponding entry in column 3, as read with any relevant note to that Schedule.

(1) OJ No L 347, 20.12.2013, p. 608, as last amended by Commission Delegated Regulation (EU) 2017/1155 (OJ No L 167, 30.6.2017, p.1) and corrected by Corrigendum (OJ No L 130, 19.5.2016, p. 8).

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(3) Where land capable, when farmed under competent management, of producing a net annual income was an eligible hectare in 2016 in accordance with entry 4 in column 1 of the Schedule to this Order, then—

- (a) the unit of production prescribed in relation to that use of the land is the unit in the corresponding entry in column 2, and
- (b) the amount determined, for the period of 12 months beginning with 12 September 2017, as the net annual income from that unit of production in that period is the amount in the corresponding entry in column 3.

5 December 2017

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Cabinet Secretary for Energy, Planning and
Rural Affairs, one of the Welsh Ministers