

WELSH STATUTORY INSTRUMENTS

**2019 No. 688 (W. 132)**

**EXITING THE EUROPEAN UNION, WALES  
AGRICULTURE, WALES**

The Common Agricultural Policy (Miscellaneous  
Amendments) (Wales) (EU Exit) Regulations 2019

Made - - - - 26 March 2019

Coming into force in accordance with regulation 1(2)

The Welsh Ministers, in exercise of the powers conferred by paragraph 1(1) of Schedule 2 and paragraph 21 of Schedule 7 to the European Union (Withdrawal) Act 2018 <sup>M1</sup>, make the following Regulations.

In accordance with paragraph 1(9) of Schedule 7 to that Act, a draft of this instrument has been laid before and approved by a resolution of the National Assembly for Wales.

**Marginal Citations**

M1 2018 c. 16.

**Title, commencement and application** **E+W**

1.—(1) The title of these Regulations is the Common Agricultural Policy (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019.

(2) These Regulations come into force on exit day.

(3) These Regulations apply in relation to Wales.

**Commencement Information**

I1 Reg. 1 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

**The Agricultural Subsidies and Grants Schemes (Appeals) (Wales) Regulations 2006** **E+W**

F12. ....

**Textual Amendments**

**F1** Reg. 2 omitted (17.12.2020) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(b), **13(2)**

**Commencement Information**

**I2** Reg. 2 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

**The Rural Development Programmes (Wales) Regulations 2014** **E+W**

3.—(1) The Rural Development Programmes (Wales) Regulations 2014 <sup>M2</sup> are amended as follows.

- (2) In regulation 2—
  - (a) in paragraph (1)—
    - (i) in the definition of “approved operation” (“*gweithrediad a gymeradwywyd*”), at the end, insert “ (see paragraph (3)) ”;
    - (ii) in the definition of “authorised person” (“*person awdurdodedig*”), omit the words from “, and includes” to “such an authorised person”;
    - (iii) omit the definition of “the Commission” (“*y Comisiwn*”);
    - (iv) omit the definition of “EU assistance” (“*cymorth yr UE*”);
  - (b) after paragraph (2) insert—
 

“(3) For the avoidance of doubt, an “approved operation” includes an operation which the Welsh Ministers have approved for the receipt of financial assistance under regulation 4 before exit day.”
- (3) In regulation 4(2), for “EU” substitute “ financial ”.
- (4) In regulation 7(2)(d), for “EU” substitute “ financial ”.
- (5) In regulation 10—
  - (a) omit paragraph (1)(j)(i);
  - (b) omit paragraph (3).

**Commencement Information**

**I3** Reg. 3 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

**Marginal Citations**

**M2** [S.I. 2014/3222 \(W. 327\)](#).

**The Common Agricultural Policy (Integrated Administration and Control System and Enforcement and Cross Compliance) (Wales) Regulations 2014** **E+W**

4.—(1) The Common Agricultural Policy (Integrated Administration and Control System and Enforcement and Cross Compliance) (Wales) Regulations 2014 <sup>M3</sup> are amended as follows.

<sup>F2</sup>(2) .....

(3) For regulation 7(7) substitute—

“(7) An authorised person entering any land or premises by virtue of this regulation may be accompanied by such other persons as the authorised person considers necessary for any purpose mentioned in paragraph (1).”

(4) For regulation 8(3) substitute—

“(3) Paragraph (1) applies in relation to a person referred to in regulation 7(7) when such a person is acting under the instruction of an authorised person, as if such person were an authorised person.”

#### Textual Amendments

**F2** Reg. 4(2) omitted (17.12.2020) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(b), **13(3)**

#### Commencement Information

**I4** Reg. 4 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

#### Marginal Citations

**M3** [S.I. 2014/3223](#) (W. 328), to which there are amendments not relevant to these Regulations.

### The Common Agricultural Policy Basic Payment and Support Schemes (Wales) Regulations 2015 **E+W**

5.—(1) The Common Agricultural Policy Basic Payment and Support Schemes (Wales) Regulations 2015 <sup>M4</sup> are amended as follows.

<sup>F3</sup>(2) .....

<sup>F3</sup>(3) .....

(4) In regulation 18(1), after “Direct Payments Regulation” insert “ as it applied immediately prior to exit day ”.

#### Textual Amendments

**F3** Reg. 5(2)(3) omitted (17.12.2020) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(b), **13(4)**

#### Commencement Information

**I5** Reg. 5 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

#### Marginal Citations

**M4** [S.I. 2015/1252](#) (W. 84), amended by [S.I. 2016/217](#) (W. 86).

*Lesley Griffiths*  
Minister for Environment, Energy and Rural  
Affairs, one of the Welsh Ministers

## EXPLANATORY NOTE

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

These Regulations are made in exercise of the powers conferred by paragraph 1(1) of Schedule 2 and paragraph 21 of Schedule 7 to the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

These Regulations apply in relation to Wales and make miscellaneous amendments to subordinate legislation about the common agriculture policy.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

**Changes to legislation:**

There are currently no known outstanding effects for the The Common Agricultural Policy (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019.