OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2020 Rhif 104 (Cy. 17)

2020 No. 104 (W. 17)

AMAETHYDDIAETH, CYMRU

AGRICULTURE, WALES

Rheoliadau'r Polisi Amaethyddol Cyffredin (Taliadau Uniongyrchol i Ffermwyr) (Diwygiadau Amrywiol) (Cymru) 2020

The Common Agricultural Policy (Direct Payments to Farmers) (Miscellaneous Amendments) (Wales) Regulations 2020

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mae'r Rheoliadau hyn wedi eu gwneud drwy arfer y pwerau a roddir gan adran 3(3)(a) o Ddeddf Taliadau Uniongyrchol i Ffermwyr (Parhad Deddfwriaethol) 2020 (p. 2) er mwyn ymdrin ag unrhyw fethiant yng nghyfraith yr UE a ddargedwir sy'n llywodraethu Cynlluniau Taliad Uniongyrchol y Polisi Amaethyddol Cyffredin i weithredu'n effeithiol, a diffygion yn y gyfraith UE honno a ddargedwir.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 3(3)(a) of the Direct Payments to Farmers (Legislative Continuity) Act 2020 (c. 2) in order to address failures of retained EU law governing the Common Agricultural Policy Direct Payment Schemes to operate effectively, and deficiencies in that retained EU law.

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.

OFFERYNNAU STATUDOL CYMRU

2020 Rhif 104 (Cy. 17)

AMAETHYDDIAETH, CYMRU

Rheoliadau'r Polisi Amaethyddol Cyffredin (Taliadau Uniongyrchol i Ffermwyr) (Diwygiadau Amrywiol) (Cymru) 2020

Cymeradwywyd gan Senedd Cymru

Gwnaed am 3.51 p.m. ar 31 Ionawr 2020

Gosodwyd gerbron Cynulliad Cenedlaethol Cymru 4 Chwefror 2020

Yn dod i rym ynunol â rheoliad 1(2)

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adran 3(3)(a) o Ddeddf Taliadau Uniongyrchol i Ffermwyr (Parhad Deddfwriaethol) 2020(**1**), yn gwneud y Rheoliadau a ganlyn.

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Polisi Amaethyddol Cyffredin (Taliadau Uniongyrchol i Ffermwyr) (Diwygiadau Amrywiol) (Cymru) 2020.

(2) Daw'r Rheoliadau hyn i rym ar y diwrnod ymadael ac nid yw paragraff 1(1) o Atodlen 5 i Ddeddf yr Undeb Ewropeaidd (Y Cytundeb Ymadael) 2020(**2**) yn gymwys.

(**1**) 2020 p. 2; gweler adran 3(10) am y diffiniad o "devolved authority".
(**2**) 2020 p. 1.

WELSH STATUTORY INSTRUMENTS

2020 No. 104 (W. 17)

AGRICULTURE, WALES

The Common Agricultural Policy (Direct Payments to Farmers) (Miscellaneous Amendments) (Wales) Regulations 2020

Approved by Senedd Cymru

Made at 3:51 p.m. 31 January 2020

Laid before the National Assembly for Wales 4 February 2020

Coming into force in accordance with regulation 1(2)

The Welsh Ministers, in exercise of the powers conferred by section 3(3)(a) of the Direct Payments to Farmers (Legislative Continuity) Act 2020(**1**), make the following Regulations.

Title and commencement

1.—(1) The title of these Regulations is the Common Agricultural Policy (Direct Payments to Farmers) (Miscellaneous Amendments) (Wales) Regulations 2020.

(2) These Regulations come into force on exit day and paragraph 1(1) of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020(**2**) does not apply.

(**1**) 2020 c. 2; see section 3(10) for the definition of "devolved authority".
(**2**) 2020 c. 1.

Rheoliadau'r Polisi Amaethyddol Cyffredin (System Integredig Gweinyddu a Rheoli a Gorfodi a Thrawsgydymffurfio) (Cymru) 2014

2.—(1) Mae Rheoliadau'r Polisi Amaethyddol Cyffredin (System Integredig Gweinyddu a Rheoli a Gorfodi a Thrawsgydymffurfio) (Cymru) 2014(**1**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2—

(a) ym mharagraff (1), yn lle'r diffiniad o "taliadau uniongyrchol" rhodder—

"mae i "taliadau uniongyrchol" yr ystyr a roddir i "direct payments" gan Erthygl 1 o'r Rheoliad Taliadau Uniongyrchol.";

(b) ar ôl paragraff (1) mewnosoder—

"(1A) Mae cyfeiriadau yn y Rheoliadau hyn at y Rheoliad Dirprwyedig Llorweddol, y Rheoliad Gweithredu Llorweddol a'r Rheoliad Llorweddol, i'r graddau y maent yn ymwneud â'r taliadau uniongyrchol ar gyfer blwyddyn hawlio 2020, yn gyfeiriadau at y Rheoliadau hynny fel y maent yn bodoli mewn cyfraith ddomestig."

(3) Yn rheoliad 7, ym mharagraff (7)(a), ar y dechrau mewnosoder "ac eithrio materion sy'n ymwneud â thaliadau uniongyrchol ar gyfer blwyddyn hawlio 2020,".

Rheoliadau Cynllun Taliad Sylfaenol a Chynlluniau Cymorth y Polisi Amaethyddol Cyffredin (Cymru) 2015

3.—(1) Mae Rheoliadau Cynllun Taliad Sylfaenol a Chynlluniau Cymorth y Polisi Amaethyddol Cyffredin (Cymru) 2015(**2**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 3—

(a) hepgorer "a (2)", a

(b) yn lle "Erthygl 10(1)(b)" rhodder "Erthygl 10(1)".

(3) Yn rheoliad 7, hepgorer "a (2)(c)".

(**1**) O.S. 2014/3223 (Cy. 328), y ceir diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.
(**2**) O.S. 2015/1252 (Cy. 84), a ddiwygiwyd gan O.S. 2016/217 (Cy. 86).

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

2.—(1) The Common Agricultural Policy (Integrated Administration and Control System and Enforcement and Cross Compliance) (Wales) Regulations 2014(**1**) are amended as follows.

(2) In regulation 2—

(a) in paragraph (1), for the definition of "direct payments" substitute—

""direct payments" ("*taliadau uniongyrchol*") has the meaning given by Article 1 of the Direct Payments Regulation;";

(b) after paragraph (1) insert—

"(1A) References in these Regulations to the Horizontal Delegated Regulation, the Horizontal Implementing Regulation and the Horizontal Regulation are, to the extent that they relate to the direct payments for claim year 2020, references to those Regulations as they exist in domestic law."

(3) In regulation 7, in paragraph (7)(a), at the beginning insert "except for matters relating to direct payments for claim year 2020,".

The Common Agricultural Policy Basic Payment and Support Schemes (Wales) Regulations 2015

3.—(1) The Common Agricultural Policy Basic Payment and Support Schemes (Wales) Regulations 2015(**2**) are amended as follows.

(2) In regulation 3—

(a) omit "and (2)", and

(b) for "Article 10(1)(b)" substitute "Article 10(1)".

(3) In regulation 7, omit "and (2)(c)".

(**1**) S.I. 2014/3223 (W. 328), to which there are amendments not relevant to these Regulations.
(**2**) S.I. 2015/1252 (W. 84), amended by S.I. 2016/217 (W. 86).

(4) Yn rheoliad 11(1) a (2), ar ôl "Rheoliad Taliadau Uniongyrchol Dirprwyedig" mewnosoder "fel yr oedd yn gymwys yn union cyn y diwrnod ymadael".

(4) In regulation 11(1) and (2), after "Direct Payments Delegated Regulation" insert "as it applied immediately prior to exit day".

Lesley Griffiths

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig, un o Weinidogion Cymru
Am 3:51 p.m. ar 31 Ionawr 2020

Minister for Environment, Energy and Rural Affairs, one of the Welsh Minsters
At 3:51 p.m. on 31 January 2020

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