
OFFERYNNAU STATUDOL CYMRU

2021 No. 400

Rheoliadau Cymorth Amaethyddol (Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) 2021

RHAN 3

Datblygu Gwledig: Deddfwriaeth Uniongyrchol a Ddargedwir

Diwygio Rheoliad (EU) Rhif 1305/2013

7.—(1) Mae Rheoliad (EU) Rhif 1305/2013 Senedd Ewrop a'r Cyngor ar gefnogi datblygu gwledig gan Gronfa Amaethyddol Ewrop ar gyfer Datblygu Gwledig (EAFRD) ac yn diddymu Rheoliad y Cyngor (EC) Rhif 1698/2005(1) wedi ei ddiwygio i'r graddau y mae'n ymwneud â chymorth domestig ar gyfer datblygu gwledig, fel a ganlyn.

(2) Yn Erthygl 1(1), hepgorer y frawddeg olaf.

(3) Yn Erthygl 2—

(a) ym mharagraff 1—

(i) yn yr is-baragraff cyntaf, hepgorer ““public expenditure”, “SMEs”,”;

(ii) ym mhwynt (f), hepgorer “permanent pasture or”;

(iii) hepgorer pwynt (o);

(iv) hepgorer pwynt (p);

(v) yn lle pwynt (v) rhodder—

““appropriate authority” means the relevant authority for the constituent nation in which the regulations apply.”;

(b) hepgorer paragraff 4.

(4) Yn lle Erthygl 3 rhodder—

“Article 3

Aim

Support for rural development shall contribute to the development of rural economies and sectors that are more resilient, competitive and innovative and which support the achievement of the well-being goals as set out in section 4 of the Well-being of Future Generations (Wales) Act 2015(2), the sustainable management of natural resources as set out in Part 1 of the Environment (Wales) Act 2016(3) and climate resilience.”

(5) Yn lle Erthygl 4 rhodder—

(1) EUR 2013/1305, a ddiwygiwyd gan O.S. 2019/748, O.S. 2019/764, ac O.S. 2019/1422.

(2) 2015 p. 2.

(3) 2016 p. 3.

“Article 4

Objectives

Support for rural development, must contribute to achieving the following objectives:

- (a) fostering the competitiveness of agriculture;
 - (b) contributing towards the sustainable management of natural resources as set out in Part 1 of the Environment (Wales) Act 2016;
 - (c) ensuring climate resilience;
 - (d) achieving a balanced territorial development of rural economies and communities including the creation and maintenance of employment.”
- (6) Yn lle Erthygl 5 rhodder—

“Article 5

Priorities for rural development

Support for rural development must support the following priorities:

- (1) fostering knowledge transfer and innovation in agriculture, forestry, and rural areas;
- (2) enhancing farm viability and competitiveness of all types of agriculture in all regions and promoting innovative farm technologies and the sustainable management of forests;
- (3) promoting food chain organisation, including processing and marketing of agricultural products, animal welfare and risk management in agriculture;
- (4) restoring, preserving and enhancing ecosystems dependent on agriculture and forestry;
- (5) promoting resource efficiency and supporting the shift towards a low carbon and climate resilient economy in the agriculture, food and forestry sectors;
- (6) promoting social inclusion, poverty reduction and economic development in rural areas.

Each of these priorities shall contribute to the cross-cutting objectives of innovation, environment and climate change mitigation and adaptation.”

- (7) Yn lle Erthygl 6 rhodder—

“Article 6

The rural development programme

Support for rural development must be provided in accordance with the rural development programme. This programme shall implement a strategy to meet the priorities for rural development through a set of measures as defined in Title III. Support for rural development must be provided to further the objectives and the priorities of rural development.”

- (8) Hepgorer Erthyglau 8 i 12.
- (9) Yn Erthygl 13, hepgorer y frawddeg olaf.
- (10) Yn Erthygl 14(2)—
 - (a) ar ôl “land managers” mewnosoder “, animal health and welfare sector”;
 - (b) yn lle “SMEs” rhodder “businesses”.
- (11) Yn Erthygl 15—
 - (a) ym mharagraff 1—
 - (i) ym mhwynt (a), yn lle “SMEs” rhodder “businesses”;
 - (ii) ym mharagraff 1(b), yn lle “Articles 12 to 14” rhodder “Article 12”;

- (b) ym mharagraff 3, hepgorer yr is-baragraff olaf;
 - (c) hepgorer paragraff 3a;
 - (d) ym mharagraff 4—
 - (i) ym mhwynt (b), hepgorer “the agricultural practices beneficial for the climate and the environment as laid down in Chapter 3 of Title III of Regulation (EU) No 1307/2013 and”;
 - (ii) yn yr is-baragraff olaf, hepgorer “as laid down in Annex I to Regulation (EU) No 1306/2013”;
 - (e) ym mharagraff 6, yn lle “SMEs” rhodder “businesses”;
 - (f) ym mharagraff 8, hepgorer y frawddeg gyntaf.
- (12) Yn Erthygl 16—
- (a) ym mharagraff 1—
 - (i) yn lle “shall” rhodder “may”;
 - (ii) ar ôl “groups of farmers” mewnosoder “and food processors”;
 - (b) ym mharagraff 3, hepgorer yr is-baragraff olaf;
 - (c) hepgorer paragraff 4.
- (13) Yn Erthygl 17—
- (a) ym mharagraff 1—
 - (i) yn lle “shall” rhodder “may”;
 - (ii) ym mhwynt (a), ar ôl “holding” mewnosoder “, or those involved in food processing”;
 - (iii) ym mhwynt (c), ar y diwedd, hepgorer “or”;
 - (iv) ar ôl pwynt (d) mewnosoder—
 - “; or
 - (e) are investments linked to activities to protect, conserve, promote and enhance the historic environment as a resource for the general well-being of present and future generations.”;
 - (b) ym mharagraff 2, ar ôl “groups of farmers” mewnosoder “or those involved in food processing”;
 - (c) hepgorer paragraffau 3 a 4.
- (14) Hepgorer Erthygl 18(5).
- (15) Yn Erthygl 19—
- (a) hepgorer paragraff 1(c);
 - (b) ym mharagraff 2, hepgorer yr is-baragraff olaf;
 - (c) yn y trydydd is-baragraff ym mharagraff 4, hepgorer “, as applicable in the relevant authority concerned,”;
 - (d) ym mharagraff 6, hepgorer y frawddeg gyntaf;
 - (e) hepgorer paragraff 7.
- (16) Yn Erthygl 20—
- (a) ym mharagraff 1—
 - (i) ym mhwynt (g), ar ôl “conversion” mewnosoder “and adaptive reuse”;
 - (ii) ar ôl pwynt (g) mewnosoder—

- “(h) investments in infrastructure or activities to protect, conserve, promote and enhance the historic environment as a resource for the general well-being of present and future generations.”;
- (b) yn lle paragraff 2 rhodder—
- “2. Support under this measure shall only concern small-scale infrastructure and services, as defined by each relevant authority. However, the rural development programme may provide for specific derogations from this rule for investments in broadband and renewable energy.”
- (17) Yn Erthygl 21(1)—
- (a) yn lle pwynt (d) rhodder—
- “(d) investments in the sustainable management of woodlands;”;
- (b) yn lle pwynt (e) rhodder—
- “(e) investments which contribute to the development of a National Forest in Wales;
- (f) investments improving the resilience and environmental value as well as the mitigation potential of forest ecosystems;
- (g) investments in forestry technologies and in the processing, the mobility and marketing of forest products;
- (h) investments to protect, conserve, promote and enhance the historic environment within forest areas.”
- (18) Yn lle Erthygl 22(1) rhodder—
- “1. Support under point (a) of Article 21(1) shall be granted to public and private land-holders and their associations and may cover the costs of establishments (including planning costs) and an annual premium per hectare to cover the costs of agricultural income foregone and maintenance, including early and late cleanings and/or payments for the public benefits derived from woodlands for a maximum period of twelve years. In the case of state owned land, support may only be granted if the body managing such land is a private body or municipality.”
- (19) Yn Erthygl 23—
- (a) ym mharagraff 1—
- (i) yn lle “shall”, yn yr ail le y mae’n digwydd, rhodder “may”;
- (ii) yn lle “for a maximum period of five years” rhodder “and/or payments for the public benefits derived from the woodlands”;
- (b) hepgorer paragraff 3.
- (20) Yn Erthygl 25(2), ar ôl “enhancement of the” mewnosoder “historic environment and the”.
- (21) Yn Erthygl 26—
- (a) ym mharagraff 1, hepgorer “and to SMEs”;
- (b) hepgorer paragraffau 3 a 4.
- (22) Yn Erthygl 27—
- (a) ym mharagraff 1—
- (i) yn lle “shall” rhodder “may”;
- (ii) ar ôl “agriculture” mewnosoder “, food processing”;

- (b) ym mharagraff 2, hepgorer “It shall be limited to producer groups and organisations that are SMEs.”;
 - (c) hepgorer paragraff 4.
- (23) Yn Erthygl 28—
- (a) ym mharagraff 1—
 - (i) yn lle “their territories” rhodder “Wales”;
 - (ii) hepgorer “their” yn yr ail le y mae’n digwydd;
 - (iii) yn lle “rural development programmes” rhodder “the rural development programme”;
 - (iv) hepgorer “at national and/or regional level”;
 - (b) ym mharagraff 5—
 - (i) yn lle “their rural development programmes” rhodder “the rural development programme” yn y ddau le y mae’n digwydd;
 - (ii) hepgorer y trydydd hyd at y pumed is-baragraff;
 - (c) ym mharagraff 6, hepgorer yr ail is-baragraff;
 - (d) ym mharagraff 8, hepgorer y frawddeg gyntaf;
 - (e) hepgorer paragraff 11.
- (24) Yn Erthygl 29—
- (a) ym mharagraff 1, hepgorer “and who are active farmers within the meaning of Article 9 of Regulation (EU) No 1307/2013, as applicable in the relevant authority concerned”;
 - (b) ym mharagraff 3, yn lle “their rural development programmes” rhodder “the rural development programme” ym mhob lle y mae’n digwydd;
 - (c) ym mharagraff 4, hepgorer yr is-baragraff olaf;
 - (d) hepgorer paragraffau 5 a 6.
- (25) Yn Erthygl 30—
- (a) ym mharagraff 1, hepgorer yr is-baragraff olaf;
 - (b) ym mharagraff 4—
 - (i) ym mhwynt (a), hepgorer “as it applies in the constituent nation”;
 - (ii) ym mhwynt (c), hepgorer “as it applied in the constituent nation existing”;
 - (c) hepgorer paragraffau 7 ac 8.
- (26) Yn Erthygl 31—
- (a) ym mharagraff 1, hepgorer “, taking into account payments pursuant to Chapter 4 of Title III of Regulation (EU) No 1307/2013”;
 - (b) ym mharagraff 2, hepgorer “and are active farmers within the meaning of Article 9 of Regulation (EU) No 1307/2013”;
 - (c) hepgorer paragraff 3;
 - (d) ym mharagraff 4—
 - (i) hepgorer “, except if the grant covers only the minimum payment per hectare per year as laid down in Annex II”;
 - (ii) ym mhwynt (a), hepgorer “as it applies in the constituent nation”;
 - (e) hepgorer paragraff 5.
- (27) Yn Erthygl 32, ym mharagraff 4, hepgorer yr is-baragraff olaf.

- (28) Yn Erthygl 33—
- (a) yn lle “animal welfare” rhodder “animal health and welfare” yn y pennawd ac ym mhob lle y mae’n digwydd;
 - (b) ym mharagraff 1, hepgorer “and who are active farmers within the meaning of Article 9 of Regulation (EU) No 1307/2013,”;
 - (c) ym mharagraff 3, hepgorer yr is-baragraff olaf.
- (29) Yn Erthygl 34—
- (a) yn lle’r pennawd rhodder “Forest-environmental, climate commitments and forest historic environment commitments”;
 - (b) ym mharagraff 1—
 - (i) yn lle “forest environment and climate commitments” rhodder “forest-environmental, climate commitments and forest historic environment commitments”;
 - (ii) yn lle “their rural development programmes” rhodder “the rural development programme”;
 - (c) ym mharagraff 3, yn yr is-baragraff cyntaf, hepgorer y frawddeg olaf.
- (30) Yn Erthygl 35—
- (a) hepgorer paragraff 1(c);
 - (b) ym mharagraff 5(b), hepgorer “or a project to be carried out by an operational group of the EIP for Agricultural Productivity and Sustainability as referred to in Article 56”;
 - (c) ym mharagraff 6, hepgorer “or support under Regulation 508/2014, CMO support or direct payment support”.
- (31) Hepgorer Erthygl 36(2) a (5).
- (32) Hepgorer Erthygl 37(5).
- (33) Yn Erthygl 38—
- (a) ym mharagraff 3, yn lle yr ail is-baragraff rhodder—

“Support under point (b) of Article 36(1) shall only be granted to cover for loss caused by the outbreak of adverse climatic events, an animal or plant disease, a pest infestation, or a measure adopted in accordance with [Directive 2000/29/EC](#) to eradicate or contain a plant disease or pest or an environmental incident, which destroy more than 30% of the average annual production of the farmer in the preceding three-year period or a three-year average based on the preceding five-year period, excluding the highest and lowest entry. Indexes may be used in order to calculate the annual production of the farmer. The calculation method used shall permit the determination of the actual loss of an individual farmer in a given year.”;
 - (b) hepgorer paragraff 5.
- (34) Yn Erthygl 39—
- (a) yn lle paragraff 1 rhodder—

“1. Support under point (c) of Article 36(1) shall only be granted where the drop in income exceeds 30% of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (c) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Payments by the mutual fund to farmers shall compensate for less than 70% of the income lost in the year the producer

- becomes eligible to receive this assistance. Indexes may be used to calculate the annual loss of income of the farmer.”;
- (b) ym mharagraff 5, hepgorer y frawddeg gyntaf.
- (35) Hepgorer Erthygl 39b.
- (36) Yn Erthygl 41(c), hepgorer “other than those used in Annex II,”.
- (37) Yn Erthygl 42, yn lle paragraff 1 rhodder—
- “1. In addition to the tasks referred to in Article 34 of Regulation (EU) No 1303/2013 local action groups may also perform additional tasks delegated to them by the Managing Authority and/or the paying agency.”
- (38) Hepgorer Erthygl 43.
- (39) Yn Erthygl 45(5), yn lle “EUR 200 000” rhodder “£200 000”.
- (40) Yn Erthygl 46(2)—
- (a) hepgorer “in each of the constituent nations”;
- (b) hepgorer “, or, before IP completion day, to the Commission,”.
- (41) Yn Erthygl 47(6), ar ôl “public money,” mewnosoder “the”.
- (42) Yn Erthygl 48—
- (a) hepgorer y frawddeg olaf yn yr is-baragraff cyntaf;
- (b) hepgorer yr ail is-baragraff.
- (43) Yn Erthygl 49—
- (a) ym mharagraff 1, hepgorer “following consultation with the Monitoring Committee” yn y ddau le y mae’n digwydd;
- (b) ym mharagraff 2, yn lle “39b” rhodder “39a”.
- (44) Hepgorer Erthyglau 51 i 59.
- (45) Yn Erthygl 60—
- (a) ym mharagraff 2, hepgorer “an” yn yr is-baragraff cyntaf;
- (b) hepgorer paragraff 3.
- (46) Yn Erthygl 63(1), yn y frawddeg gyntaf, yn lle “shall” rhodder “may”.
- (47) Hepgorer Erthyglau 65 i 80.
- (48) Yn Erthygl 82, hepgorer “as provided for in paragraph 1(j) of Article 8”.
- (49) Yn lle pennawd Pennod I o Deitl IX rhodder “Powers”.
- (50) Yn Erthygl 86—
- (a) ym mharagraff 1, hepgorer “respective”;
- (b) hepgorer paragraff 2.
- (51) Hepgorer Erthyglau 88 i 90.
- (52) Hepgorer Atodiadau I, Ia a II.
- (53) Yn Atodiad III, yn lle “Member States” rhodder “The relevant authority”.
- (54) Hepgorer Atodiadau V a VI.