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WELSH STATUTORY INSTRUMENTS

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**2022 No. 1305**

**The Water Resources (Control of Agricultural Pollution) (Wales) (Amendment) Regulations 2022**

**Amendment of the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021**

2.—(1) The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021(1) are amended as follows.

(2) In regulation 2 (transitional measures for holdings not previously in a nitrate vulnerable zone)

(a) after “the relevant map marked “Nitrate Vulnerable Zones Index Map 2013”” insert “(the “NVZ index map”);”;

(b) for paragraphs (a) and (b) substitute—

“(a) regulations 5 to 11, 15, 23, 27, 33 to 35, and 37 to 43 do not apply until 1 January 2023,

(b) regulations 4 and 36 do not apply until 30 April 2023, and

(c) regulations 17 to 21, 25, 26, and 28 to 31 do not apply until 1 August 2024.”

(3) In regulation 3 (interpretation), in paragraph (1), after the definition of “NRBW”, insert—  
““NVZ index map” (“*map mynegai PPN*”) has the meaning given by regulation 2;”.

(4) In regulation 4 (application of livestock manure – total nitrogen limit for the whole holding)—

(a) in paragraph (1), for “any year beginning 1 January”, substitute “the relevant period”;

(b) after paragraph (3), insert—

“(4) In paragraph (1), “the relevant period” means—

(a) for an occupier of a holding within a nitrate vulnerable zone as shown on the NVZ index map, any 12 month period beginning 1 January;

(b) for an occupier of a holding or part of a holding that was not previously situated within a nitrate vulnerable zone as shown on the NVZ index map, any 12 month period beginning 30 April.”

(5) In regulation 36 (record of nitrogen produced by animals on the holding)—

(a) in paragraph (1), for “30 April”, substitute “the relevant date”;

(b) in paragraph (1)(a), for “previous calendar year”, substitute “previous 12 month period”;

(c) after paragraph (5), insert—

“(6) In this regulation—

“previous 12 month period” (“*cyfnod o 12 mis blaenorol*”) means—

- (a) for an occupier of a holding within a nitrate vulnerable zone as shown on the NVZ index map, the 12 month period beginning 1 January and ending 31 December before the relevant date;
- (b) for an occupier of a holding or part of a holding that were not previously situated within a nitrate vulnerable zone as shown on the NVZ index map—
  - (i) the first 12 month period for these purposes is 30 April 2023 to 29 April 2024, and
  - (ii) subsequently, the 12 month period beginning 30 April and ending 29 April before the relevant date;

“relevant date” (*dyddiad perthnasol*) means—

- (a) for an occupier of a holding within a nitrate vulnerable zone as shown on the NVZ index map, 30 April;
- (b) for an occupier of a holding or part of a holding that were not previously situated within a nitrate vulnerable zone as shown on the NVZ index map, 31 August 2024 and for all subsequent years 31 August.”

(6) In Schedule 1 (amount of manure, nitrogen and phosphate produced by grazing livestock and non-grazing livestock), in Table 1 (grazing livestock)—

- (a) in the category “Cattle”, in the entry for “Dairy cows”, in the row for “from 13 months up to first calf”, in column 4 (daily phosphate produced by each animal (grams)), for “34” substitute “69”;
- (b) in the category “Sheep”, in the entry for “After lambing or tugging”, in the row for “weight from 60 kg”, in column 3 (daily nitrogen produced by each animal (grams)), for “3” substitute “33”.

(7) In Schedule 3 (calculating nitrogen in organic manure), in Part 1, in the Standard Table, in the entry for “Manure other than slurry”, in the row for “Manure from turkeys or broiler chickens”, in column 2 (total nitrogen in each tonne (kg)), for “10” substitute “30”.