

WELSH STATUTORY INSTRUMENTS

2023 No. 42

**The Agricultural Holdings (Units
of Production) (Wales) Order 2023**

Assessment of the productive capacity of land

2.—(1) Paragraphs (2), (3) and (4) 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 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,
- (b) the amount determined for the period of 12 months, beginning with 12 September 2021, as the net annual income from that unit of production in that period is the amount in the corresponding entry in column 3, and
- (c) the amount determined for the period of 12 months, beginning with 12 September 2022, as the net annual income from that unit of production in that period is the amount in the corresponding entry in column 4.

(3) Where land capable, when farmed under competent management, of producing a net annual income was an eligible hectare in 2020 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 2021, as the net annual income from that unit of production in that period is the amount in the corresponding entry in column 3.

(4) Where land capable, when farmed under competent management, of producing a net annual income was an eligible hectare in 2021 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 2022, as the net annual income from that unit of production in that period is the amount in the corresponding entry in column 4.

Commencement Information

II Art. 2 in force at 10.2.2023, see [art. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Agricultural Holdings (Units of Production) (Wales) Order 2023, Section 2.