

**WEDNESDAY 3 JULY 2002**

**REPORT BY THE MINISTER FOR RURAL DEVELOPMENT**

**Antur Cig Cymru**

1. Discussions to pave the way for a new red meat body for Wales made significant progress at a meeting held on 26 June between Welsh Lamb and Beef Promotions, NFU Cymru, Farmers' Union of Wales, the Welsh Development Agency and the Meat and Livestock Commission. The Assembly Government chaired the meeting at which both farming unions were represented for the first time.
2. All parties agreed that real progress had been made, with new solutions being identified that meet the interests of all parties. Further work will be undertaken rapidly on detailed aspects, and to confirm legal aspects of the proposals. All parties left the meeting confident that agreement was possible in the near future.

**Milk Prices**

3. Over the last few years the demand on the world market was particularly high for skimmed milk powder, fuelling exports from the EU. There has been a drop in world demand, resulting in increased stocks within the EU and depressing the market (and prices).
4. Within the UK, the operation of the market is resulting in price reductions. The majority of milk contracts are negotiated in the Spring. As the contracts come up for renewal, milk used for processing is facing price reductions whereas liquid milk is less sensitive to world commodity markets and under less downward pressure on price. Of the 1.4 million litres produced within Wales annually, it is estimated that about 80% is used for processing and 20% for liquid milk. This compares with 50% processing/50% liquid milk for the UK as a whole.
5. The average price per litre (ppl) paid to UK producers has fallen from 18.14 in the first quarter of 2001 to 17.82 for the first quarter of this year. The latest available data for April 2002 is 16.10 ppl. According to the milk price survey in "Farmer's Weekly", prices paid for Welsh milk hold their own against other regions of the UK.
6. The price of organic milk has also fallen, reflecting the increased number of organic producers. Basically, production has grown faster than market demand. What is needed is more organic processing capacity to utilise the extra milk production.
7. The Assembly Government is working with the industry and the WDA's Agri-Food Directorate to

develop new markets, products and processing facilities. The Agri-Food Partnership is currently reviewing the Dairy Action Plan.

### **Tir Mynydd**

8. As set out in "Farming for the Future", the operation of Tir Mynydd has been examined to consider options for revising the scheme. Officials are preparing a consultation paper to seek views about possible changes that might be introduced from 2004, when the current safety net mechanism would not apply. A copy of the consultation paper will be made available to the Committee.

### **Organic farming**

9. At the Committee meeting on 29 May, Members asked for details of the biodiversity benefits delivered by organic agriculture. This information is at Annex 1 to this report.

### **Animal movement restrictions**

10. At the last Committee meeting, Members sought clarification on the justification for restriction of livestock collection centres and auctions being held on the same day. There is nothing in the legislation to prevent livestock collection centres and auctions on the same day but it tends to be impractical. As stock for collection centres may come from farms under a 20 day standstill and stock to auction can only come from farms not subject to a standstill and can return to the farm of origin, the stock cannot be in the market at the same time. Full cleansing & disinfecting is required between the two sets of animals being in the market.

### **Bovine TB**

11. Clarification was sought at the last meeting on inclusion of road killed badgers in the Oxford University research (referred to in my last report) into the risk of cattle form M bovis infection in wildlife species other than badgers.

12. The research:

- focuses on trapping, sampling and the release of wild animals.
- is not aimed at specifically trapping badgers but if caught they are sampled and released
- will sample and test carcasses from fresh road kills but this is dependent on post mortem facilities and the freshness of the road kill.

### **South Wales Sea Fisheries Committee (SWSFC) Order**

13. Further consultation is underway with the constituent local authorities represented on the Sea

Fisheries Committee (SFC) about funding.

It remains the intention to prepare a new Order to withdraw Rhondda Cynon Taf from membership of the SFC from 1 April 2002 and to set a revised legal framework governing the financial contributions for the local authorities remaining in membership. A parallel Order will allow the SFC to adjust the levies imposed on the Authorities for the 2002-03 financial year.

### **Farming for the Future**

14. As a result of a very full agenda for the ARD Committee meeting on 17 July, it has been mutually agreed with the Committee Secretariat to defer the next progress report until the first meeting after the summer recess.

### **Secondary legislation**

15. At Annex 2 is the regular update on the list of forthcoming legislation.

### **Visit to Wales by Latvian Foresters**

16. A senior delegation from the Latvian State Forestry Service is visiting Wales from 1 – 4 July, having been alerted to the Assembly's Woodland Strategy *Woodlands for Wales*. The delegation is particularly interested in the development of the strategy and how the Forestry Commission propose implementing the move away from plantation forestry systems, over time, to more natural processes using, where appropriate, continuous cover.

### **Safer Communities**

17. The Forestry Commission (FC) has been included on the steering group for the Safer Communities initiative, tasked with preparing a new strategy for crime reduction by the Assembly. The work undertaken by the Forestry Commission on social engagement, and in particular the proposed Intermediate Labour Market scheme, was considered sufficiently important for the FC to be included in this major project.

# THE BIODIVERSITY AND OTHER ENVIRONMENTAL IMPACTS OF ORGANIC FARMING

## Purpose

1. This paper follows a request by the Committee for the Minister to provide details of the biodiversity benefits delivered by organic farming.

## Action

2. The Committee is invited to note the paper

## Background

3. Organic farming is widely perceived to provide biodiversity and environmental benefits when compared with more intensive conventional production systems. For this reason, organic farming was specifically included as an option in the agri-environment regulation 2078/92, and has continued to be accepted under the Agenda 2000 rural development regulation with a reduced requirement for direct monitoring of environmental outputs. The EU Commission, particularly DG Environment, and most member state governments support this position with some, e.g. Denmark and Sweden, having organic farming as their flagship agri-environment schemes.

The basis for the expectation that organic farming delivers biodiversity and environmental benefits lies in both the direct environmental requirements of organic standards and the Organic Farming Scheme requirements which amongst other things, prohibit the use of biocides, and the indirect impacts of organic standards' requirements. For example, the prohibition on industrially-fixed nitrogen fertiliser use has direct environmental impacts, but organic farming also requires greater use of legumes including red clover which have specific biodiversity benefits as a food source for bumble bees. Similarly, the prohibition on herbicide use leads to greater use of spring cereals in organic arable systems for weed management purposes, this has a beneficial impact on farmland bird populations.

4. It has been argued that these benefits can be obtained by conventional producers: this may be the case as all farming practices used by organic farmers can be adopted by conventional producers. However, these practices are required under organic farming but are optional for conventional systems. Furthermore, it is the combination of practices that is important for the broad range of intrinsic benefits that have been identified. It is possible to take any specific environmental benefit and to achieve that to a greater extent through a more targeted scheme. What organic farming offers is a wide range of benefits, with a *total* environmental impact that is likely to be greater than many of the targeted schemes. It does this with market support rather than just taxpayer support.

5. Production standards on their own do not necessarily guarantee environmental benefits – farmers need to be skilled and to understand the environmental basis for, and implications of, organic standards.

6. Notwithstanding this, there is a substantive body of research which has confirmed the wide range of biodiversity and environmental benefits that organic farming delivers. Two key review reports are listed at the end of this paper. On the basis of this research, it is possible to conclude that:

- Soil biodiversity, in particular microbial, earthworm and other faunal activity is enhanced by organic management practices, in particular through return of organic matter as an energy source for the soil ecosystem, and the restrictions on fertiliser and biocide inputs that have been shown to impact negatively on soil biodiversity.
- Plant biodiversity in arable systems is enhanced, not only in field margins but also within the crops themselves, as a result of the non-use of fertilisers. Studies have shown that not only are there more species present, but the value of these species to insects and birds is also enhanced, and in many cases red list (endangered) species have been found to be present in organic arable fields where they are absent in conventional systems.
- Plant biodiversity in grassland has been less well researched. There is a case that in ley farming, organic farmers are also using relatively simple mixtures that are not as diverse as species rich permanent grassland. However, they are still more diverse, both in terms of the range of sown herbage species and non-sown species than many conventionally managed temporary leys. There is a risk that species rich grassland might be ploughed up for cropping under organic management, although organic standards and Organic Farming Scheme regulations prohibit this.
- Insect biodiversity, in particular butterflies, bees and bumble bees, has been shown to be increased on organic farms. A major factor in this is the presence of flowering species within organic arable crops and in organic grassland (in particular white and red clover). There is also evidence that beneficial insects for pest control, including parasitic wasps, ladybirds and carabid beetles, are favoured by organic management practices, in particular the use of flowering field margins and understoreys in orchards.
- Wild mammal biodiversity may be enhanced by organic management, but there have been fewer studies of these issues.
- Farmland bird biodiversity has been shown in British Trust for Ornithology and other international studies to be higher on organic farms. This is due to a combination of factors – mixed farming including arable crops in livestock systems; a better balance of spring and winter cereals in arable systems; the greater presence of non-crop species within crops providing seed and insect food resources for birds, and differences in hedgerow and field margin habitat providing more nesting sites and food reserves. There is a concern about the use of harrowing for weed control in cereals in springtime, which may damage ground nesting birds – however, it can also be argued that these nests are then re-established, and the cereals having grown taller in the meantime provide more protection from predators. Thus, the overall impact is unclear and as yet under-researched.
- Specific uncropped habitats are not necessarily better or worse off under organic management. They need specific supplementary management regimes to protect them, and these will be needed for organic as for conventional production systems. However, it may be argued that there is a greater awareness of, and willingness to protect, these habitats among organic producers because of the environmental focus of the standards.
- Landscape may not be affected directly, although changes in cropping patterns and species

cultivated, as well as hedgerow management, may have some impacts.

- Sustainability of resource use is also an important aspect of the environmental impact of organic farming. Studies have consistently shown that organic farming reduces soil erosion and uses less fossil energy than conventional systems, not only on a per hectare basis but in many cases also on a per tonne of food produced basis (i.e. acknowledging that in industrialised countries organic farming is associated with lower yields). This takes the account of possible increased machinery use for weed control – not usually an issue for grassland based systems, but in arable systems where mechanical cultivation are used, the increased energy use and impacts on soil are more than outweighed by changes in the rotation, including a fertility rebuilding phase, and by the reductions in external inputs which have significant energy implications.
- The reduced use of external and non-renewable resources is also closely linked to reduced pollution from organic systems. Studies have shown that nitrate and phosphorus leaching (contributing to water eutrophication) are reduced under organic management. Studies have also shown that the reduced fossil energy use contributes directly to reducing greenhouse gas emissions, lower stocking rates and changes in manure management practices also contribute to reduced ammonia and methane emissions. The emphasis on rebuilding organic matter levels in soils may also act as a carbon sink.
- The impact of organic farming in the hills and uplands has been less well researched. This issue is to be addressed in the coming months through joint working between Organic Centre Wales (OCW), the Countryside Council for Wales and the Environment Agency (EA) – a report should be available in October. However, the reduced use of fertilisers, reduced stocking rates, and increased emphasis on cattle production relative to sheep are likely to have some impacts.
- The issue of sheep dip, and in particular the synthetic pyrethroids utilised by organic farmers, has been identified as a problem by the Environment Agency – organic standards such as those of the Soil Association place specific additional requirements on the use and disposal of these dips in order to minimise risks, but further work is ongoing between EA and OCW on this issue.
- It has been claimed by some that organic farming may be more damaging to the environment because the reduced yields will lead to more land being brought into cultivation and wilderness/habitats being destroyed. With current levels of overproduction in industrialised countries, and the small size of the organic sector, this is a long way from being a real issue. However, such claims also do not take account of the more effective use of resources under organic management; further research is needed to quantify whether this is a real problem.

As noted above, the conclusions of two major reviews are included as annexes to this paper.

**Unwin, R., B. Bell, M. Shepherd, J. Webb, R. Keatinge and S. Bailey (1995) *The effects of organic farming systems on aspects of the environment*. ADAS. London**

Key conclusions from a report prepared for Agricultural Resources Policy Division of the Ministry of Agriculture, Fisheries and Food.

- The crop rotations of organic systems maintain landscape diversity and biodiversity whilst the maintenance of field boundaries on organic units produces benefits to a wide range of organisms.

- Inorganic nitrogen fertilisation and herbicide treatments of conventionally managed grassland has reduced the floral diversity of permanent pastures and maintained the low diversity of re-seeded pastures, greatly reducing their value as wildlife habitats.
- Pesticide use is responsible for the removal of food sources for birds and mammals in the form of weeds and invertebrates, as well as removing whole populations of potentially beneficial insects.
- The majority of water pollution incidents from farms are caused during storage and spreading of cattle and pig slurries. A higher proportion of organic cattle and virtually all organic pigs are kept on solid manure systems and therefore are less of a risk.
- The nitrogen balance of individual 'conventional' and 'organic' systems will depend greatly on the circumstances and management practices of the individual farms. Consequently it is not possible to generalise that one system is always better than the other in terms of nitrate leaching risk. With this qualification the literature does indicate that generally, organic systems offer less *risk* of nitrate leaching.
- Organic systems are less likely to cause loss of phosphate into surface and ground waters. Both leaching and loss in eroded soil are likely to be reduced.
- Organic management practices such as rotations, the regular use of manures and non-use of pesticides usually increase soil organic matter contents.
- Organic practices are likely to increase earthworm numbers compared to conventional systems. The increased numbers are universally acknowledged to benefit soil fertility although such effects are difficult to quantify.
- Soil erosion is less of a problem on organic units.
- Accumulations of copper and zinc in soils are much reduced in organic systems because organic pig and poultry producers do not supplement feeds with these metals as growth promoters. Copper fungicides are more widely used on organic farms and their use should be carefully monitored to prevent harmful effects.
- The practices adopted by organic farmers can reduce emission of nitrous oxide and methane. Ammonia emission will not necessarily be less in organic than in conventional farming.
- Organic farmers adopt practices which benefit the landscape. They maintain and introduce features largely because they are required by the Organic Standards to do so. They introduce such management practices because they are technically necessary for successful organic production.

In a European report aiming to contribute to a better understanding of organic farming's effect on the environment and to help clarify its possible contribution to European agri-environmental policy, the authors highlight that the important objective of Organic Standards is the achievement of desired environmental goals.

Results of environmental indicator assessment are summarised, including the following categories:

**Ecosystem:** covering floral and faunal biodiversity, habitat biodiversity and landscape conservation. Organic farming was found to perform better than conventional in respect to floral and faunal diversity, and to provide potentials that result in positive effects on wildlife conservation and landscape. In productive areas, organic farming was identified as the least detrimental farming system with respect to wildlife conservation and landscape.

**Soil:** results showed that organic farming tends to conserve soil fertility and system stability better than conventional farming systems, due to higher organic matter contents and biological activity. Organic farming has a high erosion control potential.

**Ground and surface water:** research results indicated that organic farming resulted in lower or similar nitrate leaching rates than conventional or integrated agriculture, with leaching rates per hectare up to 57% lower on organic fields. Organic farming identified as the preferred agricultural system for water reclamation areas.

**Climate and air:** due to lack of quantitative data, no definite differences were identified with respect to greenhouse gases. Due to the prohibition on synthetic pesticides in organic farming, significantly lower air contamination is ensured than in conventional farming.

**Farm input and output:** in all published calculations the N, P and K surpluses of organic farms were significantly lower than on conventional farms. Most research studies reviewed indicate that energy consumption on organic farms is lower than in conventional farms. No research results available on water use.

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## ***ANNEX 2***

### ***AGRICULTURE & RURAL AFFAIRS LEGISLATION LIST***

*The list is in two parts:*

***PART I*** shows those items of secondary legislation –

***11- in all-*** which are in the programme

*It is quite possible that there will be other legislation which may have to be included in this list as plans are firmed up*



**PART II** lists all other secondary legislation –

**51- in total-** in the pipeline that we are aware of but which has not presently been programmed under the Standing Orders procedure.

<b>NO</b>	<b>TITLE</b>	<b>INTENTION OF LEGISLATION</b>			<b>KEY DATES</b>	<b>PROCEDURE</b>
		<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>		
					<b>BC- BUSINESS COMMITTEE</b>  <b>LC- LEGISLATIVE COMMITTEE</b>  <b>P- PLENARY</b>	
<b>ANIMAL HEALTH</b>						
1	<i>Welfare of Farmed Animals (Wales) Amendment Regulations 2002</i>	<i>EU proposals laying down minimum standards for the protection of laying hens kept in various systems</i>	<i>Sets minimum requirements in respect of feeding space for hens, size of drinking troughs, nest space, perches, littered area, construction of installations and stocking density. Bans battery cages from 2012</i>	<i>Derived from the EU legislation and will be brought into force as an amendment to the Welfare of Farmed Animals (Wales) Amendment Regulations 2001.</i>	<i>BC- 18.06.02</i>  <i>LC- 02.07.02</i>  <i>P- 11.07.02</i>	<i>SO 22 SI</i>  <i>Previously considered by the Committee</i>

<b>NO</b>	<b>TITLE</b>	<b>INTENTION OF LEGISLATION</b>	<b>KEY DATES</b>	<b>PROCEDURE</b>

<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>	<b>BC- BUSINESS COMMITTEE</b>  <b>LC- LEGISLATIVE COMMITTEE</b>  <b>P- PLENARY</b>
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**CAP/ AGRICULTURE COMMODITIES**

2	<i>Tir Mynydd amendment regulations 2002</i>	<i>To make changes to the existing regulations (eg for stocking density)</i>	<i>Mainly to broaden the base for making TM payments and to bring cross border holdings in line with UK agreed arrangements.</i>	<i>The TM scheme is specific to Wales but these regulations are only amending extant scheme principal regulations.</i>	<i>Imminent.  Commission approval awaited</i>	<i>Executive procedure so that we can give immediate effect to changes sought from the EC and that associated scheme payments will not be delayed to farmers.</i>
3	<i>The Sheep Annual Premium (Wales) Regulations 2002</i>	<i>To implement the December 2001 EU Regulations on a reformed sheepmeat regime. Commission Reg. 2550/2001 and Council Reg. 2529/2001</i>	<i>To introduce :  A new fixed rate premium and LFA supplement;  A new premium payment period;  A new definition of producer group;  A new national envelope for</i>	<i>With the exception of the national envelope all these measures will have a common application in the UK. The national envelope may be applied on a regional basis thereby allowing for the implementation of different options by the</i>	<i>BC – 15.10.02  LC – 29.10.02  P – 03.12.02</i>	<i>SO 22</i>

*refer.*

*sheep.*

*devolved UK administrations. Regs will amend SI 1992/2677 (as amended); and will be introduced under the European Communities Act 1972 Section 2 (2). Assembly designated for this purpose.*

<b>NO</b>	<b>TITLE</b>	<b>INTENTION OF LEGISLATION</b>			<b>KEY DATES</b>	<b>PROCEDURE</b>
		<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>		
					<b>BC- BUSINESS COMMITTEE</b>  <b>LC- LEGISLATIVE COMMITTEE</b>  <b>P- PLENARY</b>	

***PLANT HEALTH, SEEDS & PESTICIDES***

4	<i>Plant Health (Amendment) (Wales) Order 2002</i>	<i>This SI will end the Rhizomania Protected Zone in Great Britain including Wales.</i>	<i>Consultation ended 7 May 2002. This instrument will, inter alia, introduce additional soil testing requirements for the movement of seed potatoes to the remaining parts of the protected zone.</i>	<i>The intention of this Order is to amend the Plant Health (Great Britain) Order 1993 so as to implement certain elements of Commission Directives 2002/28 and 2002/29 in Wales which are not implemented in other legislation. The powers enabling this SI to be made are Section 2, 3(1) to (4) and 4(1) of the Plant Health Act 1967. There is no scope for a distinctive Welsh policy.</i>	<i>LC 25 June P 9 July</i>	<i>SO22 accelerated</i>
5	<i>The Seed (Fees) Amendment (No 2) Regs. 2002</i>	<i>To set the fees for seed certification in England and Wales.</i>	<i>a 5 % fees increase is proposed for 2002-03.</i>	<i>The powers enabling this instrument to be made are contained in sections 16(1) and (1A)(e) and 36 of the Plant Varieties and Seeds Act 1964. The Seed certification system in England and Wales is run on</i>	<i>BC 2 July LC 9 July  Plenary 18 July  CIF 23 July</i>	<i>SO22</i>

*the basis of full cost recovery, therefore, there is limited scope for distinctive Welsh policy.*

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		<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>		
					<b>BC- BUSINESS COMMITTEE</b>  <b>LC- LEGISLATIVE COMMITTEE</b>  <b>P- PLENARY</b>	
<b>FISHERIES</b>						
6	<i>The Undersized Spider Crabs (Wales) Order 2002</i>	<i>Measures to support EU technical conservation regulation 850/98</i>	<i>Improved technical conservation measures includes an increase in the minimum landing sizes for spider crabs above those otherwise applying at EU level.</i>	<i>Order will be made under sections 1(1), (4), (6) and 15(3) of the Sea Fish Conservation Act 1967. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the Rural Affairs Minister. The minimum sizes have been determined to meet Welsh needs, but enforcement</i>	<i>BC - 25.06.02</i>  <i>LC -02.07.02</i>  <i>P -11.07.02</i>	<i>SO 22</i>

				<i>provisions are common throughout UK waters.</i>		
7	<i>The Prohibition of Fishing with Multiple Trawls Order 2002</i>	<i>Measure to enforce EU technical conservation regulation 850/98</i>	<i>Improved technical conservation measures by restricting the types of nets that can be used in Welsh waters.</i>	<i>Order will be made under sections 5(1) and 15(3) of the Sea Fish (Conservation) Act 1967. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the Rural Affairs Minister. Enforcement provisions are common throughout UK waters</i>	<i>BC - 25.06.02 LC -02.07.02 P -11.07.02</i>	<i>SO 22  To be considered by the Committee. Key dates to be reviewed.</i>
8	<i>The Undersized Lobsters (Wales) Order 2002</i>	<i>Measures to support EU technical conservation regulation 850/98</i>	<i>Improved technical conservation measures includes an increase in the minimum landing sizes for lobsters above those otherwise applying at EU level.</i>	<i>Order will be made under sections 1(1), (4), (6) and 15(3) of the Sea Fish Conservation Act 1967. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the Rural Affairs Minister. The minimum sizes have been determined to meet Welsh needs, but enforcement provisions are common throughout UK waters</i>	<i>BC - 25.06.02 LC -02.07.02 P -11.07.02</i>	<i>SO 22  Key dates to be reviewed.</i>

NO	TITLE	INTENTION OF LEGISLATION			KEY DATES	PROCEDURE
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					<b>BC- BUSINESS COMMITTEE</b>  <b>LC- LEGISLATIVE COMMITTEE</b>  <b>P- PLENARY</b>	
9	<i>The Shellfish (Specification of Crustaceans) (Wales) Regs</i>	<i>Addition of crabs to the specification of crustaceans for the purposes of section 1 of the Sea Fisheries (Shellfish) Act 1967</i>	<i>These regulations add crabs to other types of shellfish which enables several or regulated fisheries for crabs to be established.</i>	<i>Regulations will be made under section 1 (1) of the Sea Fisheries (Shellfish) Ac 1967. The functions of the Secretary of State have been transferred to the Assembly and delegated to the Rural Affairs Minister. This is enabling legislation. Any substantive legislation will proceed under SO 26</i>	<i>BC - 25.06.02</i>  <i>LC -02.07.02</i>  <i>P -11.07.02</i>	<i>SO 22</i>
10	<i>The Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) (Wales) Order 2002</i>	<i>The management of fish quotas. Updating by replacing existing similar legislation.</i>	<i>Enforcement powers and penalties imposed on any boat fishing against EC quotas.</i>	<i>Order will be made under section 30(2) of the Fisheries Act 1981. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the Rural Affairs Minister. These enable Community legislation to be</i>	<i>BC - 25.06.02</i>  <i>LC -02.07.02</i>  <i>P -11.07.02</i>	<i>SO 22</i>  <i>Key dates to be reviewed.</i>

				<i>effectively enforced in Welsh waters. It is important that enforcement powers are consistent throughout UK waters.</i>		
11	<i>The Sea Fishing (Enforcement of Community Conservation Measures) (Wales) (Amendment) Order 2002</i>	<i>Measures to support EU technical conservation regulation 850/98</i>	<i>Improved conservation of fishery resources through the enforcement of restrictions and obligations. Updates the references to Community legislation in existing Welsh legislation.</i>	<i>Order will be made under section 30(2) of the Fisheries Act 1981. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the Rural Affairs Minister. These enable Community legislation to be effectively enforced in Welsh waters. It is important that enforcement powers are consistent throughout UK waters.</i>	<i>BC - 25.06.02 LC -02.07.02 P -11.07.02</i>	<i>SO 22  Key dates to be reviewed.</i>

<b><i>TITLE</i></b>	<b><i>INTENTION OF LEGISLATION</i></b>			<b><i>PROJECTED DATE FOR MAKING SI</i></b>	<b><i>PROCEDURE</i></b>
	<b><i>PURPOSE</i></b>	<b><i>EFFECT</i></b>	<b><i>SCOPE</i></b>		

***CAP/ AGRICULTURE COMMODITIES***



1	<i>Rural Payments Agency Appeals Regulations</i>	<i>To put into place an appeals procedure for schemes administered by the Rural Payments Agency on behalf of the National Assembly.</i>	<i>To extend rights of appeal already existing in relation to IACS schemes in Wales.</i>	<i>Regulations will give effect in Wales to a standard procedure agreed between the Rural Payments Agency and the 4 agriculture departments.</i>	<i>Timing uncertain. Possibly Autumn 02</i>	<i>SO 22</i>
2	<i>Livestock Quotas (Amendment) (Wales) Regulations 2002</i>	<i>To implement measures to consolidate and liberalise the quota regime</i>	<i>Provide more flexible system of quota allocation and trading by simplifying administrative procedures.</i>	<i>Limited scope for distinctive Welsh policy.  Will amend SI 1997 No 2844.  Regs will be introduced under the European Communities Act 1972 Section 2(2)</i>	<i>Timing uncertain. Possibly Autumn 02</i>	<i>SO22</i>
3	<i>CAP Wine Amendment Regs</i>	<i>To implement EU updated labelling regs.</i>	<i>Will give effect to EU rules relating to the description, designation and presentation of wines. Will standardise labelling of wine throughout the EU</i>	<i>EU wide with no discretion for distinctive Welsh policy. Will amend SI No 2193 The Common Agricultural Policy (Wine) (Wales) Regulations 2001. Regs will be introduced under the European Communities Act 1972 Section 2(2). Assembly designated for this purpose.</i>	<i>Timing uncertain.</i>	<i>SO 22</i>

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	<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>		
4 <i>Small Farmers' Scheme (Wales) Regulations 2002</i>	<i>To implement an EU Reg. giving farmers the option to participate in a pilot scheme offering a simplified procedure for claiming direct subsidies.</i>	<i>It would enable small farmers to receive a single payment (based on historic claims) in place of payments under a range of direct aid schemes thus reducing administrative burdens on farmers, national authorities and the commission.</i>	<i>Enabling powers are section 2 (2) of the European Communities Act 1972. The Assembly has been designated for this purpose, but scope for distinctive action is limited.</i>	<i>Spring 2003</i>	<i>SO 22</i>
5 <i>Eggs and Poultry Marketing Regs.</i>	<i>These will implement EU regulations on labelling stocking density for free range eggs and technical requirements relating to the marketing of</i>	<i>To increase the minimum outside stocking density for free range hens where rotation of pasture is practised.</i>	<i>Enabling powers are section 2 (2) of European Communities Act 1972. The Assembly has been designated for this purpose. EU obligation requiring consistent application throughout UK.</i>	<i>late 2002/ early 2003</i>	<i>SO 22</i>

		<i>poultry meat.</i>				
6	<i>Potato Industry Development Council</i>	<i>to implement proposed modification to the levy collection system</i>	<i>To provide for a dual system of levy collection from potato producers in England, Scotland and Wales.</i>	<i>GB wide application with no scope for distinctive Welsh policy.  Regs will amend the Potato Industry Development Council Order 1997 SI 1997/266 as amended by the Potato Industry Development Council (Amendment) Order SII999/1413</i>	<i>October/  November 0/2</i>	<i>SO 23</i>

	<i>TITLE</i>	<i>INTENTION OF LEGISLATION</i>			<i>PROJECTED DATE FOR MAKING SI</i>	<i>PROCEDURE</i>
		<i>PURPOSE</i>	<i>EFFECT</i>	<i>SCOPE</i>		
7	<i>Tir Mynydd amendment regulations 2003</i>	<i>To implement changes to the scheme for 2004 onwards following the review of the scheme as part of RDP evaluation</i>	<i>To introduce a more refined land based scheme, using GIS, to replace the existing Tir Mynydd scheme.</i>	<i>Tir Mynydd, introduced in 2001, is a dedicated LFA scheme for Wales. SI 2001 No 496 and SI 2001 No 1154 refer. The revised scheme will reinforce the differences which currently exist between Tir Mynydd</i>	<i>Autumn 2003</i>	<i>SO22</i>

				<p><i>and the comparable LFA schemes operating in England, Scotland and Northern Ireland. The new regs will be introduced under the European Communities Act 1972 Section 2(2).</i></p>		
8	<p><i>Dairy quota amendment regulations</i></p>	<p><i>To implement EU reforms under Agenda 2000 awarding extra quota allocation to dairy farmers and to compensate dairy farmers for cuts in support prices</i></p>	<p><i>Final tranche of Agenda 2000 reforms. 15% reduction in support prices, -Dairy Premium Scheme- Community-funded compensation for reductions in support prices, 1.5% linear increase in milk quotas for UK and provision for additional national envelope for topping up basic payments.</i></p>	<p><i>Enabling powers are section 2(2) of European Communities Act 1972. The Assembly has been designated for this purpose. UK wide application – so limited scope for distinctive action</i></p>	01/04/2005	SO 23 SI

	<b>TITLE</b>	<b>INTENTION OF LEGISLATION</b>			<b>PROJECTED DATE FOR MAKING SI</b>	<b>PROCEDURE</b>
		<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>		
9	<i>Home Grown Cereals Authority amendment order</i>	<i>To implement provisions in Regulatory Reform Act</i>	<i>To remove various burdensome operational and bureaucratic requirements of the 1965 Cereals Marketing Act.</i>	<i>Enabling powers are section 14 of the Cereals marketing Act 1965. The act requires the Assembly to make the order jointly with GB Agriculture Ministers.</i>	<i>Timing Uncertain</i>	<i>SO 23 SI</i>
10	<i>Arable Area Payments Regulations</i>	<i>To consolidate &amp; incorporate a number of new measures</i>	<i>To provide arable area subsidies under the CAP.</i>	<i>These regulations will implement EU legislation. There will be no specific Welsh dimension. The regulations will be made using powers under section 2(2) of the European Communities Act 1972. The Assembly has been designated for this purpose.</i>	<i>Timing uncertain</i>	<i>To be confirmed.</i>

11	<i>Marketing Standards for Olive Oil</i>	<i>To standardise/ regulate labelling and quality of olive oil</i>	<i>To give consumers more information. These will have little or no effect on the industry in Wales as there are no commercial olive growers in Wales.</i>	<i>EU wide application with no scope for distinctive Welsh policy. The Regs will be introduced under the European Communities Act 1972 Section 2(2)</i>	<i>Timing uncertain</i>	<i>SO 23</i>
12	<i>Amendment to Horticulture Development Order</i>	<i>To subsume the Apples and Pears Research Council (APRC)</i>	<i>To implement the recommendation of an independent evaluation of the functions of the APRC and the HDC</i>	<i>Industrial Development Act 1947. The order needs to be made jointly with Defra and Scottish Executive</i>	<i>Timing uncertain</i>	<i>SO 23</i>

<b><i>TITLE</i></b>	<b><i>INTENTION OF LEGISLATION</i></b>			<b><i>PROJECTED DATE FOR MAKING SI</i></b>	<b><i>PROCEDURE</i></b>
	<b><i>PURPOSE</i></b>	<b><i>EFFECT</i></b>	<b><i>SCOPE</i></b>		

***ANIMAL HEALTH***

13	<i>Implementation of EU regulation 999/2001 on TSEs</i>	<i>To cover international trade issues.</i>	<i>Trade and export of live animals or trading in products of animal origin</i>	<i>The proposals implement EU Legislation and the SI will be made using powers under S2 (2) of the EU Communities Act 1972</i>	<i>July 2002</i>	<i>SO 22</i>
14	<i>The Brucellosis in Cattle Herds (Wales) Order 2001</i>	<i>Provisions governing the testing of milk for Brucellosis</i>	<i>To implement C.Dir. 64/432/EEC and 77/391/EEC. Relating to arrangements for milk testing for Brucellosis.</i>	<i>To revoke and substantially re-enact the Brucellosis Order 1997 in Wales.</i>	<i>Summer 2002</i>	
15	<i>The Enzootic Bovine Leukosis (Wales) Order 2001</i>	<i>Regulatory framework for testing of milk for EBL</i>	<i>To implement CDir 64/432/EEC and 77/391/EEC. Relating to arrangements for milk testing for EBL.</i>	<i>To revoke and re-enact the EBL Order 1997 in Wales</i>	<i>Summer 2002</i>	
16	<i>Animal By-Products Regulation</i>	<i>To enforce Community-wide measures that lay down health rules concerning animal by-products not intended for human consumption.</i>	<i>To control animal by-products and products such as meat and bonemeal that are derived from animal by-products. It will also deal with the import and trade of animal products that</i>	<i>The proposals implement EU Legislation and the SI will be made using powers under S2 (2) of the EU Communities Act 1972.</i>	<i>March 2003</i>	<i>SO 22</i>

*are not intended for human consumption and will ban the use of high risk material in animal feed.*

<b>TITLE</b>	<b>INTENTION OF LEGISLATION</b>			<b>PROJECTED DATE FOR MAKING SI</b>	<b>PROCEDURE</b>
	<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>		
17 <i>Amendments to the requirements of The Horse Passport Order</i>	<i>To implement EC Decision 2000/68. Deadline for EU implementation was 1 July 2000</i>	<i>To effect greater control over withdrawal periods for veterinary products used on equines destined for the human food chain and greater traceability of individual animals through the introduction of passports for all equines.</i>	<i>Updates Commission Decision 93/623/EEC. Separate Legislation for Wales and will apply to all equines.</i>	<i>Timing uncertain</i>	<i>SO 23 SI</i>



18	<i>Classical Swine Fever Regulations</i>	<i>To revise and strengthen controls for this disease</i>	<i>To enact Directive 92/119, and a new Directive awaited on African Swine fever.</i>	<i>Timing uncertain</i>	<i>SO 23 SI</i>
19	<i>Swine Vesicular Disease Order</i>	<i>To improve and strengthen controls for this disease</i>	<i>To enact Directive 92/119, under Specified Diseases.</i>	<i>Timing uncertain</i>	<i>SO 23 SI</i>
20	<i>The Bovine and Bovine Products (Trade) (Wales) Regulations 2001</i>	<i>To permit Welsh slaughterhouses to operate the Data Based Export scheme (DBES)</i>	<i>Will permit the despatch of bone-in beef from establishments approved under the Date Based Export Scheme to the domestic market</i>	<i>Timing uncertain at the moment.</i>	<i>By Standard Procedure</i>  <i>But we will asking for executive procedure if it seems likely that relaxation of the DBES rules would allow a Welsh plant to enter the scheme.</i>

<b>TITLE</b>	<b>INTENTION OF LEGISLATION</b>			<b>PROJECTED DATE FOR MAKING SI</b>	<b>PROCEDURE</b>
	<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>		

21	<i>Review of Welfare of Animals in transit</i>	<i>To implement changes agreed to strengthen welfare standards of animals in transit</i>	<i>To tighten controls in some areas of existing legislation but does not include amendment to journey times</i>	<i>EU legislation put into force at present under the Welfare of Animals (Transport) Order 1997</i>	<i>Timing uncertain</i>	<i>SO 22</i>
22	<i>Welfare of Animals (Slaughter) Regulations</i>	<i>To implement EU amending Directives</i>	<i>To adapt/tighten methods of slaughter to take into account animal welfare considerations</i>	<i>EU legislation under section 2 (2) of the EC Act 1972(b) in relation to CAP</i>	<i>Timing uncertain</i>	<i>SO 22</i>
23	<i>Broiler / meat Chicken code</i>	<i>To promote the highest standards of husbandry practices for each intended species</i>	<i>The Welfare Codes will be made under s.3(1) of the Agriculture (Miscellaneous Provisions) Act 1968 which empowers the National Assembly to make Codes subject to statutory consultation.</i>	<i>Policy being developed</i>	<i>Timing uncertain</i>	

24	<i>Sheep Welfare Code</i>	<i>To promote the highest standards of husbandry practices for each intended species</i>	<i>The Welfare Codes will be made under s.3(1) of the Agriculture (Miscellaneous Provisions) Act 1968 which empowers the National Assembly to make Codes subject to statutory consultation.</i>	<i>Policy being developed</i>	<i>Timing uncertain</i>
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<i>TITLE</i>	<i>INTENTION OF LEGISLATION</i>			<i>PROJECTED DATE FOR MAKING SI</i>	<i>PROCEDURE</i>
	<i>PURPOSE</i>	<i>EFFECT</i>	<i>SCOPE</i>		

***FISHERIES***

25	<i>The Swansea Bay (Penclawdd Shellfish Processors Ltd) Order</i>	<i>Grant of fishing rights to one body</i>	<i>The intention is to improve the management and cultivation of the fishery by regulation and licensing</i>	<i>Orders are made under Section 1 of the Sea Fisheries Shellfish Act 1967. The functions of the Secretary of State have been transferred to the Assembly and delegated to the Minister of Rural Affairs</i>	<i>Summer 2002</i>	<i>This is a local SI which will proceed under Standing order 26 if approved following appropriate consultation.</i>
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26	<i>The Undersized Edible Crabs (Wales) Order 2002</i>	<i>Measures to support EU technical conservation regulation 850/98 in respect of Edible Crabs</i>	<i>Improved technical conservation measures includes an increase in the minimum landing sizes for crabs above those otherwise applying at EU level</i>	<i>Order will be made under sections 6(1), (3), 20(1) and 15(3) of the Sea Fish Conservation Act 1967. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the Rural Affairs Minister The minimum sizes have been determined to meet Welsh needs following consultation, but enforcement provisions are common throughout UK waters</i>	<i>Summer 2002</i>	<i>SO 22  To be considered by the Committee.</i>
27	<i>The South Wales Sea Fisheries District (Variation) Order 2002</i>	<i>To amend existing SWSFC Order of 1912</i>	<i>To provide further for the membership and funding of the SWSFC</i>	<i>The Order is made under the Sea Fisheries Regulation Act 1966. The functions of the Secretary of State have been transferred to the Assembly and delegated to the Minister for Rural Affairs. The content of the Order is still the subject of consultation.</i>	<i>Summer 2002</i>	<i>SO 22</i>

<b>TITLE</b>	<b>INTENTION OF LEGISLATION</b>			<b>PROJECTED DATE FOR MAKING SI</b>	<b>PROCEDURE</b>
	<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>		

28	<i>The South Wales Sea Fisheries Committee (Levies) Regulations 2002</i>	<i>To permit the Committee to issue revised levies in consequence of the above Variation Order.</i>	<i>To allow SFC's to adjust levies on constituent member councils in year.</i>	<i>The Regulations is made under the Local Government Finance Act 1988. The powers have been transferred to the Assembly.</i>	<i>Summer 2002</i>	<i>SO 22</i>
29	<i>The Prohibition of Keeping or Release of Live Fish (Specified Species) (Amendment) (Wales) Order 2002"</i>	<i>To increase the number of non-native fish and shellfish species covered by the licensing procedures under The Prohibition of Keeping or Release of Live Fish (Specified Species) Order 1998</i>	<i>To protect native flora and fauna in Wales from the risks posed by accidental or deliberate introductions of certain non-native fish species.</i>	<i>The order making power under section 1 of the 1980 Act was transferred to the Assembly by the principal Transfer of Functions Order (1999/672).  Responsibility under that Act has been delegated to the Minister. The Assembly has the power to determine the fish to be included. These have been decided upon following expert advice and consultation.</i>	<i>Autumn 2002</i>	<i>SO 22</i>
30	<i>Taf, Tywi &amp; Gwendraeth Estuaries Regulating Order</i>	<i>Grant of fishing management rights to one body (SWSFC)</i>	<i>The intention is to improve the management and cultivation of the fishery by regulation and licensing</i>	<i>Orders are made under Section 1 of the Sea Fisheries Shellfish Act 1967. The functions of the Secretary of State have been transferred to the Assembly and delegated to the Minister of Rural Affairs.</i>	<i>Autumn 2002</i>	<i>This is a local SI which will proceed under Standing order 26 following consultation</i>

*The Assembly has a discretion whether to make such an order. Officials are currently considering possible provisions with the SWSFC prior to consultation.*

**TITLE**

**INTENTION OF LEGISLATION**

**PROJECTED DATE FOR MAKING SI**

**PROCEDURE**

**PURPOSE**

**EFFECT**

**SCOPE**

***PLANT HEALTH, SEEDS & PESTICIDES***

31 *The Beet Seeds Regulations*

*The purpose of the regulations is to ensure the correct and transparent implementation of EU directives while maintaining the quality of seed marketed in Wales.*

*Subject to consultation the regulations will transparently implement EU Directives, and where possible reduce administrative costs.*

*The powers enabling this instrument to be made are sections 16(1), (1A), (2), (3), (4) and (5) and 36 of the Plant Varieties and **Seeds Act 1964** in accordance with 66/400/EEC. These regulations will re-transpose the EU common catalogue Directives. As a result there is very limited scope for interpretation*

*Autumn 2002*

*SO 22*

32	<i>The Vegetable Seeds Regulations</i>	<i>The purpose of the regulations is to ensure the correct and transparent implementation of EU directives while maintaining the quality of seed marketed in Wales.</i>	<i>Subject to consultation the regulations will transparently implement EU Directives, and where possible reduce administrative costs.</i>	<i>The powers enabling this instrument to be made under sections 16(1), (1A), (2), (3), (4) and (5) and 36 of the Plant Varieties and Seeds Act 1964 in accordance with 70/458/EEC. These regulations will re-transpose the EU common catalogue Directive. As a result there is very limited scope for interpretation</i>	Autumn 2002	SO22
33	<i>The Seeds (Registration, Licensing and enforcement) Regulations</i>	<i>The purpose of the regulations is to ensure the correct and transparent implementation of EU directives while maintaining the quality of seed marketed in Wales.</i>	<i>Subject to consultation the regulations will transparently implement EU Directives, and where possible reduce administrative costs</i>	<i>The powers enabling this instrument to be made under the Plant Varieties and Seeds Act 1964 in accordance with 70/457/EEC. These regulations will re-transpose the EU common catalogue Directive. As a result there is very limited scope for interpretation</i>	Autumn 2002	SO22

<b>TITLE</b>	<b>INTENTION OF LEGISLATION</b>			<b>PROJECTED DATE FOR MAKING SI</b>	<b>PROCEDURE</b>
	<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>		
34 <i>Transposition of Directive 2001/18/EC</i>	<i>To implement controls on the deliberate release into the environment of GMOs and repeal Directive 90/220/EC</i>	<i>It consolidates best practice in the approval process from across the EU. New features include more detailed environmental risk assessment, including consideration of long term impacts; provision for post-market monitoring; time limited authorisations; the phasing out of some antibiotic resistance markers and compulsory labelling of GMOs.</i>	<i>The Directive is prescriptive in its requirements because it is intended as a measure to harmonise the GMO consent regime across the EU. As a result there is very limited scope for interpretation. The Directive does leave the design of the Part B public consultation mechanism open, but it must be agreed across a Member State. The regulations will be made under powers contained in the Environmental Protection Act 1990 and Section 2(2) of the European Communities Act 1972.</i>	<i>Oct-02</i>	<i>SO22</i>



35	<i>The Cereal Seeds Regulations</i>	<p><i>The purpose of the regulation is to ensure correct and transparent implementation of EU directives while maintaining the quality of seed marketed in Wales and to implement</i></p> <p><i>2001/64/EC on the bulk marketing of seed</i></p>	<p><i>Subject to consultation the regulations will transparently implement EU Directives, and where possible reduce administrative costs.</i></p>	<p><i>The powers enabling this instrument to be made are sections 16(1), (1A), (2), (3), (4) and (5) and 36 of the Plant Varieties and <b>Seeds Act</b> 1964 in accordance with 66/402/EEC. These regulations will re-transpose the EU common catalogue Directives. As a result there is very limited scope for interpretation</i></p>	Autumn 2002	SO22
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<b>TITLE</b>	<b>INTENTION OF LEGISLATION</b>			<b>PROJECTED DATE FOR MAKING SI</b>	<b>PROCEDURE</b>
	<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>		

36	<p><i>The Green Code - Code of Practice for the Safe use of Pesticides on Farms and Holdings</i></p>	<p><i>To update present version.</i></p>	<p><i>A document that will be available to all pesticide users giving guidance and practical advice on how to comply with the laws and regulations governing all aspects of pesticide use</i></p>	<p><i>The Code will be made under section 17 of the Food and Environment Protection Act 1985. This function was transferred to the National Assembly by the National Assembly for Wales (Transfer of Functions) Order 1999 Assessment of the need for a separate Code of Practice is being undertaken and may result in a Welsh Green Code. However, investigations are at a very early stage and it is unlikely that a Welsh Code, should a need be proven, would be ready before the joint version is issued.</i></p>	<p><i>Timing Uncertain</i></p>	<p><i>SO 27</i></p> <p><i>Even though this is a code it may fall within the definition of Assembly general subordinate legislation and have to be made accordingly.</i></p>
37	<p><i>The Potatoes Originating in Netherlands (revocation) (Wales) Regulations 2001</i></p>	<p><i>. The purpose of these regulations is to revoke the temporary authorisation given to Member States to take additional measures against the</i></p>	<p><i>Importers will no longer be required to give the Plant Health and Seeds Inspectorate two days prior notification of imports of potatoes from</i></p>	<p><i>The powers to make this SI come under Section 2(2) of the ECA 1972. Assembly has been designated for this purpose. There is little scope for the Assembly to introduce distinctive Welsh policies because of the need for the statutory</i></p>	<p><i>Timing uncertain</i></p>	<p><i>SO 22</i></p>

*spread of potato brown rot (Pseudomonas solanacearum) as regards the Netherlands under Commission decision 98/736/EC amending Decision 95/506/EC.*

*the Netherlands.*

*provisions to be applied consistently across the Member State.*

<b>TITLE</b>	<b>INTENTION OF LEGISLATION</b>			<b>PROJECTED DATE FOR MAKING SI</b>	<b>PROCEDURE</b>	
	<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>			
38	<i>The Fodder Plant Seeds Regulations</i>	<i>The purpose of the regulations is to ensure the correct and transparent implementation of EU directives while maintaining the quality of seed marketed in Wales and to implement 2001/64/EC.</i>	<i>Subject to consultation the regulations will transparently implement EU Directives, and where possible reduce administrative costs</i>	<i>The powers enabling this instrument to be made are sections 16(1), (1A), (2), (3), (4) and (5) and 36 of the Plant Varieties and Seeds Act 1964 in accordance with 66/400/EEC  <i>.These regulations will re-transpose the EU common catalogue Directive. As a result there is very limited scope for</i></i>	<i>Autumn 2002</i>	<i>SO22</i>

				<i>interpretation</i>		
39	<i>The Oil and Fibre Seeds Regulations</i>	<i>The purpose of the regulations is to ensure the correct and transparent implementation of EU directives while maintaining the quality of seed marketed in Wales.</i>	<i>Subject to consultation the regulations will transparently implement EU Directives, and where possible reduce administrative costs.</i>	<i>The powers enabling this instrument to be made are sections 16(1), (1A), (2), (3), (4) and (5) and 36 of the Plant Varieties and Seeds Act 1964 in accordance with 69/208/EEC. These regulations will re-transpose the EU common catalogue Directives. As a result there is very limited scope for interpretation</i>	<i>Autumn 2002</i>	<i>SO 22</i>
40	<i>Amendments to 2000/29/EC</i>	<i>To improve upon existing protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community under Directive 2000/29/EC</i>	<i>The proposals if accepted will, inter alia, allow seed certification labels to serve as plant passports and to require prior notification of imports, declarations to customs about the presence of plants in imported consignments.</i>	<i>Plant Health Act 196. These amendments will implement a directive aimed particularly at improving the regime of importing plants from non-EEC countries, including procedures for carrying out inspections and charging arrangements.</i>  <i>There will be scope for the Assembly to ensure that Welsh language labels are available for use in Wales.</i>	<i>2003</i>	<i>SO 22</i>

	<b>TITLE</b>	<b>INTENTION OF LEGISLATION</b>			<b>PROJECTED DATE FOR MAKING SI</b>	<b>PROCEDURE</b>
		<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>		
41	<p><i>The control of Pesticides (Amendment) Regulations</i></p> <p><i>The Plant Protection Products (Basic Conditions) (Amendment) (England and Wales) Regulations 2000</i></p>	<p><i>Two SIs which will amend the Control of Pesticides Regulations 1986, as amended and the Plant Protection Products (Basic Conditions) Regulations 1997.</i></p>	<p><i>Existing statutory access arrangements will be opened up so as to make available to the public the vast majority of information supplied in connection with the pesticide regulatory system. The regs will also make some minor improvements to the controls on pesticides concerning aerial applications and the extension to Local authorities of</i></p>	<p><i>The power to make these Regs is contained in Section 16(2) of the Food and Environment Protection Act 1985</i></p> <p><i>The pesticide regulatory system operates on a UK basis. The regulations are made jointly and need to be uniformly applied throughout the UK.</i></p>	<p><i>Timing Uncertain.</i></p>	<p><i>SO 23</i></p>

*Ministers' powers to seize and dispose of pesticides which breach the legislation.*

	<b>TITLE</b>	<b>INTENTION OF LEGISLATION</b>			<b>PROJECTED DATE FOR MAKING SI</b>	<b>PROCEDURE</b>
		<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>		
42	<i>Consolidation of the Plant Health (Great Britain) Order 1993</i>	<i>The purpose of the Order will be to consolidate amendments made under the Plant Health (Great Britain) Order 1993. Minister of Agriculture, Fisheries and Food functions under the Plant Health Act 1967, so far as they are exercisable in relation to Wales, transferred to</i>	<i>It is not known at present whether the proposed consolidation will introduce any new provisions.</i>	<i>The 1993 Order was made under the Plant Health Act 1967. Under the terms of the Transfer of Functions Order, any legislation made under the Plant Health Act 1967 and the Plant Health (Great Britain) Order 1993, as amended, would have to be made by the Assembly. There are no concurrent powers and the Transfer of Functions Order cannot be revoked without the consent of the Assembly – ie</i>	2003	SO 22

*the Secretary of State for Wales by the Transfer of Functions (Wales)(No 1) Order 1978. Functions of the competent authority, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales, by the National Assembly for Wales (Transfer of Functions) Order 1999 (apart from the Treasury consent requirements under section 4 and 4A).*

*DEFRA cannot make legislation in Wales under these powers. However, if the powers were derived from a Section 2(2) designation, this could be revoked by DEFRA.*

*There is little scope for the Assembly to introduce a distinctive Welsh policy because of the need for plant health provisions to be applied consistently across the Member State. Assembly officials will work closely with DEFRA and the other Devolved Administrations to draft the consolidation regulations.*

<b>TITLE</b>	<b>INTENTION OF LEGISLATION</b>			<b>PROJECTED DATE FOR MAKING SI</b>	<b>PROCEDURE</b>
	<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>		
<b>FOOD &amp; FARMING DEVELOPMENT</b>					

43	<i>Environmental Impact Assessment (Uncultivated land and semi natural areas) (Wales) Regulations 2002</i>	<i>To implement the uncultivated land and semi natural areas provisions of the EIA Directive</i>	<i>Farmers will be required to seek permission from the National Assembly for Wales when they wish to change the character of uncultivated land.</i>	<i>Implementing Council Directive 85/337/EEC (as amended by Council Directive 97/11/EEC). This has been the subject of discussion by the Committee.</i>	<i>19 August 2002</i>	<i>Transfer of function from DETR to NAW received 20th August. Further transfer of functions order subsequently made. SI to be made on 19 August 2002 using the Executive procedure</i>
44	<i>Organic Products Regulations</i>	<i>to introduce revised standards for organic produce</i>	<i>Requiring producers to comply with the new organic standards</i>	<i>Some scope for distinctive action.</i>	<i>Early 2003</i>	<i>SO 22  To be considered by the Committee</i>
45	<i>Agricultural Holdings (Units of Production) Order 2002</i>	<i>Used in Agricultural Land Tribunals to measure the productivity of agricultural land. An annual updating SI</i>	<i>In essence, the SI lays down the figures for agricultural incomes, which are used in cases of a possible succession to an agricultural tenancy. These figures are then used to decide whether a close relative</i>	<i>Succession provisions are contained in the Agricultural Holdings Act 1986, section 6. Revised figures for the annual uprating follow expert advice in relation to the economics of the industry.</i>	<i>Sept 2002</i>	<i>SO 22</i>



*is eligible to succeed to a tenancy.*

	<b>TITLE</b>	<b>INTENTION OF LEGISLATION</b>			<b>PROJECTED DATE FOR MAKING SI</b>	<b>PROCEDURE</b>
		<b>PURPOSE</b>	<b>EFFECT</b>	<b>SCOPE</b>		
46	<i>Action Programme for Nitrate Vulnerable Zones (Wales) Regulations 2002</i>	<i>To establish active programmes for NVZ and monitoring arrangements in newly designated areas.</i>	<i>Occupiers of a farm or livestock unit required to implement action programme procedures outlined in Regs.</i>	<i>To give wider implementation to Council Directive 91/676/EEC</i>	<i>Dec-02</i>	<i>Will come into force about 6 months after the NVZs have been designated by a separate SI (by Environment Division)</i>  <i>SO 22</i>
47	<i>Farm Woodland Premium Scheme</i>	<i>To take account of any changes which emerge from the FWPS review</i>	<i>To provide levels of payment to reflect income forgone through separation of land for tree planting.</i>	<i>Section 2 of the Farm Land and Rural Development Act 1988</i>  <i>The <b>Scheme</b> complies with Title VIII of Council Regulation (EEC) No. 2328/91</i>	<i>Late 2002</i>	<i>The FWPS is currently being reviewed and should be concluded later in 2002.</i>  <i>SO 22</i>

48	<i>Tir Gofal (Amendment) Regulations 2002</i>	<i>to implement changes recommended by the stocktake</i>	<i>To allow access to the scheme for a wider range of farmers and to rationalise the number of prescriptions</i>	<i>Tir Gofal only applies in Wales and the Assembly therefore has flexibility within Community legislation</i>	<i>Early 2003</i>	<i>SO 22</i>
49	<i>Fertiliser Regs</i>	<i>Consolidation of existing EU regulations</i>	<i>Simplification of Fertiliser Legislation</i>	<i>Legislation will almost certainly need to be replicated across the U.K.-</i>	<i>Timing Uncertain</i>	<i>Awaiting information from the Commission.</i>
50	<i>The Geographical Indications, Designations of Origin and Certificate of Specific Character</i>	<i>To implement EU decisions on the protection of Welsh food products</i>			<i>Timing uncertain</i>	<i>Not definite if this will require an SI. Awaiting further information.</i>

<b><i>TITLE</i></b>	<b><i>INTENTION OF LEGISLATION</i></b>			<b><i>PROJECTED DATE FOR MAKING SI</i></b>	<b><i>PROCEDURE</i></b>
	<b><i>PURPOSE</i></b>	<b><i>EFFECT</i></b>	<b><i>SCOPE</i></b>		

***RURAL POLICY DIVISION***

51	<i>LEADER+ Regulations 2002</i>	<i>To implement enforcement and recovery provisions relating to the LEADER+ Programme</i>	<i>Simplification of administration arrangements for the Programme</i>	<i>Policy being developed</i>	<i>Timing uncertain</i>	<i>SO 22</i>
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