

2014 No.2367 (W.230)

AGRICULTURE, WALES

**The Common Agricultural Policy
Basic Payment Scheme (Provisional
Payment Region Classification)
(Wales) (Amendment) Regulations
2014**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Common Agricultural Policy Basic Payment Scheme (Provisional Payment Region Classification) (Wales) Regulations 2014 (S.I. 2014/1835)(W. 189) (“the Principal Regulations”).

Regulation 2(2) amends regulation 2(1) of the Principal Regulations by deleting the definition of arable crops, amending the definition of provisional payment region classification and inserting a definition of semi-natural upland vegetation.

Regulation 2(3) amends the definition of moorland and severely disadvantaged area in the Principal Regulations.

Regulation 2(4) replaces the Schedule of the Principal Regulations with a new Schedule with a list of species of semi-natural upland vegetation.

A Regulatory Impact Assessment of the effects of these Regulations on the costs of business, in relation to farm businesses in Wales, has been prepared in respect of these Regulations. Copies can be obtained from the Department of Sustainable Futures, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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AGRICULTURE, WALES

**The Common Agricultural Policy
Basic Payment Scheme (Provisional
Payment Region Classification)
(Wales) (Amendment) Regulations
2014**

Made 5 September 2014

Laid before the National Assembly for Wales
5th September 2014

Coming into force 26th September 2014

The Welsh Ministers are designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the common agricultural policy of the European Union.

The Welsh Ministers make these Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972.

Title, application and commencement

1.—(1) The title of these Regulations is the Common Agricultural Policy Basic Payment Scheme (Provisional Payment Region Classification) (Wales) (Amendment) Regulations 2014.

(2) These Regulations apply in relation to Wales.

(3) These Regulations come into force on 26th September 2014.

(1) S.I. 2010/2690.
(2) 1972 c. 68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and by section 3(3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c. 7). Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006.

**Amendment to the Common Agricultural Policy
Basic Payment Scheme (Provisional Payment
Region Classification) (Wales) Regulations 2014**

2.—(1) The Common Agricultural Policy Basic Payment Scheme (Provisional Payment Region Classification) (Wales) Regulations 2014⁽¹⁾ are amended as follows.

(2) In regulation 2(1)—

- (a) delete the definition of “arable crops” (*“cnydau âr”*);
- (b) in the definition of “provisional payment region classification” (*“dosbarthiad rhanbarthau talu dros dro”*), after “reference parcel” in the first place it appears insert “, or an area of land within a reference parcel,”;
- (c) after the definition of “provisional payment region classification” (*“dosbarthiad rhanbarthau talu dros dro”*) insert—
““semi-natural upland vegetation” (*“llystyfiant ucheldirol lled-naturiol”*) means those species listed in the Schedule;”

(3) In regulation 3(2)—

- (a) for paragraph (c) of the definition of “moorland” (*“rhostir”*) substitute—
“(c) has 50% or more semi-natural upland vegetation, or is comprised of 50% or more rock outcrops and semi-upland vegetation used primarily for rough grazing.”
- (b) delete paragraph (d) of the definition of “moorland” (*“rhostir”*);
- (c) delete paragraph (e) of the definition of “moorland” (*“rhostir”*);
- (d) in the definition of “the severely disadvantaged area” (*“yr ardal dan anfantais ddifrifol”*), after “which” insert “is not moorland and”.

(4) For the Schedule (Improved Agricultural Species) substitute the Schedule to these Regulations.

Rebecca Evans

Deputy Minister for Agriculture and Fisheries under
authority of the Minister for Economy, Science and
Transport, one of the Welsh Ministers

5 September 2014

(1) S.I. 2014/1835 (W. 189).

SCHEDULE

Regulation 2(1)

Species of semi-natural upland vegetation

Bent grass	(<i>Agrostis spp.</i>)
Fescue	(<i>Festuca spp.</i>)
Wavy hair-grass	(<i>Deschampsia flexuosa</i>)
Blue moor-grass	(<i>Sesleria albicans</i>)
Purple moor-grass	(<i>Molinia caerulea</i>)
Mat-grass	(<i>Nardus stricta</i>)
Bracken	(<i>Pteridium aquilinum</i>)
Heather	(<i>Calluna vulgaris; Erica spp.</i>)
Bilberry	(<i>Vaccinium myrtillus</i>)
Crowberry	(<i>Empetrum nigrum</i>)
Gorse	(<i>Ulex spp</i>)
Cotton-grass	(<i>Eriophorum spp.</i>)
Deer-grass	(<i>Trichophorum cespitosum</i>)
Heath rush	(<i>Juncus squarrosus</i>)
Bog moss	(<i>Sphagnum spp.</i>)