

Explanatory Memorandum to the Agricultural Subsidies and Grants Schemes (Appeals) (Wales) (Amendment) Regulations 2010

This Explanatory Memorandum has been prepared by the Department for Rural Affairs of the Welsh Assembly Government and is laid before the National Assembly for Wales in accordance with Standing Order 24.2.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Agricultural Subsidies and Grant Schemes (Appeals) (Wales) (Amendment) Regulations 2010.

Elin Jones
Minister for Rural Affairs

13 July 2010

1. Description

These Regulations make a further amendment to the Agricultural Subsidies and Grants Schemes (Appeals) (Wales) Regulations 2006, S.I. 2006/3342 (W. 303) to enable decisions taken in respect of direct payments made under the following EU legislation: Council Regulation 73/2009, Commission Regulations 1120/2009, 1121/2009, 1122/2009 and aid paid to young farmers under Commission Regulation 1857/2006 to be included within the appeals process. In addition it is necessary to replace references to “Community Legislation” with references to “European Union Legislation”.

2. Matters of special interest to the Constitutional Affairs Committee

None.

3. Legislative Powers

Welsh Ministers are designated for the purposes of section 2 (2) of the European Communities Act 1972 in relation to the common agricultural policy of the European Union by virtue of SI 2005/2766. This designation allows Welsh Ministers to make amending regulations in exercise of the powers contained in section 2(2).

4. Purpose and Intended effect of the legislation.

The amendments are purely administrative. These Regulations make a further amendment to the Agricultural Subsidies and Grants Schemes (Appeals) (Wales) Regulations 2006, S.I. 2006/3342 (W. 303). The amendments replace the references to “Community legislation” with references to “European Union legislation”, and update the list of such legislation in S.I. 2006/3342 (W. 303) as amended by S.I. 2007/2900 (W. 251).

5. Consultation

Consultation has not been undertaken as the amendments covered by these Regulations continue existing arrangements.

6. Regulatory Impact Assessment (RIA)

A Regulatory Impact Assessment has not been prepared as the amendments covered by these Regulations continue existing arrangements.

