

Explanatory Memorandum to The Agricultural Subsidies and Grants Schemes (Appeals) (Wales) (Amendment) Regulations 2014

This Explanatory Memorandum has been prepared by the Department for Natural Resources of the Welsh Government and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation in accordance with Standing Order 27.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Agricultural Subsidies and Grants Schemes (Appeals) (Wales) (Amendment) Regulations 2014.

Deputy Minister for Farming and Food, Rebecca Evans AM, under authority of the Minister for Natural Resources, Carl Sargeant AM, one of the Welsh Ministers.

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1. Description

These Regulations make further amendment to the Agricultural Subsidies and Grants Schemes (Appeals) (Wales) Regulations 2006 (S.I. 2006/3342 (W. 303)) (the “principal Regulations”) to allow appeals to be made in relation to decisions taken in respect of direct payments and rural development measures made under the following EU Common Agricultural Policy (CAP) Regulations: Regulation (EU) No 1305/2013; Regulation (EU) No 1306/2013; Regulation (EU) No 1307/2013; Commission Delegated Regulation (EU) No 639/2014; Commission Delegated Regulation (EU) No 640/2014; Commission Implementing Regulation (EU) No 641/2014; Commission Delegated Regulation (EU) No 807/2014; Commission Implementing Regulations (EU) No 808/2014 and Commission Implementing Regulation (EU) No 809/2014.

2. Matters of special interest to the Constitutional and Legislative Affairs Committee

There are no matters of special interest to the Constitutional and Legislative Affairs Committee.

3. Legislative Powers

The 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 the European Communities (Designation) (No. 5) Order 2010/2690. This designation allows the Welsh Ministers to make amending regulations in exercise of the powers contained in section 2(2).

This instrument will follow the negative resolution procedure.

4. Purpose and Intended effect of the legislation.

These Regulations make further amendment to the principal Regulations. The amendments update the list of EU legislation in the principal Regulations so that appeals can be made in relation to decisions made in respect of direct payments and rural development schemes made under the new EU CAP Regulations.

5. Consultation

A 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.