Cynulliad Cenedlaethol Cymru

OFFERYNNAU STATUDOL

1999 Rhif 3337 (Cy.45)

AMAETHYDDIAETH, CYMRU

Rheoliadau Tir Gofal a Ffermio Organig (Diwygio) (Cymru) 1999

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Cynllun Tir Gofal (Land in Care) (Cymru) 1999 ("Rheoliadau Tir Gofal") a Rheoliadau Ffermio Organig (Cymru) 1999 ("y Rheoliadau Ffermio Organig").

Mae'r Rheoliadau Tir Gofal yn cynnwys darpariaethau cynllun amaeth-amgylcheddol sy'n gweithredu'n rhannol raglen gylchfaol a gymeradwywyd gan y Comisiwn Ewropeaidd o dan Erthygl 7 o Reoliad y Cyngor (EEC) Rhif 2078/92 (OJ Rhif L215, 30.7.92, t.85) ar ddulliau cynhyrchu amaethyddol sy'n cyd-fynd â'r gofynion ar gyfer diogelu'r amgylchedd a chynnal cefn gwlad ("y Rheoliad Amaeth-Amgylcheddol"). Mae'r Rheoliadau Tir Gofal yn darparu ar gyfer talu cymorth i unrhyw berson sy'n gwneud cytundeb Tir Gofal â Chyngor Cefn Gwlad Cymru.

Mae'r Rheoliadau Ffermio Organig yn darparu ar gyfer talu cymorth i ffermwyr sy'n ymrwymo i gyflwyno dulliau ffermio organig ac yn cydymffurfio ag amodau rheoli penodol, yn unol ag Erthygl 2(1)(a) a (d) y Rheoliad Amaeth-Amgylcheddol. Diddymwyd y Rheoliad Amaeth-Amgylcheddol gan Erthygl 55(1) o Reoliad y Cyngor (EC) Rhif 1257/99 (OJ Rhif L160, 26.6.99 t.80), ond, yn rhinwedd Erthygl 55(3) o'r Rheoliad olaf, mae'r Rheoliad Amaeth-Amgylcheddol yn parhau i fod yn gymwys i'r camau a gaiff eu cymeradwyo gan y Comisiwn cyn 1 Ionawr 2000.

Mae'r rheoliadau hyn yn diwygio'r Rheoliadau Tir Gofal —

a) i ganiatáu i gytundeb Tir Gofal gynnwys unrhyw ddarpariaeth y cytunir arno rhwng

National Assembly for Wales

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1999 No. 3337 (W.45)

AGRICULTURE, WALES

The Tir Gofal and Organic Farming (Amendment) (Wales) Regulations 1999

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Land in Care Scheme (Tir Gofal) (Wales) Regulations 1999 ("the Tir Gofal Regulations") and the Organic Farming (Wales) Regulations 1999 ("the Organic Farming Regulations").

The Tir Gofal Regulations contain the provisions of an agri-environment scheme implementing in part a zonal programme approved by the European Commission under Article 7 of the Council Regulation (EEC) No. 2078/92 (OJ No. L215, 30.7.92, p.85) on agricultural production methods compatible with the requirements for the protection of the environment and the maintenance of the countryside ("the Agri-environment Regulation"). The Tir Gofal Regulations provide for payments of aid to be made to any person who enters a Tir Gofal agreement with the Countryside Council for Wales.

The Organic Farming Regulations provide for the payment of aid to farmers who undertake to introduce organic farming methods and comply with certain management conditions, pursuant to Article 2(1)(a) and (d) of the Agri-environment Regulation. The Agri-environment Regulation was repealed by Article 55(1) of Council Regulation (EC) No. 1257/99 (OJ No. L160, 26.6.99 p.80), but, by virtue of Article 55(3) of the latter Regulation, the Agri-environment Regulation continues to apply to actions approved by the Commission before 1st January 2000.

These regulations amend the Tir Gofal Regulations to —

a) permit a Tir Gofal agreement to include any provision that may be agreed between the

Cyngor Cefn Gwlad Cymru a cheisydd Tir Gofal (rheoliad 2(2));

b) i osod rhwymedigaeth ar ddeiliad cytundeb Tir Gofal i gadw cofnodion (rheoliad 2(4)); ac

c) i wneud cydymffurfiad â'r gofyniad i gadw cofnodion (rheoliad 9A o'r Rheoliadau Tir Gofal a fewnosodir gan y Rheoliadau hyn) a'r rhwymedigaeth i ganiatáu mynediad ac archwiliad (rheoliad 10 o'r Rheoliadau Tir Gofal) yn amodau ar gyfer talu cymorth (rheoliad 2(5)).

Mae'r Rheoliadau hyn yn diwygio'r Rheoliadau Ffermio Organig:

a) i ddileu'r gofyniad bod tystysgrif gofrestru ar gyfer y llain organig gyntaf a datganiad gan y ceisydd bod yr awdurdod archwilio wedi cymeradwyo cynllun ynglŷn â'r holl uned organig yn cael eu hamgáu gyda chais am gymorth (rheoliad 3(2)); a

b) i ddarparu na fydd y Cynulliad yn derbyn unrhyw geisiadau am gymorth a geir ar neu ar ôl 4 Rhagfyr 1999 (rheoliad 3(3)).

Countryside Council for Wales and a Tir Gofal applicant (regulation 2(2));

b) impose an obligation on a Tir Gofal agreement holder to maintain records (regulation 2(4)); and

c) make compliance with the record keeping requirement (regulation 9A of the Tir Gofal Regulations inserted by these Regulations) and the obligation to permit entry and inspection (regulation 10 of the Tir Gofal Regulations) conditions for the payment of aid (regulation 2(5)).

These Regulations amend the Organic Farming Regulations to:

a) remove the requirement that an application for aid be accompanied by a certificate of registration for the first organic parcel and a declaration by the applicant that the inspection authority has approved a plan relating to the whole organic unit (regulation 3(2)); and

b) provide that the National Assembly shall not accept any applications for aid received on or after 4 December 1999 (regulation 3(3)).

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1999 Rhif 3337 (Cy.45)

AMAETHYDDIAETH, CYMRU

Rheoliadau Tir Gofal a Ffermio Organig (Diwygio) (Cymru) 1999

Wedi'u gwneud	*2 Rhagfyr 1999*
Yn dod i rym	*4 Rhagfyr 1999*

Gan ei fod wedi'i ddynodi**(a)** at ddibenion adran 2(2) o Ddeddf Cymunedau Ewrop 1972**(b)** mewn perthynas â pholisi amaethyddol cyffredin y Gymuned Ewropeaidd, mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adran 2(2) yn gwneud y Rheoliadau canlynol:

Teitl, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Tir Gofal a Ffermio Organig (Diwygio) (Cymru) 1999 a deuant i rym ar 4 Rhagfyr 1999.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru.

Diwygio Rheoliadau Cynllun Tir Gofal (Land in Care) (Cymru) 1999

2.—(1) Diwygir Rheoliadau Cynllun Tir Gofal (Land in Care) (Cymru) 1999**(c)** yn unol â'r paragraffau canlynol.

(2) Ar ôl is-baragraff (e) o baragraff (4) o reoliad 3 mewnosodir yr is-baragraff canlynol —

"(f) may include such other provision that may be agreed between the Countryside Council and the other party.".

(3) Yn is-baragraff (d) o baragraff (4) o reoliad 3 wedi'r gwahannod fe ddilëer y gair "and" ac yn is-baragraff (e) o'r un paragraff rhoddir y geiriau "activity; and" yn lle "activity.".

(4) Ar ôl rheoliad 9 mewnosodir y rheoliad canlynol—

(a) Yn rhinwedd Gorchymyn Cymunedau Ewrop (Dynodi) (Rhif 3) 1999 (O.S. Rhif 1999/2788).

(b) 1972 p.68.

(c) O.S. Rhif 1999/1176.

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AGRICULTURE, WALES

The Tir Gofal and Organic Farming (Amendment) (Wales) Regulations 1999

Made	*2 December 1999*
Coming into force	*4 December 1999*

The National Assembly for Wales, being designated**(a)** for the purposes of section 2(2) of the European Communities Act 1972**(b)** in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by section 2(2) makes the following Regulations:

Title, commencement and application

1.—(1) These Regulations may be cited as the Tir Gofal and Organic Farming (Amendment) (Wales) Regulations 1999 and shall come into force on 4 December 1999.

(2) These Regulations shall apply to Wales.

Amendment of the Land in Care Scheme (Tir Gofal) (Wales) Regulations 1999

2.—(1) The Land in Care Scheme (Tir Gofal) (Wales) Regulation 1999**(c)** shall be amended in accordance with the following paragraphs.

(2) After sub-paragraph (e) of paragraph (4) of regulation 3 there shall be inserted the following sub-paragraph—

"(f) may include such other provision that may be agreed between the Countryside Council and the other party.".

(3) In sub-paragraph (d) of paragraph (4) of regulation 3 the word "and" after the semicolon shall be deleted and in sub-paragraph (e) of the same paragraph the words "activity; and" shall be substituted for "activity.".

(4) After regulation 9 there shall be inserted the following regulation—

(a) By virtue of The European Communities (Designation) (No. 3) Order 1999 (S.I. No.1999/2788)

(b) 1972 c.68.

(c) S.I. No. 1999/1176.

"Obligation to keep records

9A. A Tir Gofal agreement holder shall keep for the duration of the Tir Gofal agreement any correspondence or other records relating to any management activity specified in Schedules 2 and 3 and any capital activity specified in Schedule 4.".

(5) Ym mharagraff (b) o reoliad 5, rhoddir "regulations 7, 8, 9A a 10" yn lle "regulations 7 and 8".

Diwygio Rheoliadau Ffermio Organig (Cymru) 1999

3—(1) Diwygir Rheoliadau Ffermio Organig 1999**(a)** yn unol â'r paragraffau canlynol.

(2) Rhoddir yr is-baragraffau canlynol yn lle is-baragraffau (a) a (b) ym mharagraff (1) o reoliad (6) —

"(a) a certificate of registration has been given by the inspection authority in respect of the first organic parcel; and

(b) the applicant makes a declaration that the inspection authority has approved a plan relating to the whole of the organic unit comprising the organic parcel to which the application relates.".

(3) Ar ôl rheoliad 6 mewnosodir y rheoliad canlynol—

"Closing date for accepting applications for aid

6A.—(1) The Assembly shall not accept an application for aid under these Regulations unless such application has been received by it before 4th December 1999.".

*Llofnodwyd ar ran Cynulliad Cendlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998**(b)***

2 Rhagfyr 1999

Y Llywydd

(a) O.S. Rhif 1999/2611.

(a) 1998 p.38.

"Obligation to keep records

9A. A Tir Gofal agreement holder shall keep for the duration of the Tir Gofal agreement any correspondence or other records relating to any management activity specified in Schedules 2 and 3 and any capital activity specified in Schedule 4.".

(5) In paragraph (b) of regulation 5, "regulations 7 and 8" shall be replaced with "regulations 7, 8, 9A and 10".

Amendment of the Organic Farming (Wales) Regulations 1999

3.—(1) The Organic Farming (Wales) Regulations 1999**(a)** shall be amended in accordance with the following paragraphs.

(2) Sub-paragraphs (a) and (b) in paragraph (1) of regulation 6 shall be replaced with the following sub-paragraphs —

"(a) a certificate of registration has been given by the inspection authority in respect of the first organic parcel; and

(b) the applicant makes a declaration that the inspection authority has approved a plan relating to the whole of the organic unit comprising the organic parcel to which the application relates.".

(3) After regulation 6 there shall be inserted the following regulation —

"Closing date for accepting applications for aid

6A.—(1) The Assembly shall not accept an application for aid under these Regulations unless such application has been received by it before 4th December 1999.".

*Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998**(b)***

2 December 1999

Dafydd Elis Thomas

The Presiding Officer

(a) S.I. No. 1999/2611.

(b) 1998 c.38.

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AMAETHYDDIAETH, CYMRU

Rheoliadau Tir Gofal a Ffermio Organig (Diwygio) (Cymru) 1999

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