
W E L S H S T A T U T O R Y
I N S T R U M E N T S

2022 No. 132 (W. 42)

AGRICULTURE, WALES

**The Milk and Milk Products (Pupils
in Educational Establishments) Aid
Applications (Wales) Regulations
2022**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the power contained in Article 25(b) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products (“the CMO Regulation”), as read with Article 3(5)(c)(i)(bb) of that Regulation. They apply only in Wales.

These Regulations amend Articles 4 and 9 of Commission Implementing Regulation (EU) 2017/39. They amend provisions relating to documentary evidence supporting applications for aid under the scheme established by Articles 22 to 25 of the CMO Regulation. As a result of these amendments, applicants must only hold such documentary evidence available for the relevant authority. Previously, they had to submit supporting documentary evidence with the application for aid.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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AGRICULTURE, WALES

**The Milk and Milk Products (Pupils
in Educational Establishments) Aid
Applications (Wales) Regulations
2022**

Made 10 February 2022

Laid before Senedd Cymru 15 February 2022

Coming into force 9 March 2022

The Welsh Ministers make these Regulations in exercise of the power conferred by Article 25(b) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products⁽¹⁾, as read with Article 3(5)(c)(i)(bb) of that Regulation⁽²⁾.

There has been consultation as required by Article 9 of Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety⁽³⁾.

Title, commencement and application

1.—(1) The title of these Regulations is the Milk and Milk Products (Pupils in Educational Establishments) Aid Applications (Wales) Regulations 2022.

(2) These Regulations come into force on 9 March 2022.

(1) EUR 2013/1308. Article 25 was amended by S.I. 2019/831. “Appropriate authority” is defined in Article 3(5)(c). The definition of “appropriate authority” was inserted by S.I. 2019/821, and was subsequently amended by S.I. 2019/1422.

(2) Article 3(5)(c)(i)(bb) defines the Welsh Ministers as the “appropriate authority” in relation to Wales.

(3) EUR 2002/178. There are no relevant amendments.

(3) These Regulations apply in relation to Wales.

Amendment of Commission Implementing Regulation (EU) 2017/39 in respect of Wales

2.—(1) Commission Implementing Regulation (EU) 2017/39 on rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to Union aid for the supply of fruit and vegetables, bananas and milk in educational establishments⁽¹⁾ is amended as follows.

(2) In Article 4⁽²⁾, in paragraph 6—

- (a) after “evidence” where it first appears, insert “held available for the relevant authority”,
- (b) omit the words from “The relevant authority shall specify” to “aid applications.”

(3) In Article 9⁽³⁾, omit paragraph 2.

Jeremy Miles

Minister for Education and Welsh Language, one of the Welsh Ministers

10 February 2022

⁽¹⁾ EUR 2017/39. Articles 4 and 9 were amended by S.I. 2019/1422. “Relevant authority” is defined in Article 1(3). The definition of “relevant authority” was inserted by S.I. 2019/1422. Article 1(3)(a)(ii) defines the Welsh Ministers as the “relevant authority” in relation to Wales.

⁽²⁾ Article 4 was amended by S.I. 2019/1422.

⁽³⁾ Article 9 was amended by S.I. 2019/1422.