

Agricultural regulation and “National Minimum Standards”

The issue

The effectiveness of agricultural regulation is currently largely reliant on a farmer's participation in rural payment schemes such as the Sustainable Farming Scheme (SFS), whereby scheme payment penalties drive compliance. Farms outside these schemes are not covered by this arrangement, leaving regulators reliant on costly and often disproportionate criminal sanctions.

Agricultural law in Wales is also currently spread across a high volume of laws which are not necessarily easy to find or understand. It can be challenging to identify the agricultural legislation that applies in Wales and, in some cases, difficult to understand the relevant law.¹

Why it matters to Wales

A National Minimum Standards (NMS) framework would bring together Wales's fragmented agricultural regulations into a clear, consistent baseline applied to all farms, whether or not they join the Sustainable Farming Scheme (SFS)². This would create a level playing field and enable fair, civil enforcement across the sector.

NMS would give regulators a more flexible and proportionate enforcement toolkit to protect water and air quality, biodiversity, soil health, and animal welfare. Without NMS as a universal regulatory framework there is a real risk that intensification pressures on farms opting out of SFS support will lead to greater harms to vital public goods.

Alignment with Welsh policy context

The Agriculture (Wales) Act 2023 introduced powers and duties for Ministers to design farming policy in pursuit of “Sustainable Land Management”. A well-designed NMS framework would help deliver this, not just prevent the worst practices.

Under the Environment (Principles, Governance and Biodiversity Targets) (Wales) Act 2026 Ministers must set legally binding nature recovery targets. Minimum standards could help deliver them if sufficiently ambitious.

The Environment (Wales) Act 2016 requires Ministers to actively support biodiversity. A NMS framework would help to prevent the most harmful practices that currently act against biodiversity.

NMS could contribute to well-being goals set by the Well-being of Future Generations Act 2015. This Act would require the development of NMS to be a well-designed and inclusive process.

The Law Commission's Agricultural Law in Wales Scoping Report (2026) sets out recommendations for the creation of a bilingual, modernised code of agricultural law for Wales. Welsh Government is required to issue a full response to this report by February 2027.

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Our perspective

We believe that voluntary action and financial incentives alone are not enough to deliver a fair transition to sustainable farming. Without a regulatory baseline that applies to all farms equally – as proposed for National Minimum Standards – the costs of change fall disproportionately on farmers already trying to do the right thing, effectively penalising good practice. Regulation, support, and recovery targets must work together. Only when the same rules apply to everyone can the transition be genuinely fair.

What we're doing about it

Soil Association Cymru has called on Welsh Government to develop the NMS framework throughout the SFS development period 2020-2025,³ including evidence submissions to the Senedd's Climate Change Environment and Infrastructure committee and Economy Trade and Rural Affairs committee joint inquiry into the SFS in 2024 and to the ETRA committee inquiry into 'Soil Health in Agriculture' in 2025. We have also contributed to and supported Welsh Environment Link's position on NMS⁴.

What we want Welsh policy makers to do:

- **We want Welsh Government to set out a timetable and plan for developing a NMS framework during the SFS transition period, with stakeholder involvement to reflect the breadth of Sustainable Land Management objectives.**
- **Welsh Government should commit to completing this work and introducing NMS before 2029.**

Evidence/references

1 [Law Commission: Agricultural Law in Wales](#)

2 [Welsh Government: Agriculture \(Wales\) White Paper](#)

3 'Soil Association Response: Welsh Government Consultation - Agriculture (Wales) White Paper' & 'Soil Association Feedback Submission for Sustainable Farming Scheme: Outline Proposals for 2025' (on request)

4 [Wales Environment Link: National Minimum Standards for Farming](#)

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