STATUTORY INSTRUMENTS

2015 No. 1325

AGRICULTURE

The Common Agricultural Policy (Amendment) Regulations 2015

Made - - - -	*14th May 2015*
Laid before Parliament	*18th May 2015*
Coming into force in accordance with regulation 1	

The Secretary of State is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972(**1**) in relation to the common agricultural policy(**2**) and makes these Regulations under the powers conferred by that section.

Citation and commencement

1.—(1) These Regulations may be cited as the Common Agricultural Policy (Amendment) Regulations 2015 and come into force on the day after the day on which they are made.

Amendment of the Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) Regulations 2014

2.—(1) The Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) Regulations 2014(**3**) are amended as follows.

(2) In paragraph (2) of regulation 3 (competent authority), for "Where" substitute "Subject to paragraph (3), where".

(3) In paragraph (3) of regulation 3, for the opening words, substitute "A farmer who has a holding situated in more than one territory on the last date on which the single application may be submitted may request that the competent authority is".

(4) After paragraph (3) of regulation 3 insert—

(**1**) 1972 c.68; section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7). The function of the former Minister of Agriculture, Fisheries and Food of making regulations under section 2(2) was transferred to the Secretary of State by article 2(2) of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

(**2**) S.I. 1972/1811, to which there are amendments not relevant to these Regulations. The power of the Secretary of State to make regulations that extend to Scotland and Northern Ireland and apply in Wales remains exercisable by virtue of section 57(1) of the Scotland Act 1998 (c. 46), article 3(2) of the European Communities (Designation) (No. 3) Order 2000 (S.I. 2000/2812) and article 6 of the European Communities (Designation) (No. 5) Order 2010 (S.I. 2010/2690), respectively.

(**3**) S.I. 2014/3263.

"(3A) Where a holding is situated in more than one territory, the final date on which the single application may be submitted, and the final date on which an application for the allocation of payment entitlements may be submitted, are the dates set in the territory of the competent authority for that holding in accordance with paragraphs (2) and (3).".

(5) For paragraph (1) of regulation 5 (applications) substitute—

"(1) For the purposes of Article 13(1) of the Horizontal Implementing Regulation(**4**), Article 1 of Commission Implementing Regulation (EU) 2015/747 derogating from Implementing Regulation (EU) No 809/2014 as regards the final date of submission of the single application, aid applications or payment claims, the final date for notification of amendments to the single application or payment claim and the final date for applications for allocation of payment entitlements or the increase of the value of payment entitlements under the basic payment scheme for the year 2015(**5**), and Article 12 of the Horizontal Delegated Regulation(**6**), the final date on which a single application, aid application or payment claim may be submitted to the Secretary of State is—

(a) if the relevant claim year is 2015, 15th June,

(b) in all other cases, 15th May but if that date is a Saturday, Sunday, Bank Holiday or other public holiday, the next working day.".

Amendment of the Common Agricultural Policy Basic Payment and Support Schemes (England) Regulations 2014

3.—(1) Regulation 8 of the Common Agricultural Policy Basic Payment and Support Schemes (England) Regulations 2014(**7**) (payment entitlements) is amended as follows.

(2) In paragraph 1(a)—

(a) for "15th May" substitute "15th June"; and

(b) omit "or" at the end.

(3) After paragraph 1(a) insert—

"(aa) from 16th June 2015 to 15th May 2016 (both those dates included), if 2016 is the first calendar year in which the transferee may include those entitlements in the transferee's application for direct payments;".

(4) For paragraph (3) substitute—

"(3) For the purposes of Article 22(1) of the Horizontal Implementing Regulation and Article 3 of Commission Implementing Regulation (EU) 2015/747 derogating from Implementing Regulation (EU) No 809/2014 as regards the final date of submission of the single application, aid applications or payment claims, the final date for notification of amendments to the single application or payment claim and the final date for applications for allocation of payment entitlements or the increase of the value of payment entitlements under the basic payment scheme for the year 2015, applications for the allocation of payment entitlements may be submitted—

(a) if the relevant calendar year is 2015, on or before 15th June 2015;

(b) in all other cases, on or before 15th May of the relevant calendar year.".

(**4**) OJ No. L 227, 31.7.2014, p. 69.
(**5**) OJ No L 119, 12.5.2015, p.21.
(**6**) OJ No. L 181, 20.6.2014, p.48.
(**7**) S.I. 2014/3259.