STATUTORY RULES OF NORTHERN IRELAND

2020 No. 22

AGRICULTURE

The Common Agricultural Policy (Direct Payments to Farmers) (Miscellaneous Amendments) Regulations (Northern Ireland) 2020

Made - - - -	*24th February 2020*
Laid before the Assembly	*25th February 2020*
Coming into operation	*24th February 2020*

Approved by resolution of the Assembly on 16th March 2020

The Department of Agriculture, Environment and Rural Affairs, in exercise of the powers conferred by section 3(3)(a) and (9) of the Direct Payments to Farmers (Legislative Continuity) Act 2020(**1**), makes the following Regulations.

PART 1

Introductory

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Common Agricultural Policy (Direct Payments to Farmers) (Miscellaneous Amendments) Regulations (Northern Ireland) 2020 and come into operation on 24th February 2020.

(2) The Interpretation Act (Northern Ireland) 1954(**2**) shall apply to this Order as it applies to an Act of the Assembly.

(**1**) 2020 c.2. Section 3(3) confers this power on devolved authorities. A "devolved authority" under section 3(10) includes DAERA which is defined in section 8 to mean the Department of Agriculture, Environment and Rural Affairs in Northern Ireland.

(**2**) 1954 c. 33 (N.I.).

PART 2

Amendment of Common Agricultural Policy Provisions

Amendments to the Common Agricultural Policy Basic Payment and Support Schemes Regulations (Northern Ireland) 2015

2.—(1) The Common Agricultural Policy Basic Payment and Support Schemes Regulations (Northern Ireland) 2015(**3**) are amended as follows.

(2) In regulation 4 (payment entitlements)—

(a) for paragraph (3) substitute—

"(3) For the purposes of Article 22(1) of the Horizontal Implementing Regulation, to the extent that Article relates to direct payments for claim year 2020, applications for the allocation of payment entitlements must be submitted on or before 15th May of the relevant calendar year.".

(3) In regulation 12 (minimum eligible area of holding) —

(a) omit "and (2)";

(b) omit "(b)".

(4) In regulation 16 (short coppice rotation), omit "and 2(c)".

(5) In regulation 20 (environmentally sensitive permanent grassland), for paragraph (1), substitute—

"(1) Permanent grasslands in areas to which the Conservation Directives apply are designated as permanent grasslands which are environmentally sensitive for the purposes of and in the areas referred to in the first subparagraph of Article 45(1) of the Direct Payments Regulation as it had effect immediately before exit day.".

Amendments to the Common Agricultural Policy (Control and Enforcement) Regulations (Northern Ireland) 2015

3.—(1) The Common Agricultural Policy (Control and Enforcement) Regulations (Northern Ireland) 2015(**4**) are amended as follows:

(2) In regulation 1 (title, commencement and interpretation)—

(a) in paragraph (3), for the definition of "direct payment" substitute—

""direct payment" has the meaning given in Article 1 of the Direct Payments Regulation (EU) No. 1307/2013(**5**);"

(b) After paragraph (3), insert—

"(3A) References in these Regulations to the Horizontal Delegated Regulation, the Horizontal Implementing Regulation and the Horizontal Regulation are, to the extent that they relate to the direct payments for claim year 2020, references to those Regulations as they exist in domestic law.".

(3) In regulation 7 (powers of entry), in paragraph (3)(a), at the beginning insert "except for matters relating to direct payments for claim year 2020,".

(**3**) S.R. 2015 No.191 as amended by S.R. 2019 No.11.
(**4**) S.R. 2015 No.192.
(**5**) OJ No. L. 347, 20.12.2013 p.608, as amended by Regulation (EU) No. 1310/2013 of the European Parliament and of the Council (OJ No. L 347, 20.12. 2013 p.865).