STATUTORY RULES OF NORTHERN IRELAND

2015 No. 286

AGRICULTURE

The Common Agricultural Policy Direct Payments and Support Schemes (Cross Compliance) (Amendment) Regulations (Northern Ireland) 2015

Made - - - -	*25th June 2015*
Coming into operation	*1st August 2015*

The Department of Agriculture and Rural Development is a Department designated (**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the common agricultural policy of the European Union and in relation to matters relating to the promotion of rural development.

The Department of Agriculture and Rural Development makes the following Regulations in exercise of the powers conferred on it by section 2(2) of that Act.

Title, commencement and interpretation

1.—(1) These Regulations may be cited as the Common Agricultural Policy Direct Payments and Support Schemes (Cross Compliance) (Amendment) Regulations (Northern Ireland) 2015 and shall come into operation on 1st August 2015.

(2) The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of the Common Agricultural Policy Single Payment and Support Schemes (Cross Compliance) Regulations (Northern Ireland) 2014

2. The Common Agricultural Policy Single Payment and Support Schemes (Cross Compliance) Regulations (Northern Ireland) 2014(**4**) are amended in accordance with regulations 3 to 5.

3. For sub-paragraphs (a) and (b) of regulation 4(1) there shall be substituted the following sub-paragraphs—

(**1**) S.I.2000/2812 to which there are amendments not relevant to the subject matter of these Regulations and S.I.2000/3238
(**2**) 1972 c.68
(**3**) 1954 c.33 (N.I.)
(**4**) S.R. 2014 No. 291

"(a) the Department of the Environment is the specialist control body who shall bear the responsibility of carrying out the controls in respect of SMR 1 to 3 and paragraphs 1 to 3 of Schedule 1;

(b) the Health and Safety Executive for Northern Ireland is the specialist control body who shall bear the responsibility for carrying out the controls in respect of SMR 10; and".

4. For paragraph (2) of regulation 5 there shall be substituted the following paragraph—

"(2) An authorised person, on producing, if so required, some duly authenticated document showing the person's authority to do so, may at all reasonable hours enter any land, other than a building used only as a dwelling.".

5. In Schedule 1 (STANDARDS OF GOOD AGRICULTURAL AND ENVIRONMENTAL CONDITION)-

(a) in paragraph 4—

(i) for sub-paragraph (1) there shall be substituted the following sub-paragraph—

"**4.**—(1) A farmer shall ensure that after harvesting a crop that from harvest until 15th January in the following year one of the following conditions is met on that land at any time—

(a) the stubble of the harvested crop remains in the land; or

(b) the land is sown with a crop which will take up nitrogen from the soil or, where soil or weather conditions prevent a subsequent crop from being sown, measures are put in place to prevent soil erosion.";

(ii) sub-paragraph (4) is revoked;

(iii) for sub-paragraph (5) there shall be substituted the following sub-paragraph—

"(5) Sub-paragraph (1) does not apply in relation to any land between harvest and 15th January where—

(i) the land is used for a ploughing match and the farmer has received a Derogation from the Department; or

(ii) the land is ploughed as part of practice for a ploughing match.";

(b) after paragraph 9(8) there shall be substituted the following sub-paragraph—

"(8A) Sub-paragraph (8) shall not apply between 15th August and 31st August where the farmer has received a derogation from the Department.";

(c) in paragraph 11 for the definition of "invasive species" there shall be substituted the following definition-

""invasive species" means rhododendron (*Rhododendron ponticum*), Giant Hogweed (*Heracleum mantegazzianum*), Japanese Knotweed (*Fallopia japonica*) Himalayan Balsam (*Impatiens glandulifera*), wild oat (*Avena fatua* L, and *Avena ludoviciana* Durieu), dock (*Rumex obtusifolius* L and *Rumex crispus* L.), thistle (*Cirsium vulgare* (Savi) Ten. and *Circium arvense* (L.) Scop.) and ragwort (*Senecio jacobaea* L.);".