STATUTORY RULES OF NORTHERN IRELAND

2008 No. 194

AGRICULTURE

The Common Agricultural Policy Single Payment and Support Schemes (Amendment) Regulations (Northern Ireland) 2008

Made - - - -	*30th April 2008*
Coming into operation	*31st May 2008*

The Department of Agriculture and Rural Development, being 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 Community and in relation to the promotion of rural development, in exercise of the powers conferred on it by the said section 2(2), hereby makes the following Regulations.

Title and commencement

1. These Regulations may be cited as the Common Agricultural Policy Single Payment and Support Schemes (Amendment) Regulations (Northern Ireland) 2008 and shall come into operation on 31st May 2008.

Interpretation

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

(2) In these Regulations, "the principal Regulations" means the Common Agricultural Policy Single Payment and Support Schemes Regulations (Northern Ireland) 2005(**4**).

Amendment to the principal Regulations

3. The principal Regulations shall be amended as provided in regulations 4 to 6.

4. In regulation 2 (Interpretation)—

(a) for paragraphs (2) and (3) substitute—

"(2) In these Regulations—

(**1**) S.I. 2000/2182 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.2005 No.256, amended by S.R. 2006 No. 211

"Commission Regulation 795/2004" means Commission Regulation (EC) No. 795/2004(**5**) laying down detailed rules for the implementation of the single payment scheme provided for in the Council Regulation;

"Commission Regulation 796/2004" means Commission Regulation (EC) No. 796/2004(**6**) laying down detailed rules for the implementation of cross-compliance, modulation and the integrated administration and control system provided for in the Council Regulation;

"Commission Regulation 1973/2004" means Commission Regulation (EC) No. 1973/2004(**7**) laying down detailed rules for the application of Council Regulation (EC) No. 1782/2003 as regards the support schemes provided for in Titles IV and IVa of that Regulation and the use of land set aside for the production of raw materials;

"the Council Regulation" means Council Regulation (EC) No. 1782/2003(**8**) establishing common rules for direct support under the common agricultural policy and establishing certain support schemes for farmers;

"the Department" means the Department of Agriculture and Rural Development;

"direct payment" has the meaning given by Article 2(d) of the Council Regulation;

"farmer" has the meaning given by Article 2(a) of the Council Regulation;

"holding" has the meaning given by Article 2(b) of the Council Regulation;

"IACS Regulations" means the Common Agricultural Policy Single Payment and Support Schemes (Integrated Administration and Control System) Regulations 2005(**9**);

"reference period" has the meaning given to it in Article 38 of the Council Regulation;

"relevant competent authority" has the meaning given to it in regulation 5 of the IACS Regulations;

"single application" has the meaning given to it in Article 2(11) of Commission Regulation 796/2004;

"single payment scheme" means the support scheme established under Title III of the Council Regulation;

(3) Other expressions used in these Regulations that are also used in the Council Regulation, Commission Regulation 795/2004, Commission Regulation 796/2004 or Commission Regulation 1973/2004 have the meaning they bear in those instruments.";

(b) after paragraph (3) insert—

"(4) Any reference in paragraph (2) to a Community instrument is a reference to that instrument as amended from time to time.".

5. For Regulation 6 (10 month period), substitute—

(**5**) O.J. No. L141, 30.04.2004, p.1, as last amended by Commission Regulation 1522/2007 (O.J. No. L335, 20.12.2007, p.27)
(**6**) O.J. No. L141, 30.04.2004, p.18, as last amended by Commission Regulation 1550/2007 (O.J. No. L337, 21.12.2007, p.79)
(**7**) O.J. No. L 345, 20.11.2004, p.1
(**8**) O.J. No. L270, 21.10.2003, p.1, as last amended by Council Regulation (EC) No. 146/2008 (O.J. No. L146, 21.02.2008, p.1)
(**9**) S.I. 2005/218