STATUTORY RULES OF NORTHERN IRELAND

2000 No. 346

AGRICULTURE

The Common Agricultural Policy Support Schemes (Modulation) Regulations (Northern Ireland) 2000

Made - - - -	*16th November 2000*
Coming into operation	*1st January 2001*

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, in exercise of the powers conferred on it by the said section 2(2) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Common Agricultural Policy Support Schemes (Modulation) Regulations (Northern Ireland) 2000 and shall come into operation on 1st January 2001.

Application

2. In relation to payments to a farmer under any IACS support scheme, these Regulations shall apply, and shall apply only, in so far as the Department is the relevant competent authority in relation to the farmer's holding.

Interpretation

3.—(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—

"agrimonetary compensation" means a payment made pursuant to Articles 4 or 5 of the Agrimonetary Regulation by way of supplement to a payment ("the principal payment") made pursuant to a support scheme;

(**1**) S.I. 1972/1811
(**2**) 1972 c. 68
(**3**) 1954 c. 33 (N.I.)

"the Agrimonetary Regulation" means Council Regulation (EC) No. 2799/98 establishing agrimonetary arrangements for the euro(**4**);

"Board schemes" means support schemes in relation to which the Intervention Board is responsible for making payments;

"the Council Regulation" means Council Regulation (EC) No. 1259/1999(**5**) establishing common rules for direct support schemes under the common agricultural policy of the European Community;

"Council Regulation 3508/92" means Council Regulation (EEC) No. 3508/92 establishing an integrated administration and control system for certain Community aid schemes(**6**);

"farmer" has the meaning given to it by Article 1(4) of Council Regulation 3508/92;

"holding" has the meaning given to it by Article 1(4) of Council Regulation 3508/92;

"IACS support scheme" means—

(a) any support scheme specified in Article 1 of Council Regulation 3508/92, as that scheme has effect at the date on which these Regulations are made;

(b) any scheme providing for LFA supplements; and

(c) any scheme for the payment of aid by way of agrimonetary compensation;

"Intervention Board" means the Intervention Board for Agricultural Produce established under section 6(1) of the European Communities Act 1972;

"LFA supplement" means a payment made under Council Regulation (EEC) No. 1323/1990 instituting specific aid for sheep and goat farming in certain less-favoured areas of the Community(**7**), by way of supplement to a payment of premium made to a producer of sheepmeat or goatmeat;

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

"the relevant amount" means any amount which, if regulation 4 did not apply, would be payable by the Department or, as the case may be, the Intervention Board pursuant to the support scheme in question;

"relevant competent authority" means the authority which is the relevant competent authority within the meaning of the Integrated Administration and Control System Regulations 1993(**8**);

"relevant purposes" means the purposes of any payment made pursuant to any measure which implements any provision of Articles 13 to 24 (inclusive) or Article 31 of the Rural Development Regulation;

"relevant scheme year" means the scheme year beginning in 2001 or in any subsequent year up to and including 2006;

"the Rural Development Regulation" means Council Regulation (EC) No. 1257/1999(**9**) on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations;

"scheme year" means the twelve months in respect of which payments are made pursuant to the support scheme in question; and

"support scheme" means any support scheme listed in the Annex to the Council Regulation.

(3) For the purposes of these Regulations, a payment is made pursuant to a support scheme if—

(**4**) O.J. No. L349, 24.12.98, p. 1
(**5**) O.J. No. L160, 26.6.99, p. 113
(**6**) O.J. No. L355, 5.12.92, p. 1, last amended by Council Regulation (EC) No. 1593/2000 (O.J. No. L182, 21.7.2000, p. 4)
(**7**) O.J. No. L132, 23.5.90, p. 17
(**8**) S.I. 1993/1317, amended by S.I. 1994/1134, 1997/1148 and 2000/2573
(**9**) O.J. No. L160, 26.6.99, p. 80