EXPLANATORY MEMORANDUM TO

The Agricultural Schemes (Amendment) Regulations (Northern Ireland) 2025

S.R. 2025 No.161

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department of Agriculture, Environment and Rural Affairs ('the Department') to accompany this Statutory Rule which is laid before the Northern Ireland Assembly.

1.2 The Statutory Rule is made under section 5(2B), 6(1)(f) and 9 of the Agriculture Act (Northern Ireland) 1949 and is subject to the negative resolution procedure.

2. Purpose

2.1 The purpose of this Statutory Rule is to amend.

- The Horticulture Pilot Scheme Regulations (Northern Ireland) 2025 – S.R. 2025 No. 103.
- The Beef Carbon Reduction Scheme Regulations (Northern Ireland) 2023 – S.R. 2023 No. 212.
- The Suckler Cow Scheme Regulations (Northern Ireland) 2025 – S.R. 2025 No. 4.

This will amend the definition of authorised persons and remove offences and penalties regulations in the above named rules.

The Examiner of Statutory Rules has advised amendments to the Regulations. These include a technical amendment required to improve the definition of authorised persons to reflect that they are made in pursuance of Section 40 of the Agriculture Act 1949 rather than be perceived as in some way additional to the 1949 Act. The offences and penalties provisions are removed as they were ultra vires and sufficient provision for offences and penalties exists in the 1949 Act.

3. Background

3.1 The Horticulture Pilot Scheme, the Beef Carbon Reduction Scheme and the Suckler Cow Scheme form part of the Sustainable Agricultural Programme.

4. Consultation

4.1 The Department consulted from 21 December 2021 to 15 February 2022 on proposals to introduce a Farming with Nature Package as part of the Future Agricultural Policy Proposals for Northern Ireland consultation. Stakeholder responses received in respect of these proposals were considered and included in the analysis of the Future Agricultural Policy Decisions in Northern Ireland published on 22 March 2022.

5. Equality Impact

5.1 Not applicable as the Department is proposing to introduce technical amendments.

6. Regulatory Impact

6.1 Not applicable as the Department is proposing to introduce technical amendments.

7. Financial Implications

7.1 Not applicable as the Department is proposing to introduce technical amendments.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Regulations do not have any human rights implications, nor are they incompatible with EU law. The Regulations are therefore deemed to comply with the requirements of section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. There are no EU implications associated with this statutory rule.

10. Parity or Replicatory Measure

10.1 Not applicable as the Department is proposing to introduce technical amendments.

11. Additional Information

11.1 For further information contact Zita Hale, Agricultural Policy Division, Department of Agriculture, Environment and Rural Affairs (Zita.hale@daera-ni.gov.uk). Tel. 02890 378511