EXPLANATORY MEMORANDUM TO

The Common Agricultural Policy (Control and Enforcement) Regulations (Northern Ireland) 2015

2015 No. 192

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Agriculture and Rural Development (the Department) to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under section 2(2) of the European Communities Act 1972 and is subject to the negative resolution procedure.

2. Purpose

2.1. The Regulations allow for the implementation of Common Agricultural Policy (CAP) schemes in Northern Ireland from 2015 by providing legal definition to a number of administration arrangements established by the Department.

2.2. The Regulations set the date of deadline for applications for CAP schemes each year; the minimum size of land parcel which may be claimed for; establishes arrangements for the recovery of undue payments and the interest rate to be applied to outstanding debts. The Regulations also provide the Department with the powers necessary to conduct inspections and establishes offenses and penalties for any person intentionally obstructing, failing to give reasonably required information, or giving false information to any person acting in their execution.

3. Background

3.1. In June 2013, the Council of Ministers, the European Commission and the European Parliament reached political agreement on reforming the CAP post-2014. Member states are required to amend their CAP schemes in line with these reforms from 2015 onwards.

3.2. The Department is laying the above Regulations to ensure Northern Ireland is compliant with the amended CAP and allow the continued availability of CAP schemes here.

4. Consultation

4.1. Public consultation on major policy decisions regarding the implementation of CAP in Northern Ireland from 2015 was carried out between October 2013 and January 2014. The Minister for Agriculture and Rural Development announced final policy decisions in June 2014.

5. Equality Impact

5.1. These amendments have been screened using DARD's Equality and Human Rights Screening procedure. As we are satisfied that these amendments have no impact on equality or human rights, an Equality

Impact Assessment is not required. The amendments to the legislation are of a technical nature and will not have any practical effect on current farming practices.

6. Regulatory Impact

6.1. A Regulatory Impact Assessment has not been prepared for these Regulations as they have no impact in terms of costs on business, charities or voluntary bodies.

7. Financial Implications

7.1. There are no significant financial or resource implications involved in the making of these Regulations.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Regulations implement reforms to the CAP agreed by the European authorities and established in European Regulations. The Regulations do not have any human rights implications. The Regulations are therefore deemed to comply with the requirements of section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. Not applicable.

11. Additional Information

11.1. Not applicable.