STATUTORY INSTRUMENTS

2006 No. 239

AGRICULTURE, ENGLAND

The Common Agricultural Policy Single Payment and Support Schemes (Amendment) Regulations 2006

Made - - - -	*3rd February 2006*
Laid before Parliament	*7th February 2006*
Coming into force - -	*2nd March 2006*

The Secretary of State for Environment, Food and Rural Affairs makes the following Regulations under the powers conferred by section 2(2) of the European Communities Act 1972(**a**).

She has been designated(**b**) for the purposes of that section in relation to the common agricultural policy of the European Community.

Title, commencement and interpretation

1.—(1) These Regulations may be cited as the Common Agricultural Policy Single Payment and Support Schemes (Amendment) Regulations 2006.

(2) These Regulations come into force on 2nd March 2006.

(3) In these Regulations, "the principal Regulations" means the Common Agricultural Policy Single Payment and Support Schemes Regulations 2005(**c**).

Amendment of regulation 2 of the principal Regulations

2.—(1) Regulation 2 of the principal Regulations is amended as follows.

(2) In paragraph (1)—

(a) for the definition of "Commission Regulation 795/2004" substitute the following—

""Commission Regulation 795/2004" means Commission Regulation (EC) No 795/2004(**d**) laying down detailed rules for the implementation of the single payment scheme provided for in the Council Regulation, as last amended by Commission Regulation (EC) No 2183/2005(**e**);";

(b) at the end of the definition of "Commission Regulation 796/2004" add the words ", as last amended by Commission Regulation (EC) No 2184/2005(**f**)";

(**a**) 1972 c. 68.
(**b**) S.I. 1972/1811.
(**c**) S.I. 2005/219, amended by S.I. 2005/1087.
(**d**) O.J. No L 141, 30.4.2004, p. 1.
(**e**) O.J. No L 347, 30.12.2005, p. 56.
(**f**) O.J. No L 347, 30.12.2005, p. 61.

(c) at the end of the definition of "Commission Regulation 1973/2004" add the words ", as last amended by Commission Regulation (EC) No 2184/2005";

(d) at the end of the definition of "Council Regulation" add the words ", as last amended by Commission Regulation (EC) No 2183/2005".

(3) Omit paragraph (3).

Substitution of regulation 6 of the principal Regulations

3. Regulation 6 of the principal Regulations is substituted by the following—

"**6.**—(1) For the purposes of Article 24(2) of Commission Regulation 795/2004, a farmer may choose up to two dates for the beginning of the 10 month period referred to in Article 44(3) of the Council Regulation in respect of his holding.

(2) Such dates must be within the period beginning on 1st October of the calendar year preceding the year in which the farmer submitted an application under the single payment scheme and ending on 30th April of the year of application.

(3) If a farmer does not choose a date for the beginning of the 10 month period in respect of his holding, that period shall begin on 1st February of the year of application.".

Bach
Parliamentary Under Secretary of State
Department for Environment Food and Rural Affairs

3rd February 2006

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Common Agricultural Policy Single Payment and Support Schemes Regulations 2005 (S.I. 2005/219) ("the principal Regulations"), which apply in England only, as amended by the Common Agricultural Policy Single Payment and Support Schemes (Amendment) Regulations 2005 (S.I. 2005/1087).

The principal Regulations make provision in England for the administration of Council Regulation (EC) No 1782/2003 (O.J. No L 270, 21.10.2003, p. 1) ("the Council Regulation"), Commission Regulation (EC) No 795/2004 (O.J. No L 141, 30.4.2004, p. 1), Commission Regulation (EC) No 796/2004 (O.J. No L 141, 30.4.2004, p. 18) and Commission Regulation (EC) No 1973/2004 (O.J. No L 345, 20.11.2004, p. 1) in relation to establishing a new system of direct support schemes (including the Single Payment Scheme) under the Common Agricultural Policy, which came into force on 1st January 2005.

As well as making some minor and technical amendments to the principal Regulations, these Regulations substitute a new regulation for regulation 6 of the principal Regulations so that—

(a) a farmer may choose up to two start dates for the beginning of the 10 month period referred to in Article 44(3) of the Council Regulation in respect of his holding; and

(b) if a farmer does not choose any such date, the 10 month period in respect of his holding shall start on 1st February of the year of application.

A full regulatory impact assessment has not been produced for these Regulations as they have no impact on the costs of business.

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