2006 No. 211

AGRICULTURE

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

Made - - - - -	*10th May 2006*
Coming into operation	*10th May 2006*

The Department of Agriculture and Rural Development, being a Department designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) 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) and every other power enabling it in that behalf, 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) 2006, and shall come into operation on 10th May 2006.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 (**c**) 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(**d**).

Amendment to the principal Regulations

3. The principal Regulations shall be amended as specified in regulation 4.

4.—(1) In regulation 2(2) (Interpretation)—

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

" "Commission Regulation 795/2004" means Commission Regulation (EC) No. 795/2004(**e**) 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. 658/2006(**f**);";

(b) for the definition of "Commission Regulation 796/2004" substitute the following—

(**a**) S.I. 2000/2812 to which there are amendments not relevant to the subject matter of these Regulations, and S.I. 2000/3238
(**b**) 1972 c. 68
(**c**) 1954 c. 33 (N.I.)
(**d**) S.R. 2005 No. 256
(**e**) O.J. No. L141, 30.4.2004, p. 1
(**f**) O.J. No. L116, 29.4.2006, p. 14

" "Commission Regulation 796/2004" means Commission Regulation (EC) No. 796/2004(**a**) laying down detailed rules for the implementation of cross-compliance, modulation and the integrated administration and control system provided for in the Council Regulation, as last amended by Commission Regulation (EC) No. 659/2006(**b**);";

(c) at the end of the definition of "Commission Regulation 1973/2004" add the words ", as last amended by Commission Regulation (EC) No. 660/2006(**c**)";

(d) at the end of the definition of "Council Regulation" add the words ", as last amended by Council Regulation (EC) No.319/2006(**d**)".

(2) Regulation 2(4) shall be omitted.

(3) Regulation 6 shall be 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.".

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 10th May 2006.

(L.S.) *G. O'Doherty*

A senior Officer of the Department of Agriculture and Rural Development

(**a**) O.J. No. L141, 30.4.2004, p. 18
(**b**) O.J. No. L116, 29.4.2006, p. 20
(**c**) O.J. No. L116, 29.4.2006, p. 27
(**d**) O.J. No. L58, 28.2.2006 p. 32

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Common Agricultural Policy Single Payment and Support Schemes Regulations (Northern Ireland) 2005 (S.R. 2005/256) ("the principal Regulations").

The principal Regulations make provision in Northern Ireland for the administration of Council Regulation (EC) No. 1782/2003 (O.J. No. L270, 21.10.2003, p. 1) ("the Council Regulation"), Commission Regulation (EC) No. 795/2004 (O.J. No. L141, 30.4.2004, p. 1), Commission Regulation (EC) No. 796/2004 (O.J. No. L141, 30.4.2004, p. 18) and Commission Regulation (EC) No. 1973/2004 (O.J. No. L345, 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—

(i) 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

(ii) 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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