EXPLANATORY MEMORANDUM TO

The Direct Payments to Farmers (Cross-Compliance) (Revocation) Regulations (Northern Ireland) 2025

S.R. 2025 No. 47

1. Introduction

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

1.2. The Statutory Rule is made under sections 48 and 50(3)(a) of, and paragraph 5 of Schedule 6 to, the Agriculture Act 2020 and is subject to the negative resolution procedure.

2. Purpose

2.1. Under these Regulations, SR 2024 No. 211 The Direct Payment to Farmers (Cross-Compliance) (Amendment) Regulations (Northern Ireland) 2024 are revoked

3. Background

3.1. Regulation 2 of SR 2022 No. 240 removed the requirement in respect of direct payments made under nationally funded schemes for repeated negligent non-compliance penalties to be treated as intentional on further repetition.

3.2. Regulation 3 of SR 2023 No. 210 extended the removal in respect of direct payments to all rural development schemes payments made under Regulation (EU) No. 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No. 1698/2005.

3.3. Regulation 4 of SR 2023 No. 210 also amended Commission Implementation Regulation (EU) No. 809/2014 by removing provisions at Article 68(4) regarding the frequency of on-the-spot checks.

3.4. Regulation 4 of SR 2024 No 211 revoked SR 2022 No. 240 the Direct Payment to Farmers (Cross-Compliance) (Amendment) Regulations Northern Ireland 2022 and SR 2023 No. 210 The Direct Payments to Farmers (Cross-Compliance) (Amendment) Regulations (Northern Ireland) 2023.

3.5. Regulation 2 of these Regulations undo those changes.

4. Consultation

4.1. None.

5. Equality Impact

5.1. None.

6. Regulatory Impact

6.1. None.

7. Financial Implications

7.1. None

8. Section 24 of the Northern Ireland Act 1998

8.1. The Regulations reintroduce the removed assimilated obligations into the above assimilated direct legislation and 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. Not applicable.

10. Parity or Replicatory Measure

10.1. None.

11. Additional Information

11.1. Not applicable.