EXPLANATORY MEMORANDUM TO

The Direct Payments to Farmers Single Application Amendment Date (Amendment) (Coronavirus) Regulations (NI) 2020

S.R. 2020 No. 81

1. Introduction

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

1.2 The Department is making the above named SR under powers conferred on it by Article 78(b) of Regulation (EU) No. 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy.

2. Purpose

2.1 The amendment made by this SR will allow farmers in Northern Ireland to make changes to their single application for Direct Payments until 9 June 2020 without penalty instead of the usual deadline of 31 May. This amendment is for 2020 scheme year only, in response to the difficulties farmers may have had in finalising their applications due to COVID-19 restrictions

2.2 This SR amends Commission Implementing Regulation (EU) No. 809/2014 of 17 July 2014 laying down rules for the application of Regulation (EU) No. 1306/2013 of the European Parliament and of the Council insofar as they relate to Direct Payments for the claim year 2020.

3. Background

3.1 The amendment made by this SR will allow farmers in Northern Ireland to make changes to their single application for Direct Payments to 9 June 2020 without penalty instead of the usual deadline of 31 May. This amendment is for the 2020 scheme year only, and is made in response to the difficulties farmers may have had in finalising their applications due to COVID-19 restrictions.

4. Consultation

4.1 This SR has not been subject to formal consultation but is being made in response to requests from industry representatives to allow extra time for farmers to amend aid applications in 2020.

5. Equality Impact

5.1 This SR will introduce an extension to the amendment period for the single application in the 2020 scheme year. This is a minor amendment to legislation and does not introduce any policy change. It will apply to all farmers and therefore there is no equality impact.

6. Regulatory Impact

6.1 Given the minor nature of the amendments, it is considered there are no impacts on the private, voluntary or public sector as a result of the changes made by this SR. Therefore, a Regulatory Impact Assessment has not been completed.

7. Financial Implications

7.1 £293m has been allocated to Northern Ireland for Direct Payments for 2020 scheme year. This SR has no impact on the financial allocation.

8. Section 24 of the Northern Ireland Act 1998

8.1 This SR makes only a minor amendment to legislation and does not introduce any policy change and therefore will have no impact on human rights.

8.2 This SR is therefore deemed to comply with the requirements of section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1 Under the Withdrawal Agreement the UK must run equivalent schemes to the EU in 2020. This SR would still meet this requirement as the Commission has introduced legislation allowing Member States to set application deadline dates up to 15 June and amendment deadline dates up to 30 June.

10. Parity or Replicatory Measure

10.1 Defra and the Welsh Government have extended the application period to 15 June and the amendment period to 30 June.

10.2 To date, the Scottish and Irish Governments have made no changes to the application period or amendment periods.

11. Additional Information

11.1 Not applicable.