EXPLANATORY MEMORANDUM TO

The Farm Sustainability Payments to Farmers (Amendment) Regulations (Northern Ireland) 2025

S. R. 2025 No. 26

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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 This 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 These Regulations amend regulations within Commission Delegated Regulation (EU) No. 640/2014; The Common Agricultural Policy Direct Payments and Support Schemes (Cross Compliance) Regulations (Northern Ireland) 2014, The Common Agricultural Policy Basic Payment and Support Schemes Regulations (Northern Ireland) 2015, and The Common Agricultural Policy Direct Payments and Support Schemes (Cross Compliance) (Amendment) Regulations (Northern Ireland) 2015.

3. Background

3.1 Regulation 2 amends Commission Delegated Regulation (EU) No. 640/2014 supplementing Regulation (EU) No. 1306/2013 of the European Parliament and of the Council with regard to the integrated administration and control system and conditions for refusal or withdrawal of payments and administrative penalties applicable to direct payments, rural development support and cross compliance to remove the methodology as prescribed by the EU for the assessment of the quality of the identification system and reporting.

3.2 Regulation 3 removes the responsibility of the Department of the Environment and the Health and Safety Executive as Competent Control Authorities bearing the responsibility for certain cross compliance controls.

3.3 Regulation 4 amends The Common Agricultural Policy Basic Payment and Support Schemes Regulations (Northern Ireland) 2015 to revise the closing date for the transfer of payment entitlements from 2nd May to 15th May from the 2025 scheme year.

3.4 Regulation 5 amends The Common Agricultural Policy Direct Payments and Support Schemes (Cross Compliance) (Amendment) Regulations (Northern Ireland) 2015 to reflect the responsibilities of the Department regarding Cross Compliance regulations.

4. Consultation

4.1 There has been no consultation specific to these Regulations, however the extension of the deadline for the transfer of payment entitlements had been requested in the past by stakeholder groups.

5. Equality Impact

5.1 Consideration was given to Section 75 of the Northern Ireland Act 1998 but an Equality Impact Assessment has not been prepared for these Regulations as they have no impact in terms of equality of opportunity.

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, social economy enterprises or voluntary bodies.

7. Financial Implications

7.1 None.

8. Section 24 of the Northern Ireland Act 1998

8.1 The Farm Sustainability Payments to Farmers (Amendment) Regulations (Northern Ireland) 2025 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.