EXPLANATORY MEMORANDUM TO

[THE FARM SUSTAINABILITY STANDARDS (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2025]

S.R. 2025 No. 191

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 2020 and is subject to the negative resolution procedure.

2. Purpose

2.1. These Regulations make miscellaneous amendments and corrections to The Farm Sustainability Standards Regulations (Northern Ireland) 2025 (SR 2025 No.165).

2.2. These Regulations make further amendments to regulations within Commission Delegated Regulation No. 640/2014 and Commission Implementing Regulation No. 809/2014.

3. Background

3.1. Regulation 2 amends SR 2025 No 165 with amendments made, in particular, in respect of any reference to negligence.

3.2. In particular, an amendment has been made to remove the first paragraph of Article 74(1) of the Implenting Regulation.

4. Consultation

4.1. There was no consultation specific to these Regulations, although consultation with stakeholders has been key in development of SR 2025 No 165. An 8 week formal public consultation was launched on 21 December 2021 in respect of Consultation on Future Agricultural Policy Proposals for Northern Ireland.

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 as previously set out in SR 2025 No 165.]

6. Regulatory Impact

6.1. Farm Sustanability Standards (FSS) replace the current Cross-Compliance penalty arrangments. It is therefore unlikely that there will be any mandatory costs, savings or administrative burdens placed on NI farm businesses. Rather FSS is anticipated to have a positive direct impact on farm businesses through mandatory training, resulting in reduced repetition of non compliance and penalties at a lesser level.

7. Financial Implications

7.1. None

8. Section 24 of the Northern Ireland Act 1998

8.1. The Farm Sustainability Standards (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.