EXPLANATORY MEMORANDUM TO

THE ORGANIC FARMING (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2010 - S.R. 2010 No. 99

January 2010

1 The explanatory memorandum has been prepared by the Department of Agriculture and Rural Development and is laid before The Northern Ireland Assembly.

1.1 These Regulations are made under section 2(2) of the European Communities Act 1972 and are subject to the negative resolution before the Assembly.

2 Description

2.1 These Regulations amend the principal regulations by removing all references to the Compendium of UK Organic Standards, which has been superseded by Council Regulation (EEC) No. 834/2007. This is a minor amendment which will not affect the administration of the Department's Organic Farming Scheme.

2.2 The existing Organic Farming Regulations (Northern Ireland) 2008 provide for the payment of grant to farmers who agree to convert to organic farming methods. Payment is made through the Organic Farming Scheme.

3 Legislative Background

3.1 These Regulations amend the Organic Farming Regulations (Northern Ireland) 2008 by removing all references to the Compendium for UK Organic Standards as this has been superseded by Council Regulation (EEC) No. 834/2007.

4 Policy background

4.1 Council Regulation (EEC) No. 834/2007 replaces the Compendium of UK Organic Standards in laying down the rules for the production of organic stock. This is to ensure a more consistent approach to organic production across the EC.

5 Consultation

5.1 As this is a minor technical amendment to existing Regulations, no consultation is required.

6 Regulatory Impact

6.1 Not necessary for these amending Regulations as there is no impact on the private and voluntary sectors. The Regulations implement an EC obligation.

7 Human Rights and Equality Impact

7.1 As the Rule is subject to negative resolution procedure and does not amend primary legislation but amends existing legislation no statement is required. The Department has looked at the Regulations in the context of equality issues and considers that there are none. This policy has been screened out.

8 Section 24 of the NI Act 1998

8.1 The Rule makes a small technical amendment to existing legislation and does not have any human rights implications, nor is it incompatible with EU law. The Regulations are therefore deemed to comply with the requirements of section 24 of the Northern Ireland Act 1998.

9 Position in GB and RoI

9.1 These Regulations take account of an EU-wide change, which will also have effect in GB. The Compendium of UK Organic Standards does not apply in RoI, however (EEC) No. 834/2007 will be applied there also.