STATUTORY INSTRUMENTS

2024 No. 1221

AGRICULTURE, ENGLAND

The Rural Development and Farming Advice Service (Amendment) (England) Regulations 2024

Made - - - -	*26th November 2024*
Laid before Parliament	*27th November 2024*
Coming into force - -	*18th December 2024*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 14(1)(a) and (b), (2)(a) to (c) and 50(3)(a) and (d) of the Agriculture Act 2020(**a**).

Citation, commencement, extent, application and interpretation

1.—(1) These Regulations may be cited as the Rural Development and Farming Advice Service (Amendment) (England) Regulations 2024 and come into force on 18th December 2024.

(2) These Regulations extend to England and Wales but apply in relation to England only.

(3) In these Regulations—

"rural development support measures" means measures under support schemes established under—

(a) Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF)(**b**) (Regulation EUR 1999/1257);

(b) Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD)(**c**) (Regulation EUR 2005/1698); or

(c) 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)(**d**) (Regulation EUR 2013/1305).

(**a**) 2020 c. 21.
(**b**) EUR 1999/1257, as revoked and saved by Article 93(1) of EUR 2005/1698 in respect of actions approved by the European Commission under that Regulation before 1st January 2007; amended by S.I. 2019/764; there are other amending instruments but none is relevant.
(**c**) EUR 2005/1698, as revoked and saved by Article 88 of EUR 2013/1305 in respect of operations implemented pursuant to programmes approved by the European Commission under that Regulation before 1st January 2014; relevant amending instruments are S.I. 2019/764, 2022/765, 2023/816.
(**d**) EUR 2013/1305; relevant amending instruments are S.I. 2019/764, 2022/765, 1225.

Amendment of Regulation (EU) No 1306/2013

2.—(1) 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 and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008(**a**) (Regulation 1306/2013) is amended, insofar as it relates to rural development support measures, as follows.

(2) In Article 12 (Principle and scope - Farm Advisory System)(**b**), in paragraph 2, omit subparagraphs (d) and (e).

(3) In Article 54 (Common Provisions), in paragraph 3(a)(i), for "EUR 100" substitute "£100".

(4) In Article 75 (Payment to beneficiaries)—

(a) in paragraph 1—

(i) in the first subparagraph, for the words from "the period" to the end substitute "any deadlines specified by the Secretary of State.";

(ii) omit the second subparagraph;

(iii) for "first and second subparagraphs", in both places it occurs, substitute "first subparagraph";

(iv) omit "prior to 1 December,";

(b) in paragraph 2—

(i) in the first subparagraph, for "Payments referred to in the paragraph 1" substitute "Where a payment referred to in paragraph 1 is made in multiple instalments, the final instalment of such payment";

(ii) in the second subparagraph, for "By way of derogation from the first subparagraph, advances" substitute "Advances".

Amendment of Commission Implementing Regulation (EU) No 809/2014

3. In Article 13 (Final date of submission of the single application, aid applications or payment claims) of 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 with regard to the integrated administration and control system, rural development measures and cross compliance(**c**), insofar as it relates to rural development support measures, in paragraph 1, for "15 May" substitute "31 December".

Amendment of The Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) Regulations 2014

4. In Regulation 19 (Competent control authorities) of The Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) Regulations 2014(**d**) omit paragraphs (1) to (3).

Daniel Zeichner
Minister of State
26th November 2024 Department for Environment, Food and Rural Affairs

(**a**) EUR 2013/1306; relevant amending instruments are S.I. 2019/763, 2022/765, 1225, 2023/816.
(**b**) The farming advice service is the name of the farm advisory system established in response to the obligation in Article 12 (Principle and scope - Farm Advisory System) of Regulation 1306/2013.
(**c**) EUR 2014/809; relevant amending instruments are S.I. 2019/765, 2020/1445, 2022/765, 1225, 2023/816.
(**d**) S.I. 2014/3263; relevant amending instruments are 2015/1325, 1997, 2017/655, 2018/591, 2019/733, 785, 2023/816.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to various rules regarding the operation and management of rural development schemes originally established pursuant to Regulation EUR 1999/1257, EUR 2005/1698 and Regulation EUR 2013/1305. The amendments align these rural development schemes more closely with equivalent schemes established under the Agriculture Act 2020 (c. 21). They also remove requirements that are no longer necessary following the removal of cross-compliance rules from 1st January 2024.

These Regulations extend to England and Wales but apply in relation to England only.

Regulation 2(2) removes the requirement on the relevant authority to give advice regarding water quality and pesticide management rules under the farm advisory system known as the farming advice service that was linked to a requirement to give advice on cross-compliance rules.

Regulation 2(3) amends the currency of a maximum threshold amount from EUR to £. The relevant authority may decide not to pursue recovery in respect of an undue payment, following the occurrence of irregularity or negligence, in relation to an amount that does not exceed this threshold.

Regulation 2(4) amends rules relating to payments to allow for quarterly payments to be made to agreement holders. Previously, agreement holders were restricted to two payments per year.

Regulation 3 amends a rule relating to payment claims to give agreement holders greater flexibility in submitting annual claim declarations. Previously, payment claims had to be submitted by the 15th May each year.

Regulation 4 removes requirements relating to the competent control authority as this authority is obsolete following the removal of cross-compliance rules.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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