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STATUTORY INSTRUMENTS

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**2019 No. 764**

**The Rural Development (Amendment)  
(EU Exit) Regulations 2019**

**PART 3**

Interpretation of legacy Regulations

**Interpretation of Regulation (EEC) No 2078/1992**

**11.** To the extent that Regulation (EEC) No 2078/92 on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside<sup>M1</sup> continues to apply by virtue of the savings contained in Article 55 of Regulation (EC) No 1257/1999<sup>M2</sup>, Article 93 of Regulation (EC) 1698/2005<sup>M3</sup> and Article 88 of Regulation (EU) No 1305/2013, Regulation (EEC) No 2078/1992 is to be read as if—

- (a) Articles 1, 3, 6, 7, 9 and 10(2) (which have no continuing operative effect) were omitted;
- (b) in Article 2, after paragraph 2, there were inserted—

“**3.** In these Regulations, “relevant authority” means—

- (i) in England, the Secretary of State;
  - (ii) in Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;
  - (iii) in Scotland, the Scottish Ministers;
  - (iv) in Wales, the Welsh Ministers.”;
- (c) in Article 4—
    - (i) paragraph 5 were omitted;
    - (ii) in paragraph 6, for “Member States” there were substituted “ The relevant authority ”;
  - (d) in Article 5—
    - (i) for “Member States”, in both places it occurs, there were substituted “ the relevant authority ”;
    - (ii) in paragraph 2, “Community” were omitted;
  - (e) in Article 8—
    - (i) for “Community part-financing” there were substituted “ core contribution, as defined in Article 58(1) of Regulation (EU) No 1305/2013 ”;
    - (ii) after “Regulation (EEC) No 2052/88” there were inserted “ as it had effect immediately before its repeal ”.
  - (f) in Article 10, for “Member States there were substituted “ relevant authorities ”.

### Commencement Information

- I1** Reg. 11 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

### Marginal Citations

- M1** Regulation (EEC) No 2078/1992 was repealed by Article 55 of Regulation (EC) No 1257/1999, but under Article 55(3) of Regulation (EC) No 1257/1999, Regulation (EEC) No 2078/1992 continues to apply to actions approved by the European Commission under Regulation (EEC) No (E/1992 before 1st January 2000.
- M2** Regulation (EC) No 1257/1999 was repealed by Article 93 of Regulation (EC) No 1698/2005, but under Article 93(1) of Regulation (EC) No 1698/2005, Regulation (EC) No 1257/1999 continues to apply to actions approved by the European Commission under Regulation (EC) No 1257/1999 before 1st January 2007.
- M3** Regulation (EC) No 1698/2005 was repealed by Article 88 of Regulation (EU) No 1305/2013, but under Article 88 of Regulation (EU) No 1305/2013, Regulation (EC) No 1698/2005 continues to apply to operations implemented pursuant to programmes approved by the European Commission under Regulation (EC) No 1698/2005 before 1st January 2014.

### Amendment of Regulation (EC) No 746/1996

**12.** To the extent that Regulation (EC) No 746/1996 laying down detailed rules for the application of Regulation (EEC) 2078/92 on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside<sup>M4</sup> continues to apply by virtue of the savings contained in Article 49 of Regulation (EC) No 1750/1999<sup>M5</sup>, Article 55 of Regulation (EC) No 1257/1999<sup>M6</sup>, Article 93 of Regulation (EC) No 1698/2005<sup>M7</sup> and Article 88 of Regulation (EU) No 1305/2013, Regulation (EEC) No 2078/1992 is to be read as if—

- (a) Articles 8, 17, 18, 19(1) and (5), 20(2), 21-23 (which have no continuing operative effect) were omitted;
- (b) in Article 2—
  - (i) for “Member States”, in the first place it occurs, there were substituted “ The relevant authority ” and in the second place it occurs, there were substituted “ the relevant authority ”;
  - (ii) for “Community rules”, in each place it occurs, there were substituted “ the law as it applies in the constituent nation ”;
  - (iii) in paragraph 1, for “They” there were substituted “ The relevant authority ”;
  - (iv) in paragraph 2, for “specific Community provisions” there were substituted “ the law as it applies in the constituent nation ”;
  - (v) after paragraph 2 there were inserted—

“3. In these Regulations—

- (a) “constituent nation” means England, Wales, Scotland or Northern Ireland, as the case may be;
- (b) “relevant authority” means—
  - (i) in England, the Secretary of State;
  - (ii) in Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;

- (iii) in Scotland, the Scottish Ministers;
  - (iv) in Wales, the Welsh Ministers.”;
- (c) in Article 4—
  - (i) for “Member State” there were substituted “ the relevant authority ”;
  - (ii) for “Member States” there were substituted “ The relevant authority ”.
- (d) in Article 6, for “Member States” there were substituted “ the relevant authority ”.
- (e) in Article 9—
  - (i) for “Member States” substitute “ The relevant authority ”;
  - (ii) for “Member State” there were substituted “ relevant authority ”.
- (f) in Article 10, for “Community aid”, in both places, there were substituted “ agricultural support ”.
- (g) in Article 11—
  - (i) for “Member States”, in the first two places it occurs, there were substituted “ The relevant authority ”;
  - (ii) for “Member States”, in the third place it occurs, there were substituted “ the relevant authority ”.
- (h) in Articles 12 and 13, for “Member States”, in both places it occurs, there were substituted “ The relevant authority ”.
- (i) in Articles 14, for “Member State”, there were substituted “ relevant authority ”;
- (j) Article 15 were omitted;
- (k) in Article 16—
  - (i) for “Member States”, there were substituted “ The relevant authority ”;
  - (ii) paragraph 4 were omitted;
- (l) in Article 19, for “Member State”, there were substituted “ relevant authority ”;
- (m) in Article 20—
- (n) in paragraph 1—
  - (i) for “Member State” there were substituted “ relevant authority ”;
  - (ii) for “Member States”—
    - (aa) in the first place it occurs, there were substituted “ the relevant authority ”;
    - (bb) in the second place it occurs, there were substituted “ The relevant authority ”.
  - (iii) for “their national law” there were substituted “ the law as it applies in the constituent nation ”;
- (o) in paragraph 2, for “Member States” there were substituted “ The relevant authority ”.

#### Commencement Information

- I2** Reg. 12 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1](#)

#### Marginal Citations

- M4** Regulation (EC) No 746/1996 was repealed by Article 49 of Regulation (EC) No 1750/1999, but under Article 49(1) of Regulation (EC) No 1750/1999, Regulation (EC) No 746/1999 continues to apply to

the actions approved by the Commission before 1 January 2000, under the Regulations referred to in Article 55(1) of Council Regulation (EC) No 1257/1999.

- M5** Commission Regulation (EC) No 1750/1999 of 23 July 1999 laying down detailed rules for the application of Council Regulation (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) (Official Journal L 214 , 13/08/1999 P. 0031).
- M6** Regulation (EC) No 1257/1999 was repealed by Article 93 of Regulation 1698/2005, but under Article 93(1) of Regulation 1698/2005, Regulation (EC) No 1257/1999 continues to apply to actions approved by the European Commission under Regulation (EC) No 1257/1999 before 1st January 2007.
- M7** Regulation (EC) No 1698/2005 was repealed by Article 88 of Regulation (EU) No 1305/2013, but under Article 88 of Regulation (EU) No 1305/2013, Regulation (EC) No 1698/2005 continues to apply to operations implemented pursuant to programmes approved by the European Commission under Regulation (EC) No 1698/2005 before 1st January 2014.

### Amendment of Regulation (EC) No 1257/1999

**13.** To the extent that Council Regulation (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) continues to apply to virtue of continues to apply by virtue of the savings contained in Article 49 of Regulation (EC) No 1750/1999<sup>M8</sup>, Article 55 of Regulation (EC) No 1257/1999<sup>M9</sup>, Article 93 of Regulation (EC) No 1698/2005<sup>M10</sup> and Article 88 of Regulation (EU) No 1305/2013, Regulation (EEC) No 2078/1992 is to be read as if—

- (a) Articles 1(1), 4-21, 25-28, 34-36, 39(2), 49-56 (which have no continuing operative effect) were omitted;
- (b) in Article 1—
  - (i) for paragraph 2 there were substituted as follows—

“2. Rural development measures must accompany and complement direct payment support and CMO support.”;

- (ii) in paragraph 3, the last subparagraph were substituted as follows—
 

“in the regions concerned, taking into account the specific targets of support under these objectives.”.
- (iii) at the end were inserted—

“4. In these Regulations—

- (a) “CMO support” means financial support granted under Regulation 1308/2013 or under any of the delegated or implementing acts adopted on the basis of that regulation or on the basis of Regulation 1234/2007;
- (c) “direct payment support” means financial support granted under any of the support schemes listed in Annex I to Regulation 1307/2013;
- (d) “relevant authority” means—
  - (i) in England, the Secretary of State;
  - (ii) in Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;
  - (iii) in Scotland, the Scottish Ministers;

- (iv) in Wales, the Welsh Ministers;
- (e) “support for rural development” means financial support granted under Title 3 of Regulation 1305/2013 or Title 3, Chapter 2 of Regulation (EU) No 1303/2013, as amended by the European Structural and Investment Funds Common Provisions (Amendment) (EU Exit) Regulations 2019.”.
- (c) in Article 22, for “Community's policy objectives” there were substituted “ the policy objectives in Article 1 ”.
- (d) in Article 24(2), for “Community support” there were substituted “ support for rural development ”.
- (e) in Article 29—
  - (i) in paragraph 4 for “Community and the Member States” there were substituted “ United Kingdom ”;
  - (ii) in paragraph 5—
    - (aa) for “the Community” there were substituted “ European Union ”;
    - (bb) for “Member States” there were substituted “ relevant authorities ”.
- (f) in Article 31(4), for “Community support” there were substituted “ support for rural development ”;
- (g) in Article 33—
  - (i) for “Regulation (EC) No 1782/2003,” there were substituted “ Articles 93 and 94 of and Annex 2 to Regulation 1306/2013 ”;
  - (ii) the last sentence were omitted;
- (h) Articles 33a-33m were omitted;
- (i) in Article 37—
  - (i) in paragraph 1, for “Community law” there were substituted “ the law as it applies in England, Wales, Scotland or Northern Ireland, as the case may be ”;
  - (ii) in paragraph 2, in both places it occurs, “Community” were omitted;
  - (iii) in paragraph 3, for “other instruments of the common agricultural policy” there were substituted “ CMO support and direct payment support ”;
  - (iv) in paragraph 4—
    - (v) for “Member States” there were substituted “ The relevant authority ”;
    - (vi) “Community” were omitted.
- (j) in Article 38(1), “Community” were omitted.
- (k) in Article 39, for “Member States” there were substituted “ The relevant authority ”.

#### **Commencement Information**

- I3** Reg. 13 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### **Marginal Citations**

- M8** Commission Regulation (EC) No 1750/1999 of 23 July 1999 laying down detailed rules for the application of Council Regulation (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) (Official Journal L 214 , 13/08/1999 P. 0031).

- M9** Regulation (EC) No 1257/1999 was repealed by Article 93 of Regulation (EC) No 1698/2005, but under Article 93(1) of Regulation (EC) No 1698/2005, Regulation (EC) No 1257/1999 continues to apply to actions approved by the European Commission under Regulation (EC) No 1257/1999 before 1st January 2007.
- M10** Regulation (EC) No 1698/2005 was repealed by Article 88 of Regulation 1305/2013, but under Article 88 of Regulation (EU) No 1305/2013, Regulation (EC) No 1698/2005 continues to apply to operations implemented pursuant to programmes approved by the European Commission under Regulation 1698/2005 before 1st January 2014.

### Amendment of Regulation (EC) No 1698/2005

**14.** To the extent that Council Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) <sup>MII</sup> continues to apply by virtue of the savings provision in Article 88 of Regulation (EU) No 1305/2013, Regulation (EC) No 1698/2005 is to be read as if—

- (a) Articles 1(3) and (5), 5(3), 7, 9-35a, 50, 51(3), 52-71, 73-75, 77-93 and Annex 2 (which have no continuing operative effect) were omitted;
- (b) in Article 1—
  - (i) for paragraph 1 there were substituted—

“1. lays down the general rules governing support for rural development;”;

- (c) in Article 2, at the end, insert—
  - “(k) “constituent nation” means England, Wales, Scotland or Northern Ireland, as the case may be;
  - (l) “relevant authority” means—
    - (i) in England, the Secretary of State;
    - (ii) in Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;
    - (iii) in Scotland, the Scottish Ministers;
    - (iv) in Wales, the Welsh Ministers;
  - (m) “support for rural development” means financial support granted under Title 3 of Regulation 1305/2013 or Title 3, Chapter 2 of Regulation (EU) No 1303/2013, as amended by the European Structural and Investment Funds Common Provisions (Amendment) (EU Exit) Regulations 2019.”;
- (d) for Article 3 there were substituted—

### “Article 3

#### Missions

Support for rural development shall contribute to the promotion of sustainable rural development in a complementary manner to the market and income support policies for the agriculture sector and support under Regulation 508/2014.”;

- (e) in Article 5—
  - (i) in paragraph 1—
    - (aa) for “The EAFRD” there were substituted “ Support for rural development ”;

(bb) for “Community’s” there were substituted “relevant authority’s”;

(ii) for paragraph 2 there were substituted—

“2. The relevant authority must ensure that support for rural development is provided consistently with support under Regulation (EU) No 508/2014 on the European Maritime and Fisheries Fund.”;

(iii) for paragraph 4 there were substituted—

“4. The relevant authority must ensure that there is coordination between the provision of support for rural development and the provision of support under Regulation 508/2014.”;

(iv) in paragraph 5, for “the European Agricultural Guarantee Fund” there were substituted “ financial support granted under any of the support schemes listed in Annex I to Regulation 1307/2013 ”;

(v) paragraph 7 were omitted;

(f) in Article 6—

(i) in paragraph 1—

(ii) for “EAFRD assistance” there were substituted “ Support for rural development ”;

(iii) for “Commission and the Member State and with” there were substituted “ relevant authorities and ”;

(iv) for “Member State”, in both places it occurs (following the amendment in paragraph (ii), there were substituted “ relevant authority ”;

(g) in paragraph 3, for “Member States” there were substituted “ The relevant authority ”.

(2) In Article 8, for “Member States and the Commission” there were substituted “ The relevant authority ”.

(3) In Article 39—

(a) for paragraph 1 there were substituted—

“1. The relevant authority must make available support provided for in Article 36(a) (iv) throughout its constituent nation, in accordance with the specific needs of the constituent nation.”;

[<sup>F1</sup>(b) in paragraph 3, for “Articles 4” to “Regulation (EC) No 1782/2003” substitute “Articles 93 and 94 of and Annex 2 to Regulation 1306/2013”.]

(4) In Article 42—

(a) for paragraph 1 there were substituted—

“1. Support under this subsection shall be granted only for forests and wooded areas owned by private owners or by their associations or by municipalities.”;

(b) in paragraph 2—

(i) for “Community” there were substituted “ European Union ”;

(ii) “by the Member States” were omitted.

- [<sup>F2</sup>(c) in Article 51(2), for “Member States” there were substituted “ the relevant authority ” and for “Member State” there were substituted “relevant authority”];
- (d) in Article 72(1) for the first subparagraph there were substituted—

“1. The relevant authority must ensure that an investment operation retains the support for rural development if that operation does not, within five years of the relevant authority's funding decision, undergo a substantial modification that:

- (a) affects its nature or implementation conditions or gives undue advantage to a firm or public body;
  - (b) results either from a change in the nature of ownership of an item of infrastructure, or the cessation or relocation of a productive activity.”;
- (e) Article 76 were omitted;
- (f) in Annex 2, rows 12 and 13 were omitted.

#### Textual Amendments

- F1** Reg. 14(3)(b) revoked (E.) (1.1.2024) by [The Agriculture \(Removal of Cross-Compliance and Miscellaneous Revocations and Amendments, etc.\) \(England\) Regulations 2023 \(S.I. 2023/816\)](#), reg., [Sch. Pt. 1 para. 1](#) Table 2 (with [Sch. Pt. 2 para. 2](#))
- F2** Reg. 14(4)(c) revoked (E.) (1.1.2024) by [The Agriculture \(Removal of Cross-Compliance and Miscellaneous Revocations and Amendments, etc.\) \(England\) Regulations 2023 \(S.I. 2023/816\)](#), reg., [Sch. Pt. 1 para. 1](#) Table 2 (with [Sch. Pt. 2 para. 2](#))

#### Commencement Information

- I4** Reg. 14 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Marginal Citations

- M11** Regulation (EC) No 1698/2005 was repealed by Article 88 of Regulation (EU) No 1305/2013, but under Article 88 of Regulation (EU) No 1305/2013, Regulation (EC) No 1698/2005 continues to apply to operations implemented pursuant to programmes approved by the European Commission under Regulation (EC) No 1698/2005 before 1st January 2014.

### Amendment of Regulation 1974/2006

**15.** To the extent that Commission Regulation [\(EC\) No 1974/2006](#) laying down detailed rules for the application of Council Regulation [\(EC\) 1698/2005](#) on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) <sup>M12</sup> continues to operate by virtue of the savings provision in Article 19 of Regulation (EU) No 807/2014, Regulation 1974/2006 is to be read as if—

- (a) Articles 2(3), 3-25, 35-41b, 48-53, 55-57, 59-64, Annexes 1-5 and 7 (which have no continuing operative effect) were omitted;
- (b) in Article 2—
  - (i) in paragraph 1, for point (a) there were substituted—
    - “(a) between support for rural development on the one hand, and direct payment support, support under Regulation (EU) No 508/2014 and CMO support measures on the other hand;”;



- (ii) in paragraph 2, for “Member States”, in both places it occurs, substitute “ the relevant authority ”;
- (iii) at the end were inserted—

“4. In these Regulations—

- (a) “CMO support” means financial support granted under Regulation 1308/2013 or under any of the delegated or implementing acts adopted on the basis of that regulation or on the basis of Regulation 1234/2007;
- (c) “direct payment support” means financial support granted under any of the support schemes listed in Annex I to Regulation 1307/2013;
- (d) “relevant authority” means—
  - (i) in England, the Secretary of State;
  - (ii) in Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;
  - (iii) in Scotland, the Scottish Ministers;
  - (iv) in Wales, the Welsh Ministers;
- (e) “support for rural development” means financial support granted under Title 3 of Regulation 1305/2013 or Title 3, Chapter 2 of Regulation (EU) No 1303/2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund, as amended by the European Structural and Investment Funds Common Provisions (Amendment) (EU Exit) Regulations 2019.”;
- (c) in Article 26, after “as regards the” there were inserted “ requirements arising from the ”;
- (d) in Article 26a—
  - (i) in paragraph 1, after “concerns” there were inserted “ requirements arising from ”;
  - (ii) in paragraph 2, for “Union legislation existing” there were substituted “ law as it applied in the constituent nation ”;
- (e) in Article 27—
  - (i) in paragraph 9—
    - (aa) for “Member States”, in both places it occurs, there were substituted “ relevant authority ”;
    - (bb) for “Member State” there were substituted “ relevant authority ”;
- (f) in paragraphs 10 to 13, for “Member States”, in each place it occurs, there were substituted “ The relevant authority ”.
- (g) in Article 28(3)(b)—
  - (i) “Community” were omitted;
  - (ii) for “Member States” there were substituted “ constituent nations ”;

- (h) Articles 32 and 32a, for “Member States”, in each place it occurs, there were substituted “ the relevant authority ”;
- (i) in Article 44, for “Member States”—
  - (i) in the first place it occurs, there were substituted “ The relevant authority ”;
  - (ii) in the second place it occurs, there were substituted “ the relevant authority ”.
- (j) in Article 45, for “Member States”, in both places it occurs, there were substituted “ the relevant authority ”.
- (k) in Article 47, for “Member States” there were substituted “ The relevant authority ”.
- (l) in Article 54(2), for “Public expenditure co-financed by the EAFRD,” there were substituted “ Support for rural development ”;
- (m) Article 58 were omitted;
- (n) Annex VI were omitted.

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#### Commencement Information

- I5** Reg. 15 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(I)), see reg. 1

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#### Marginal Citations

- M12** Regulation (EC) No 1974/2006 was repealed by Article 19 of Regulation (EU) No 807/2014, but under Article 19 of Regulation (EU) No 807/2014, but under Article 19 of Regulation (EU) No 807/2014 continues to apply to operations implemented pursuant to programmes approved by the Commission under Regulation (EC) No 1698/2005 before 1 January 2014.

### Amendment of Regulation 65/2011

**16.** To the extent that Commission Regulation (EU) No 65/2011 laying down detailed rules for the implementation of Council Regulation (EC) 1698/2005, as regards the implementation of control procedures as well as cross-compliance in respect of rural development support measures <sup>M13</sup> continues to operate by virtue of the savings provision in Article 43 of Regulation (EU) No 640/2014, Regulation (EU) No 65/2011 is to be read as if—

- (a) Articles 3(1) and (2), 4(1)-(5) and (7), 8-10, 12-15, 17, 19-20, 23-33 and Annex 1 (which have no continuing operative effect) were omitted;
- (b) in Article 2—
  - (i) at point (b), for “national authorities” there were substituted “ relevant authority ”;
  - (ii) at the end insert—
    - “(f) “relevant authority” means—
      - (i) in England, the Secretary of State;
      - (ii) in Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;
      - (iii) in Scotland, the Scottish Ministers;
      - (iv) in Wales, the Welsh Ministers.”;
- (c) in Article 7, for “Member States” there were inserted “ relevant authority ”;
- (d) In Article 4(9), for “Union or national law” there were substituted “ the law as it applies in the constituent nation ”.

(e) In Article 18(2), for “Member State” there were substituted “ relevant authority ”.

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**Commencement Information**

**I6** Reg. 16 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

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**Marginal Citations**

**M13** Regulation (EU) 65/2011 was repealed by Article 43 of Regulation 640/2014, but under Article 43 of Regulation (EU) No 640/2014, Regulation (EU) No 65/2011 continues to apply payment claims made and application for support relating to the year 2014 and earlier years and payment claims relating to the year 2015 under Article 66(2) of Regulation (EC) No 1698/2005.

**Changes to legislation:**

There are currently no known outstanding effects for the The Rural Development (Amendment) (EU Exit) Regulations 2019, PART 3.