

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

TITLE I **U.K.**

SCOPE AND DEFINITIONS

Article 1 **U.K.**

Scope

This Regulation lays down the rules on:

- (a) the financing of expenditure [^{F1}for direct payments][^{F2}on agricultural support];
- (b) the farm advisory system;
- (c) the management and control systems to be put in place by the [^{F3}relevant authority];
- (d) the cross-compliance system;
- (e) ^{F4} ...

Textual Amendments

- F1** Words in Art. 1(a) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **3(1)(a)**
- F2** Words in Art. 1(a) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **3(1)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 1(c) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **3(1)(b)**; and words in Art. 1(c) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **3(1)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Art. 1(e) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **3(1)(c)**; and Art. 1(e) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **3(1)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

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Article 2 **U.K.**

Terms used in this Regulation

- 1 For the purpose of this Regulation:
- a "farmer", means a farmer within the meaning of Article 4 of Regulation (EU) 1307/2013;
 - b "agricultural activity" means an agricultural activity within the meaning of Article 4 of Regulation (EU) 1307/2013;
 - c "agricultural area" means an agricultural area within the meaning of Article 4 of Regulation (EU) 1307/2013;
 - d "holding" means holding within the meaning of Article 4 of Regulation (EU) 1307/2013, save as provided for in Article 91(3);
 - e [^{F5}"direct payments" means direct payments within the meaning of Article 1 of Regulation (EU) 1307/2013;]
 - f [^{F6}"sectoral agricultural legislation" means, insofar as it relates to direct payments:
 - i) any applicable acts adopted within the framework of the common agricultural policy on the basis of Article 43 TFEU;
 - ii) any delegated or implementing acts adopted on the basis of acts referred to in point (i);
 - iii) regulations made in the exercise of powers under any act referred to in point (i);]
 - [^{F7}"sectoral agricultural legislation" means, insofar as it relates to agricultural support:
 - i) any applicable acts adopted within the framework of the common agricultural policy on the basis of Article 43 TFEU;
 - ii) any delegated or implementing acts adopted on the basis of acts referred to in point (i);
 - iii) regulations made in the exercise of powers under any act referred to in point (i);
 - iv) Part Two of Regulation (EU) No 1303/2013 insofar as it applies to support for rural development;]
 - [^{F8}g "irregularity" means any infringement of a provision of sectoral agricultural legislation resulting from an act or omission by an economic operator, where the infringement results, or would result, in a reduction or loss of public revenue or an unjustified item of expenditure;]
 - [^{F9}h "constituent nation" means England, Wales, Scotland or Northern Ireland, as the case may be;]
 - i) [^{F10}"direct payment support" means financial support granted under any of the support schemes listed in Annex I to Regulation (EU) No 1307/2013;]
 - [^{F11}"agricultural support" means support for rural development and CMO support;]
 - [^{F12}j "economic operator" means any person or public entity or group of such persons or entities, including any temporary association of undertakings, which offers the execution of works or a work, the supply of products or the provision of services on the market;]
 - [^{F13}k "relevant authority", unless otherwise defined in this Regulation, means:
 - i) in England, the Secretary of State;
 - ii) in Wales, the Welsh Ministers;
 - iii) in Scotland, the Scottish Ministers;

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- iv) in Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;]
- [^{F14}] “relevant accounting officer” means:
- i) in England, the accounting officer for the Department for Environment, Food and Rural Affairs;
 - ii) in Wales, the Permanent Secretary of the Welsh Government;
 - iii) in Scotland, the Permanent Secretary of the Scottish Government;
 - iv) in Northern Ireland, the Permanent Secretary of the Department of Agriculture, Environment and Rural Affairs;]
- [^{F15}m) [^{F16}“appropriate authority” means the relevant authority for the constituent nation in which the regulations apply.]]
- [^{F17}m) ‘appropriate authority’ means:
- i) subject to point (ii), the relevant authority for the constituent nation in which the regulations apply;
 - ii) the Secretary of State:
 - aa) in relation to regulations made under Article 66(3) or (4), where the subject matter is outside devolved competence;
 - bb) in relation to Wales, for regulations made under Article 8, 20, 79(2), 84(6), 88 or 106(5) or (6) of this Regulation, if consent is given by the Welsh Ministers;
 - cc) in relation to Scotland, if consent is given by the Scottish Ministers;
 - dd) in relation to Northern Ireland, if consent is given by the Department of Agriculture, Environment and Rural Affairs;
- For the purposes of point (ii)(aa), it is outside devolved competence to make any provision by subordinate legislation which would be outside the legislative competence of:
- i) in relation to Wales, Senedd Cymru, if it were included in an Act of Senedd Cymru (see section 108A of the Government of Wales Act 2006);
 - ii) in relation to Scotland, the Scottish Parliament if it were included in an Act of the Parliament (see section 29 of the Scotland Act 1998);
 - iii) in relation to Northern Ireland, the Northern Ireland Assembly if it were included in an Act of the Assembly (see section 6 of the Northern Ireland Act 1998).]
- [^{F18}n) “CMO support” means financial support granted under:
- i) Regulation (EU) No 1308/2013 or any regulations made under, or delegated or implementing acts adopted on the basis of, that Regulation;
 - ii) any delegated or implementing acts adopted on the basis of Regulation (EC) No 1234/2007;
 - iii) Regulation (EU) No 1144/2014 or any regulations made under, or delegated or implementing acts adopted on the basis of, that Regulation;
- o) ‘support for rural development’ means financial support granted under Title III of Regulation (EU) No 1305/2013 or Title III, Chapter II of Regulation (EU) No 1303/2013;]

2 For the purposes of the financing, management and monitoring of [^{F19}expenditure on direct payments and for the purposes of sectoral agricultural legislation][^{F20}expenditure on agricultural support and for the purposes of sectoral agricultural legislation], "force majeure" and "exceptional circumstances" may, in particular, be recognised in the following cases:

- a the death of the beneficiary;

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- b long-term professional incapacity of beneficiary;
- c a severe natural disaster gravely affecting the holding;
- d the accidental destruction of livestock buildings on the holding;
- e an epizootic or a plant disease affecting part or all of the beneficiary's livestock or crops respectively;
- f expropriation of all or a large part of the holding if that expropriation could not have been anticipated on the day of lodging the application.

[^{F213} In this Regulation, references to Regulation (EU) No 1303/2013 are references to that Regulation as amended by the European Structural and Investment Funds Common Provisions (Amendment) (EU Exit) Regulations 2019.]

Textual Amendments

- F5** Art. 2(1)(e) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **3(2)(a)(ai)** (as inserted by [S.I. 2020/1445](#), regs. 1(2)(b), **3(3)(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F6** Art. 2(1)(f) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **3(2)(a)(i)**
- F7** Art. 2(1)(f) substituted (31.1.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **3(2)(a)(i)** (as amended by [S.I. 2020/1445](#), regs. 1(2)(b), **3(3)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F8** Art. 2(1)(g) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **3(2)(a)(ii)**; and Art. 2(1)(g) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **3(2)(a)(ii)** (as amended by [S.I. 2020/1445](#), regs. 1(2)(b), **3(3)(c)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F9** Art. 2(1)(h) inserted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **3(2)(a)(iii)**; and Art. 2(1)(h) inserted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **3(2)(a)(iii)** (as amended by [S.I. 2020/1445](#), regs. 1(2)(b), **3(3)(c)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F10** Art. 2(1)(i) inserted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **3(2)(a)(iii)**
- F11** Art. 2(1)(i) inserted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **3(2)(a)(iii)** (as amended by [S.I. 2020/1445](#), regs. 1(2)(b), **3(3)(c)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F12** Art. 2(1)(j) inserted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **3(2)(a)(iii)**; and Art. 2(1)(j) inserted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\)](#)

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- (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, 3(2)(a)(iii) (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(3)(c)); 2020 c. 1, Sch. 5 para. 1(1)
- F13** Art. 2(1)(k) inserted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **3(2)(a)(iii)**; and a similar Art. 2(1)(k) inserted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, 3(2)(a)(iii) (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(3)(c)); 2020 c. 1, Sch. 5 para. 1(1)
- F14** Art. 2(1)(l) inserted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **3(2)(a)(iii)**; and Art. 2(1)(l) inserted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, 3(2)(a)(iii) (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(3)(c)); 2020 c. 1, Sch. 5 para. 1(1)
- F15** Art. 2(1)(m) inserted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **3(2)(a)(iii)**
- F16** Art. 2(1)(m) substituted (W.) (31.12.2020 in so far as it relates to direct payments) by [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(2)**
- F17** Art. 2(1)(m) inserted (26.2.2022 in so far as it relates to common organisation of the markets and rural development measures) by [The Waste and Agriculture \(Legislative Functions\) Regulations 2022 \(S.I. 2022/190\)](#), regs. 1(1), **24**
- F18** Art. 2(1)(n)(o) inserted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **3(2)(a)(iii)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(3)(c)); 2020 c. 1, Sch. 5 para. 1(1)
- F19** Words in Art. 2(2) substituted for “the CAP” (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **3(2)(a)(iv)**
- F20** Words in Art. 2(2) substituted for “the CAP” (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **3(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F21** Art. 2(3) inserted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **3(2)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

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TITLE II **U.K.**

GENERAL PROVISIONS ON AGRICULTURAL FUNDS

CHAPTER I **U.K.**

Agricultural Funds

^{F22}Article 3 **U.K.**

Funds financing agricultural expenditure

Textual Amendments

F22 Arts. 3, 4, 6 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **4(1)**; and Arts. 3-6 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **4(1)**; 2020 c. 1, **Sch. 5 para. 1(1)**

^{F22}Article 4 **U.K.**

EAGF expenditure

Textual Amendments

F22 Arts. 3, 4, 6 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **4(1)**; and Arts. 3-6 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **4(1)**; 2020 c. 1, **Sch. 5 para. 1(1)**

^{F23}Article 5 **U.K.**

EAFRD expenditure

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Textual Amendments

F23 Arts. 3-6 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **4(1)**; 2020 c. 1, **Sch. 5 para. 1(1)**

^{F22}Article 6 **U.K.**

Other expenditure, including technical assistance

Textual Amendments

F22 Arts. 3, 4, 6 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **4(1)**; and Arts. 3-6 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **4(1)**; 2020 c. 1, **Sch. 5 para. 1(1)**

CHAPTER II **U.K.**

Paying agencies and other bodies

Article 7 **U.K.**

[^{F24}Designation of paying agencies and coordinated action by relevant authorities]

[^{F25}1 Paying agencies shall be departments or bodies designated by the relevant authority, which have an administrative organisation and a system of internal control that provide sufficient guarantees that payments are legal and regular, and properly accounted for.

2 The number of paying agencies shall be restricted to no more than one per constituent nation.

3 Paying agencies shall be responsible for the management and control of expenditure on direct payments. With the exception of payment, the carrying out of those tasks may be delegated.

4 The relevant authorities shall have joint responsibility for the following tasks:

- a to take or coordinate, as the case may be, actions with a view to resolving deficiencies of a common nature;
- b to promote and, where possible, ensure harmonised application of sectoral agricultural legislation.]

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[^{F26}1] Paying agencies shall be departments or bodies designated by the relevant authority, which have an administrative organisation and a system of internal control that provide sufficient guarantees that payments are legal and regular, and properly accounted for.

2 The number of paying agencies shall be restricted to no more than one per constituent nation. However, the relevant authorities may jointly designate a single paying agency for the UK to manage aid schemes which, by their nature, have to be managed at UK level.

3 Paying agencies shall be responsible for the management and control of expenditure on agricultural support. With the exception of payment, the carrying out of those tasks may be delegated.

4 The relevant authorities shall have joint responsibility for the following tasks:

- a to take or coordinate, as the case may be, actions with a view to resolving deficiencies of a common nature;
- b to promote and, where possible, ensure harmonised application of sectoral agricultural legislation.

5 The paying agencies shall manage and ensure the control of the operations linked to public intervention for which they are responsible and they shall retain overall responsibility in that field.

[^{F27}5A] Paragraph 5 does not apply in relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020.]

[^{F28}5B] Paragraph 5 ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.]]

Textual Amendments

- F24** Art. 7 heading substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **4(2)**; and Art. 7 heading substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **4(2)**; 2020 c. 1, Sch. 5 para. 1(1)
- F25** Art. 7 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **4(2)**
- F26** Art. 7(1)-(5) substituted for Art. 7(1)-(6) (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **4(3)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(4)); 2020 c. 1, Sch. 5 para. 1(1)
- F27** Art. 7(5A) inserted (E.) (28.2.2023 at 9.10 a.m.) by [The Market Measures Payment Schemes \(Amendments, Revocation and Transitional Provision\) \(England\) Regulations 2023 \(S.I. 2023/124\)](#), regs. 1(2)(b), **3(2)** (with reg. 10)
- F28** Art. 7(5B) inserted (S.) (1.7.2023) by [The Public Intervention and Private Storage Aid \(Amendment and Suspension\) \(Scotland\) Regulations 2023 \(S.S.I. 2023/150\)](#), regs. 1, **2(2)** (with reg. 10)

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^{F30}Article 8 **U.K.**

^{F29}Commission powers][^{F29}Powers]

1 To ensure the sound operation of the system provided for in Article 7, the ^{F31}appropriate authority may make regulations] concerning:

- ^{F32}a
- b the obligations of the paying agencies as regards public intervention, as well as the rules on the content of their management and control responsibilities.

^{F33}1A Paragraph 1 does not apply in relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020.]

^{F34}1B Paragraph 1 ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.]

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Textual Amendments

- F29** Art. 8 heading substituted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(2)**
- F30** Arts. 8-10 omitted (31.1.2020 in so far as relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **4(3)**
- F31** Words in Art. 8(1) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **4(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F32** Art. 8(1)(a) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **4(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F33** Art. 8(1A) inserted (E.) (28.2.2023 at 9.10 a.m.) by [The Market Measures Payment Schemes \(Amendments, Revocation and Transitional Provision\) \(England\) Regulations 2023 \(S.I. 2023/124\)](#), regs. 1(2)(b), **3(3)** (with reg. 10)
- F34** Art. 8(1B) inserted (S.) (1.7.2023) by [The Public Intervention and Private Storage Aid \(Amendment and Suspension\) \(Scotland\) Regulations 2023 \(S.S.I. 2023/150\)](#), regs. 1, **2(3)** (with reg. 10)
- F35** Art. 8(2) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **4(b)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F36}Article 9 **U.K.**

Certification bodies

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Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F36 Arts. 8-10 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **4(3)**; and Art. 9 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **4(4)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F37} Article 10 **U.K.**

Admissibility of payments made by the paying agencies

Textual Amendments

F37 Arts. 8-10 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **4(3)**; and Art. 10 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **4(4)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 11 **U.K.**

Payment in full to beneficiaries

Except where otherwise explicitly provided ^{F38}..., payments relating to the financing provided for in this Regulation shall be disbursed in full to the beneficiaries.

Textual Amendments

F38 Words in Art. 11 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **4(4)**; and words in Art. 11 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **4(5)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

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TITLE III **U.K.**

FARM ADVISORY SYSTEM

Article 12 **E+S+N.I.**

[^{F39}Principle and scope][^{F39}Farm Advisory System]

[^{F39}The relevant authority must have in place a system for advising beneficiaries on land management and farm management (“farm advisory system”). That farm advisory system shall be operated by designated public bodies and/or selected private bodies. That system shall cover [^{F44}the agricultural practices beneficial for the climate and the environment laid down in Chapter 3 of Title III of Regulation (EU) No 1307/2013 and] the maintenance of the agricultural area as referred to in point (c) of Article 4(1) of [^{F45}that Regulation][^{F45}Regulation (EU) No 1307/2013].]

Extent Information

- E1** This version of this provision applies to England, Scotland and Northern Ireland only; a separate version has been created for Wales only

Textual Amendments

- F39** Art. 12 substituted for Arts. 12-15 (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **5(1)**
- F40** Words in Art. 12(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **5(1)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F41** Art. 12(2)(b) omitted (31.12.2020) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **5(1)(b)(i)** (as inserted by S.I. 2020/1445, regs. 1(2)(b), 3(5)(b)); 2020 c. 1, Sch. 5 para. 1(1)
- F42** Art. 12(2)(d)(e) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **5(1)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F43** Words in Art. 12(3)(c) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **5(1)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F44** Words in Art. 12 omitted (E.) (1.1.2021 insofar as relates to direct payments) by virtue of [The Direct Payments to Farmers and Cross-Compliance \(Simplifications\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/1387\)](#), regs. 1(1), **4(2)(a)** (with reg. 1(2)); and words in Art. 12 omitted (N.I.) (25.2.2021) by virtue of [The Direct Payments to Farmers \(Simplifications\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/42\)](#), regs. 1(1), **3(2)(a)**
- F45** Words in Art. 12 substituted (E.) (1.1.2021 insofar as relates to direct payments) by [The Direct Payments to Farmers and Cross-Compliance \(Simplifications\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/1387\)](#), regs. 1(1), **4(2)(b)** (with reg. 1(2)); and words in Art. 12 substituted (N.I.) (25.2.2021) by [The Direct Payments to Farmers \(Simplifications\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/42\)](#), regs. 1(1), **3(2)(b)**

Status: Point in time view as at 17/10/2023.

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Article 12 W

[^{F438}Principle and scope][^{F438}Farm Advisory System]

[^{F438}The relevant authority [^{F447} may] have in place a system for advising beneficiaries on land management and farm management (“farm advisory system”). That farm advisory system [^{F448} may] be operated by designated public bodies and/or selected private bodies. [^{F449}That system may cover the maintenance of the agricultural area as referred to in point (c) of Article 4(1) of Regulation (EU) No. 1307/2013.]]

Extent Information

- E7** This version of this provision applies to Wales only; a separate version has been created for England, Scotland and Northern Ireland only

Textual Amendments

- F438** Art. 12 substituted for Arts. 12-15 (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **5(1)**
- F439** Words in Art. 12(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **5(1)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F440** Word in Art. 12(1) substituted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(3)(a)(i)**
- F441** Word in Art. 12(1) substituted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(3)(a)(ii)**
- F442** Art. 12(2)(aa) inserted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(3)(b)(i)**
- F443** Art. 12(2)(b) omitted (31.12.2020) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **5(1)(b)(i)** (as inserted by S.I. 2020/1445, regs. 1(2)(b), 3(5)(b)); 2020 c. 1, Sch. 5 para. 1(1)
- F444** Art. 12(2)(d)(e) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **5(1)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F445** Art. 12(2)(e) omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(3)(b)(ii)**
- F446** Art. 12(3) omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(3)(C)**
- F447** Word in Art. 12 substituted (W.) (31.12.2020 in so far as it relates to direct payments) by [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(3)(a)**
- F448** Word in Art. 12 substituted (W.) (31.12.2020 in so far as it relates to direct payments) by [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(3)(b)**

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F449 Words in Art. 12 substituted (W.) (31.12.2020 in so far as relates to direct payments) by The Direct Payments to Farmers and Rural Affairs (Miscellaneous Amendments etc.) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1556), regs. 1(2)(a), **2(3)(c)**

^{F39}^{F46} Article 13 **U.K.**

Specific requirements relating to the farm advisory system

1 ^{F47}The relevant authority] shall ensure that advisors working within the farm advisory system are suitably qualified and regularly trained.

2 ^{F48}The relevant authority] shall ensure the separation between advice and checks. In that respect, and without prejudice to ^{F49}the law applying in the constituent nation] concerning public access to documents, ^{F50}the relevant authority] shall ensure that the selected and designated bodies as referred to in Article 12(1) do not disclose any personal or individual information or data they obtain in the course of their advisory activity to persons other than the beneficiary who is managing the holding concerned, with the exception of any irregularity or infringement found in the course of their activity which is covered by an obligation laid down in ^{F51}... law to inform a public authority, in particular in the case of criminal offences.

3 The ^{F52}relevant authority] shall provide, primarily by electronic means, the potential beneficiary with the appropriate list of selected and designated bodies as referred in Article 12(1).]]

Textual Amendments

- F39** Art. 12 substituted for Arts. 12-15 (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **5(1)**
- F46** Arts. 13-15 omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(4)**
- F47** Words in Art. 13(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **5(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F48** Words in Art. 13(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **5(2)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F49** Words in Art. 13(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **5(2)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F50** Words in Art. 13(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **5(2)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F51** Words in Art. 13(2) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **5(2)(b)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)

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F52 Words in Art. 13(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **5(2)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F39}^{F46} Article 14 **U.K.**

Access to the farm advisory system

Beneficiaries and farmers not receiving [^{F53}agricultural support] may use the farm advisory system on a voluntary basis.

Without prejudice to the fourth subparagraph of Article 99(2), [^{F54}the relevant authority] may, however, determine in accordance with objective criteria, the categories of beneficiaries that have priority access to the farm advisory system, including networks operating with limited resources within the meaning of Articles 53, 55 and 56 of Regulation (EU) No 1305/2013.

In such cases, [^{F54}the relevant authority] shall ensure that priority is given to those farmers with the most limited access to an advisory service other than the farm advisory system.

The farm advisory system shall ensure that beneficiaries have access to advice reflecting the specific situation of their holding.]]

Textual Amendments

- F39** Art. 12 substituted for Arts. 12-15 (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **5(1)**
- F46** Arts. 13-15 omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(4)**
- F53** Words in Art. 14 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **5(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F54** Words in Art. 14 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **5(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F39}^{F46} Article 15 **U.K.**

[^{F55}Powers]

The [^{F56}appropriate authority may make regulations] laying down rules on the uniform implementation of the farm advisory system in order to render that system fully operational.

^{F57}.....]]

Status: Point in time view as at 17/10/2023.

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Textual Amendments

- F39** Art. 12 substituted for Arts. 12-15 (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **5(1)**
- F46** Arts. 13-15 omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(4)**
- F55** Art. 15 heading substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **5(za)** (as inserted by S.I. 2020/1445, regs. 1(2)(b), 10(3)); 2020 c. 1, Sch. 5 para. 1(1)
- F56** Words in Art. 15 substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **5(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F57** Words in Art. 15 omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **5(b)**; 2020 c. 1, Sch. 5 para. 1(1)

TITLE IV **U.K.**

FINANCIAL MANAGEMENT ^{F58}...

CHAPTER I **U.K.**

[^{F59}Direct payment support][^{F60}CMO support]

Section 1 **U.K.**

Financing of expenditure

^{F61}Article 16 **U.K.**

Budget ceiling

Textual Amendments

- F61** Arts. 16-19 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 16-19 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(3)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

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^{F61} Article 17 U.K.

Monthly payments

Textual Amendments

F61 Arts. 16-19 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 16-19 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(3)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F61} Article 18 U.K.

Procedure for monthly payments

Textual Amendments

F61 Arts. 16-19 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 16-19 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(3)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F61} Article 19 U.K.

Administrative and personnel costs

Textual Amendments

F61 Arts. 16-19 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 16-19 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(3)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Article 20 **U.K.**

Public intervention expenditure

F62¹

[^{F63}2 The appropriate authority may make regulations in relation to public intervention expenditure concerning:

- a the types of measures eligible for financing and the reimbursement conditions;
- b the eligibility conditions and calculation methods based on the information actually observed by the paying agencies or based on flat-rates prescribed in regulations by the appropriate authority, or based on flat-rate or non-flat-rate amounts provided for by the sectoral agricultural legislation.

3 The appropriate authority may make regulations laying down the rules on the valuation of operations in connection with public intervention, the measures to be taken in the case of loss or deterioration of products under the public intervention, and on the determination of the amounts to be financed.]

[^{F64}3A This Article does not apply in relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020.]

[^{F65}3B This Article ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.]

F66⁴

Textual Amendments

- F62** Art. 20(1) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(4)**; 2020 c. 1, Sch. 5 para. 1(1)
- F63** Art. 20(2)(3) substituted for Art. 20(2)-(4) (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **6**; 2020 c. 1, Sch. 5 para. 1(1)
- F64** Art. 20(3A) inserted (E.) (28.2.2023 at 9.10 a.m.) by [The Market Measures Payment Schemes \(Amendments, Revocation and Transitional Provision\) \(England\) Regulations 2023 \(S.I. 2023/124\)](#), regs. 1(2)(b), **3(4)** (with reg. 10)
- F65** Art. 20(3B) inserted (S.) (1.7.2023) by [The Public Intervention and Private Storage Aid \(Amendment and Suspension\) \(Scotland\) Regulations 2023 \(S.S.I. 2023/150\)](#), regs. 1, **2(4)** (with reg. 10)
- F66** Art. 20(4) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(4)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

^{F67} Article 21 **U.K.**

Acquisition of satellite images

Textual Amendments

F67 Arts. 21-25 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 21-29 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(b)); 2020 c. 1, Sch. 5 para. 1(1)

^{F67} Article 22 **U.K.**

Monitoring of agricultural resources

Textual Amendments

F67 Arts. 21-25 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 21-29 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(b)); 2020 c. 1, Sch. 5 para. 1(1)

^{F67} Article 23 **U.K.**

Implementing powers

Textual Amendments

F67 Arts. 21-25 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 21-29 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(b)); 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Section 2 **U.K.**

Budget discipline

^{F67} Article 24 **U.K.**

Compliance with the ceiling

Textual Amendments

F67 Arts. 21-25 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 21-29 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(b)); 2020 c. 1, Sch. 5 para. 1(1)

^{F67} Article 25 **U.K.**

Reserve for crises in the agricultural sector

Textual Amendments

F67 Arts. 21-25 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 21-29 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(b)); 2020 c. 1, Sch. 5 para. 1(1)

^{F68} Article 26 **U.K.**

Financial discipline

^{F69}1 Where the relevant authority has an obligation to reimburse in respect of the 2019 adjustment rate, as provided for in Article 26(5) as it had effect immediately before exit day, the reimbursement must only be paid to relevant farmers.

2 For the purposes of paragraph 1, a relevant farmer is a person who would be liable to be subject to an adjustment rate under Article 26 as it had effect immediately before exit day.]]

Status: Point in time view as at 17/10/2023.

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Textual Amendments

- F68** Art. 26 omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1556), regs. 1(2)(a), **2(4)**; and Arts. 21-29 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/763), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), **3(6)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F69** Art. 26 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020](#) (S.I. 2020/90), regs. 1(2), **6(4)**

^{F70} Article 27 **U.K.**

Budget discipline procedure

Textual Amendments

- F70** Arts. 27-29 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020](#) (S.I. 2020/90), regs. 1(2), **6(5)**; and Arts. 21-29 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/763), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(b)); 2020 c. 1, Sch. 5 para. 1(1)

^{F70} Article 28 **U.K.**

Early-warning and monitoring system

Textual Amendments

- F70** Arts. 27-29 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020](#) (S.I. 2020/90), regs. 1(2), **6(5)**; and Arts. 21-29 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/763), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(b)); 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

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^{F70} Article 29 **U.K.**

Reference exchange rates

Textual Amendments

F70 Arts. 27-29 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(5)**; and Arts. 21-29 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(b)); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F59 Title 4 Ch. 1 heading substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(2)**

F60 Title 4 Ch. 1 heading substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(2)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(a)); 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER II **U.K.**

[^{F71}Support for rural development]

Section 1 **U.K.**

[^{F72}General provisions relating to support for rural development]

Article 30 **U.K.**

No double funding

[^{F73}Measures financed by support for rural development] shall not be the subject of any other [^{F74}agricultural support].

Textual Amendments

F73 Words in [Art. 30](#) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and](#)

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Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(10)(a)**; 2020 c. 1, **Sch. 5 para. 1(1)**

- F74** Words in Art. 30 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(10)(b)**; 2020 c. 1, **Sch. 5 para. 1(1)**

^{F75} *Article 31* **U.K.**

Provisions applying to all payments

Textual Amendments

- F75** Art. 31 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(11)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Textual Amendments

- F72** Title 4 Ch. 2 Section 1 heading substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(9)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Section 2 **U.K.**

Financing of rural development programmes

^{F76} *Article 32* **U.K.**

Core contribution

^{F77} The core contribution referred to in Article 58(1) of Regulation (EU) No 1305/2013 shall be determined for each programme, within the ceilings established by Annex 1 to Regulation (EU) No 1305/2013.]]

Textual Amendments

- F76** Art. 32 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(12)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F77** Art. 32 omitted (S.) (1.1.2021 in so far as it does not relate to support for direct payments) by virtue of [The Rural Development \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/477\)](#), regs. 1(2), **6(2)**; and Art. 32 omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural

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development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(5)**

^{F78} *Article 33* **U.K.**

Budget commitments

Textual Amendments

F78 Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, Sch. 5 para. 1(1)

Section 3 **U.K.**

Financial contribution to rural development programmes

^{F79} *Article 34* **U.K.**

Provisions applying to payments for rural development programmes

Textual Amendments

F79 Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F80} *Article 35* **U.K.**

Prefinancing arrangements

Textual Amendments

F80 Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, Sch. 5 para. 1(1)

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^{F81} Article 36 **U.K.**

Interim payments

Textual Amendments

F81 Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F82} Article 37 **U.K.**

Payment of the balance and closure of the programme

Textual Amendments

F82 Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F83} Article 38 **U.K.**

Automatic decommitment for rural development programmes

Textual Amendments

F83 Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F71 Title 4 Ch. 2 heading substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(8)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

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CHAPTER III **U.K.**

Common Provisions

^{F84} Article 39 **U.K.**

Agricultural financial year

Textual Amendments

F84 Arts. 39-45 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(6)**; and Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, **Sch. 5 para. 1(1)**

^{F84} Article 40 **U.K.**

Compliance with payment deadlines

Textual Amendments

F84 Arts. 39-45 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(6)**; and Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, **Sch. 5 para. 1(1)**

^{F84} Article 41 **U.K.**

Reduction and suspension of monthly and interim payments

Textual Amendments

F84 Arts. 39-45 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(6)**; and Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\)](#)

Status: Point in time view as at 17/10/2023.

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(Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(13)**; 2020 c. 1, **Sch. 5 para. 1(1)**

^{F84} Article 42 **U.K.**

Suspension of payments in the case of late submission

Textual Amendments

F84 Arts. 39-45 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(6)**; and Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, **Sch. 5 para. 1(1)**

^{F84} Article 43 **U.K.**

Assignment of revenue

Textual Amendments

F84 Arts. 39-45 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(6)**; and Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, **Sch. 5 para. 1(1)**

^{F84} Article 44 **U.K.**

Keeping of separate accounts

Textual Amendments

F84 Arts. 39-45 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(6)**; and Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\)](#)

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(Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(13)**; 2020 c. 1, **Sch. 5 para. 1(1)**

^{F84} Article 45 **U.K.**

Information measures

Textual Amendments

F84 Arts. 39-45 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(6)**; and Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, **Sch. 5 para. 1(1)**

^{F86} Article 46 **U.K.**

[^{F85}Powers]

^{F87}1

^{F87}2

^{F87}3

^{F87}4

[^{F88}5 The appropriate authority may make regulations laying down specific conditions applying to the information to be booked in the accounts kept by paying agencies.]

[^{F89}6 The appropriate authority may make regulations to make provision for the financing of intervention measures in the form of public storage, and other expenditure financed by agricultural support.]

[^{F90}7 Paragraph 6 does not apply in relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020.]

[^{F91}8 Paragraph 6 ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.]]

Textual Amendments

F85 Art. 46 heading substituted (8.6.2020) by [The Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/576\)](#), regs. 1, **2(2)(a)**

Status: Point in time view as at 17/10/2023.

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- F86** Art. 46 omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(6)**
- F87** Art. 46(1)-(4) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(7)(a)**; and Art. 46(1)-(4) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(14)**; 2020 c. 1, Sch. 5 para. 1(1)
- F88** Art. 46(5) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **9**; 2020 c. 1, Sch. 5 para. 1(1)
- F89** Art. 46(6) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **9**; 2020 c. 1, Sch. 5 para. 1(1)
- F90** Art. 46(7) inserted (E.) (28.2.2023 at 9.10 a.m.) by [The Market Measures Payment Schemes \(Amendments, Revocation and Transitional Provision\) \(England\) Regulations 2023 \(S.I. 2023/124\)](#), regs. 1(2)(b), **3(5)** (with reg. 10)
- F91** Art. 46(8) inserted (S.) (1.7.2023) by [The Public Intervention and Private Storage Aid \(Amendment and Suspension\) \(Scotland\) Regulations 2023 \(S.S.I. 2023/150\)](#), regs. 1, **2(5)** (with reg. 10)

CHAPTER IV **U.K.**

Clearance of accounts

Section I **U.K.**

General provisions

^{F92}Article 47 **U.K.**

On-the-spot checks by the Commission

Textual Amendments

- F92** Art. 47 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(8)**; and Art. 47 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(15)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F93}Article 48 **U.K.**

Access to information

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F93** Art. 48 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(8)**; and Art. 48 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(15)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 49 **U.K.**

Access to documents

The ^{F94}... paying agencies shall keep supporting documents relating to payments made and documents relating to the performance of the administrative and physical checks required by [^{F95}the law applying in the constituent nation].

Where those documents are kept by an authority acting under delegation from a paying agency and responsible for authorising expenditure, that authority shall send reports to the ^{F96}... paying agency on the number of checks made, their content and the measures taken in the light of their results.

Textual Amendments

- F94** Word in Art. 49 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(9)(a)(i)**; and word in Art. 49 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(16)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F95** Words in Art. 49 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(9)(a)(ii)**; and words in Art. 49 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(16)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F96** Word in Art. 49 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(9)(b)**; and word in Art. 49 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(16)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Article 50 **U.K.**

[^{F97}Powers]

^{F98}1

[^{F99}2 The appropriate authority may make regulations laying down rules on the conditions on which the supporting documents referred to in Article 49 are to be kept, including their form and the time period of their storage.]

Textual Amendments

- F97** Art. 50 heading substituted (8.6.2020) by [The Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/576\)](#), regs. 1, **2(3)**; and Art. 50 heading substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(17)(a)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(6)(d)); 2020 c. 1, Sch. 5 para. 1(1)
- F98** Art. 50(1) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(10)(a)**; and Art. 50(1) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(17)(b)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(6)(d)); 2020 c. 1, Sch. 5 para. 1(1)
- F99** Art. 50(2) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **10**; 2020 c. 1, Sch. 5 para. 1(1)

Section II **U.K.**

Clearance

^{F100}Article 51 **U.K.**

Clearance of accounts

Textual Amendments

- F100** Arts. 51-53 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(11)**; and Arts. 51-53 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(18)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

F100 Article 52 **U.K.**

Conformity clearance

Textual Amendments

F100 Arts. 51-53 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(11)**; and Arts. 51-53 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(18)**; 2020 c. 1, **Sch. 5 para. 1(1)**

F100 Article 53 **U.K.**

Commission powers

Textual Amendments

F100 Arts. 51-53 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(11)**; and Arts. 51-53 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(18)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Section III **U.K.**

Irregularities

Article 54 **E+S+N.I.**

Common Provisions

1 For any undue payment following the occurrence of irregularity or negligence, [^{F101}the relevant authority] shall request recovery from the beneficiary within 18 months after the approval and, where applicable, reception, by the paying agency or body responsible for the recovery, of a control report or similar document, stating that an irregularity has taken place. The corresponding amounts shall be recorded at the time of the recovery request in the debtors' ledger of the paying agency.

^{F102}2

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 3 On duly justified grounds, [F103the relevant authority] may decide not to pursue recovery. [F104A decision to this effect may be taken only in the following cases:
- a where the costs already and likely to be effected total more than the amount to be recovered, which condition shall be considered to have been met if:
 - (i) the amount to be recovered from the beneficiary in the context of an individual payment for an aid scheme or support measure, not including interest, does not exceed EUR 100; or
 - (ii) [F105the amount to be recovered from the beneficiary in the context of an individual payment for an aid scheme or support measure, not including interest, falls between EUR 100 and EUR 250 and the [F106relevant authority] concerned applies a threshold equal to or higher than the amount to be recovered under [F107the law applying in the constituent nation] for not pursuing national debts.]
 - b where recovery proves impossible owing to the insolvency, recorded and recognised under [F108the law applying in the constituent nation], of the debtor or the persons legally responsible for the irregularity.]

F109 ...

F1104

F1105

Extent Information

- E2** This version of this provision applies to England, Scotland and Northern Ireland only; a separate version has been created for Wales only

Textual Amendments

- F101** Words in Art. 54(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(a)**; and words in Art. 54(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F102** Art. 54(2) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(b)**; and Art. 54(2) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F103** Words in Art. 54(3) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(c)(i)**; and words in Art. 54(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F104** Words in Art. 54(3) omitted (E.) (26.3.2021 insofar as relates to direct payments) by virtue of The Direct Payments to Farmers (Reductions and Simplifications) (England) (Amendment) Regulations 2021 (S.I. 2021/407), regs. 1(2), **2(2)**
- F105** Substituted by Regulation (EU) 2017/2393 of the European Parliament and of the Council of 13 December 2017 amending Regulations (EU) No 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), (EU) No 1306/2013 on the financing, management and monitoring of the common agricultural policy, (EU) No 1307/2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy, (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products and (EU) No 652/2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material.
- F106** Words in Art. 54(3)(a)(ii) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **6(12)(c)(ii)(aa)**; and words in Art. 54(3)(a)(ii) substituted (31.12.2020 insofar as relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(19)(c)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F107** Words in Art. 54(3)(a)(ii) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **6(12)(c)(ii)(bb)**; and words in Art. 54(3)(a)(ii) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(19)(c)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F108** Words in Art. 54(3)(b) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **6(12)(c)(iii)**; and words in Art. 54(3)(b) substituted (31.12.2020 in so far as relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(19)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F109** Words in Art. 54(3) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **6(12)(c)(iv)**; and words in Art. 54(3) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(19)(c)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F110** Art. 54(4)(5) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **6(12)(d)**; and Art. 54(4)(5) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(19)(d)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Article 54 W

Common Provisions

1 For any undue payment following the occurrence of irregularity or negligence, [^{F450}the relevant authority] shall request recovery from the beneficiary ^{F451}... after the approval and, where applicable, reception, by the paying agency or body responsible for the recovery, of a control report or similar document, stating that an irregularity has taken place. The corresponding amounts shall be recorded at the time of the recovery request in the debtors' ledger of the paying agency.

^{F452}2

3 On duly justified grounds, [^{F453}the relevant authority] may decide not to pursue recovery. A decision to this effect may be taken only in the following cases:

a where the costs already and likely to be effected total more than the amount to be recovered, which condition shall be considered to have been met if:

(i) the amount to be recovered from the beneficiary in the context of an individual payment for an aid scheme or support measure, not including interest, does not exceed [^{F454}£100]; or

(ii) [^{F455}the amount to be recovered from the beneficiary in the context of an individual payment for an aid scheme or support measure, not including interest, falls between [^{F456}£100] and [^{F457}£250] and the [^{F458}relevant authority] concerned applies a threshold equal to or higher than the amount to be recovered under [^{F459}the law applying in the constituent nation] for not pursuing national debts.]

b where recovery proves impossible owing to the insolvency, recorded and recognised under [^{F460}the law applying in the constituent nation], of the debtor or the persons legally responsible for the irregularity.

^{F461} ...

^{F462}4

^{F462}5

Extent Information

E8 This version of this provision applies to Wales only; a separate version has been created for England, Scotland and Northern Ireland only

Textual Amendments

F450 Words in Art. 54(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(a)**; and words in Art. 54(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

F451 Words in Art. 54(1) omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\)](#)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (EU Exit) Regulations 2020 (S.I. 2020/1556), regs. 1(2)(a), **2(5)(a)**; and words in Art. 54(1) omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of The Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/400), regs. 1(2), **2(7)(a)**
- F452** Art. 54(2) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **6(12)(b)**; and Art. 54(2) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(19)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F453** Words in Art. 54(3) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **6(12)(c)(i)**; and words in Art. 54(3) substituted (31.12.2020 in so far as relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(19)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F454** Sum in Art. 54(3)(a)(i) substituted (W.) (31.12.2020 in so far as it relates to direct payments) by The Direct Payments to Farmers and Rural Affairs (Miscellaneous Amendments etc.) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1556), regs. 1(2)(a), **2(5)(b)(i)**; and sum in Art. 54(3)(a)(i) substituted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by The Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/400), regs. 1(2), **2(7)(b)(i)**
- F455** Substituted by Regulation (EU) 2017/2393 of the European Parliament and of the Council of 13 December 2017 amending Regulations (EU) No 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), (EU) No 1306/2013 on the financing, management and monitoring of the common agricultural policy, (EU) No 1307/2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy, (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products and (EU) No 652/2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material.
- F456** Sum in Art. 54(3)(a)(ii) substituted (W.) (31.12.2020 in so far as it relates to direct payments) by The Direct Payments to Farmers and Rural Affairs (Miscellaneous Amendments etc.) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1556), regs. 1(2)(a), **2(5)(b)(ii)(aa)**; and sum in Art. 54(3)(a)(ii) substituted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by The Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/400), regs. 1(2), **2(7)(b)(ii)(aa)**
- F457** Sum in Art. 54(3)(a)(ii) substituted (W.) (31.12.2020 in so far as it relates to direct payments) by The Direct Payments to Farmers and Rural Affairs (Miscellaneous Amendments etc.) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1556), regs. 1(2)(a), **2(5)(b)(ii)(bb)**; and sum in Art. 54(3)(a)(ii) substituted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by The Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/400), regs. 1(2), **2(7)(b)(ii)(bb)**
- F458** Words in Art. 54(3)(a)(ii) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **6(12)(c)(ii)(aa)**; and words in Art. 54(3)(a)(ii) substituted (31.12.2020 in so far as relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(19)(c)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F459** Words in Art. 54(3)(a)(ii) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(c)(ii)(bb)**; and words in Art. 54(3)(a)(ii) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(c)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F460** Words in Art. 54(3)(b) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(c)(iii)**; and words in Art. 54(3)(b) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F461** Words in Art. 54(3) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(c)(iv)**; and words in Art. 54(3) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(c)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F462** Art. 54(4)(5) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(d)**; and Art. 54(4)(5) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(d)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F113}Article 55 **U.K.**

^{F111}Provisions specific to direct payment support][^{F112}Provisions specific to CMO support]

^{F111}Sums recovered following the occurrence of irregularity or negligence and the interest thereon must be made over to the paying agency and booked by it as revenue collected in connection with direct payment support.]

^{F112}Sums recovered following the occurrence of irregularity or negligence and the interest thereon must be made over to the paying agency and booked by it as revenue collected in connection with CMO support.]]

Textual Amendments

- F111** Art. 55 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(13)**
- F112** Art. 55 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(20)** (S.I. 2020/1445, regs. 1(2)(b), 3(6)(e)); 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

F113 Art. 55 omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(6)**

[^{F114}^{F115} Article 56 **U.K.**

Provisions specific to support for rural development

Where irregularities or negligence are detected in rural development operations or programmes, the relevant authority must make financial adjustments by totally or partially cancelling the funding concerned. In making the financial adjustments, the relevant authority must take into consideration the nature and gravity of the irregularities detected and the loss to public funds.

Amounts which are cancelled and amounts which are recovered, together with any interest, must be reallocated to the rural development programme to which they relate, but may not be allocated to operations which have been subject to a financial adjustment under paragraph 1. Where such amounts are received after the closure of the rural development programme to which they relate, they must either be allocated to other agricultural support measures or returned to the relevant consolidated fund.

For the purposes of the second paragraph, the ‘relevant consolidated fund’ is:

- a in relation to England, the consolidated fund;
- b in relation to Wales, the Welsh consolidated fund;
- c in relation to Scotland, the Scottish consolidated fund;
- d in relation to Northern Ireland, the Northern Ireland consolidated fund.]]

Textual Amendments

F114 Art. 56 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(21)**; 2020 c. 1, Sch. 5 para. 1(1)

F115 Art. 56 omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(8)**

[^{F116} Article 57 **U.K.**

Power to make regulations

In order to ensure correct and efficient application of the provisions relating to the conditions for the recovery of undue payments and interest thereon, the appropriate authority may make regulations setting out procedures for such recovery as set out in this Section.]

Textual Amendments

F116 Art. 57 substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **11**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F58 Words in Title 4 heading omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), 6(1); and words in Title 4 heading omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, 6(1); 2020 c. 1, Sch. 5 para. 1(1)

TITLE V U.K.

CONTROL SYSTEMS AND PENALTIES

CHAPTER I U.K.

General rules

Article 58 U.K.

[F117 Financial Management]

1 [F118The relevant authority must take all measures necessary to ensure proper management of public money], in particular to:

- a check the legality and regularity of operations financed by [F119direct payment support][F120agricultural support];
b ensure effective prevention against fraud, especially in areas with a higher level of risk, and which will act as a deterrent, having regard to the costs and benefits as well as the proportionality of the measures;
c prevent, detect and correct irregularities and fraud;
[F121]d enforce penalties through legal proceedings, as necessary;
e recover undue payments plus interest, and bring legal proceedings to that effect as necessary.

2 [F122The relevant authority] shall set up efficient management and control systems in order to ensure compliance with the legislation governing [F123direct payment][F124agricultural] support schemes aimed at [F125ensuring proper management of public money].

[F126]3 Any conditions established by the relevant authority to supplement conditions for receiving direct payment support contained in retained direct EU legislation shall be verifiable.]

[F127]3. Any conditions established by the relevant authority to supplement conditions for receiving agricultural support contained in retained direct EU legislation shall be verifiable.]

F128]4

Status: Point in time view as at 17/10/2023.

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Textual Amendments

- F117** Art. 58 heading substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(1)**; and Art. 58 heading substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(1)**; 2020 c. 1, Sch. 5 para. 1(1)
- F118** Words in Art. 58(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(2)(a)(i)**; and words in Art. 58(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(2)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F119** Words in Art. 58(1)(a) substituted for “the Funds” (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(2)(a)(ii)**
- F120** Words in Art. 58(1)(a) substituted for “the Funds” (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(2)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F121** Art. 58(1)(d) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(2)(a)(iii)**; and Art. 58(1)(d) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(2)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F122** Words in Art. 58(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(2)(b)(i)**; and words in Art. 58(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(2)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F123** Words in Art. 58(2) substituted for “Union” (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(2)(b)(ii)**
- F124** Word in Art. 58(2) substituted for “Union” (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(2)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F125** Words in Art. 58(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(2)(b)(iii)**; and words in Art. 58(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(2)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

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- F126** Art. 58(3) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(2)(c)**
- F127** Art. 58(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(2)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F128** Art. 58(4) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(2)(d)**; and Art. 58(4) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(2)(d)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 59 U.K.

General principles of checks

1 Except where otherwise provided, the system set up by the ^{F129}relevant authority] in accordance with Article 58(2) shall include systematic administrative checking of all aid applications and payment claims. That system shall be supplemented by on-the-spot checks.

2 As regards the on-the-spot checks, the authority responsible shall draw its check sample from the entire population of applicants comprising, where appropriate, a random part in order to obtain a representative error rate and a risk-based part, which shall target the areas where the risk of errors is the highest.

3 The authority responsible shall draw up a report on each on-the-spot check.

^{F130}4. Where appropriate, all on-the-spot checks provided for in sectoral agricultural legislation shall be carried out at the same time.]

5 ^{F133}The relevant authority] shall ensure a minimum level of on-the-spot checks needed for an effective management of the risks^{F134}, and shall increase that minimum level where necessary]. ^{F133}The relevant authority] may reduce that minimum level where the management and control systems function properly and the error rates remain at an acceptable level.

6 In cases ^{F135}... provided for ^{F136}... on the basis of point (h) of Article 62(2), aid applications and payment claims or any other communications, claims or requests may be corrected and adjusted after their submission in cases of obvious errors recognised by the competent authority.

7 An aid application or payment claim shall be rejected if the beneficiary or his representative prevents an on-the-spot check from being carried out, except in cases of force majeure or in exceptional circumstances.

Textual Amendments

- F129** Words in Art. 59(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(3)(a)**; and words in Art. 59(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and

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- rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F130** Art. 59(4) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(3)(b)**
- F131** Words in Art. 59(4) substituted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(9)**
- F132** Words in Art. 59(4) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F133** Words in Art. 59(5) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(3)(c)**; and words in Art. 59(5) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(3)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F134** Words in Art. 59(5) omitted (S.) (1.1.2021) by virtue of [The Common Agricultural Policy \(Simplifications and Improvements\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/349\)](#), regs. 1, **3(2)**
- F135** Words in Art. 59(6) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(3)(d)(i)**; and words in Art. 59(6) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(3)(d)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F136** Words in Art. 59(6) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(3)(d)(ii)**; and words in Art. 59(6) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(3)(d)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 60 **U.K.**

Circumvention clause

Without prejudice to specific provisions, no advantage provided for under sectoral agricultural legislation shall be granted in favour of a natural or legal person in respect of whom it is established that the conditions required for obtaining such advantages were created artificially, contrary to the objectives of that legislation.

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^{F137}Article 61 **U.K.**

Compatibility of support schemes for the purposes of checks in the wine sector

Textual Amendments

F137 Art. 61 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(4)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Article 62 **U.K.**

^{F138}Powers as regards checks]

1 In order to ensure that the checks are carried out correctly and efficiently and that the eligibility conditions are verified in an efficient, coherent and non-discriminatory manner [^{F139}, the Secretary of State may make regulations setting out], where the proper management of the system so requires, additional requirements with respect to customs procedures, and in particular to those laid down in Regulation (EC) No 952/2013 of the European Parliament and of the Council⁽¹⁾.

2 The [^{F140}appropriate authority may make regulations], laying down rules necessary for the uniform application of this Chapter, and in particular:

- a rules on administrative and on-the-spot checks to be conducted by the [^{F141}relevant authority] with regard to the respect of obligations, commitments and eligibility criteria ^{F142}....;
- b rules on the minimum level of on-the-spot checks and [^{F143}on the obligation to increase it or] the possibility of reducing it as set out in Article 59(5);
- c the rules and methods applicable to the reporting of the checks and verifications carried out and their results;
- ^{F144}d the authorities responsible for performing compliance checks and the content and frequency of those checks;
- ^{F145}e
- ^{F145}f
- g with regard to wine as referred to in Regulation (EU) No 1308/2013, rules on the measurement of areas, on checks and on rules governing the specific financial procedures for the improvement of checks;
- h the cases in which aid applications and payments claims or any other communications, claims or requests may be corrected and adjusted after their submission, as referred to in Article 59(6);
- i the tests and methods to be applied in order to establish the eligibility of products for public intervention and private storage, as well as the use of tendering procedures, both for public intervention and for private storage.

^{F146} ...

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[^{F1473} Point (i) of paragraph 2 does not apply in relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020.]

[^{F1484} Point (i) of paragraph 2 ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.]

Textual Amendments

- F138** Art. 62 heading substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **12(a)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), **10(5)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F139** Words in Art. 62(1) substituted (31.12.2020) by [The Agriculture \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1402\)](#), regs. 1(3), **10**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F140** Words in Art. 62(2) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **12(b)(i)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), **10(5)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F141** Words in Art. 62(2)(a) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **12(b)(ii)(aa)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), **10(5)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F142** Words in Art. 62(2)(a) omitted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **12(b)(ii)(bb)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), **10(5)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F143** Words in Art. 62(2)(b) omitted (S.) (1.1.2021) by virtue of [The Common Agricultural Policy \(Simplifications and Improvements\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/349\)](#), regs. 1, **3(3)**
- F144** Art. 62(2)(d) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(4)(b)(iii)**
- F145** Art. 62(2)(e)(f) omitted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **12(b)(iii)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), **10(5)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F146** Words in Art. 62(2) omitted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **12(b)(iv)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), **10(5)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F147** Art. 62(3) inserted (E.) (28.2.2023 at 9.10 a.m.) by [The Market Measures Payment Schemes \(Amendments, Revocation and Transitional Provision\) \(England\) Regulations 2023 \(S.I. 2023/124\)](#), regs. 1(2)(b), **3(6)** (with reg. 10)
- F148** Art. 62(4) inserted (S.) (1.7.2023) by [The Public Intervention and Private Storage Aid \(Amendment and Suspension\) \(Scotland\) Regulations 2023 \(S.S.I. 2023/150\)](#), regs. 1, **2(6)** (with reg. 10)

Article 63 **U.K.**

Undue payments and administrative penalties

1 Where it is found that a beneficiary does not comply with the eligibility criteria, commitments or other obligations relating to the conditions for the granting of the aid or support, as provided for in the sectoral agricultural legislation, the aid [^{F149}shall][^{F149}may] not be paid or [^{F149}shall][^{F149}may] be withdrawn in full or in part [^{F150}and, where relevant,

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the corresponding payment entitlements as referred to in Article 21 of Regulation (EU) No 1307/2013 [F149 shall][F149 may] not be allocated or [F149 shall][F149 may] be withdrawn].

[F151][F152]Where the non-compliance concerns F153 ... rules on public procurement, the part of the aid not to be paid or to be withdrawn [F149 shall][F149 may] be determined on the basis of the gravity of the non-compliance and in accordance with the principle of proportionality. The legality and regularity of the transaction [F149 shall][F149 may] only be affected up to the level of the part of the aid not to be paid or to be withdrawn.]]

2 Moreover, where sectoral agricultural legislation so provides, [F154]the [F155]relevant authority] shall][F155]relevant authority may] also impose administrative penalties, in accordance with the rules laid down in [F156]Article 64 and] Article 77. This shall be without prejudice to the provisions set out in Articles 91 to 101 of Title VI.

3 Without prejudice to Article 54(3), the amounts, including interest thereon, [F157]and payment entitlements,] concerned by the withdrawal referred to in paragraph 1 and by the penalties referred to in paragraph 2 [F158 shall][F158 may] be recovered.

4 The [F159]appropriate authority may make regulations] laying down the conditions for the partial or total withdrawal referred to in paragraph 1.

5 [F160]The appropriate authority may make regulations] laying down detailed procedural and technical rules on:

- a the application and calculation of the partial or total withdrawal referred to in paragraph 1;
- b the recovery of undue payments and penalties as well as [F161]in respect of unduly allocated payment entitlements and]F162 ... the application of interest.

F163
...

Textual Amendments

F149 Word in Art. 63(1) substituted (E.) (28.7.2022 in so far as it relates to rural development support measures) by [The Rural Development \(Amendment\) \(England\) Regulations 2022 \(S.I. 2022/765\)](#), regs. 1(1), **8(2)(a)**

F150 Words in Art. 63(1) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(5)(a)(i)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(a)(i)); 2020 c. 1, Sch. 5 para. 1(1)

F151 Words in Art. 63(1) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(5)(a)**

F152 Inserted by [Regulation \(EU\) 2017/2393 of the European Parliament and of the Council of 13 December 2017 amending Regulations \(EU\) No 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development \(EAFRD\), \(EU\) No 1306/2013 on the financing, management and monitoring of the common agricultural policy, \(EU\) No 1307/2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy, \(EU\) No 1308/2013 establishing a common organisation of the markets in agricultural products and \(EU\) No 652/2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material.](#)

F153 Words in Art. 63(1) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing,](#)

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Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **7(5)(a)(ii)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(a)(i)); 2020 c. 1, Sch. 5 para. 1(1)

F154 Words in Art. 63(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020](#) (S.I. 2020/90), regs. 1(2), **7(5)(b)(i)**; and words in Art. 63(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/763), regs. 1, **7(5)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

F155 Words in Art. 63(2) substituted (E.) (28.7.2022 in so far as it relates to rural development support measures) by [The Rural Development \(Amendment\) \(England\) Regulations 2022](#) (S.I. 2022/765), regs. 1(1), **8(2)(b)**

F156 Words in Art. 63(2) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020](#) (S.I. 2020/90), regs. 1(2), **7(5)(b)(ii)**

F157 Words in Art. 63(3) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/763), regs. 1, **7(5)(c)** (as inserted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(a)(ii)); 2020 c. 1, Sch. 5 para. 1(1)

F158 Word in Art. 63(3) substituted (E.) (28.7.2022 in so far as it relates to rural development support measures) by [The Rural Development \(Amendment\) \(England\) Regulations 2022](#) (S.I. 2022/765), regs. 1(1), **8(2)(c)**

F159 Words in Art. 63(4) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/748), regs. 1, **13(a)**; 2020 c. 1, Sch. 5 para. 1(1)

F160 Words in Art. 63(5) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/748), regs. 1, **13(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F161 Words in Art. 63(5)(b) inserted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021](#) (S.I. 2021/400), regs. 1(2), **15(2)**

F162 Words in Art. 63(5)(b) omitted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/748), regs. 1, **13(b)(ia)** (as inserted by S.I. 2020/1445, regs. 1(2)(b), 10(6)); 2020 c. 1, Sch. 5 para. 1(1)

F163 Words in Art. 63(5) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/748), regs. 1, **13(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 64 **U.K.**

Application of administrative penalties

1 As regards the administrative penalties referred to in Article 63(2), this Article shall apply in cases of non-compliance in relation to eligibility criteria, commitments or other obligations resulting from the application of sectoral agricultural legislation, with the exception of those referred to in Articles 67 to 78 of Chapter II of this Title and in Articles 91 to 101 of Title VI and of those subject to the penalties provided for in Article 89(3) and 89(4).

2 No administrative penalties shall be imposed:

- a where the non-compliance is due to force majeure;
- b where the non-compliance is due to obvious errors as referred to in Article 59(6);

Status: Point in time view as at 17/10/2023.

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- c where the non-compliance is due to an error of the competent authority or another authority, and where the error could not reasonably have been detected by the person concerned by the administrative penalty;
 - d where the person concerned can demonstrate to the satisfaction of the competent authority that he or she is not at fault for the non-compliance with the obligations referred to in paragraph 1 or if the competent authority is otherwise satisfied that the person concerned is not at fault;
 - e where the non-compliance is of a minor nature, including where expressed in the form of a threshold, [^{F164}set] in accordance with point (b) of paragraph 7;
 - f other cases in which the imposition of a penalty is not appropriate, [^{F165}defined] in accordance with point (b) of paragraph 6.
- 3 Administrative penalties may be imposed on the beneficiary of the aid or support and on other natural or legal persons, including groups or associations of such beneficiaries or other persons, bound by the obligations laid down in the rules referred to in paragraph 1.
- 4 The administrative penalties may take one of the following forms:
- a a reduction in the amount of aid or support to be paid in relation to the aid application or payment claim affected by the non-compliance or further applications; however as regards rural development support, this shall be without prejudice to the possibility of suspending the support where it can be expected that the non-compliance can be addressed by the beneficiary within a reasonable time;
 - b payment of an amount calculated on the basis of the quantity and/or the period concerned by the non-compliance;
 - c suspension or withdrawal of an approval, recognition or authorisation;
 - d exclusion from the right to participate in or benefit from the aid scheme or support measure or other measure concerned;
- 5 The administrative penalties shall be proportionate [^{F166}and graduated according to the severity, extent, duration and reoccurrence of the non-compliance found,] and shall respect the following limits:
- a the amount of the administrative penalty as referred to in point (a) of paragraph 4 shall not exceed 200 % of the amount of the aid application or payment claim;
 - b notwithstanding point (a), as regards rural development, the amount of the administrative penalty, as referred to in point (a) of paragraph 4, shall not exceed 100 % of the eligible amount;
 - c the amount of the administrative penalty, as referred to in point (b) of paragraph 4, shall not exceed an amount comparable to the percentage referred to in point (a) of this paragraph;
 - d the suspension, withdrawal or exclusion referred to in points (c) and (d) of paragraph 4 may be set at a maximum of three consecutive years which may be renewed in the case of any new non-compliance.
- 6 In order to take account of the deterrent effect of charges and penalties to be imposed on the one hand, and the special characteristics of each aid scheme or support measure covered by sectoral agricultural legislation on the other hand, the [^{F167}appropriate authority may make regulations]:
- a identifying, for each aid scheme or support measure and person concerned as referred to in paragraph 3, from the list set out in paragraph 4 and within the limits laid down in paragraph 5, the administrative penalty and determining the specific rate to be imposed [^{F168}... including in cases of non-quantifiable non-compliance;

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- b identifying the cases in which the administrative penalties are not to be imposed, as referred to in point (f) of paragraph 2.

7 ^{F169} [The appropriate authority may make regulations], laying down detailed procedural and technical rules for the uniform application of this Article on:

- a the application and calculation of the administrative penalties;
- b the detailed rules for identifying a non-compliance as minor, including the setting of a quantitative threshold expressed as a nominal value or a percentage of the eligible amount of aid or support, which as regards rural development support shall not be less than 3 % and which as regards all other aid or support shall not be less than 1 %;

^{F170} c

^{F171} ...

Textual Amendments

- F164** Word in Art. 64(2)(e) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(6)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F165** Word in Art. 64(2)(f) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(6)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F166** Words in Art. 64(5) omitted (E.) (28.7.2022 in so far as it relates to rural development support measures) by virtue of [The Rural Development \(Amendment\) \(England\) Regulations 2022 \(S.I. 2022/765\)](#), regs. 1(1), **8(3)**
- F167** Words in Art. 64(6) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **14(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F168** Words in Art. 64(6)(a) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **14(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F169** Words in Art. 64(7) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **14(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F170** Art. 64(7)(c) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **14(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F171** Words in Art. 64(7) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **14(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F172} Article 65 **U.K.**

Suspension of payments to the Member States in specific cases covered by Regulation (EU) No 1308/2013

Textual Amendments

- F172** Art. 65 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(7)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

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Article 66 **U.K.**

Securities

1 The [^{F173}relevant authority] shall, when the sectoral agricultural legislation so provides, request the lodging of a security giving the assurance that a sum of money will be paid or forfeited to a competent authority if a particular obligation under sectoral agricultural legislation is not fulfilled.

2 Except in cases of force majeure, the security shall be forfeited in whole or in part where the execution of a particular obligation is not carried out, or is carried out only partially.

3 The [^{F174}appropriate authority may make regulations] laying down rules which ensure a non discriminatory treatment, equity and the respect of proportionality when lodging a security, and:

- a specifying the responsible party in the event that an obligation is not met;
- b laying down the specific situations in which the competent authority may waive the requirement of a security;
- c laying down the conditions applying to the security to be lodged and the guarantor and the conditions for lodging and releasing that security;
- d laying down the specific conditions related to the security lodged in connection with advance payments;
- e setting out the consequences of breaching the obligations for which a security has been lodged, as provided for in paragraph 1, including the forfeiting of securities, the rate of reduction to be applied on release of securities for refunds, licences, offers, tenders or specific applications and when an obligation covered by that security has not been met either wholly or in part, taking into account the nature of the obligation, the quantity for which the obligation has been breached, the period exceeding the time limit by which the obligation should have been met and the time by which evidence that the obligation has been met is produced.

4 [^{F175}The appropriate authority may make regulations] laying down rules on:

- a the form of the security to be lodged and the procedure for lodging the security, for accepting it, and for replacing the original security;
- b the procedures for the release of a security;

^{F176}c

^{F177} ...

Textual Amendments

F173 Words in Art. 66(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(8)**; 2020 c. 1, Sch. 5 para. 1(1)

F174 Words in Art. 66(3) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/831\)](#), regs. 1(4)(a), **63(a)**; 2020 c. 1, Sch. 5 para. 1(1)

F175 Words in Art. 66(4) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/831\)](#), regs. 1(4)(a), **63(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F176 Art. 66(4)(c) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/831\)](#), regs. 1(4)(a), **63(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

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F177 Words in Art. 66(4) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/831\)](#), regs. 1(4)(a), **63(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER II **U.K.**

Integrated Administration and Control System

Article 67 **S**

Scope and terms used

1 ^[F178]The relevant authority must] operate an integrated administration and control system (the 'integrated system').

^[F179]2 The integrated system shall apply to the support schemes listed in Annex I of Regulation (EU) No 1307/2013.]

3 To the extent necessary, the integrated system shall also apply to the control of cross-compliance as laid down in Title VI.

4 For the purpose of this Chapter:

a "agricultural parcel" means a continuous area of land, declared by one farmer, which does not cover more than one single crop group; however, ^[F182]where a separate declaration of the use of an area within a crop group is required in the context of Regulation (EU) No 1307/2013, that specific use shall if necessary further limit the agricultural parcel; Member States may lay^[F182] nothing in this Regulation prevents the relevant authority from laying] down additional criteria for further delimitation of an agricultural parcel;

^[X1](b) ^[F183]"area-related direct payment" means the basic payment scheme; ^{F184} ... ^{F185} ... the payment for agricultural practices beneficial for the climate and the environment referred to in Chapter 3 of Title III of Regulation (EU) No 1307/2013; ^{F186} ...; the payment for young farmers referred to in Chapter 5 of Title III of Regulation (EU) No 1307/2013; ^[F187]and] the voluntary coupled support referred to in Chapter 1 of Title IV, where the support is paid per hectare ^{F188}]]

Editorial Information

X1 Substituted by [Corrigendum to 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 \(Official Journal of the European Union L 347 of 20 December 2013\)](#).

Extent Information

E3 This version of this provision extends to Scotland only; separate versions have been created for England and Wales and Northern Ireland only

Textual Amendments

F178 Words in Art. 67(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(6)(a)**; and words in Art.

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 67(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, [7\(9\)\(a\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F179** Art. 67(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), [7\(6\)\(b\)](#)
- F180** Words in Art. 67(2) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, [7\(9\)\(b\)\(i\)](#) (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(b)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F181** Words in Art. 67(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, [7\(9\)\(b\)\(ii\)](#) (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(b)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F182** Words “nothing in this Regulation prevents the relevant authority from laying” in Art. 67(4)(a) substituted for “Member States may lay” (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), [7\(6\)\(c\)\(i\)](#); and words “nothing in this Regulation prevents the relevant authority from laying” in Art. 67(4)(a) substituted for words from “where” to “Member States may lay” (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, [7\(9\)\(c\)\(i\)](#) (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(7)(b)(ii)(aa)); 2020 c. 1, Sch. 5 para. 1(1)
- F183** Art. 67(4)(b) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, [7\(9\)\(c\)\(ii\)](#) (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(b)(ii)(bb)); 2020 c. 1, Sch. 5 para. 1(1)
- F184** Words in Art. 67(4)(b) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), [7\(6\)\(c\)\(ii\)\(aa\)](#)
- F185** Words in Art. 67(4)(b) omitted (S.) (1.1.2021 insofar as relates to direct payments) by virtue of [The Direct Payments to Farmers \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/460\)](#), regs. 1(2), [4\(2\)\(a\)](#)
- F186** Words in Art. 67(4)(b) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), [7\(6\)\(c\)\(ii\)\(cc\)](#)
- F187** Word in Art. 67(4)(b) inserted (S.) (1.1.2021 insofar as relates to direct payments) by [The Direct Payments to Farmers \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/460\)](#), regs. 1(2), [4\(2\)\(b\)](#)
- F188** Words in Art. 67(4)(b) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), [7\(6\)\(c\)\(ii\)\(dd\)](#)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Article 67 W

Scope and terms used

1 ^[F463]The relevant authority must] operate an integrated administration and control system (the 'integrated system').

2 ^[F464]The integrated system shall apply ^{F465}... to the support granted in accordance with points (a) and (b) of Article 21(1) and Articles 28 to 31, 33, ^[F466]and 34] of Regulation 1305/2013 and where applicable points (b) and (c) of Article 35(1) of Regulation (EU) 1303/2013.

^[F464]The integrated system shall apply to the support schemes listed in Annex I of Regulation (EU) No 1307/2013.]

3 To the extent necessary, the integrated system shall also apply to the control of cross-compliance as laid down in Title VI.

4 For the purpose of this Chapter:

a "agricultural parcel" means a continuous area of land ^[F467]within Wales], declared by one farmer, which does not cover more than one single crop group; however, ^[F468]where a separate declaration of the use of an area within a crop group is required in the context of Regulation (EU) No 1307/2013, that specific use shall if necessary further limit the agricultural parcel; Member States may lay] ^[F468]nothing in this Regulation prevents the relevant authority from laying] down additional criteria for further delimitation of an agricultural parcel;

^[X3(b)] ^[F469]"area-related direct payment" means the basic payment scheme; ^{F470}... the redistributive payment referred to in ^[F471]Chapter] 2 of Title III of Regulation (EU) No 1307/2013; ^{F472}... ^{F473}...; the payment for young farmers referred to in Chapter 5 of Title III of Regulation (EU) No 1307/2013; the voluntary coupled support referred to in Chapter 1 of Title IV, where the support is paid per hectare ^{F474}... .]]

Extent Information

E9 This version of this provision extends to Wales only; separate versions have been created for England, Scotland and Northern Ireland only

Editorial Information

X3 Substituted by [Corrigendum to 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 \(Official Journal of the European Union L 347 of 20 December 2013\)](#).

Textual Amendments

F463 Words in Art. 67(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(6)(a)**; and words in Art. 67(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(9)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F464** Art. 67(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(6)(b)**
- F465** Words in Art. 67(2) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(9)(b)(i)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(b)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F466** Words in Art. 67(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(9)(b)(ii)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(b)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F467** Words in Art. 67(4)(a) inserted (W.) (31.12.2020 in so far as it relates to direct payments) by [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(7)(a)**; and words in Art. 67(4)(a) inserted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(10)**
- F468** Words “nothing in this Regulation prevents the relevant authority from laying” in Art. 67(4)(a) substituted for “Member States may lay” (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(6)(c)(i)**; and words “nothing in this Regulation prevents the relevant authority from laying” in Art. 67(4)(a) substituted for words from “where” to “Member States may lay” (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(9)(c)(i)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(7)(b)(ii)(aa)); 2020 c. 1, Sch. 5 para. 1(1)
- F469** Art. 67(4)(b) omitted (31.12.2020 insofar as relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(9)(c)(ii)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(b)(ii)(bb)); 2020 c. 1, Sch. 5 para. 1(1)
- F470** Words in Art. 67(4)(b) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(6)(c)(ii)(aa)**
- F471** Word in Art. 67(4)(b) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(6)(c)(ii)(bb)**
- F472** Words in Art. 67(4)(b) omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(7)(b)**
- F473** Words in Art. 67(4)(b) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(6)(c)(ii)(cc)**
- F474** Words in Art. 67(4)(b) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(6)(c)(ii)(dd)**

Status: Point in time view as at 17/10/2023.

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Article 67 **E**

Scope and terms used

1 ^{F475}The relevant authority must] operate an integrated administration and control system (the 'integrated system').

^{F476}2 The integrated system shall apply to the support schemes listed in Annex I of Regulation (EU) No 1307/2013.]

3 To the extent necessary, the integrated system shall also apply to the control of cross-compliance as laid down in Title VI.

4 For the purpose of this Chapter:

a "agricultural parcel" means a continuous area of land, declared by one farmer, which does not cover more than one single crop group; however, ^{F479}where a separate declaration of the use of an area within a crop group is required in the context of Regulation (EU) No 1307/2013, that specific use shall if necessary further limit the agricultural parcel; Member States may lay ^{F479}nothing in this Regulation prevents the relevant authority from laying] down additional criteria for further delimitation of an agricultural parcel;

^{X4}(b) ^{F480}"area-related direct payment" means the basic payment scheme; ^{F481}... ^{F482}... ^{F483}... ^{F484}...; ^{F485}and] the payment for young farmers referred to in Chapter 5 of Title III of Regulation (EU) No 1307/2013 ^{F486}... ^{F487}... .]]

Editorial Information

X4 Substituted by [Corrigendum to 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 \(Official Journal of the European Union L 347 of 20 December 2013\)](#).

Extent Information

E10 This version of this provision applies to England only; separate versions have been created for Wales, Scotland and Northern Ireland only

Textual Amendments

F475 Words in Art. 67(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(6)(a)**; and words in Art. 67(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(9)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

F476 Art. 67(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(6)(b)**

F477 Words in Art. 67(2) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I.](#)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 2019/763), regs. 1, **7(9)(b)(i)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(b)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F478** Words in Art. 67(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/763), regs. 1, **7(9)(b)(ii)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(b)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F479** Words “nothing in this Regulation prevents the relevant authority from laying” in Art. 67(4)(a) substituted for “Member States may lay” (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020](#) (S.I. 2020/90), regs. 1(2), **7(6)(c)(i)**; and words “nothing in this Regulation prevents the relevant authority from laying” in Art. 67(4)(a) substituted for words from “where” to “Member States may lay” (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/763), regs. 1, **7(9)(c)(i)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(7)(b)(ii)(aa)); 2020 c. 1, Sch. 5 para. 1(1)
- F480** Art. 67(4)(b) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/763), regs. 1, **7(9)(c)(ii)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(b)(ii)(bb)); 2020 c. 1, Sch. 5 para. 1(1)
- F481** Words in Art. 67(4)(b) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020](#) (S.I. 2020/90), regs. 1(2), **7(6)(c)(ii)(aa)**
- F482** Words in Art. 67(4)(b) omitted (E.) (1.1.2021 in so far as relates to direct payments) by virtue of [The Direct Payments to Farmers \(England\) \(Amendment\) Regulations 2020](#) (S.I. 2020/1513), regs. 1(2), **6(2)(a)**
- F483** Words in Art. 67(4)(b) omitted (E.) (1.1.2021 in so far as relates to direct payments) by virtue of [The Direct Payments to Farmers and Cross-Compliance \(Simplifications\) \(England\) \(Amendment\) Regulations 2020](#) (S.I. 2020/1387), regs. 1(1), **4(3)** (with reg. 1(2))
- F484** Words in Art. 67(4)(b) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020](#) (S.I. 2020/90), regs. 1(2), **7(6)(c)(ii)(cc)**
- F485** Word in Art. 67(4)(b) inserted (E.) (1.1.2021 in so far as relates to direct payments) by [The Direct Payments to Farmers \(England\) \(Amendment\) Regulations 2020](#) (S.I. 2020/1513), regs. 1(2), **6(2)(b)**
- F486** Words in Art. 67(4)(b) omitted (E.) (1.1.2021 in so far as relates to direct payments) by virtue of [The Direct Payments to Farmers \(England\) \(Amendment\) Regulations 2020](#) (S.I. 2020/1513), regs. 1(2), **6(2)(c)**
- F487** Words in Art. 67(4)(b) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020](#) (S.I. 2020/90), regs. 1(2), **7(6)(c)(ii)(dd)**

Article 67 **N.I.**

Scope and terms used

1 [F488 The relevant authority must] operate an integrated administration and control system (the 'integrated system').

[F489 2 The integrated system shall apply to the support schemes listed in Annex I of Regulation (EU) No 1307/2013.]

Status: Point in time view as at 17/10/2023.

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3 To the extent necessary, the integrated system shall also apply to the control of cross-compliance as laid down in Title VI.

4 For the purpose of this Chapter:

a "agricultural parcel" means a continuous area of land, declared by one farmer, which does not cover more than one single crop group; however, ^{F492}where a separate declaration of the use of an area within a crop group is required in the context of Regulation (EU) No 1307/2013, that specific use shall if necessary further limit the agricultural parcel; Member States may lay ^{F492}nothing in this Regulation prevents the relevant authority from laying] down additional criteria for further delimitation of an agricultural parcel;

^{X5}(b) ^{F493}"area-related direct payment" means the basic payment scheme; ^{F494}... the redistributive payment referred to in ^{F495}Chapter] 2 of Title III of Regulation (EU) No 1307/2013; ^{F496}... ^{F497}...; the payment for young farmers referred to in Chapter 5 of Title III of Regulation (EU) No 1307/2013; the voluntary coupled support referred to in Chapter 1 of Title IV, where the support is paid per hectare ^{F498}... .]]

Editorial Information

X5 Substituted by [Corrigendum to 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 \(Official Journal of the European Union L 347 of 20 December 2013\)](#).

Extent Information

E11 This version of this provision extends to Northern Ireland only; separate versions have been created for England and Wales and Scotland only

Textual Amendments

F488 Words in Art. 67(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(6)(a)**; and words in Art. 67(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(9)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

F489 Art. 67(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(6)(b)**

F490 Words in Art. 67(2) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(9)(b)(i)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(b)(i)); 2020 c. 1, Sch. 5 para. 1(1)

F491 Words in Art. 67(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(9)(b)(ii)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(b)(i)); 2020 c. 1, Sch. 5 para. 1(1)

F492 Words "nothing in this Regulation prevents the relevant authority from laying" in Art. 67(4)(a) substituted for "Member States may lay" (31.1.2020 in so far as it relates to the Common Agricultural

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Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), 7(6)(c)(i); and words “nothing in this Regulation prevents the relevant authority from laying” in Art. 67(4)(a) substituted for words from “where” to “Member States may lay” (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, 7(9)(c)(i) (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(7)(b)(ii)(aa)); 2020 c. 1, Sch. 5 para. 1(1)

- F493** Art. 67(4)(b) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, 7(9)(c)(ii) (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(b)(ii)(bb)); 2020 c. 1, Sch. 5 para. 1(1)
- F494** Words in Art. 67(4)(b) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), 7(6)(c)(ii)(aa)
- F495** Word in Art. 67(4)(b) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), 7(6)(c)(ii)(bb)
- F496** Words in Art. 67(4)(b) omitted (N.I.) (25.2.2021) by virtue of The Direct Payments to Farmers (Simplifications) Regulations (Northern Ireland) 2021 (S.R. 2021/42), regs. 1(1), 3(3)
- F497** Words in Art. 67(4)(b) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), 7(6)(c)(ii)(cc)
- F498** Words in Art. 67(4)(b) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), 7(6)(c)(ii)(dd)

Article 68 U.K.

Elements of the integrated system

- 1 The integrated system shall comprise the following elements:
 - a a computerised database;
 - b an identification system for agricultural parcels;
 - ^[F189]c a system for the identification and registration of payment entitlements;]
 - d aid applications and payment claims;
 - e an integrated control system;
 - f a single system to record the identity of each beneficiary of the support referred to in Article 67(2) who submits an aid application or a payment claim.

2 Where applicable, the integrated system shall include a system, set up in accordance with Regulation (EC) No 1760/2000 of the European Parliament and of the Council⁽²⁾ and Council Regulation (EC) No 21/2004⁽³⁾ for the identification and registration of animals.

^{F190}3

^{F190}4

Status: Point in time view as at 17/10/2023.

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Textual Amendments

- F189** Art. 68(1)(c) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(10)(a)** (as substituted by [S.I. 2020/1445](#), regs. 1(2)(b), 3(7)(c)); 2020 c. 1, Sch. 5 para. 1(1)
- F190** Art. 68(3)(4) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(7)**; and Art. 68(3)(4) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(10)(b)** (as substituted by [S.I. 2020/1445](#), regs. 1(2)(b), 3(7)(c) (with reg. 2))

Article 69 **U.K.**

Computerised database

1 The computerised database ("the database") shall record, for each beneficiary of the support referred to in Article 67(2), the data obtained from aid applications and payment claims.

The database shall, in particular, allow consultation through the competent authority of the the ^[F191]constituent nation], of the data relating to the current calendar and/or marketing years and to the previous ten such years. Where the support level of farmers is affected by the data relating to earlier calendar and/or marketing years, starting with 2000, the database shall also allow consultation of the data relating to those years. ^[F192]The database shall allow direct and immediate access to the data relating to at least the previous four consecutive years and for data related to "permanent grassland and permanent pasture" as defined in point (h) of Article 4(1) of Regulation (EU) No 1307/2013, relating to at least the previous five consecutive calendar years].^{X2}

F193
...

^[F194]^[F195]2 A decentralised computerised database may be set up in each constituent nation on condition that these, and the administrative procedures for recording and accessing data must be designed to be homogenous throughout the United Kingdom and are compatible with one another to allow for cross checks.]]

Editorial Information

- X2** It is provided that the final sentence of Art. 69(1) is omitted (W.) (31.12.2020 in so far as it relates to direct payments) by [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(8)(a)**; and the final sentence of Art. 69(1) omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(11)(a)**

Textual Amendments

- F191** Words in Art. 69(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(8)(a)(i)(aa)**; and words in Art. 69(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and

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rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(11)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F192 Words in Art. 69(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(8)(a)(i)(bb)**

F193 Words in Art. 69(1) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(8)(a)(ii)**; and words in Art. 69(1) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(11)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

F194 Art. 69(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(8)(b)**; and Art. 69(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(11)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

F195 Art. 69(2) omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(8)(b)**; and Art. 69(2) omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(11)(b)**

Article 70 U.K.

Identification system for agricultural parcels

1 The identification system for agricultural parcels shall be established on the basis of maps, land registry documents or other cartographic references. Use shall be made of computerised geographical information system techniques, including aerial or spatial orthoimagery, with a homogenous standard that guarantees a level of accuracy that is at least equivalent to that of cartography at a scale of 1:10 000 [^{F196}and, as from 2016, at a scale of 1:5 000.] while taking into account the outline and condition of the parcel. ^{F197}...

[^{F198}Notwithstanding the first subparagraph, [^{F199}the relevant authority] may continue to make use of such techniques including aerial or spatial orthoimagery, with a homogenous standard that guarantees a level of accuracy that is at least equivalent to that of cartography at a scale of 1:10 000 where they were acquired on the basis of long-term contracts that were agreed before November 2012.]

[^{F200}2 [^{F201}The relevant authority] shall ensure that the identification system for agricultural parcels contains a reference layer to accommodate ecological focus areas. That reference layer shall, in particular, cover the relevant specific commitments and/or environmental certification schemes referred to in Article 43(3) of Regulation (EU) No 1307/2013 that are equivalent to the practices in Article 46 of that Regulation before the application forms referred to in Article 72 of this Regulation for payments for agricultural practices beneficial for the climate and the environment referred to in Articles 43 to 46 of Regulation (EU) No 1307/2013 are provided in respect of claim year 2018 at the latest.]

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F196** Words in Art. 70(1) omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(9)(a)(i)**; and words in Art. 70(1) omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(12)(a)**
- F197** Words in Art. 70(1) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(9)(a)(i)**; and words in Art. 70(1) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(12)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F198** Words in Art. 70(1) omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(9)(a)(ii)**; and words in Art. 70(1) omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(12)(b)**
- F199** Words in Art. 70(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(9)(a)(ii)**; and words in Art. 70(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(12)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F200** Art. 70(2) omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(9)(b)**; Art. 70(2) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(12)(b)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(d)); 2020 c. 1, Sch. 5 para. 1(1); Art. 70(2) omitted (E.) (1.1.2021 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Cross-Compliance \(Simplifications\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/1387\)](#), regs. 1(1), **4(4)** (with reg. 1(2)); and Art. 70(2) omitted (N.I.) (25.2.2021) by virtue of [The Direct Payments to Farmers \(Simplifications\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/42\)](#), regs. 1(1), **3(4)**
- F201** Words in Art. 70(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(9)(b)**

^{F202} Article 71 **U.K.**

System for the identification and registration of payment entitlements

1 The system for the identification and registration of payment entitlements shall allow for verification of the entitlements and for cross-checks with the aid applications and the identification system for agricultural parcels.

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

[^{F203} The system referred to in paragraph 1 shall allow direct and immediate consultation, through the competent authority of the [^{F204} constituent nation], of the data relating to at least the previous four consecutive calendar years.]]

Textual Amendments

- F202** Art. 71 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(13)** (as substituted by [S.I. 2020/1445](#), regs. 1(2)(b), 3(7)(e)); 2020 c. 1, Sch. 5 para. 1(1)
- F203** Art. 71(2) omitted (W.) (31.12.2020 in so far as relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(10)**
- F204** Words in Art. 71(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(10)**

Article 72 U.K.

Aid applications and payment claims

[^{F205} Each year, a beneficiary of direct payment support must submit an application, indicating, where applicable:

- a all the agricultural parcels on the holding, as well as the non-agricultural area for which support referred to in Article 67(2) is claimed;
- b the payment entitlements declared for activation;
- c any other information provided for in this Regulation or the relevant sectoral agricultural legislation or by the relevant authority concerned.

The relevant authority must determine the minimum size of agricultural parcels in respect of which an application may be made. However, the minimum size shall not exceed [^{F210}0.3 ha].]

[^{F1052} By way of derogation from point (a) of paragraph 1 of this Article, [^{F211}the relevant authority] may decide that:

- a agricultural parcels of an area of up to 0,1 ha on which an application for payment is not made do not need to be declared, provided that the sum of such parcels does not exceed 1 ha [^{F212}, and/or may decide that a farmer who does not apply for any area-based direct payment does not have to declare his agricultural parcels in the case where the total area does not exceed 1 ha.] In all cases, the farmer shall indicate in his application that he has agricultural parcels at his disposal and, at the request of the competent authorities, shall indicate their location;

^{F213}b]

3 [^{F214}The relevant authority] shall provide, inter alia through electronic means, pre-established forms based on the areas determined in the previous year as well as graphic material indicating the location of those areas.

[^{F215}The relevant authority] may decide that the aid application and the payment claim:

- a are valid if the beneficiary confirms the absence of changes with respect to the aid application and the payment claim submitted the previous year,

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- b need to contain only changes with respect to the aid application and the payment claim submitted for the previous year.

F216
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4 ^[F217]The relevant authority] may decide that a single application shall cover a number of or all support schemes and measures referred to in Article 67 or other support schemes and measures.

5 ^[F218]By way of derogation from Council Regulation (EEC, Euratom) No 1182/71, the^[F218] calculation of the date for the submission or the amendment of an aid application, of a payment claim or of any supporting documents, contracts or declarations under this Chapter shall be adapted to the specific requirements of the integrated system. The ^[F219]appropriate authority may make regulations] concerning rules applicable to periods, dates and time limits where the final date for submission of applications or amendments is a public holiday, a Saturday or a Sunday.

Textual Amendments

- F105** Substituted by [Regulation \(EU\) 2017/2393 of the European Parliament and of the Council of 13 December 2017 amending Regulations \(EU\) No 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development \(EAFRD\), \(EU\) No 1306/2013 on the financing, management and monitoring of the common agricultural policy, \(EU\) No 1307/2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy, \(EU\) No 1308/2013 establishing a common organisation of the markets in agricultural products and \(EU\) No 652/2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material.](#)
- F205** Art. 72(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(11)(a)**
- F206** Words in Art. 72(1) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(14)(a)(zi)** (as inserted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(f)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F207** Art. 72(1)(b) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(14)(a)(zai)** (as inserted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(f)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F208** Words in Art. 72(1)(c) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(14)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F209** Words in Art. 72(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(14)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F210** Words in Art. 72(1) substituted (8.6.2020) by [The Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/576\)](#), regs. 1, **2(4)**
- F211** Words in Art. 72(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(11)(b)(i)**; and words in Art. 72(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and

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- rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **7(14)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F212** Words in Art. 72(2)(a) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **7(14)(b)(ia)** (as inserted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(f)(ii)); 2020 c. 1, Sch. 5 para. 1(1)
- F213** Art. 72(2)(b) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **7(11)(b)(ii)**; and Art. 72(2)(b) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **7(14)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F214** Words in Art. 72(3) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **7(11)(c)(i)**; and words in Art. 72(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **7(14)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F215** Words in Art. 72(3) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **7(11)(c)(ii)**; and words in Art. 72(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **7(14)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F216** Words in Art. 72(3) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **7(11)(c)(iii)**; and words in Art. 72(3) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **7(14)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F217** Words in Art. 72(4) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **7(11)(d)**; and words in Art. 72(4) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **7(14)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F218** Word in Art. 72(5) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **7(11)(e)(i)**; and word in Art. 72(5) substituted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by The Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/400), regs. 1(2), **2(13)**
- F219** Words in Art. 72(5) substituted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/748), regs. 1, **15**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

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Article 73 **U.K.**

System for the identification of beneficiaries

The single system for recording the identity of each beneficiary of the support as referred to in Article 67(2) shall guarantee that all aid applications and payment claims submitted by the same beneficiary can be identified as such.

Article 74 **U.K.**

Verification of eligibility conditions and reductions

1 In accordance with Article 59, [^{F220}the relevant authority], through the paying agencies or the bodies delegated by [^{F221}the relevant authority], shall carry out administrative checks on the aid application to verify the eligibility conditions for the aid. Those checks shall be supplemented by on-the-spot checks.

2 For the purpose of on-the-spot checks [^{F222}the relevant authority] shall draw up a sampling plan of agricultural holdings and/or beneficiaries.

3 [^{F223}The relevant authority] may use remote sensing and Global Navigation Satellite System (GNSS) techniques as a means of carrying out on-the-spot checks on agricultural parcels.

4 In the case of non-compliance with the eligibility conditions Article 63 shall apply.

Textual Amendments

F220 Words in Art. 74(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(12)(a)(i)**; and words in Art. 74(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(15)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F221 Words in Art. 74(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(12)(a)(ii)**; and words in Art. 74(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(15)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

F222 Words in Art. 74(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(12)(b)**; and words in Art. 74(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(15)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

F223 Words in Art. 74(3) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(12)(c)**; and words in Art.

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74(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(15)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 75 E

Payment to beneficiaries

1 The payments under the support schemes and the measures referred to in Article 67(2) shall be made within the period from 1 December to 30 June of the following calendar year.

Payments shall be made in a maximum of two instalments within that period.

[^{F105}Notwithstanding the first and second subparagraphs of this paragraph, [^{F224}the relevant authority] may:

- [^{F225}a prior to 1 December [^{F226}in any claim year], pay advances [^{F227}of up to 50% of the estimated value of a beneficiary's application]^{F228}... for direct payments [^{F229}before the verification of eligibility conditions, to be carried out by the relevant authority in accordance with Article 74, has been finalised];]
- b prior to 1 December, pay advances of up to 75 % for the support granted under rural development as referred to in Article 67(2).

With regard to support granted under rural development, as referred to in Article 67(2), the first and second subparagraphs of this paragraph shall apply in respect of the aid applications or payment claims submitted from claim year 2019.]

2 Payments referred to in the paragraph 1 [^{F230}(other than advances made under paragraph 1(a))] shall not be made before the verification of eligibility conditions, to be carried out by the [^{F231}relevant authority] pursuant to Article 74, has been finalised.

By way of derogation from the first subparagraph, advances for support granted under rural development as referred to in Article 67(2) may be paid after the administrative checks pursuant to Article 59(1) have been finalised.

3 In the event of an emergency, the [^{F232}appropriate authority may make regulations] which are both necessary and justifiable, in order to resolve specific problems in relation to the application of this Article. Such [^{F233}regulations] may derogate from paragraphs 1 and 2, but only to the extent that, and for such a period, as is strictly necessary.

^{F234} ...

Extent Information

- E4** This version of this provision applies to England only; separate versions have been created for Wales, Scotland and Northern Ireland

Textual Amendments

- F105** Substituted by [Regulation \(EU\) 2017/2393 of the European Parliament and of the Council of 13 December 2017 amending Regulations \(EU\) No 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development \(EAFRD\), \(EU\) No 1306/2013 on the financing, management and monitoring of the common agricultural policy, \(EU\) No 1307/2013 establishing rules for direct payments to farmers under support schemes within the framework of](#)

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Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

the common agricultural policy, (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products and (EU) No 652/2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material.

- F224** Words in Art. 75(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(13)(a)(i)**; and words in Art. 75(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(16)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F225** Art. 75(1)(a) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(16)(a)(ii)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(g)); 2020 c. 1, Sch. 5 para. 1(1)
- F226** Words in Art. 75(1)(a) substituted (E.) (19.7.2022) by [The Direct Payments to Farmers \(Advance Payments and Activation of Payment Entitlements\) \(Amendment\) \(England\) Regulations 2022 \(S.I. 2022/706\)](#), regs. 1(1), **2(a)(i)**
- F227** Words in Art. 75(1)(a) inserted (E.) (19.7.2022) by [The Direct Payments to Farmers \(Advance Payments and Activation of Payment Entitlements\) \(Amendment\) \(England\) Regulations 2022 \(S.I. 2022/706\)](#), regs. 1(1), **2(a)(ii)**
- F228** Words in Art. 75(1) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(13)(a)(ii)**
- F229** Words in Art. 75(1)(a) inserted (E.) (19.7.2022) by [The Direct Payments to Farmers \(Advance Payments and Activation of Payment Entitlements\) \(Amendment\) \(England\) Regulations 2022 \(S.I. 2022/706\)](#), regs. 1(1), **2(a)(iii)**
- F230** Words in Art. 75(2) inserted (E.) (19.7.2022) by [The Direct Payments to Farmers \(Advance Payments and Activation of Payment Entitlements\) \(Amendment\) \(England\) Regulations 2022 \(S.I. 2022/706\)](#), regs. 1(1), **2(b)**
- F231** Words in Art. 75(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(13)(b)**; and words in Art. 75(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(16)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F232** Words in Art. 75(3) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **16(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F233** Word in Art. 75(3) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **16(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F234** Words in Art. 75(3) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **16(c)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 75

Payment to beneficiaries

1 The payments under the support schemes and the measures referred to in Article 67(2) shall be made within the period from 1 December to 30 June of the following calendar year ^{[^{F499}} or in cases where it has not been possible to complete the verification of eligibility conditions by 30 June, upon completion.]

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Payments shall be made in a maximum of two instalments within that period.

[^{F500}Notwithstanding the first and second subparagraphs of this paragraph, [^{F501}the relevant authority] may:

- [^{F502}a prior to 1 December ^{F503}..., pay advances ^{F504}... for direct payments [^{F505}before the verification of eligibility conditions, to be carried out by the relevant authority pursuant to Article 74, has been finalised];]
- b prior to 1 December, pay advances of up to 75 % for the support granted under rural development as referred to in Article 67(2).

With regard to support granted under rural development, as referred to in Article 67(2), the first and second subparagraphs of this paragraph shall apply in respect of the aid applications or payment claims submitted from claim year 2019.]

2 Payments referred to in the paragraph 1 [^{F506}(excluding advances for direct payments under paragraph 1(a))] shall not be made before the verification of eligibility conditions, to be carried out by the [^{F507}relevant authority] pursuant to Article 74, has been finalised.

By way of derogation from the first subparagraph, advances for support granted under rural development as referred to in Article 67(2) may be paid after the administrative checks pursuant to Article 59(1) have been finalised.

3 In the event of an emergency, the [^{F508}appropriate authority may make regulations] which are both necessary and justifiable, in order to resolve specific problems in relation to the application of this Article. Such [^{F509}regulations] may derogate from paragraphs 1 and 2, but only to the extent that, and for such a period, as is strictly necessary.

^{F510}
...

Extent Information

E12 This version of this provision applies to Wales only; separate versions have been created for England, Scotland, and Northern Ireland

Textual Amendments

F499 Words in Art. 75(1) inserted (W.) (31.12.2020 in so far as it relates to direct payments) by The Direct Payments to Farmers and Rural Affairs (Miscellaneous Amendments etc.) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1556), regs. 1(2)(a), **2(11)(a)**

F500 Substituted by Regulation (EU) 2017/2393 of the European Parliament and of the Council of 13 December 2017 amending Regulations (EU) No 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), (EU) No 1306/2013 on the financing, management and monitoring of the common agricultural policy, (EU) No 1307/2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy, (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products and (EU) No 652/2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material.

F501 Words in Art. 75(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **7(13)(a)(i)**; and words in Art. 75(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **7(16)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F502** Art. 75(1)(a) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, [7\(16\)\(a\)\(ii\)](#) (as substituted by [S.I. 2020/1445](#), regs. 1(2)(b), 3(7)(g)); 2020 c. 1, Sch. 5 para. 1(1)
- F503** Words in Art. 75(1)(a) omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), [2\(11\)\(b\)\(i\)](#)
- F504** Words in Art. 75(1) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), [7\(13\)\(a\)\(ii\)](#)
- F505** Words in Art. 75(1)(a) inserted (W.) (31.12.2020 in so far as it relates to direct payments) by [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), [2\(11\)\(b\)\(ii\)](#)
- F506** Words in Art. 75(2) inserted (W.) (31.12.2020 in so far as it relates to direct payments) by [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), [2\(11\)\(c\)](#)
- F507** Words in Art. 75(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), [7\(13\)\(b\)](#); and words in Art. 75(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, [7\(16\)\(b\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F508** Words in Art. 75(3) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, [16\(a\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F509** Word in Art. 75(3) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, [16\(b\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F510** Words in Art. 75(3) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, [16\(c\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Article 75 S

Payment to beneficiaries

1 The payments under the support schemes and the measures referred to in Article 67(2) shall be made within the period from 1 December to 30 June of the following calendar year.

Payments shall be made in a maximum of two instalments within that period.

[^{F511}Notwithstanding the first and second subparagraphs of this paragraph, [^{F512}the relevant authority] may:

[^{F513}a prior to 1 December ^{F514}..., pay advances ^{F515}... for direct payments;]

b prior to 1 December, pay advances of up to 75 % for the support granted under rural development as referred to in Article 67(2).

With regard to support granted under rural development, as referred to in Article 67(2), the first and second subparagraphs of this paragraph shall apply in respect of the aid applications or payment claims submitted from claim year 2019.]

[^{F5162} Payments referred to in paragraph 1 may be made after the administrative checks referred to in Article 74 have been finalised.]

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

3 In the event of an emergency, the ^{F517}appropriate authority may make regulations] which are both necessary and justifiable, in order to resolve specific problems in relation to the application of this Article. Such ^{F518}regulations] may derogate from paragraphs 1 and 2, but only to the extent that, and for such a period, as is strictly necessary.

F519

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Extent Information

E13 This version of this provision extends to Scotland only; separate versions have been created for England, Wales, and Northern Ireland

Textual Amendments

- F511** Substituted by Regulation (EU) 2017/2393 of the European Parliament and of the Council of 13 December 2017 amending Regulations (EU) No 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), (EU) No 1306/2013 on the financing, management and monitoring of the common agricultural policy, (EU) No 1307/2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy, (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products and (EU) No 652/2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material.
- F512** Words in Art. 75(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **7(13)(a)(i)**; and words in Art. 75(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **7(16)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F513** Art. 75(1)(a) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **7(16)(a)(ii)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(g)); 2020 c. 1, Sch. 5 para. 1(1)
- F514** Words in Art. 75(1)(a) omitted (S.) (18.9.2022) by virtue of The Rural Support (Simplification and Improvement) (Scotland) Regulations 2022 (S.S.I. 2022/206), regs. 1, **2**
- F515** Words in Art. 75(1) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **7(13)(a)(ii)**
- F516** Art. 75(2) substituted (S.) (19.5.2022) by The Rural Support (Controls) (Coronavirus) (Scotland) Regulations 2022 (S.S.I. 2022/107), regs. 1, **2(2)**
- F517** Words in Art. 75(3) substituted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/748), regs. 1, **16(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F518** Word in Art. 75(3) substituted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/748), regs. 1, **16(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F519** Words in Art. 75(3) omitted (31.12.2020) by virtue of The Agriculture (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/748), regs. 1, **16(c)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Article 75 **N.I.**

Payment to beneficiaries

1 The payments under the support schemes and the measures referred to in Article 67(2) shall be made within the period from 1 December to 30 June of the following calendar year.

Payments shall be made in a maximum of two instalments within that period.

[^{F520}Notwithstanding the first and second subparagraphs of this paragraph, [^{F521}the relevant authority] may:

- [^{F522}a prior to 1 December [^{F523}in any claim year], pay advances ^{F524}... for direct payments;]
- b prior to 1 December, pay advances of up to 75 % for the support granted under rural development as referred to in Article 67(2).

With regard to support granted under rural development, as referred to in Article 67(2), the first and second subparagraphs of this paragraph shall apply in respect of the aid applications or payment claims submitted from claim year 2019.]

2 Payments referred to in the paragraph 1 shall not be made before [^{F525}the administrative checks to be carried out by the relevant authority pursuant to Article 74, have been finalised.]

By way of derogation from the first subparagraph, advances for support granted under rural development as referred to in Article 67(2) may be paid after the administrative checks pursuant to Article 59(1) have been finalised.

3 In the event of an emergency, the [^{F526}appropriate authority may make regulations] which are both necessary and justifiable, in order to resolve specific problems in relation to the application of this Article. Such [^{F527}regulations] may derogate from paragraphs 1 and 2, but only to the extent that, and for such a period, as is strictly necessary.

^{F528} ...

Extent Information

- E14** This version of this provision extends to Northern Ireland only; separate versions have been created for England, Wales, and Scotland

Textual Amendments

- F520** Substituted by [Regulation \(EU\) 2017/2393 of the European Parliament and of the Council of 13 December 2017 amending Regulations \(EU\) No 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development \(EAFRD\), \(EU\) No 1306/2013 on the financing, management and monitoring of the common agricultural policy, \(EU\) No 1307/2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy, \(EU\) No 1308/2013 establishing a common organisation of the markets in agricultural products and \(EU\) No 652/2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material.](#)
- F521** Words in Art. 75(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(13)(a)(i)**; and words in Art. 75(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and](#)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **7(16)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

- F522** Art. 75(1)(a) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **7(16)(a)(ii)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(g)); 2020 c. 1, Sch. 5 para. 1(1)
- F523** Words in Art. 75(1)(a) substituted (N.I.) (1.8.2022) by The Direct Payments to Farmers (Amendment) Regulations (Northern Ireland) 2022 (S.R. 2022/193), regs. 1(1), **2(a)**
- F524** Words in Art. 75(1) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **7(13)(a)(ii)**
- F525** Words in Art. 75(2) substituted (N.I.) (1.8.2022) by The Direct Payments to Farmers (Amendment) Regulations (Northern Ireland) 2022 (S.R. 2022/193), regs. 1(1), **2(b)**
- F526** Words in Art. 75(3) substituted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/748), regs. 1, **16(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F527** Word in Art. 75(3) substituted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/748), regs. 1, **16(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F528** Words in Art. 75(3) omitted (31.12.2020) by virtue of The Agriculture (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/748), regs. 1, **16(c)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 76 U.K.

Delegated powers

1 In order to ensure that the integrated system provided for in this Chapter is implemented in an efficient, coherent and non-discriminatory way which [^{F235}ensures proper management of public money], the [^{F236}appropriate authority may make regulations] concerning:

- a specific definitions needed to ensure a harmonised implementation of the integrated system ^{F237} ...;
- b with regards to Articles 67 to 75, rules on further measures necessary to ensure the compliance with control requirements laid down in this Regulation or in sectoral agricultural legislation to be taken ^{F238}... in respect of producers, services, bodies, organisations or other operators, such as slaughterhouses or associations involved in the procedure for the granting of the aid, where this Regulation does not provide for relevant administrative penalties; such measures shall as far as possible, follow, mutatis mutandis, the provisions on penalties set out in paragraphs (1) to (5) of Article 77.

2 In order to ensure a correct distribution of the funds resulting from the aid applications provided for in Article 72 to the entitled beneficiaries and to allow for verification of the fulfilment by them of the obligations related thereto, the [^{F239}appropriate authority may make regulations] concerning:

- a the basic features, technical rules, including, for the update of reference parcels, appropriate tolerance margins taking into account the outline and condition of the parcel, and including rules on the inclusion of landscape features located adjacent to a parcel, and quality requirements for the identification system for agricultural parcels provided for in Article 70 and for the identification of the beneficiaries as provided for in Article 73;
- ^{F240}aa) the basic features, technical rules and quality requirements of the system for the identification and registration of payment entitlements provided for in Article 71.;
- ^{F241}b)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- c the rules to establish the definition of the basis for the calculation of aid, including rules on how to deal with certain cases in which eligible areas contain landscape features or trees; [^{F242}such rules may allow, in relation to areas under permanent grassland, for scattered landscape features and trees, the total area of which does not exceed a specified percentage of the reference parcel, to be part of the eligible area automatically] without a requirement to map them for that purpose.

Textual Amendments

- F235** Words in Art. 76(1) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **17(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F236** Words in Art. 76(1) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **17(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F237** Words in Art. 76(1)(a) omitted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **17(a)(ia)** (as inserted by [S.I. 2020/1445](#), regs. 1(2)(b), 10(7)(a)); 2020 c. 1, Sch. 5 para. 1(1); note that Art 76(1)(a) was previously substituted with a similar effect (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), 7(14)(a)(iii)
- F238** Words in Art. 76(1)(b) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **17(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F239** Words in Art. 76(2) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **17(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F240** Art. 76(2)(aa) inserted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **15(3)**
- F241** Art. 76(2)(b) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **17(b)(ia)** (as inserted by [S.I. 2020/1445](#), regs. 1(2)(b), 10(7)(b)); 2020 c. 1, Sch. 5 para. 1(1)
- F242** Words in Art. 76(2)(c) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **17(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 77 **U.K.**

Application of administrative penalties

- 1 As regards the administrative penalties referred to in Article 63(2), this Article shall apply in the case of non-compliance with relation to eligibility criteria, commitments or other obligations resulting from the application of the rules on support referred to in Article 67(2).
- 2 No administrative penalty shall be imposed:
- where the non-compliance is due to force majeure;
 - where the non-compliance is due to obvious errors as referred to in Article 59(6);
 - where the non-compliance is due to an error of the competent authority or another authority, and where the error could not reasonably have been detected by the person concerned by the administrative penalty;
 - where the person concerned can demonstrate to the satisfaction of the competent authority that he or she is not at fault for the non-compliance with the obligations referred to in paragraph 1 or if the competent authority is otherwise satisfied that the person concerned is not at fault;

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- e where the non-compliance is of a minor nature, including where expressed in the form of a threshold, [F243set] in accordance with point (b) of paragraph 7;
 - f other cases in which the imposition of a penalty is not appropriate, [F244as defined] in accordance with point (b) of paragraph 7.
- 3 Administrative penalties may be imposed on the beneficiary of the aid or support, including groups or associations thereof, bound by the obligations laid down in the rules referred to in paragraph 1.
- 4 The administrative penalties may take the following forms:
- a a reduction in the amount of aid or support paid or to be paid in relation to the aid applications or payment claims affected by the non-compliance and/or in relation to aid applications or payment claims for previous or subsequent years;
 - b payment of an amount calculated on the basis of the quantity and/or the period concerned by the non-compliance;
 - c exclusion from the right to participate in the aid scheme or support measure concerned.
- 5 The administrative penalties shall be proportionate [F245and graduated according to the severity, extent, duration and reoccurrence of the non-compliance found] and shall respect the following limits:
- a the amount of the administrative penalty for a given year, as referred to in point (a) of paragraph 4, shall not exceed 100 % of the amounts of the aid applications or payment claims;
 - b the amount of the administrative penalty for a given year, as referred to in point (b) of paragraph 4, shall not exceed 100 % of the amount of the aid applications or payment claims to which the penalty is applied;
 - c the exclusion referred to in point (c) of paragraph 4 may be set at a maximum of three consecutive years, which may apply again in the case of any new non-compliance.
- [F246 Notwithstanding paragraphs 4 and 5, as regards the payment referred to in Chapter 3 of Title III of Regulation (EU) No 1307/2013, administrative penalties shall take the form of a reduction in the amount of payments made or to be made under that Regulation.
- The administrative penalties referred to in this paragraph shall be proportionate and graduated according to the severity, extent, duration and reoccurrence of the non-compliance concerned.
- [F247The amount of such administrative penalties for a given year shall not exceed 25% of the amount of the payment referred to in Chapter 3 of Title III of Regulation (EU) No 1307/2013 to which the farmer concerned would be entitled if the farmer met the conditions for that payment.]]
- 7 In order to take account of the deterrent effect of penalties to be imposed on the one hand, and the specific characteristics of each aid scheme or support measure referred to in Article 67(2) on the other, the [F248appropriate authority may make regulations]:
- a identifying, for each aid scheme or support measure and person concerned as referred to in paragraph 3 from the list set out in paragraph 4 and within the limits laid down in [F249paragraph 5], the administrative penalty and determining the specific rate to be imposed [F250 ..., including in cases of non-quantifiable non-compliance;
 - b identifying, the cases in which the administrative penalties are not to be imposed, as referred to in point (f) of paragraph 2.
- 8 [F251The appropriate authority may make regulations], laying down detailed procedural and technical rules for the uniform application of this Article on:

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- a rules on the application and calculation of the administrative penalties;
- b the detailed rules for identifying a non-compliance as minor, including the setting of a quantitative threshold expressed as a nominal value or a percentage of the eligible amount of aid or support which shall not be less than 0,5 %.

F252
...

Textual Amendments

- F243** Word in Art. 77(2)(e) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(15)(a)(i)**; and word in Art. 77(2)(e) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(17)(a)(i)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(h) (with reg. 2))
- F244** Words in Art. 77(2)(f) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(15)(a)(ii)**; and words in Art. 77(2)(f) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(17)(a)(ii)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(h) (with reg. 2))
- F245** Words in Art. 77(5) omitted (E.) (28.7.2022 in so far as it relates to rural development support measures) by virtue of [The Rural Development \(Amendment\) \(England\) Regulations 2022 \(S.I. 2022/765\)](#), regs. 1(1), **8(4)**
- F246** Art. 77(6) omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(12)**; Art. 77(6) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(17)(b)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(7)(h)); 2020 c. 1, Sch. 5 para. 1(1); Art. 77(6) omitted (E.) (1.1.2021 insofar as relates to direct payments) by virtue of [The Direct Payments to Farmers and Cross-Compliance \(Simplifications\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/1387\)](#), regs. 1(1), **4(5)** (with reg. 1(2)); and Art. 77(6) omitted (N.I.) (25.2.2021) by virtue of [The Direct Payments to Farmers \(Simplifications\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/42\)](#), regs. 1(1), **3(5)**
- F247** Words in Art. 77(6) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **7(15)(b)**
- F248** Words in Art. 77(7) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **18(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F249** Words in Art. 77(7) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **18(a)(ia)** (as inserted by S.I. 2020/1445, regs. 1(2)(b), 10(8)); 2020 c. 1, Sch. 5 para. 1(1)
- F250** Words in Art. 77(7) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **18(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F251** Words in Art. 77(8) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **18(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F252** Words in Art. 77(8) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **18(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Article 78 **U.K.**

Implementing powers

[^{F253}The appropriate authority may make regulations] laying down the following:

- (a) the basic features, technical rules and quality requirements for the computerised database provided for in Article 69;
- (b) rules on the aid applications and payments claims provided for in Article 72, [^{F254}and applications for payment entitlements,]^{F255}... including the final date for submission of applications, the requirements as to the minimum amount of information to be included in applications, provisions for amendments to or the withdrawal of aid applications, exemption from the requirement to submit aid applications and provisions which allow [^{F256}for the application of simplified procedures or correction of obvious errors];
- (c) rules on the carrying out of checks in order to verify compliance with obligations, and the correctness and completeness of the information provided in the aid application or payment claim, including rules on measurement tolerances for on-the-spot checks;
- (d) technical specifications needed for the purpose of the uniform implementation of this Chapter;
- (e) rules on situations of transfer of holdings accompanied by the transfer of any obligation concerning eligibility in respect of the aid in question which still needs to be fulfilled;
- (f) rules on the payment of the advances referred to in Article 75.

F257

Textual Amendments

- F253** Words in Art. 78 substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **19(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F254** Words in Art. 78(b) inserted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **15(4)**
- F255** Words in Art. 78(b) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **19(b)(i)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 10(9)); 2020 c. 1, Sch. 5 para. 1(1)
- F256** Words in Art. 78(b) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **19(b)(ii)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 10(9)); 2020 c. 1, Sch. 5 para. 1(1)
- F257** Words in Art. 78 omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **19(c)**; 2020 c. 1, Sch. 5 para. 1(1)

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CHAPTER III **U.K.**

Scrutiny of transactions

Article 79 **U.K.**

Scope and definitions

1 This Chapter lays down specific rules on the scrutiny of the commercial documents of those entities receiving or making payments relating directly or indirectly to the system of financing [^{F258}of CMO support], or their representatives ('undertakings') in order to ascertain whether transactions forming part of the system of financing [^{F258}of CMO support] have actually been carried out and have been executed correctly.

2 This Chapter shall not apply to measures covered by the integrated system referred to in Chapter II of this Title. In order to respond to changes in sectoral agricultural legislation and to ensure the efficiency of the system of ex-post controls established by this Chapter, the [^{F259}appropriate authority may make regulations] establishing a list of measures which, due to their design and control requirements, are unsuited for additional ex-post controls by way of scrutiny of commercial documents and, therefore, are not to be subject to such scrutiny under this Chapter.

3 For the purposes of this Chapter the following definitions shall apply:

- a "commercial document" means all books, registers, vouchers and supporting documents, accounts, production and quality records, and correspondence relating to the undertaking's business activity, as well as commercial data, in whatever form they may take, including electronically stored data, in so far as these documents or data relate directly or indirectly to the transactions referred to in paragraph 1;
- b "third party" means any natural or legal person directly or indirectly connected with transactions carried out within the [^{F260}system of financing of CMO support].

Textual Amendments

F258 Words in Art. 79(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(18)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

F259 Words in Art. 79(2) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **20**; 2020 c. 1, Sch. 5 para. 1(1)

F260 Words in Art. 79(3)(b) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(18)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 80 **U.K.**

Scrutiny by Member States

1 [^{F261}The relevant authority] shall carry out systematic scrutiny of the commercial documents of undertakings taking account of the nature of the transactions to be scrutinised. [^{F261}The relevant authority] shall ensure that the selection of undertakings for scrutiny gives

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the best possible assurance of the effectiveness of the measures for preventing and detecting irregularities. The selection shall take account, inter alia, of the financial importance of the undertakings in that system and of other risk factors.

2 In appropriate cases, the scrutiny provided for in paragraph 1 shall be extended to natural and legal persons with whom undertakings are associated and to such other natural or legal persons as may be relevant for the pursuit of the objectives set out in Article 81.

F262³

Textual Amendments

F261 Words in Art. 80(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(19)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

F262 Art. 80(3) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(19)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 81 U.K.

Objectives of the scrutiny

1 The accuracy of primary data under scrutiny shall be verified by a number of cross-checks, including, where necessary, the commercial documents of third parties, appropriate to the degree of risk presented, including:

- a comparisons with the commercial documents of suppliers, customers, carriers and other third parties;
- b physical checks, where appropriate, upon the quantity and nature of stocks;
- c comparison with the records of financial flows leading to or consequent upon the transactions carried out within the ^{F263}system of financing of CMO support]; and
- d checks, in relation to bookkeeping, or records of financial movements showing, at the time of the scrutiny, that the documents held by the paying agency by way of justification for the payment of aid to the beneficiary are accurate.

2 In particular, where undertakings are required to keep particular book records of stock in accordance with [^{F264}the law applying in the constituent nation], scrutiny of those records shall, in appropriate cases, include a comparison with the commercial documents and, where appropriate, with the actual quantities in stock.

3 In the selection of transactions to be checked, full account shall be taken of the degree of risk presented.

Textual Amendments

F263 Words in Art. 81(1)(c) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(20)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

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F264 Words in Art. 81(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(20)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 82 **U.K.**

Access to commercial documents

1 The persons responsible for the undertaking, or a third party, shall ensure that all commercial documents and additional information are supplied to the officials responsible for the scrutiny or to the persons authorised to carry it out on their behalf. Electronically stored data shall be provided on an appropriate data support medium.

2 The officials responsible for the scrutiny or the persons authorised to carry it out on their behalf may require that extracts or copies of the documents referred to in paragraph 1 be supplied to them.

3 Where, during scrutiny carried out pursuant to this Chapter, the commercial documents maintained by the undertaking are considered inadequate for scrutiny purposes, the undertaking shall be directed to maintain in future such records as are required by the ^[F265]relevant authority responsible for the scrutiny, without prejudice to obligations laid down in other Regulations relating to the sector concerned.

^[F266]The relevant authority shall determine the date from which such records are to be established.

Where some or all of the commercial documents required to be scrutinised pursuant to this Chapter are located with an undertaking in the same commercial group, partnership or association of undertakings managed on a unified basis as the undertaking scrutinised, whether located inside or outside the ^[F267]United Kingdom, the undertaking shall make those commercial documents available to officials responsible for the scrutiny, at a place and time to be determined by the ^[F268]relevant authority responsible for carrying out the scrutiny.

4 ^[F269]The relevant authority shall ensure that officials responsible for scrutiny are entitled to seize commercial documents, or have them seized. This right shall be exercised with due regard to the ^[F270]law applying in the constituent nation and shall be without prejudice to the application of rules governing proceedings in criminal matters concerning the seizure of documents.

Textual Amendments

F265 Words in Art. 82(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(21)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F266 Words in Art. 82(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(21)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

F267 Words in Art. 82(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing,](#)

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Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **7(21)(a)(iii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)

F268 Words in Art. 82(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(21)(a)(iii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

F269 Words in Art. 82(4) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(21)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F270 Words in Art. 82(4) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(21)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F271}Article 83 **U.K.**

Mutual assistance

Textual Amendments

F271 Art. 83 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(22)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 84 **U.K.**

Programming

1 ^{F272}The relevant authority] shall draw up programmes for scrutiny to be carried out pursuant to Article 80 during the subsequent scrutiny period.

2 Each year, before 15 April, ^{F273}the relevant authority] shall send the ^{F274}relevant accounting officer] their programme as referred to in paragraph 1 and shall specify:

- a the number of undertakings to be scrutinised and their breakdown by sector on the basis of the amounts relating to them;
- b the criteria adopted for drawing up the programme.

3 The programmes established by the ^{F275}relevant authority] and forwarded to the ^{F276}relevant accounting officer] shall be implemented by the ^{F275}relevant authority], if, within eight weeks, the ^{F276}relevant accounting officer] has not made known its comments.

4 Paragraph 3 shall apply mutatis mutandis to the amendments to the programme made by the ^{F277}relevant authority].

5 At any stage, the ^{F278}relevant accounting officer] may request the inclusion of a particular category of undertaking in the programme of ^{F279}the relevant authority].

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6 Undertakings for which the sum of the receipts or payments amounted to less than [F280EUR 40 000][F280£40 000] shall be scrutinised in accordance with this Chapter only for specific reasons to be indicated by the [F281relevant authority in its] annual programme referred to in paragraph 1 or by the [F282relevant accounting officer] in any proposed amendment to that programme. [F283In order to take account of economic developments, the appropriate authority may make regulations modifying the threshold. Such regulations may specify the threshold in Sterling.]

Textual Amendments

- F272** Words in Art. 84(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(23)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F273** Words in Art. 84(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(23)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F274** Words in Art. 84(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(23)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F275** Words in Art. 84(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(23)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F276** Words in Art. 84(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(23)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F277** Words in Art. 84(4) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(23)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F278** Words in Art. 84(5) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(23)(e)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F279** Words in Art. 84(5) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(23)(e)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F280** Sum in Art. 84(6) substituted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(14)**
- F281** Words in Art. 84(6) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **21(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F282** Words in Art. 84(6) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **21(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F283** Words in Art. 84(6) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **21(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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Article 85 **U.K.**

Special departments

1 ^[F284]A special department shall be responsible for monitoring the application of this Chapter ^[F285]in each constituent nation. Where the relevant authority so decides, instead of establishing a special department, it may allow the functions of the special department to be carried out by a special department established in a different constituent nation]. ^[F286]The special department] shall, in particular, be responsible for:

- a the performance of the scrutiny provided for in this Chapter by officials employed directly by that special department; or
- b the coordination and general surveillance of the scrutiny carried out by officials belonging to other departments.

^[F287]Scrutiny to be carried out pursuant to this Chapter may be allocated between the special department and other departments, provided that the special department is responsible for its coordination.]

2 The department or departments responsible for the application of this Chapter shall be organised in such a way as to be independent of the departments or branches of departments responsible for the payments and the scrutiny checks carried out prior to payment.

3 In order to ensure that this Chapter is properly applied, the special department referred to in paragraph 1 shall take all the measures necessary, and it shall be entrusted ^{F288}... with all the powers necessary, to perform the tasks referred to in this Chapter.

^{F289}4

Textual Amendments

- F284** Word in Art. 85(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, [7\(24\)\(a\)\(i\)\(aa\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F285** Words in Art. 85(1) inserted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, [7\(24\)\(a\)\(i\)\(bb\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F286** Words in Art. 85(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, [7\(24\)\(a\)\(i\)\(cc\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F287** Words in Art. 85(1) substituted (31.12.2020 insofar as relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, [7\(24\)\(a\)\(ii\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F288** Words in Art. 85(3) omitted (31.12.2020 in so far as it to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, [7\(24\)\(b\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F289** Art. 85(4) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and](#)

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Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **7(24)** (c); 2020 c. 1, Sch. 5 para. 1(1)

Article 86 **U.K.**

Reports

1 Before 1 January, following the scrutiny period, [^{F290}the relevant authority] shall send the [^{F291}relevant accounting officer] a detailed report on the application of this Chapter.

^{F292}2

Textual Amendments

- F290** Words in Art. 86(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\), regs. 1, 7\(25\)\(i\)\(aa\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F291** Words in Art. 86(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\), regs. 1, 7\(25\)\(i\)\(bb\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F292** Art. 86(2) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\), regs. 1, 7\(25\)\(ii\)](#); 2020 c. 1, Sch. 5 para. 1(1)

^{F293}Article 87 **U.K.**

Access to information and scrutiny by the Commission

Textual Amendments

- F293** [Art. 87](#) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\), regs. 1, 7\(26\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

^{F294}Article 88 **U.K.**

Power to make regulations

The appropriate authority may make regulations laying down rules for the uniform application of this Chapter and in particular relating to:

- a the performance of the scrutiny referred to in Article 80 as regards the selection of undertakings, rate and the calendar for the scrutiny;

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- b the conservation of commercial documents and the types of documents to maintain or data to record;
- c the responsibilities of the special department referred to in Article 85;
- d the content of reports referred to in Article 86.]

Textual Amendments

F294 Art. 88 substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **22**; 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER IV **U.K.**

Other provisions on checks and penalties

*Article 89 **U.K.***

Other checks and penalties related to marketing rules

1 ^[F295]The relevant authority] shall take measures to ensure that the products referred to in Article 119(1) of Regulation (EU) No 1308/2013 which are not labelled in conformity with the provisions of that Regulation are not placed on, or are withdrawn from, the market.

^[F296]In this paragraph and in paragraph 4, ‘relevant authority’ means:

- a) in England, the Secretary of State;
- b) in Wales, the Welsh Ministers;
- c) in Scotland, the Scottish Ministers.]

2 Without prejudice to any specific provisions ^[F297]in retained direct EU legislation], imports into the ^[F298]United Kingdom] of the products specified in points (a) and (b) of paragraph 1 of Article 189 of Regulation (EU) No 1308/2013 shall be subject to checks to determine whether the conditions provided for in paragraph 1 of that Article are met.

^[X13] ^[F299]The relevant authority] shall carry out checks, based on a risk analysis, in order to verify whether products referred to in Annex I to Regulation (EU) No 1308/2013 conform to the rules laid down in Section I of Chapter I of Title II of Part II of Regulation (EU) No 1308/2013 and shall apply administrative penalties as appropriate.]

4 ^[F300]Without prejudice to provisions regarding the wine sector made under, or adopted on the basis of, Article 64, in the event of infringement of rules in the wine sector, the relevant authority shall apply penalties in accordance with the law applying in the constituent nation.] Such penalties shall not apply in the cases set out in points (a) to (d) of Article 64(2) and where the non-compliance is of a minor nature.

5 In order to protect ^{F301}... the identity, provenance and quality of ^[F302]wine originating in Great Britain], the ^[F303]Secretary of State may make regulations] relating to:

- a the establishment of an analytical databank of isotopic data to help detect fraud to be constructed on the basis of samples collected by ^[F304]the relevant authority];
- b rules on control bodies and the mutual assistance between them;
- ^[F305]c rules on the use of findings].

Status: Point in time view as at 17/10/2023.

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6 The [^{F306}Secretary of State may make regulations] laying down all measures necessary for:

- a the procedures relating to ^{F307}... the analytical databank of isotopic data that will help detect fraud;
- b the procedures relating to cooperation and assistance between control authorities and bodies;
- c as regards the obligation referred to in paragraph 3, rules for performing the checks of compliance with marketing standards, rules on the authorities responsible for performing the checks, as well as on the content, the frequency and the marketing stage to which those checks are to apply.

^{F308}
...

[^{F3097} The Secretary of State may not make regulations under paragraph 5 or 6 without the consent of the relevant authorities for Wales and Scotland.

8 Where the relevant authority for Wales or Scotland requests that the Secretary of State makes regulations under paragraph 5 or 6, the Secretary of State must have regard to that request.]

Editorial Information

- X1** Substituted by [Corrigendum to 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 \(Official Journal of the European Union L 347 of 20 December 2013\).](#)

Textual Amendments

- F295** Words in Art. 89(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, [7\(27\)\(a\)\(i\)](#) (as substituted by [S.I. 2020/1445](#), regs. 1(2)(b), 3(7)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F296** Words in Art. 89(1) inserted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, [7\(27\)\(a\)\(ii\)](#) (as substituted by [S.I. 2020/1445](#), regs. 1(2)(b), 3(7)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F297** Words in Art. 89(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, [7\(27\)\(b\)\(i\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F298** Words in Art. 89(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, [7\(27\)\(b\)\(ii\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F299** Words in Art. 89(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, [7\(27\)\(c\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F300** Words in Art. 89(4) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing,](#)

Status: Point in time view as at 17/10/2023.

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- Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **7(27)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F301** Words in Art. 89(5) omitted (31.12.2020) by virtue of The Agriculture (Legislative Functions) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/831), regs. 1(4)(a), **64(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F302** Words in Art. 89(5) substituted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/831), regs. 1(4)(a), **64(a)(ii)** (as amended by S.I. 2020/1453, regs. 1(2)(b), 12(12)(a)); 2020 c. 1, Sch. 5 para. 1(1)
- F303** Words in Art. 89(5) substituted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/831), regs. 1(4)(a), **64(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F304** Words in Art. 89(5)(a) substituted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/831), regs. 1(4)(a), **64(a)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F305** Art. 89(5)(c) substituted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/831), regs. 1(4)(a), **64(a)(v)**; 2020 c. 1, Sch. 5 para. 1(1)
- F306** Words in Art. 89(6) substituted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/831), regs. 1(4)(a), **64(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F307** Words in Art. 89(6)(a) omitted (31.12.2020) by virtue of The Agriculture (Legislative Functions) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/831), regs. 1(4)(a), **64(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F308** Words in Art. 89(6) omitted (31.12.2020) by virtue of The Agriculture (Legislative Functions) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/831), regs. 1(4)(a), **64(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F309** Art. 89(7)(8) inserted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/831), regs. 1(4)(a), **64(c)** (as amended by S.I. 2020/1453, regs. 1(2)(b), 12(12)(b)); 2020 c. 1, Sch. 5 para. 1(1)

Article 90 **U.K.**

Checks related to designation of origin and geographical indications and protected traditional terms

1 ^[F310]The relevant authority] shall take the necessary steps to stop unlawful use of protected designations of origin, protected geographical indication and protected traditional terms referred to in Regulation (EU) No 1308/2013.

2 ^[F311]The relevant authority] shall designate the competent authority responsible for carrying out the checks in respect of the obligations laid down in Section II of Chapter I of Title II of Part 2 of Regulation (EU) No 1308/2013 in accordance with the criteria laid down in Article 4 of Regulation (EC) No 882/2004 of the European Parliament and of the Council⁽⁴⁾ and shall ensure that any operator complying with those obligations is entitled to be covered by a system of checks.

^[F312]In this Article, ‘relevant authority’ means:

- a) in England, the Secretary of State;
- b) in Wales, the Welsh Ministers;
- c) in Scotland, the Scottish Ministers.]

3 Within ^[F313]Great Britain], annual verification of compliance with the product specification, during the production and during or after conditioning of the wine shall be ensured by the competent authority referred to in paragraph 2 or by one or more control bodies within the meaning of point 5 of the second subparagraph of Article 2 of Regulation (EC) No 882/2004 operating as a product certification body in accordance with the criteria laid down in Article 5 of that Regulation.

4 The ^[F314]Secretary of State may make regulations] concerning the following:

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- F315 a
- b rules on the authority responsible for the verification of compliance with the product specification, including where the geographical area is in a third country;
 - c the actions to be implemented ^{F316}... to prevent the unlawful use of protected designations of origin, protected geographical indications and protected traditional terms;
 - d the checks and verification to be carried out ^{F317}..., including testing.

F318 ...

Textual Amendments

- F310** Words in [Art. 90](#) substituted (31.12.2020 insofar as relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(28)(a)** (as inserted by [S.I. 2019/812](#), regs. 1, 3(2)(a)); 2020 c. 1, Sch. 5 para. 1(1)
- F311** Words in [Art. 90](#) substituted (31.12.2020 insofar as relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(28)(aa)** (as inserted by [S.I. 2019/812](#), regs. 1, 3(2)(b)); 2020 c. 1, Sch. 5 para. 1(1)
- F312** Words in [Art. 90\(2\)](#) inserted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(28)(ab)** (as inserted by [S.I. 2020/1445](#), regs. 1(2)(b), 3(7)(j)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F313** Words in [Art. 90\(2\)](#) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **7(28)(b)** (as substituted by [S.I. 2020/1445](#), regs. 1(2)(b), 3(7)(j)(ii)); 2020 c. 1, Sch. 5 para. 1(1)
- F314** Words in [Art. 90\(4\)](#) substituted (31.12.2020) by [The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/828\)](#), regs. 1, **58(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F315** [Art. 90\(4\)\(a\)](#) omitted (31.12.2020) by virtue of [The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/828\)](#), regs. 1, **58(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F316** Words in [Art. 90\(4\)\(c\)](#) omitted (31.12.2020) by virtue of [The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/828\)](#), regs. 1, **58(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F317** Words in [Art. 90\(4\)\(d\)](#) omitted (31.12.2020) by virtue of [The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/828\)](#), regs. 1, **58(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F318** Words in [Art. 90\(4\)](#) omitted (31.12.2020) by virtue of [The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/828\)](#), regs. 1, **58(d)**; 2020 c. 1, Sch. 5 para. 1(1)

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TITLE VI U.K.

CROSS-COMPLIANCE

CHAPTER I U.K.

Scope

Article 91 U.K.

General principle

1 Where a beneficiary referred to in Article 92 does not comply with the rules on cross-compliance as laid down in Article 93, an administrative penalty shall be imposed on that beneficiary.

2 The administrative penalty referred to in paragraph 1 shall only apply where the non-compliance is the result of an act or omission directly attributable to the beneficiary concerned; and where one, or both, of the following additional conditions are met:

- a the non-compliance is related to the agricultural activity of the beneficiary;
- b the area of the holding of the beneficiary is concerned.

[^{F319}With regard to forest areas, however, this penalty shall not apply in so far as no support is claimed for the area concerned in accordance with point (a) of Article 21(1), and Articles 30 and 34 of Regulation (EU) No 1305/2013.]

3 For the purpose of this Title the following definitions shall apply:

- a 'holding' means all the production units and areas managed by the beneficiary referred to in Article 92 situated within [^{F320}Wales][^{F321}England][^{F322}Scotland][^{F323}Northern Ireland];
- b "requirement" means each individual statutory management requirement ^{F324}... referred to in Annex II within a given act, differing in substance from any other requirements of the same act.

Textual Amendments

F319 Words in Art. 91(2) omitted (W.) (31.12.2020 in so far as relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(13)(a)**

F320 Word in Art. 91(3)(a) substituted for “the United Kingdom” (W.) (31.12.2020 in so far as it relates to direct payments) by [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(13)(b)**; and word in Art. 91(3)(a) substituted for “the United Kingdom” (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(15)**

F321 Word in Art. 91(3)(a) substituted for “the United Kingdom” (E.) (1.1.2021) by [The Direct Payments to Farmers and Cross-Compliance \(Simplifications\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/1387\)](#), regs. 1(1), **4(6)**

F322 Word in Art. 91(3)(a) substituted for “the United Kingdom” (S.) (1.1.2021) by [The Common Agricultural Policy \(Simplifications and Improvements\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/349\)](#), regs. 1, **3(4)**

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F323 Words in Art. 91(3)(a) substituted for “the United Kingdom” (N.I.) (25.2.2021) by The Direct Payments to Farmers (Simplifications) Regulations (Northern Ireland) 2021 (S.R. 2021/42), regs. 1(1), **12**

F324 Words in Art. 91(3)(b) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **8(1)(b)**; and words in Art. 91(3)(b) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **8(1)(b)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Article 92 **U.K.**

Beneficiaries concerned

[^{F325}Article 91 shall apply to beneficiaries receiving direct payment support.]

Textual Amendments

F325 Art. 92 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **8(2)**

F326 Words in Art. 92 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **8(2)(a)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), **3(8)(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**

F327 Words in Art. 92 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **8(2)(b)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), **3(8)(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**

Article 93 **U.K.**

Rules on cross-compliance

1 The rules on cross-compliance shall consist of the statutory management requirements ^{F328}... and the standards for good agricultural and environmental condition of land established [^{F329}in the constituent nation] as listed in Annex II, relating to the following areas:

- a environment, climate change and good agricultural condition of land;
- b public, animal and plant health;
- c animal welfare.

2 The legal acts referred to in Annex II concerning the statutory management requirements shall apply in the version in force and, in the case of Directives, as implemented [^{F330}in the constituent nation].

^{F331}3

^{F331}4

^{F331}5

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Textual Amendments

- F328** Words in Art. 93(1) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020](#) (S.I. 2020/90), regs. 1(2), **8(3)(a)(i)**; and words in Art. 93(1) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/763), regs. 1, **8(3)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F329** Words in Art. 93(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020](#) (S.I. 2020/90), regs. 1(2), **8(3)(a)(ii)**; and words in Art. 93(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/763), regs. 1, **8(3)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F330** Words in Art. 93(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020](#) (S.I. 2020/90), regs. 1(2), **8(3)(b)**; and words in Art. 93(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/763), regs. 1, **8(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F331** Art. 93(3)-(5) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/763), regs. 1, **8(3)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 94 U.K.

Obligations [^{F332}of Member States] relating to good agricultural and environmental condition

[^{F333}The relevant authority] shall ensure that all agricultural area, including land which is no longer used for production purposes, is maintained in good agricultural and environmental condition. [^{F334}The minimum standards for beneficiaries for good agricultural and environmental conditions of land are as set out in the legislation applying in the constituent nation.]

[^{F335}The relevant authority] shall not define minimum requirements which are not established in Annex II.

Textual Amendments

- F332** Words in Art. 94 heading omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1556), regs. 1(2)(a), **2(14)**; and words in Art. 94 heading omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/763), regs. 1, **8(4)(za)** (as inserted by S.I. 2020/1445, regs. 1(2)(b), 3(8)(b)); 2020 c. 1, Sch. 5 para. 1(1)

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- F333** Words in Art. 94 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **8(4)(a)(i)**; and words in Art. 94 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **8(4)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F334** Words in Art. 94 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **8(4)(a)(ii)**; and words in Art. 94 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **8(4)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F335** Words in Art. 94 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **8(4)(b)**; and words in Art. 94 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **8(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 95 **U.K.**

Information to beneficiaries

[^{F336}The relevant authority] shall provide the beneficiaries concerned, where appropriate by the use of electronic means, with the list of the requirements and standards to be applied at farm level, as well as clear and precise information thereon.

Textual Amendments

- F336** Words in Art. 95 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **8(5)**; and words in Art. 95 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **8(5)**; 2020 c. 1, Sch. 5 para. 1(1)

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CHAPTER II **U.K.**

Control system and administrative penalties in relation to cross-compliance

Article 96 **U.K.**

Checks of cross-compliance

1 ^{F337}[The relevant authority] shall make use, where appropriate, of the integrated system laid down in Chapter II of Title V and in particular of points (a), (b), (d), (e) and (f) of Article 68(1).

^{F337}[The relevant authority] may make use of their existing administration and control systems to ensure compliance with the rules on cross-compliance.

Those systems, and notably the system for the identification and registration of animals set up ^{F338}[in the constituent nation] in accordance with Council Directive 2008/71/EC⁽⁵⁾ and Regulations (EC) No 1760/2000 and (EC) No 21/2004, shall be compatible with the integrated system referred to in Chapter II of Title V of this Regulation.

2 Depending on the requirements, standards, acts or areas of cross-compliance in question, ^{F339}[the relevant authority] may decide to carry out administrative checks, in particular those already provided for under the control systems applicable to the respective requirement, standard, act or area of cross-compliance.

3 ^{F340}[The relevant authority] shall carry out on-the-spot checks to verify whether a beneficiary complies with the obligations laid down in this Title.

4 ^{F341}[The appropriate authority may make regulations], laying down rules on the carrying out of checks in order to verify compliance with the obligations referred to under this Title, including rules allowing that risk analysis takes account of the following factors:

- a a farmer's participation in the farm advisory system as provided for in Title III of this Regulation;
- b a farmer's participation in a certification system, if it covers the requirements and standards concerned.

F342
...

Textual Amendments

F337 Words in Art. 96(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **8(6)(a)(i)**; and words in Art. 96(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **8(6)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F338 Words in Art. 96(1) inserted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **8(6)(a)(ii)**; and words in Art. 96(1) inserted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **8(6)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F339** Words in Art. 96(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **8(6)(b)**; and words in Art. 96(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **8(6)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F340** Words in Art. 96(3) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **8(6)(c)**; and words in Art. 96(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **8(6)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F341** Words in Art. 96(4) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **23(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F342** Words in Art. 96(4) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **23(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 97 **U.K.**

Application of the administrative penalty

1 The administrative penalty provided for in Article 91 shall be imposed where the rules on cross-compliance are not complied with at any time in a given calendar year ('the calendar year concerned'), and where the non-compliance in question is directly attributable to the beneficiary who submitted the aid application or the payment claim in the calendar year concerned.

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...

2 In cases in which the land is transferred during the calendar year concerned or the years concerned, paragraph 1 shall also apply where the non-compliance in question is the result of an act or omission directly attributable to the person to whom or from whom the agricultural land was transferred. By way of derogation from the first sentence, where the person to whom the act or omission is directly attributable has submitted an aid application or a payment claim in the calendar year concerned or the years concerned, the administrative penalty shall be imposed on the basis of the total amounts of the payments referred to in Article 92 granted or to be granted to that person.

For the purpose of this paragraph, 'transfer' means any type of transaction whereby the agricultural land ceases to be at the disposal of the transferor.

3 Notwithstanding paragraph 1, and subject to the rules to be adopted pursuant to Article 101, [^{F344}the relevant authority] may decide not to apply an administrative penalty per beneficiary and per calendar year when the amount of the penalty is [^{F345}EUR 100][^{F345}£100] or less.

Where [^{F346}the relevant authority] decides to make use of the option provided for in the first subparagraph, the competent authority shall, for a sample of beneficiaries, take in the following year the actions necessary to verify that the beneficiary has remedied the findings of non-compliance concerned. The finding and the obligation to take remedial action shall be notified to the beneficiary.

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

4 The imposition of an administrative penalty shall not affect the legality and regularity of the payments to which it applies.

Textual Amendments

- F343** Words in Art. 97(1) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **8(7)(a)** (as substituted by [S.I. 2020/1445](#), regs. 1(2)(b), 3(8)(c)); 2020 c. 1, Sch. 5 para. 1(1)
- F344** Words in Art. 97(3) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **8(7)(a)**; and words in Art. 97(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **8(7)(b)(i)** (as substituted by [S.I. 2020/1445](#), regs. 1(2)(b), 3(8)(c)); 2020 c. 1, Sch. 5 para. 1(1)
- F345** Sum in Art. 97(3) substituted (W.) (31.12.2020 in so far as it relates to direct payments) by [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(15)**; and sum in Art. 97(3) substituted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(16)**
- F346** Words in Art. 97(3) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **8(7)(b)**; and words in Art. 97(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **8(7)(b)(ii)** (as substituted by [S.I. 2020/1445](#), regs. 1(2)(b), 3(8)(c)); 2020 c. 1, Sch. 5 para. 1(1)

^{F347} Article 98 **U.K.**

Application of the administrative penalty in Bulgaria, Croatia and Romania

Textual Amendments

- F347** Art. 98 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **8(8)**; and Art. 98 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **8(8)**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 17/10/2023.

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Article 99 **W+S+N.I.**

Calculation of the administrative penalty

1 The administrative penalty provided for in Article 91 shall be applied by means of reduction or exclusion of the total amount of the payments listed in Article 92 granted or to be granted to the beneficiary concerned in respect of aid applications he has submitted or will submit in the course of the calendar year of the finding.

For the calculation of those reductions and exclusions, account shall be taken of the severity, extent, permanence and reoccurrence of the non-compliance found as well as of the criteria set out in paragraphs 2, 3 and 4.

2 In the case of non compliance due to negligence, the percentage of reduction shall not exceed 5 % and, in the case of reoccurrence, shall not exceed 15 %.

[^{F348}The relevant authority] may set up an early warning system that applies to cases of non-compliance which, given their minor severity, extent and duration, shall not, in duly justified cases, lead to a reduction or exclusion. Where [^{F349}the relevant authority] decides to make use of this option, the competent authority shall send an early warning to the beneficiary, notifying the beneficiary of the finding and the obligation to take remedial action. In case a subsequent check establishes that the non-compliance has not been remedied, the reduction pursuant to the first subparagraph shall be applied retroactively.

However, cases of non-compliance which constitute a direct risk to public or animal health shall always lead to a reduction or exclusion.

[^{F348}The relevant authority] may give priority access to the farm advisory system to the beneficiaries who have received for the first time an early warning.

3 In the case of intentional non-compliance, the percentage reduction shall in principle not be less than 20 % and may go as far as total exclusion from one or several aid schemes and may apply for one or more calendar years.

4 In any event, the total amount of reductions and exclusions for one calendar year shall not be more than the total amount referred to in the first subparagraph of paragraph 1.

Extent Information

E5 This version of this provision applies to Wales, Scotland and Northern Ireland only; a separate version has been created for England only

Textual Amendments

F348 Words in Art. 99(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **8(9)(a)**; and words in Art. 99(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **8(9)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

F349 Words in Art. 99(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to](#)

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Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **8(9)(b)**; and words in Art. 99(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **8(9)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 99 **E**

Calculation of the administrative penalty

1 The administrative penalty provided for in Article 91 shall be applied by means of reduction or exclusion of the total amount of the payments listed in Article 92 granted or to be granted to the beneficiary concerned in respect of aid applications he has submitted or will submit in the course of the calendar year of the finding.

For the calculation of those reductions and exclusions, account shall be taken of the severity, extent, permanence and reoccurrence of the non-compliance found as well as of the criteria set out in paragraphs 2, 3 and 4.

2 In the case of non compliance due to negligence, the percentage of reduction shall not exceed 5 % and, in the case of reoccurrence, shall not exceed 15 %.

[^{F529}The relevant authority] may set up an early warning system that applies to cases of non-compliance which ^{F530}... shall not, in duly justified cases, lead to a reduction or exclusion. Where [^{F531}the relevant authority] decides to make use of this option, the competent authority shall send an early warning to the beneficiary, notifying the beneficiary of the finding and the obligation to take remedial action [^{F532}where it is possible]. In case a subsequent check establishes that the non-compliance has not been remedied [^{F533}as required], the reduction pursuant to the first subparagraph shall be applied retroactively.

[^{F534}Duly justified cases as referred to in the second subparagraph may be determined by the relevant authority based on the severity, extent and duration of the non-compliance in question, and on the beneficiary's overall engagement with the cross-compliance rules.]

However, cases of non-compliance which constitute a direct risk to public or animal health shall always lead to a reduction or exclusion.

[^{F529}The relevant authority] may give priority access to the farm advisory system to the beneficiaries who have received for the first time an early warning.

3 In the case of intentional non-compliance, the percentage reduction shall in principle not be less than 20 % and may go as far as total exclusion from one or several aid schemes and may apply for one or more calendar years.

4 In any event, the total amount of reductions and exclusions for one calendar year shall not be more than the total amount referred to in the first subparagraph of paragraph 1.

Extent Information

E15 This version of this provision applies to England only; a separate version has been created for Wales, Scotland and Northern Ireland only

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Textual Amendments

- F529** Words in Art. 99(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **8(9)(a)**; and words in Art. 99(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **8(9)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F530** Words in Art. 99(2) omitted (E.) (1.1.2021) by virtue of [The Direct Payments to Farmers and Cross-Compliance \(Simplifications\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/1387\)](#), regs. 1(1), **4(7)(a)(i)**
- F531** Words in Art. 99(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **8(9)(b)**; and words in Art. 99(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **8(9)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F532** Words in Art. 99(2) inserted (E.) (1.1.2021) by [The Direct Payments to Farmers and Cross-Compliance \(Simplifications\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/1387\)](#), regs. 1(1), **4(7)(a)(ii)**
- F533** Words in Art. 99(2) inserted (E.) (1.1.2021) by [The Direct Payments to Farmers and Cross-Compliance \(Simplifications\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/1387\)](#), regs. 1(1), **4(7)(a)(iii)**
- F534** Words in Art. 99(2) inserted (E.) (1.1.2021) by [The Direct Payments to Farmers and Cross-Compliance \(Simplifications\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/1387\)](#), regs. 1(1), **4(7)(b)**

^{F350} *Article 100* **U.K.**

Amounts resulting from cross-compliance

Textual Amendments

- F350** Art. 100 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **8(10)**; and Art. 100 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **8(10)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 101 **U.K.**

^{F351} **... Powers in relation to the application and calculation of administrative penalties**

1 In order to ensure a correct distribution of the funds to the entitled beneficiaries and that cross-compliance is carried out in an efficient, coherent and non-discriminatory way, the [^{F352}appropriate authority may make regulations]:

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F353

- a
 b laying down the conditions for the application and calculation of the administrative penalties due to cross-compliance, including in the case of non-compliance directly attributable to the beneficiary concerned.

2 The [^{F354}appropriate authority may make regulations] laying down detailed procedural and technical rules concerning the calculation and application of administrative penalties referred to in Articles 97 to 99, including as regards beneficiaries consisting of a group of persons under Articles 28 and 29 of Regulation (EU) No 1305/2013.

F355

...

Textual Amendments

- F351** Word in Art. 101 heading omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **24(a)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F352** Words in Art. 101(1) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **24(b)(i)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F353** Art. 101(1)(a) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **24(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F354** Words in Art. 101(2) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **24(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1) (note that Art. 101(2) was previously substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), 9(1)(c))
- F355** Words in Art. 101(2) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **24(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

TITLE VII **U.K.**

COMMON PROVISIONS

CHAPTER I **U.K.**

Communication

^{F356} Article 102 **U.K.**

Communication of information

Textual Amendments

- F356** Art. 102 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(2)**; and Art. 102 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by

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virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(1)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 103 U.K.

Confidentiality

1 ^{F357}[The relevant authority] shall take all necessary steps to ensure the confidentiality of the information communicated or obtained under inspection ^{F358}... measures implemented under this Regulation.

^{F359}
...

2 Without prejudice to ^{F360}[the law applying in the constituent nation in relation] to legal proceedings, information collected in the course of scrutiny as provided for in Chapter III of Title V shall be protected by professional secrecy. It shall not be communicated to any persons other than those who, by reason of their duties ^{F361}..., are required to have knowledge thereof for the purposes of performing those duties.

Textual Amendments

F357 Words in Art. 103(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(3)(a)(i)(aa)**; and words in Art. 103(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(2)(a)(i)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)

F358 Words in Art. 103(1) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(3)(a)(i)(bb)**; and words in Art. 103(1) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(2)(a)(i)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

F359 Words in Art. 103(1) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(3)(a)(ii)**; and words in Art. 103(1) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(2)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

F360 Words in Art. 103(2) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(3)(b)(i)**; and words in Art. 103(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(2)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F361 Words in Art. 103(2) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(3)(b)(ii)**; and words in Art.

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103(2) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(2)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F362}Article 104 **U.K.**

Commission powers

Textual Amendments

F362 Art. 104 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(4)**; and Art. 104 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(3)**; 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER II **U.K.**

Use of the euro

^{F363}^{F364}Article 105 **U.K.**

General principles

^{F365}1 The amounts in declarations of expenditure by the relevant authority may be expressed in either euro or sterling.]

^{F366}2 The prices and amounts fixed in sectoral agricultural legislation may be expressed in either euro or sterling. [^{F367}Subject to Article 108, they][^{F367}They] shall be granted or collected in sterling.]]]

Textual Amendments

F363 Art. 105 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(5)**; and Art. 105 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(4)**; 2020 c. 1, Sch. 5 para. 1(1)

F364 Art. 105 omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(16)**

F365 Art. 105(1) omitted (E.) (1.1.2021 in so far as relates to direct payments) by virtue of [The Direct Payments to Farmers \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/1513\)](#), regs. 1(2), **6(3)(a)**; and Art. 105(1) omitted (N.I.) (23.2.2021 insofar as relates to direct payments) by virtue of [The Direct](#)

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Payments to Farmers (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/40), regs. 1(1), 5(2)(a)

F366 Art. 105(2) omitted (E.) (26.3.2021 in so far as it relates to direct payments) by virtue of The Direct Payments to Farmers (Reductions and Simplifications) (England) (Amendment) Regulations 2021 (S.I. 2021/407), regs. 1(2), 2(3)

F367 Word in Art. 105(2) substituted (E.) (1.1.2021 in so far as relates to direct payments) by The Direct Payments to Farmers (England) (Amendment) Regulations 2020 (S.I. 2020/1513), regs. 1(2), 6(3)(b); and word in Art. 105(2) substituted (N.I.) (23.2.2021 insofar as relates to direct payments) by The Direct Payments to Farmers (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/40), regs. 1(1), 5(2)(b); and Art. 105(2) amended with a similar effect (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by The Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/400), regs. 1(2), 2(17)

^{F368} Article 106 U.K.

Exchange rate and operative event

^{F369}1 Where the prices or amounts referred to in Article 105(2) are expressed in euro, they shall be converted into sterling by means of an exchange rate.]

2 The operative event for the exchange rate shall be:

- a the completion of customs import or export formalities in the case of amounts collected or granted in trade with third countries;
- b the event whereby the economic objective of the operation is attained in all other cases.

^{F370}3 Where a direct payment as provided for in Regulation (EU) No 1307/2013 is made to a beneficiary in ^{F371}sterling, the relevant authority shall convert the amount of aid expressed in euro into sterling on the basis of the average of the exchange rates set by the European Central Bank during the month prior to 1 October 2019.].

^{F372} ...]

^{F373}4 As regards ^{F374}direct payment support][^{F375}CMO support], when drawing up their declarations of expenditure, ^{F376}the relevant authority] shall apply the same exchange rate as that which they used to make payments to beneficiaries or receive revenue, in accordance with the provisions of this Chapter.]

5 In order to specify the operative event referred to in paragraph 2 or to fix it for reasons peculiar to the market organisation or the amount in question, the ^{F377}appropriate authority may make regulations], containing rules on those operative events and the exchange rate to be used. The specific operative event shall be determined taking account of the following criteria:

- a actual applicability as soon as possible of adjustments to the exchange rate;
- b similarity of the operative events for analogous operations carried out under the market organisation;
- c coherence in the operative events for the various prices and amounts relating to the market organisation;
- d practicability and effectiveness of checks on the application of suitable exchange rates.

^{F378}6 In order to avoid the application ^{F379}... of different exchange rates in accounts of revenue received or aid paid to beneficiaries in a currency other than the euro, on the one hand, and in the establishment of the declaration of expenditure drawn up by the paying agency, on the other, the ^{F380}appropriate authority may make regulations] laying down rules on the

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exchange rate applicable when declarations of expenditure are drawn up and when public storage operations are recorded in the accounts of the paying agency.]]

Textual Amendments

- F368** Art. 106 omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of The Direct Payments to Farmers and Rural Affairs (Miscellaneous Amendments etc.) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1556), regs. 1(2)(a), **2(16)**; and Art. 106 omitted (E.) (26.3.2021 in so far as it relates to direct payments) by virtue of The Direct Payments to Farmers (Reductions and Simplifications) (England) (Amendment) Regulations 2021 (S.I. 2021/407), regs. 1(2), **2(4)**
- F369** Art. 106(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **9(6)(a)**; and Art. 106(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **9(5)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F370** Words in Art. 106(3) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **9(5)(b)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(9)(a)); 2020 c. 1, Sch. 5 para. 1(1)
- F371** Words in Art. 106(3) substituted (8.6.2020) by The Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/576), regs. 1, **2(5)(a)**
- F372** Words in Art. 106(3) omitted (8.6.2020) by virtue of The Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/576), regs. 1, **2(5)(b)**
- F373** Art. 106(4) omitted (E.) (1.1.2021 in so far as relates to direct payments) by virtue of The Direct Payments to Farmers (England) (Amendment) Regulations 2020 (S.I. 2020/1513), regs. 1(2), **6(4)**; and Art. 106(4) omitted (N.I.) (23.2.2021 insofar as relates to direct payments) by virtue of The Direct Payments to Farmers (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021/40), regs. 1(1), **5(3)**
- F374** Words in Art. 106(4) substituted for “EAGF” (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **9(6)(b)(i)**
- F375** Words in Art. 106(4) substituted for “EAGF” (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **9(5)(c)(i)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(9)(b)); 2020 c. 1, Sch. 5 para. 1(1)
- F376** Words in Art. 106(4) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **9(6)(b)(ii)**; and words in Art. 106(4) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **9(5)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F377** Words in Art. 106(5) substituted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/748), regs. 1, **25(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F378** Art. 106(6) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **9(6)(c)**
- F379** Words in Art. 106(6) omitted (31.12.2020) by virtue of The Agriculture (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/748), regs. 1, **25(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

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F380 Words in Art. 106(6) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **25(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F381} *Article 107* **U.K.**

Safeguard measures and derogations

Textual Amendments

F381 Art. 107 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(7)**; and Art. 107 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(6)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F382} *Article 108* **U.K.**

Use of the euro ^{F383} ...

1 If [^{F384}the relevant authority] decides to pay the expenditure resulting from sectoral agricultural legislation in euro rather than in [^{F385}sterling], the [^{F386}relevant authority] shall take measures to ensure that the use of the euro does not provide a systematic advantage compared with the use of [^{F387}sterling].

^{F388}2]

Textual Amendments

F382 Art. 108 omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(17)**; Art. 108 omitted (E.) (1.1.2021 in so far as relates to direct payments) by virtue of [The Direct Payments to Farmers \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/1513\)](#), regs. 1(2), **6(5)**; and Art. 108 omitted (S.) (1.1.2021 insofar as relates to direct payments) by virtue of [The Direct Payments to Farmers \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/460\)](#), regs. 1(2), **4(3)**; and Art. 108 omitted (N.I.) (23.2.2021 insofar as relates to direct payments) by virtue of [The Direct Payments to Farmers \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/40\)](#), regs. 1(1), **5(4)**; and Art. 108 omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(18)**

F383 Words in Art. 108 heading omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(8)**; and words in Art. 108 heading omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(7)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F384** Words in Art. 108(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(9)(a)(i)**; and words in Art. 108(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(8)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F385** Word in Art. 108(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(9)(a)(ii)**; and word in Art. 108(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(8)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F386** Words in Art. 108(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(9)(a)(iii)**; and words in Art. 108(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(8)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F387** Word in Art. 108(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(9)(a)(iv)**; and word in Art. 108(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(8)(a)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F388** Art. 108(2) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(9)(b)**; and Art. 108(2) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(8)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER III U.K.

Report and evaluation

F389 Article 109 U.K.

Annual financial report

Textual Amendments

- F389** Arts. 109, 110 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to](#)

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Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **9(10)**; and Arts. 109, 110 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(9)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F389} *Article 110* **U.K.**

Monitoring and evaluation of the CAP

Textual Amendments

F389 Arts. 109, 110 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(10)**; and Arts. 109, 110 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(9)**; 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER IV **U.K.**

Transparency

Article 111 **U.K.**

Publication of beneficiaries

1 ^{F390}The relevant authority ^{F391}shall ^{F391}may ^{F392}ensure annual ex-post publication of the ^{F392}publish a list of beneficiaries of ^{F393}direct payments ^{F394}agricultural support ^{F395}annually]. The publication ^{F391}shall ^{F391}may contain:

- a without prejudice to the first paragraph of Article 112 of this Regulation, the name of the beneficiary, as follows:
 - (i) the first name and the surname where the beneficiary is a natural person;
 - (ii) the full legal name as registered where the beneficiary is a legal person with the autonomous legal personality pursuant to the legislation ^{F396}applying in the constituent nation];
 - (iii) the full name of the association as registered or otherwise officially recognised where the beneficiary is an association without an own legal personality;
- b the municipality where the beneficiary is resident or is registered and, where available, the postal code or the part thereof identifying the municipality;
- c the amounts of payment corresponding to each measure ^{F397}under which direct payment support is granted, which is ^{F398}under which agricultural support is granted] received by each beneficiary in the financial year concerned;

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- d the nature and the description of the measures [F399 under which direct payment support is granted][F400 under which agricultural support is granted] and under which the payment referred to in point (c) is awarded.

[F401 The information referred to in the first subparagraph [F391 shall][F391 may] be made available on a single website [F402 for the United Kingdom administered jointly by the relevant authorities]. It [F391 shall][F391 may] remain available for two years from the date of the initial publication.]

[F403 2 As regards the payments corresponding to the measures [F404 under which support for rural development is granted] as referred to in point (c) of the first subparagraph of paragraph 1, the amounts to be published shall correspond to the total public funding [F405]

Textual Amendments

- F390** Words in Art. 111(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(11)(a)(i)**; and words in Art. 111(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(10)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F391** Word in Art. 111(1) substituted (E.) (15.12.2022 in so far as it relates to rural development support measures) by [The Rural Development \(Amendment\) \(No. 2\) \(England\) Regulations 2022 \(S.I. 2022/1225\)](#), regs. 1(1), **6(2)(a)(i)**
- F392** Words in Art. 111(1) substituted (E.) (15.12.2022 in so far as it relates to rural development support measures) by [The Rural Development \(Amendment\) \(No. 2\) \(England\) Regulations 2022 \(S.I. 2022/1225\)](#), regs. 1(1), **6(2)(a)(ii)**
- F393** Words in Art. 111(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(11)(a)(ii)**
- F394** Words in Art. 111(1) substituted for “the Funds” (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(10)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F395** Word in Art. 111(1) inserted (E.) (15.12.2022 in so far as it relates to rural development support measures) by [The Rural Development \(Amendment\) \(No. 2\) \(England\) Regulations 2022 \(S.I. 2022/1225\)](#), regs. 1(1), **6(2)(a)(iii)**
- F396** Words in Art. 111(1)(a)(ii) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(11)(a)(iii)**; and words in Art. 111(1)(a)(ii) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(10)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F397** Words in Art. 111(1)(c) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(11)(a)(iv)**
- F398** Words in Art. 111(1)(c) substituted for “financed by the Funds” (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(10)(a)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F399** Words in Art. 111(1)(d) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(11)(a)(v)**
- F400** Words in Art. 111(1)(d) substituted for “financed by either of the Funds” (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(10)(a)(v)**; 2020 c. 1, Sch. 5 para. 1(1)
- F401** Words in Art. 111(1) omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(18)**; and words in Art. 111(1) omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(19)**
- F402** Words in Art. 111(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(11)(a)(vi)**; and words in Art. 111(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(10)(a)(vi)**; 2020 c. 1, Sch. 5 para. 1(1)
- F403** Art. 111(2) omitted (E.) (15.12.2022 in so far as it relates to rural development support measures) by virtue of [The Rural Development \(Amendment\) \(No. 2\) \(England\) Regulations 2022 \(S.I. 2022/1225\)](#), regs. 1(1), **6(2)(b)**
- F404** Words in Art. 111(2) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(10)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F405** Words in Art. 111(2) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(10)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 112 **E+S+N.I.**

Threshold

[^{F406}The relevant authority shall not publish the name of a beneficiary as provided for in point (a) of the first subparagraph of Article 111(1) of this Regulation where the amount of aid from direct payment support and [^{F407}agricultural support] received in one year by a beneficiary is equal to or less than EUR 1250.]

[^{F408}The relevant authority shall not publish the name of a beneficiary as provided for in point (a) of the first subparagraph of Article 111(1) of this Regulation where the amount of aid received in one year by a beneficiary is equal to or less than EUR 1250.]

Where the first paragraph of this Article applies the [^{F409}relevant authority] shall publish the information referred to in points (b), (c) and (d) of the first subparagraph of Article 111(1) and the beneficiary shall be identified by a code. [^{F410}The relevant authority] shall decide on the form of that code.

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Extent Information

- E6** This version of this provision applies to England, Scotland and Northern Ireland only; a separate version has been created for Wales only

Textual Amendments

- F406** Words in Art. 112 substituted for the first and second paragraphs (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(12)(a)**
- F407** Words in Art. 112 substituted (E.) (1.1.2021 in so far as relates to direct payments) by [The Direct Payments to Farmers \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/1513\)](#), regs. 1(2), **6(6)**; and words in Art. 112 substituted (S.) (1.1.2021 in so far as relates to direct payments) by [The Direct Payments to Farmers \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/460\)](#), regs. 1(2), **4(4)**; and words in Art. 112 substituted (N.I.) (23.2.2021 in so far as relates to direct payments) by [The Direct Payments to Farmers \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/40\)](#), regs. 1(1), **5(5)**
- F408** Words in Art. 112 substituted for the first and second paragraphs (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(11)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F409** Words in Art. 112 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(12)(b)(i)**; and words in Art. 112 substituted (31.12.2020 in so far as relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(11)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F410** Words in Art. 112 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(12)(b)(ii)**; and words in Art. 112 substituted (31.12.2020 in so far as relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(11)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 112

Threshold

^{F535}The relevant authority shall not publish the name of a beneficiary as provided for in point (a) of the first subparagraph of Article 111(1) of this Regulation where the amount of aid from direct payment support and ^{F536}received in one year by a beneficiary is equal to or less than £1250.]

^{F537}The relevant authority shall not publish the name of a beneficiary as provided for in point (a) of the first subparagraph of Article 111(1) of this Regulation where the amount of aid received in one year by a beneficiary is equal to or less than ^{F538}EUR 1250][^{F538}£1250].]

Where the first paragraph of this Article applies the ^{F539}relevant authority] shall publish the information referred to in points (b), (c) and (d) of the first subparagraph of Article

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

111(1) and the beneficiary shall be identified by a code. ^{F540}The relevant authority] shall decide on the form of that code.

Extent Information

E16 This version of this provision applies to Wales only; a separate version has been created for England, Scotland and Northern Ireland only

Textual Amendments

- F535** Words in Art. 112 substituted for the first and second paragraphs (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to [Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(12)(a)**
- F536** Words in Art. 112 substituted (W.) (31.12.2020 in so far as it relates to direct payments) by [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(19)**
- F537** Words in Art. 112 substituted for the first and second paragraphs (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(11)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F538** Sum in Art. 112 substituted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(20)**
- F539** Words in Art. 112 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(12)(b)(i)**; and words in Art. 112 substituted (31.12.2020 insofar as relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(11)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F540** Words in Art. 112 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(12)(b)(ii)**; and words in Art. 112 substituted (31.12.2020 insofar as relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(11)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 113 **U.K.**

Information of the beneficiaries

^{F411}The relevant authority] shall inform the beneficiaries that their data will be made public in accordance with Article 111 and that the data may be processed by auditing and investigating bodies ^{F412}... for the purpose of ^{F413}ensuring proper management of public funds].

In accordance with the requirements of ^{F414}Regulation (EU) No 2016/679 and the Data Protection Act 2018], where personal data is concerned, the ^{F415}relevant authority] shall inform the beneficiaries of their rights under the data protection rules and of the procedures applicable for exercising those rights.

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F411** Words in Art. 113 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(13)(a)(i)**; and words in Art. 113 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(12)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F412** Words in Art. 113 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(13)(a)(ii)**; and words in Art. 113 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(12)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F413** Words in Art. 113 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(13)(a)(iii)**; and words in Art. 113 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(12)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F414** Words in Art. 113 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(13)(b)(i)**; and words in Art. 113 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(12)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F415** Words in Art. 113 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(13)(b)(ii)**; and words in Art. 113 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **9(12)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 114 U.K.

[^{F416}[^{F417}Appropriate authority] powers][^{F416}Powers]

The [^{F418}appropriate authority may make regulations] laying down rules on:

- (a) the form, including the way of presentation by measure, and the calendar of the publication foreseen in Articles 111 and 112;
- (b) the uniform application of Article 113;
- (c) ^{F419} ...

^{F420}

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F416** Art. 114 heading substituted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(21)**
- F417** Words in Art. 114 heading substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **9(14)(a)**
- F418** Words in Art. 114 substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **26(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F419** Art. 114(c) omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **26(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F420** Words in Art. 114 omitted (31.12.2020) by virtue of [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **26(c)**; 2020 c. 1, Sch. 5 para. 1(1)

TITLE VIII **U.K.**

FINAL PROVISIONS

^{F421} Article 115 **U.K.**

Regulations: general

- 1 Regulations made by the Secretary of State or the Welsh Ministers under this Regulation are to be made by statutory instrument.
- 2 For regulations made under this Regulation by the Scottish Ministers, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010.
- 3 Any power of the Department of Agriculture, Environment and Rural Affairs to make regulations under this Regulation is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979.
- 4 Regulations under this Regulation may:
 - a contain consequential, incidental, supplementary, transitional or saving provision (including provision amending, repealing or revoking enactments);
 - b make different provision for different purposes.]

Textual Amendments

- F421** Arts. 115-115D substituted for Art. 115 (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **10(2)**; and Arts. 115-115D substituted for Art. 115 (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **27** (as amended by [S.I. 2020/1445](#), regs. 1(2)(b), **10(10)**); 2020 c. 1, **Sch. 5 para. 1(1)**

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

^{F421}Article 115A U.K.

Regulations: the Secretary of State

1 Except as specified in paragraphs 2 to 6, a statutory instrument containing regulations made by the Secretary of State under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.

^{F422}2

3 A statutory instrument containing regulations made by the Secretary of State under Article 75(3) must be laid before Parliament after being made.

4 Regulations made by the Secretary of State under Article 75(3) cease to have effect at the end of the period of 28 days beginning with the day on which the instrument is made unless, during that period, the instrument is approved by resolution of each House of Parliament.

5 In calculating the period of 28 days for the purposes of paragraph 4, no account is to be taken of any time during which:

- a Parliament is dissolved or prorogued, or
- b either House of Parliament is adjourned for more than 4 days.

6 If regulations cease to have effect as a result of paragraph 4, that does not affect the validity of anything previously done under those regulations or prevent the making of new regulations.]

Textual Amendments

F421 Arts. 115-115D substituted for Art. 115 (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **10(2)**; and Arts. 115-115D substituted for Art. 115 (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **27** (as amended by [S.I. 2020/1445](#), regs. 1(2)(b), **10(10)**); 2020 c. 1, **Sch. 5 para. 1(1)**

F422 Art. 115A(2) omitted (8.6.2020) by virtue of [The Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/576\)](#), regs. 1, **2(6)**

^{F421}Article 115B U.K.

Regulations: the Welsh Ministers

1 Except as specified in paragraphs 2 to 5, a statutory instrument containing regulations made by the Welsh Ministers under this Regulation is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

2 A statutory instrument containing regulations made by the Welsh Ministers under Article 75(3) must be laid before the National Assembly for Wales after being made.

3 Regulations made by the Welsh Ministers under Article 75(3) cease to have effect at the end of the period of 28 days beginning with the day on which the instrument containing them is made unless, during that period, the instrument is approved by a resolution of the National Assembly for Wales.

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

4 In calculating the period of 28 days for the purposes of paragraph 3, no account is to be taken of any time during which the National Assembly for Wales:

- a is dissolved, or
- b in recess for more than 4 days.

5 If regulations cease to have effect as a result of paragraph 3, that does not affect the validity of anything previously done under those regulations or prevent the making of new regulations.]

Textual Amendments

F421 Arts. 115-115D substituted for Art. 115 (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **10(2)**; and Arts. 115-115D substituted for Art. 115 (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **27** (as amended by S.I. 2020/1445, regs. 1(2)(b), **10(10)**); 2020 c. 1, **Sch. 5 para. 1(1)**

^{F421} Article 115C **U.K.**

Regulations: the Scottish Ministers

1 Except as specified in paragraphs 2 to 5, regulations made by the Scottish Ministers under this Regulation are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).

2 Regulations made by the Scottish Ministers under Article 75(3) must be laid before the Scottish Parliament after being made.

3 Regulations made by the Scottish Ministers under Article 75(3) cease to have effect at the end of the period of 28 days beginning with the day on which they are made unless, during that period, the regulations are approved by resolution of the Scottish Parliament.

4 In calculating the period of 28 days for the purposes of paragraph 3, no account is to be taken of any time during which the Scottish Parliament is:

- a dissolved, or
- b in recess for more than 4 days.

5 If regulations cease to have effect as a result of paragraph 3, that does not affect the validity of anything previously done under those regulations or prevent the making of new regulations.]

Textual Amendments

F421 Arts. 115-115D substituted for Art. 115 (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **10(2)**; and Arts. 115-115D substituted for Art. 115 (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **27** (as amended by S.I. 2020/1445, regs. 1(2)(b), **10(10)**); 2020 c. 1, **Sch. 5 para. 1(1)**

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

^{F421} Article 115D **U.K.**

Regulations: Northern Ireland

1 Except as specified in paragraphs 2 to 5, regulations made by the Department of Agriculture, Environment and Rural Affairs (“the Department”) under this Regulation are subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if they were a statutory instrument within the meaning of that Act.

2 Regulations made by the Department under Article 75(3) must be laid before the Northern Ireland Assembly after being made.

3 Regulations made by the Department under Article 75(3) cease to have effect at the end of the period of 28 days beginning with the day on which they are made unless, during that period, the instrument is approved by a resolution of the Northern Ireland Assembly.

4 In calculating the period of 28 days for the purpose of paragraph 3, no account is to be taken of any time during which the Northern Ireland Assembly is:

- a dissolved,
- b in recess for more than 4 days, or
- c adjourned for more than 6 days.

5 If regulations cease to have effect as a result of paragraph 3, that does not affect the validity of anything previously done under those regulations or prevent the making of new regulations.]

Textual Amendments

F421 Arts. 115-115D substituted for Art. 115 (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **10(2)**; and Arts. 115-115D substituted for Art. 115 (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **27** (as amended by [S.I. 2020/1445](#), regs. 1(2)(b), **10(10)**); 2020 c. 1, **Sch. 5 para. 1(1)**

^{F423} Article 116 **U.K.**

Committee procedure

Textual Amendments

F423 Art. 116 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **10(3)**; and Art. 116 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **10(2)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Article 117 **U.K.**

Processing and protection of personal data

1 ^[F424]The relevant authority] shall collect personal data for the purpose of carrying out their respective management, control, audit as well as monitoring and evaluation obligations under this Regulation and, in particular, those laid down in Chapter II of Title II, Title III, Chapters III and IV of Title IV, ^[F425]and] Titles V and VI ^{F426}..., as well as for statistical purposes, and shall not process this data in a way that is incompatible with that purpose.

2 Where personal data are processed ^{F427}... for statistical purposes, they shall be made anonymous and processed in aggregated form only.

3 Personal data shall be processed in accordance with the rules of ^[F428]Regulation (EU) No 2016/679 and the Data Protection Act 2018]. In particular, such data shall not be stored in a form which enables data subjects to be identified for longer than is necessary for the purposes for which those data were collected or for which they are further processed, taking into account the minimum retention periods laid down in the applicable ^{F429}... law.

4 ^[F430]The relevant authority] shall inform the data subjects that their personal data may be processed by national ^{F431}... bodies in accordance with paragraph 1 and that in this respect they enjoy the rights set out in the respective data protection rules of ^[F432]Regulation (EU) No 2016/679 and the Data Protection Act 2018].

5 This Article shall be subject to Articles 111 to 114.

Textual Amendments

- F424** Words in Art. 117(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **10(4)(a)(i)**; and words in Art. 117(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **10(3)(a)(i)** (as substituted by [S.I. 2020/1445](#), regs. 1(2)(b), 3(10)(a)); 2020 c. 1, Sch. 5 para. 1(1)
- F425** Word in Art. 117(1) inserted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **10(3)(a)(ii)** (as substituted by [S.I. 2020/1445](#), regs. 1(2)(b), 3(10)(a)); 2020 c. 1, Sch. 5 para. 1(1)
- F426** Words in Art. 117(1) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **10(4)(a)(ii)**; and words in Art. 117(1) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **10(3)(a)(iii)** (as substituted by [S.I. 2020/1445](#), regs. 1(2)(b), 3(10)(a)); 2020 c. 1, Sch. 5 para. 1(1)
- F427** Words in Art. 117(2) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **10(4)(b)**; and words in Art. 117(2) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and](#)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **10(3)(aa)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(10)(a)); 2020 c. 1, Sch. 5 para. 1(1)
- F428** Words in Art. 117(3) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **10(4)(c)(i)**; and words in Art. 117(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **10(3)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F429** Words in Art. 117(3) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **10(4)(c)(ii)**; and words in Art. 117(3) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **10(3)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F430** Words in Art. 117(4) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **10(4)(d)(i)**; and words in Art. 117(4) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **10(3)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F431** Words in Art. 117(4) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **10(4)(d)(ii)**; and words in Art. 117(4) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **10(3)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F432** Words in Art. 117(4) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **10(4)(d)(iii)**; and words in Art. 117(4) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **10(3)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F433} *Article 118* **U.K.**

Level of implementation

Textual Amendments

- F433** Art. 118 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **10(5)**; and Arts. 118-121 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\)](#)

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **10(4)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(10)(b)); 2020 c. 1, Sch. 5 para. 1(1)

^{F434} Article 119 **U.K.**

Repeal

Textual Amendments

F434 Arts. 118-121 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **10(4)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), **3(10)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**

^{F434} Article 119a **U.K.**

Derogation from Regulation (EU) No 966/2012

Textual Amendments

F434 Arts. 118-121 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **10(4)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), **3(10)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**

^{F435} Article 120 **U.K.**

Transitional measures

Textual Amendments

F435 Arts. 120, 121 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **10(6)**; and Arts. 118-121 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **10(4)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), **3(10)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

^{F436} Article 121 **U.K.**

Entry into force and application

Textual Amendments

F436 Arts. 120, 121 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020](#) (S.I. 2020/90), regs. 1(2), **10(6)**; and Arts. 118-121 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/763), regs. 1, **10(4)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(10)(b)); 2020 c. 1, Sch. 5 para. 1(1)

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Textual Amendments

F437 Words in Signature omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020](#) (S.I. 2020/90), regs. 1(2), **10(7)**; and words in Signature omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/763), regs. 1, **10(6)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Status: Point in time view as at 17/10/2023.

Changes to legislation: Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (1) Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code ([OJ L 269, 10.10.2013, p. 1](#)).
- (2) Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97 ([OJ L 204, 11.8.2000, p. 1](#)).
- (3) Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC ([OJ L 5, 9.1.2004, p. 8](#)).
- (4) Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ([OJ L 165, 30.4.2004, p. 1](#)).
- (5) Council Directive 2008/71/EC of 15 July 2008 on the identification and registration of pigs ([OJ L 213, 8.8.2008, p. 31](#)).

Status:

Point in time view as at 17/10/2023.

Changes to legislation:

Regulation (EU) No 1306/2013 of the European Parliament and of the Council is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.