

Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009

TITLE VII

FINAL PROVISIONS

CHAPTER 1

Notifications and emergency

^{F1}Article 67

Notification requirements

Textual Amendments

- F1** Arts. 54-67 omitted (31.1.2020) by virtue of [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **6(3)**

Article 68

Processing and protection of personal data

1 [^{F2}The relevant authority may collect personal data, in relation to the constituent nation, for the purposes of checking, controlling, monitoring, evaluating and auditing direct payments or for the purpose of complying with requirements laid down in international agreements.] They shall not process this data in a way that is incompatible with those purposes.

2 Where personal data are processed for monitoring and evaluation purposes as referred to in [^{F3}paragraph 1], they shall be made anonymous and processed in aggregated form only.

3 Personal data shall be processed in accordance with [^{F4}Regulation (EU) 2016/679 and the Data Protection Act 2018]. In particular, such data shall not be stored in a form which permits identification of data subjects for longer than is necessary for the purposes for which they were collected or for which they are further processed, taking into account [^{F5}any statutory minimum retention periods].

4 [^{F6}The relevant authority] shall inform the data subjects that their personal data may be processed by [^{F7}UK bodies and bodies in the constituent nation] in accordance with paragraph 1, and that in this respect they enjoy the rights set out in [^{F8}Regulation (EU) 2016/679 and the Data Protection Act 2018], respectively.

5 This Article shall be subject to Articles 111 to 114 of Regulation (EU) No 1306/2013.

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1307/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F2 Words in Art. 68(1) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(1)(a)**
- F3 Words in Art. 68(2) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(1)(b)**
- F4 Words in Art. 68(3) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(1)(c)(i)**
- F5 Words in Art. 68(3) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(1)(c)(ii)**
- F6 Words in Art. 68(4) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(1)(d)(i)**
- F7 Words in Art. 68(4) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(1)(d)(ii)**
- F8 Words in Art. 68(4) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(1)(d)(iii)**

Article 69

Measures to resolve specific problems

[^{F9}1 In order to resolve specific problems, the appropriate authority may make regulations which are both necessary and justifiable in an emergency. Those regulations may derogate from provisions of this Regulation, to the extent and for such a period as is strictly necessary.]

^{F10}2

3 Measures adopted under paragraph 1 ^{F11}... shall remain in force for a period not exceeding twelve months. ^{F12}...

^{F13}4

Textual Amendments

- F9 Art. 69(1) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(2)(a)**
- F10 Art. 69(2) omitted (31.1.2020) by virtue of [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(2)(b)**
- F11 Words in Art. 69(3) omitted (31.1.2020) by virtue of [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(2)(c)(i)**
- F12 Words in Art. 69(3) omitted (31.1.2020) by virtue of [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(2)(c)(ii)**
- F13 Art. 69(4) omitted (31.1.2020) by virtue of [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(2)(d)**

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1307/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

CHAPTER 2

Delegations of powers and implementing provisions

f^{F14} Article 70

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

F14 Arts. 70-71C substituted for Arts. 70, 71 (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), 7(3)

Article 71

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.
- 2 A statutory instrument containing regulations made by the Secretary of State under Articles 6(3), 7(3), 43(12), or 52(9) or (10) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- 3 A statutory instrument containing regulations made by the Secretary of State under Article 69(1) must be laid before Parliament after being made.
- 4 Regulations made by the Secretary of State under Article 69(1) 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.

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1307/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

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

F14 Arts. 70-71C substituted for Arts. 70, 71 (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(3)**

Article 71A

Regulations: the Welsh Ministers

1 Except as specified in paragraphs 2 to 6, 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 43(12) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.

3 A statutory instrument containing regulations made by the Welsh Ministers under Article 69(1) must be laid before the National Assembly for Wales after being made.

4 Regulations made by the Welsh Ministers under Article 69(1) 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.

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 the National Assembly for Wales is:

- a dissolved, or
- b in recess 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

F14 Arts. 70-71C substituted for Arts. 70, 71 (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(3)**

Article 71B

Regulations: the Scottish Ministers

1 Except as specified in paragraphs 2 to 6, 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).

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1307/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

2 Regulations made by the Scottish Ministers under Article 43(12) are subject to the affirmative procedure (see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010).

3 Regulations made by the Scottish Ministers under Article 69(1) must be laid before the Scottish Parliament after being made.

4 Regulations made by the Scottish Ministers under Article 69(1) 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.

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 the Scottish Parliament is:

- a dissolved, or
- b in recess 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

F14 Arts. 70-71C substituted for Arts. 70, 71 (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(3)**

Article 71C

Regulations: Northern Ireland

1 Except as specified in paragraphs 2 to 6, 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 may not be made by the Department under Article 43(12) unless a draft of the regulations has been laid before and approved by a resolution of the Northern Ireland Assembly.

3 Regulations made by the Department under Article 69(1) must be laid before the Northern Ireland Assembly after being made.

4 Regulations made by the Department under Article 69(1) 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.

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 the Northern Ireland Assembly is:

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

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1307/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F14 Arts. 70-71C substituted for Arts. 70, 71 (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(3)**

CHAPTER 3

Transitional and final provisions

Article 72

Repeals

1 Regulation (EC) No 637/2008 is repealed with effect from 1 January 2014.

However, it shall continue to apply until 31 December 2017 in respect of Member States which have exercised the option laid down in the second subparagraph of Article 4(1) of that Regulation.

2 Regulation (EC) No 73/2009 is repealed.

[^{F15}However, it shall continue to apply in respect of aid applications relating to claim years starting before 1 January 2015.]

Without prejudice to paragraph 3, references to the repealed Regulation shall be construed as references to this Regulation or Regulation (EU) No 1306/2013 and shall be read in accordance with the correlation table set out in Annex XI to this Regulation.

3 The references made in this Regulation to Regulations (EC) No 73/2009 and (EC) No 1782/2003 shall be understood as being made to those Regulations such as they were in force before their repeal.

Textual Amendments

F15 Inserted by [Regulation \(EU\) No 1310/2013 of the European Parliament and of the Council of 17 December 2013 laying down certain transitional provisions on support for rural development by the European Agricultural Fund for Rural Development \(EAFRD\), amending Regulation \(EU\) No 1305/2013 of the European Parliament and of the Council as regards resources and their distribution in respect of the year 2014 and amending Council Regulation \(EC\) No 73/2009 and Regulations \(EU\) No 1307/2013, \(EU\) No 1306/2013 and \(EU\) No 1308/2013 of the European Parliament and of the Council as regards their application in the year 2014.](#)

^{F16}Article 73

Transitional rules

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Status: Point in time view as at 31/01/2020.

Changes to legislation: *There are outstanding changes not yet made to Regulation (EU) No 1307/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)*

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Textual Amendments

F16 [Art. 73](#) omitted (31.1.2020) by virtue of [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(4)**

^{F17}*Article 74*

Entry into force and application

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Textual Amendments

F17 [Art. 74](#) omitted (31.1.2020) by virtue of [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **7(4)**

Status:

Point in time view as at 31/01/2020.

Changes to legislation:

There are outstanding changes not yet made to Regulation (EU) No 1307/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.