

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 2

Delegations of powers and implementing provisions

[^{F1}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

- F1** 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.

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) View outstanding changes

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.

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

F1 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 [^{F2}paragraphs 3] 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.

^{F3}2

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

F1 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)

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) [View outstanding changes](#)

- F2** Words in Art. 71A(1) substituted (W.) (31.12.2020) 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), **7(23)(a)**
- F3** Art. 71A(2) omitted (W.) (31.12.2020) 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), **7(23)(b)**

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).

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

- F1** [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.

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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.]

Textual Amendments

- F1** [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)**

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.

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Changes and effects yet to be applied to :

- rt. 52(9) substituted by [S.R. 2021/42 reg. 19\(2\)\(c\)](#)
- Regulation power to modify conferred by [2023 asc 4 s. 16](#)
- Regulation power to modify conferred (temp.) by [2020 asp 17 s. 2](#)
- Regulation power to modify conferred (temp.) by [2020 asp 17 s. 3](#)
- Regulation power to modify conferred (temp.) by [2020 asp 17 s. 4](#)
- Regulation revoked by [S.I. 2023/1430 Sch. 3 para. 1 Table 1](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Art. 1(b)(i) words omitted by [S.I. 2019/207 reg. 3\(1\)\(a\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/207 revoked (31.12.2020 immediately before IP completion day) by The Agriculture (Payments) (Amendment, etc.) (EU Exit) Regulations 2020 (S.I. 2020/1445), regs. 1(2)(b), 24(a))
- Art. 1(b)(v) omitted by [S.I. 2019/207 reg. 3\(1\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/207 revoked (31.12.2020 immediately before IP completion day) by The Agriculture (Payments) (Amendment, etc.) (EU Exit) Regulations 2020 (S.I. 2020/1445), regs. 1(2)(b), 24(a))
- Art. 1(b)(x) omitted by [S.I. 2019/207 reg. 3\(1\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/207 revoked (31.12.2020 immediately before IP completion day) by The Agriculture (Payments) (Amendment, etc.) (EU Exit) Regulations 2020 (S.I. 2020/1445), regs. 1(2)(b), 24(a))
- Art. 1(b)(iii) omitted by [S.S.I. 2020/460 reg. 2\(2\)](#)
- Art. 1(b)(iii) omitted by [S.I. 2020/1513 reg. 2\(2\)\(a\)](#)
- Art. 1(b)(vii) omitted by [S.I. 2020/1513 reg. 2\(2\)\(b\)](#)
- Art. 1(b)(viii) omitted by [S.I. 2019/207 reg. 3\(1\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/207 revoked (31.12.2020 immediately before IP completion day) by The Agriculture (Payments) (Amendment, etc.) (EU Exit) Regulations 2020 (S.I. 2020/1445), regs. 1(2)(b), 24(a))
- Art. 1(b)(ii) omitted by [S.I. 2019/207 reg. 3\(1\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/207 revoked (31.12.2020 immediately before IP completion day) by The Agriculture (Payments) (Amendment, etc.) (EU Exit) Regulations 2020 (S.I. 2020/1445), regs. 1(2)(b), 24(a))
- art. 1(b)(iv) omitted by [S.R. 2021/42 reg. 4\(2\)](#)
- Art. 1(b)(iv) omitted by [S.I. 2020/1387 reg. 5\(2\)](#)
- Art. 1(b)(ix) omitted by [S.I. 2019/207 reg. 3\(1\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/207 revoked (31.12.2020 immediately before IP completion day) by The Agriculture (Payments) (Amendment, etc.) (EU Exit) Regulations 2020 (S.I. 2020/1445), regs. 1(2)(b), 24(a))
- art. 4(1)(a) words substituted by [S.R. 2021/42 reg. 13\(2\)\(a\)](#)
- art. 4(1)(b) words substituted by [S.R. 2021/42 reg. 13\(2\)\(b\)](#)
- art. 4(1)(c)(i) word inserted by [S.R. 2021/40 reg. 2\(2\)\(a\)\(i\)\(aa\)](#)
- Art. 4(1)(c)(i) word inserted by [S.I. 2020/1513 reg. 2\(3\)\(a\)\(i\)\(aa\)](#)
- art. 4(1)(c)(iii) omitted by [S.R. 2021/40 reg. 2\(2\)\(a\)\(i\)\(cc\)](#)
- Art. 4(1)(c)(iii) omitted by [S.I. 2020/1513 reg. 2\(3\)\(a\)\(i\)\(cc\)](#)
- Art. 4(1)(c)(iii) words substituted by [S.I. 2019/207 reg. 3\(3\)\(c\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/207 revoked (31.12.2020 immediately before IP completion day) by The Agriculture (Payments) (Amendment, etc.) (EU Exit) Regulations 2020 (S.I. 2020/1445), regs. 1(2)(b), 24(a))

- art. 4(1)(c)(ii) words omitted by S.R. 2021/40 reg. 2(2)(a)(i)(bb)
- Art. 4(1)(c)(ii) words omitted by S.I. 2020/1513 reg. 2(3)(a)(i)(bb)
- Art. 4(1)(c)(ii) words substituted by S.I. 2019/207 reg. 3(3)(c)(i) (This amendment not applied to legislation.gov.uk. S.I. 2019/207 revoked (31.12.2020 immediately before IP completion day) by The Agriculture (Payments) (Amendment, etc.) (EU Exit) Regulations 2020 (S.I. 2020/1445), regs. 1(2)(b), 24(a))
- art. 4(1)(t) inserted by S.R. 2021/40 reg. 2(2)(a)(ii)
- art. 4(2)(b) omitted by S.R. 2021/40 reg. 2(2)(b)
- art. 5A inserted by S.R. 2021/40 reg. 2(3)
- art. 5A(4) words substituted by S.R. 2021/42 reg. 21(2)
- art. 7A omitted by S.R. 2021/40 reg. 2(4)
- Art. 11(4A)(4B) inserted by S.S.I. 2020/460 reg. 2(6)(b)
- Art. 11A inserted by S.I. 2021/407 reg. 3(3)
- Art. 11A substituted by S.I. 2022/407 reg. 2
- Art. 11A substituted by S.I. 2023/456 reg. 3
- Art. 14(3) inserted in earlier amending provision S.I. 2019/207, reg. 4(8) by S.I. 2019/812 reg. 2(2)(b)
- art. 21(b) words omitted by S.R. 2021/40 reg. 2(8)
- Art. 24(1)(a)(i) word substituted by S.I. 2019/207 reg. 5(4)(b)(iii)(bb) (This amendment not applied to legislation.gov.uk. S.I. 2019/207 revoked (31.12.2020 immediately before IP completion day) by The Agriculture (Payments) (Amendment, etc.) (EU Exit) Regulations 2020 (S.I. 2020/1445), regs. 1(2)(b), 24(a))
- Art. 24(1)(a)(i) words inserted by S.I. 2019/207 reg. 5(4)(b)(iii)(cc) (This amendment not applied to legislation.gov.uk. S.I. 2019/207 revoked (31.12.2020 immediately before IP completion day) by The Agriculture (Payments) (Amendment, etc.) (EU Exit) Regulations 2020 (S.I. 2020/1445), regs. 1(2)(b), 24(a))
- Art. 24(1)(a)(i) words substituted by S.I. 2019/207 reg. 5(4)(b)(iii)(aa) (This amendment not applied to legislation.gov.uk. S.I. 2019/207 revoked (31.12.2020 immediately before IP completion day) by The Agriculture (Payments) (Amendment, etc.) (EU Exit) Regulations 2020 (S.I. 2020/1445), regs. 1(2)(b), 24(a))
- Art. 24(1)(a)(ii) omitted by S.I. 2019/207 reg. 5(4)(b)(iv) (This amendment not applied to legislation.gov.uk. S.I. 2019/207 revoked (31.12.2020 immediately before IP completion day) by The Agriculture (Payments) (Amendment, etc.) (EU Exit) Regulations 2020 (S.I. 2020/1445), regs. 1(2)(b), 24(a))
- art. 30(7)(f) words omitted by S.R. 2021/40 reg. 2(12)(d)
- art. 30(10a) inserted by S.R. 2021/42 reg. 10(2)
- art. 30(10b) inserted by S.R. 2022/1 reg. 3(2)
- art. 30(12) inserted by S.R. 2022/1 reg. 2(2)
- Art. 31(1)(a) omitted by S.S.I. 2023/308 reg. 2
- art. 31(1)(a)(i) omitted by S.R. 2021/40 reg. 2(13)
- Art. 31(1)(b) omitted by S.S.I. 2023/308 reg. 2
- Art. 32(2)(b)(ia) inserted by S.I. 2023/718 reg. 2(2)(b)
- Art. 32(2)(b)(ii) word omitted by S.I. 2022/706 reg. 3(a)(i)
- Art. 32(2)(b)(ii) words omitted by S.I. 2023/718 reg. 2(2)(a)
- Art. 32(2)(b)(iv)(v) inserted by S.I. 2022/706 reg. 3(a)(ii)
- art. 32A inserted by S.R. 2021/42 reg. 4(4)
- art. 35(1)(h) omitted by S.R. 2021/40 reg. 2(16)
- Art. 46(2)(h) substituted by S.S.I. 2022/279 reg. 2(2)(a)
- art. 50(2a) inserted by S.R. 2021/42 reg. 10(3)
- art. 52(11) omitted by S.R. 2021/42 reg. 19(2)(e)