

Commission Implementing Regulation (EU) 2016/1240 of 18 May 2016
laying down rules for the application of Regulation (EU) No 1308/2013
of the European Parliament and of the Council with regard to public
intervention and aid for private storage (Text with EEA relevance)

TITLE II

PUBLIC INTERVENTION

CHAPTER II

Buying-in of products into intervention

Section 3

Buying-in via a tendering procedure

Article 12

Tendering procedure

1 [F1Where the appropriate authority decides to buy-in products under Article 13(2) of Regulation (EU) No. 1308/2013 or Article 3(2) of Regulation (EU) No 1370/2013, it must publish a tendering procedure. The tendering procedure must] contain, in particular, the following information:

a the products covered, and:

(i) for rice, an indication of the type and variety;

(ii) for beef, whether the tender is for the bought-in carcasses to be deboned or for storage without deboning;

b the period covered ('tendering period') and, if necessary, the different sub-periods during which the tenders can be submitted;

[F2c) in the case of a restricted tendering procedure under Article 3(3) of Regulation (EU) No. 1370/2013, the region covered.]

[F32 The appropriate authority may open a tendering procedure for buying-in of beef by category or region on the basis of the two most recent weekly market prices recorded. The appropriate authority may close the tendering procedure on the basis of the most recent weekly market prices recorded.]

F43

4 With regard to rice, the tendering procedure may be restricted to specific varieties or one or more types of paddy rice, namely 'round grain rice', 'medium grain rice', 'long grain rice A' or 'long grain rice B', as defined in points (a), (b) or (c) of point I.2 of Part I of Annex II to Regulation (EU) No 1308/2013.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/1240, Article 12. (See end of Document for details)

- 5 With regard to beef, the following rules shall apply:
- a the average market price by eligible category in [^{F5}the United Kingdom] or in a region thereof shall take account of the prices for qualities U, R and O, expressed in quality R3 using the conversion coefficients set out in Part II of Annex III in the [^{F6}United Kingdom] or the intervention region concerned;
 - b the average market prices shall be recorded in accordance with [^{F7}Commission Delegated Regulation (EU) 2017/1182 and Commission Implementing Regulation (EU) 2017/1184.];
 - c the average market price by eligible category in [^{F8}the United Kingdom] or a region thereof shall be the average of the market prices for all the qualities referred to in point (b), weighted by the proportion each quality represents in the total number of slaughterings in [^{F9}the United Kingdom] or region.

The United Kingdom shall consist of two intervention regions as follows:

- (i) region I: Great Britain;
- (ii) region II: Northern Ireland.

[^{F10}6 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.]

[^{F11}7 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.]

Textual Amendments

- F1** Words in Art. 12(1) substituted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/831), regs. 1(4)(a), **58(a)(i)** (as amended by S.I. 2020/1445, regs. 1(2)(a), **16(7)**); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Art. 12(1)(c) inserted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/831), regs. 1(4)(a), **58(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Art. 12(2) substituted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/831), regs. 1(4)(a), **58(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Art. 12(3) 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), **58(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 12(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), **58(d)(i)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Art. 12(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), **58(d)(i)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Art. 12(5)(b) substituted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/831), regs. 1(4)(a), **58(d)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in Art. 12(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), **58(d)(iii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in Art. 12(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), **58(d)(iii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F10** Art. 12(6) 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), **9(6)** (with reg. 10)

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/1240, Article 12. (See end of Document for details)

F11 Art. 12(7) 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, **9(6)** (with reg. 10)

Changes to legislation:

There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/1240, Article 12.