

2006 No. 459

AGRICULTURE

The Common Agricultural Policy Single Payment and Support Schemes (Cross Compliance) (Amendment) Regulations (Northern Ireland) 2006

Made - - - - - *17th November 2006*

Coming into operation *15th December 2006*

The Department of Agriculture and Rural Development makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a) in relation to the common agricultural policy of the European Community and in relation to the promotion of rural development(b).

Title and commencement

1. These Regulations may be cited as the Common Agricultural Policy Single Payment and Support Schemes (Cross Compliance) (Amendment) Regulations (Northern Ireland) 2006, and shall come into operation on 15th December 2006.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(c) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendment to the principal Regulations

3. The Common Agricultural Policy Single Payment and Support Schemes (Cross-Compliance) Regulations (Northern Ireland) 2005 shall be amended as provided for in regulation 4.

4.—(1) In regulation 2(2) (Interpretation)—

(a) for the definition of “Commission Regulation 796/2004” substitute the following—

“Commission Regulation 796/2004” means Commission Regulation (EC) No. 796/2004 laying down detailed rules for the implementation of cross-compliance modulation and the integrated administration and control system provided for in the Council Regulation, as last amended by Commission Regulation (EC) No. 659/2006(d).”

(b) for the definition of “Council Regulation” substitute the following—

“Council Regulation 1782/2003” means Council Regulation No. 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, as last amended by Council Regulation(EC) No. 319/2006(e).”

(a) 1972 c. 68

(b) See S.I. 2000/2812 to which there are amendments not relevant to the subject matter of these Regulations, and S.I. 2000/3238.

(c) 1954 c. 33 (N.I.)

(d) O.J. No. L116, 29.4.2006, p. 20

(e) O.J. No. L58, 28.2.2006, p. 32

(2) For regulation 6 substitute the following—

“6.—(1) For the purposes of Article 42(1) of the Commission Regulation,

- (a) the Department of the Environment is the specialised control body who shall bear the responsibility of carrying out the controls in respect of the statutory management requirements under numbers 1 to 5 of Annex III of the Council Regulation;
- (b) the Health and Safety Executive for Northern Ireland is the specialised control body who shall bear the responsibility of carrying out controls in respect of the statutory management requirements under number 9 of Annex III to the Council Regulation;
- (c) the Department is the specialised control body who shall bear the responsibility of carrying out controls in relation to all other Cross Compliance requirements and standards.

(2) The Department shall, pursuant to Article 48 of the Commission Regulation, establish the final control report and where the Department is not the Paying Agency, send the control report to the Paying Agency.”.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 17th November 2006.

(L.S.)

G. O'Doherty

A senior officer of the Department of Agriculture and Rural Development

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Common Agricultural Policy Single Payment and Support Schemes (Cross Compliance) Regulations (Northern Ireland) 2005 (S.R. 2005 No. 6) (“the principal Regulations”).

The principal Regulations make provision in Northern Ireland for the administration and enforcement of Council Regulation (EC) No. 1782/2003 (O.J. No. L270, 21.10.2003, p. 1) (“the Council Regulation”), Commission Regulation (EC) and Commission Regulation (EC) No. 796/2004 (O.J. No. L141, 30.4.2004, p. 18) in relation to cross compliance under the new system of direct support schemes (including the Single Payment Scheme) under the Common Agricultural Policy, which came into force on 1st January 2005.

These Regulations amend the principal Regulations by substituting a new Regulation 6 which designates the Department of Agriculture, the Department of the Environment and the Health and Safety Executive for Northern Ireland as the authorities responsible for carrying out controls on certain specified requirements or standards set out in these Regulations and the Council Regulation.

A full regulatory impact assessment has not been produced for these Regulations as they have no impact on the costs of business.