
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision in Northern Ireland for the administration of Regulation (EU) No.1307/2013 of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy (OJNo. L347, 20.12.2013, p. 608) (“the Direct Payments Regulation”) and the three other associated Regulations referred to in the regulation 2(1).

Regulation 3 provides for one region in Northern Ireland for the purposes of the basic payment scheme. Regulation 4 makes provision for the period within which a transferor must notify the Department of a transfer of payment entitlements and the deadline for submitting applications for the allocation of payment entitlements from the regional reserve.

Regulations 5, 6, 7, 8, 9 and 10 detail how the European Direct Payments Regulation will be implemented in Northern Ireland, including those Articles which will not apply here.

Regulation 11 provides detail for tests to rebut the presumption that certain businesses are not entitled to receive direct payments.

Regulations 12 and 13 define the minimum eligible area for allocating entitlements and claiming payments under the Basic Payment Scheme as 3 hectares.

Regulation 14 fixes the date on which parcels used as the basis for a claim under the basic payment scheme must be at the disposal of farmers.

Regulation 15 provides for the reduction by 100% of the part (if any) of any basic payment granted to a farmer which exceeds EUR 150,000.

Regulation 16 designates the short rotation coppice trees eligible under the basic payment scheme and sets the maximum harvest cycle. Regulation 17 provides for the basis on which an increase in direct payments to qualifying farmers aged 40 or less and participating in the young farmer scheme must be calculated.

Regulation 18 sets out how greening payments will be calculated.

Regulation 19 sets out the period to be taken into account for the purposes of determining whether crop diversification requirements have been met. Regulation 20 provides for the designation of permanent grasslands which are environmentally sensitive.

Regulation 21 sets out the areas which are to be ecological focus areas (“EFAs”) and details as to the scope of the EFAs relating to landscape features and areas with nitrogen-fixing crops.

Regulation 22 revokes the Regulations which provide in Northern Ireland for the administration of the European Single Payment and Support Scheme but with a saving provision for the continued application for the Common Agricultural Policy Single Payment and Support Scheme Regulations 2010 in respect of aid applications relating to claim years before 2015.

Changes to legislation:

There are currently no known outstanding effects for the The Common Agricultural Policy Basic Payment and Support Schemes Regulations (Northern Ireland) 2015.