
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision in retained EU law governing the direct payment schemes for securing the continuation of those schemes in Scotland beyond 2020.

Regulations 2 and 3 amend Regulation (EU) No 1307/2013 (the “Direct Payments Regulation”) and Regulation (EU) No 639/2014 to allow the direct payment schemes to function effectively beyond 2020. Regulation 2 introduces a new Article 5A to the Direct Payments Regulation which provides the manner in which to determine the direct payments ceiling beyond 2020.

Regulations 4 to 7 modify Regulations (EU) Nos 1306/2013, 809/2014, 640/2014 and 908/2014 to the extent necessary for the basic payment scheme to function effectively beyond 2020. Those EU Regulations contain some of the rules governing the direct payment schemes as well as other schemes under the common agricultural policy. These Regulations amend that body of law insofar as it relates to the direct payment schemes.

Regulations 8 to 10 amend the Common Agricultural Policy (Cross-Compliance) (Scotland) Regulations 2014, the Common Agricultural Policy (Direct Payments etc.) (Scotland) Regulations 2015 and the Rural Payments (Appeals) (Scotland) Regulations 2015 to ensure that cross-references to retained EU legislation insofar as it applies to direct payments operate effectively beyond the 2020 claim year.

Regulations 2 to 10 contain provision to simplify and improve retained EU law relating to the direct payment schemes by removing provisions which are spent or not in use in Scotland.

No business or regulatory impact assessment has been prepared in relation to these Regulations as no, or no significant, impact upon business, charities or voluntary bodies is foreseen.