

2004 No. 189

AGRICULTURE

**The Integrated Administration and Control System (Amendment)
Regulations 2004**

<i>Made</i> - - - -	<i>2nd February 2004</i>
<i>Laid before Parliament</i>	<i>2nd February 2004</i>
<i>Coming into force</i> - -	<i>23rd February 2004</i>

The Secretary of State, being a Minister designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred upon her by the said section 2(2), makes the following Regulations:

Title, commencement and interpretation

1.—(1) These Regulations may be cited as the Integrated Administration and Control System (Amendment) Regulations 2004 and shall come into force on 23rd February 2004.

(2) In these Regulations, “the principal Regulations” means the Integrated Administration and Control System Regulations 1993(c).

Amendment of the principal Regulations

2. The principal Regulations shall be amended in accordance with the following provisions of these Regulations.

3. In paragraph (1) of regulation 2 (interpretation)—

(a) after the definition of “agricultural parcel”, there shall be inserted the following definition—

““application for dairy premium and additional payments” means an application for the support scheme provided for in Chapter 7 of Title IV of Council Regulation 1782/2003;”;

(b) in the definition of “area aid application”, there shall be inserted after the words “Council Regulation 3508/92 and” the words “that Regulation as applied by the first paragraph of Article 2 of Commission Regulation 2237/2003 and for the purposes”;

(a) The power of the Secretary of State, as a Minister designated by virtue of S.I. 1972/1811 in relation to the common agricultural policy of the European Community, to make regulations which extend to Scotland remains exercisable by virtue of section 57(1) of the Scotland Act 1998 (1998 c. 46). The Secretary of State's power, as a Minister so designated, to make regulations which extend to Wales is confirmed by article 3(4) of the European Communities (Designation) (No. 3) Order 1999 (S.I. 1999/2788). The Secretary of State's power, as a Minister so designated, to make regulations which extend to Northern Ireland is confirmed by article 3(2) of the European Communities (Designation) (No. 3) Order 2000 (S.I. 2000/2812).

(b) 1972 c. 68.

(c) S.I. 1993/1317 as amended by S.I. 1994/1134, 1997/1148, 1999/1820, and 2000/2573.

- (c) after the definition of “Commission Regulation 2316/1999”, there shall be inserted the following definition—
- ““Commission Regulation 2237/2003” means Commission Regulation (EC) No 2237/2003 laying down detailed rules for the application of certain support schemes provided for in Title IV of Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers;”(a);
- (d) after the definition of “Council Regulation 1257/1999”, there shall be inserted the following definition—
- ““Council Regulation 1782/2003” means Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) No 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001;”(b); and
- (e) in the definition of “specified payment”—
- (i) at the end of sub-paragraph (f) there shall be deleted the word “or”; and
- (ii) at the end of sub-paragraph (g) there shall be deleted the word “and” and there shall be added the following sub-paragraphs—
- “(h) the protein crop premium provided for in Chapter 2 of Title IV of Council Regulation 1782/2003;
- (i) the area payment for nuts provided for in Chapter 4 of Title IV of Council Regulation 1782/2003;
- (j) the aid for energy crops provided for in Chapter 5 of Title IV of Council Regulation 1782/2003; or
- (k) the dairy premium and additional payments provided for in Chapter 7 of Title IV of Council Regulation 1782/2003; and”.

4. In regulation 2A (definition of competent authority)—

- (a) at the end of paragraph (1)(a)(i), there shall be deleted the word “and”;
- (b) there shall be added after paragraph (1)(a)(ii), the following paragraph—
- “(iii) the authority responsible for determining an application for dairy premium and additional payments; and”;
- (c) in paragraph (1)(b), there shall be substituted for the words “relevant application or livestock application”, the words “relevant application, livestock application, or application for dairy premium and additional payments.”; and
- (d) in paragraph (2), there shall be substituted for the words “or livestock application”, the words “, livestock application or application for dairy premium and additional payments.”.

5. In regulation 2C (competent authorities for the IACS year 2001 and subsequent IACS years: general rules) —

- (a) the words “or application for dairy premium and additional payments” shall be inserted as follows—
- (i) in paragraph (2), after the words “a relevant application”; and
- (ii) in paragraph (5), after the words “a relevant application” and after the words “livestock application”; and

(a) O.J. No. L339, 24.12.2003, p.52.
 (b) O.J. No. L 270, 21.10.2003, p. 1.

- (b) in paragraph (3), there shall be substituted for the words “no relevant application”, the words “neither a relevant application nor an application for dairy premium and additional payments”.

6. There shall be inserted after regulation 2E the following regulation—

“Date by which applications for dairy premium and additional payments must be made

2F. For the purposes of Article 3 of Commission Regulation 2237/2003, the last day on which an application for dairy premium and additional payments for any IACS year may be submitted to the competent authority shall be the 15th May immediately preceding the commencement of that IACS year.”.

7. In regulation 9 (agency arrangements), at the end of paragraph (3), there shall be added the words “and any scheme established by Title IV of Council Regulation 1782/2003.”.

2nd February 2004

Whitty
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which come into force on 23rd February 2004, apply to the United Kingdom and further amend the Integrated Administration and Control System Regulations 1993 (S.I. 1993/1317) (“the principal Regulations”), which made provision for the implementation in part of Council Regulation (EEC) No. 3508/92 (OJ No. L355, 5.12.92, p.1). Council Regulation (EEC) No. 3508/92 established an integrated administration and control system for certain Community aid schemes in the agriculture sector.

Council Regulation (EC) No. 1782/2003 (OJ No. L270, 21.10.2003, p. 1) introduced several new support schemes for farmers. The integrated administration and control system is applied, in whole or in part, to these new schemes by virtue of Commission Regulation (EC) No. 2237/2003 (OJ No. L339, 24.12.2003, p52).

These Regulations amend the principal Regulations to cover those of the new support schemes which apply in the UK, namely: protein crop premium, area payment for nuts, aid for energy crops and dairy premium and additional payments.

In particular, these Regulations:

- (a) amend certain definitions to include applications for the new support schemes;
- (b) set a date by which applications for dairy premium and additional payments must be made;
- (c) include functions in relation to dairy premium and additional payments in the provision enabling a competent authority to arrange for any of its administration and control functions under the principal Regulations to be exercised on its behalf by another competent authority.

A full regulatory impact assessment has not been prepared for this instrument as it has no impact on the cost of business.

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