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STATUTORY INSTRUMENTS

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**2019 No. 1422**

The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019

**PART 2**

Amendment of retained direct EU legislation

CHAPTER 3

Payment Schemes Amendments

*SECTION 1*

*Apiculture*

**Amendment of Commission Implementing Regulation (EU) 2015/1368**

**10.**—(1) Commission Implementing Regulation (EU) 2015/1368 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to aid in the apiculture sector is amended as follows.

- (2) In Article 1—
- (a) omit “Union”;
  - (b) omit “national”.
- (3) After Article 1 insert—

*“Article 1A*

*Appropriate authority and constituent nation*

For the purposes of this Regulation:

- (a) ‘appropriate authority’ means:
- (i) in relation to:
    - (aa) England, the Secretary of State;
    - (bb) Wales, the Welsh Ministers;
    - (cc) Scotland, the Scottish Ministers;
    - (dd) Northern Ireland, the Department of Agriculture, Environment and Rural Affairs; or
  - (ii) the Secretary of State:
    - (aa) in relation to Scotland, if consent is given by the Scottish Ministers;

- (bb) in relation to Northern Ireland, if consent is given by the Department of Agriculture, Environment and Rural Affairs;
- (b) ‘constituent nation’ means England, Wales, Scotland or Northern Ireland, as the case may be.”.
- (4) Omit Article 3.
- (5) For Article 5 substitute—

*“Article 5*

*Publication of Apiculture Programmes*

The appropriate authority must:

- (a) make apiculture programmes available to the public on its website at the latest on 15 June which precedes the start of the first apiculture year of the apiculture programme in question, and
- (b) update the website within 21 days of any amendments made to apiculture programmes in accordance with Article 6.”.
- (6) In Article 6—
  - (a) in paragraph 1—
    - (i) in the first subparagraph, for “Without prejudice to paragraph 2, Member States” substitute “ The appropriate authorities ”;
    - (ii) in the second subparagraph, omit the words from “and that the Union” to the end;
  - (b) omit paragraphs 2 and 3.
- (7) For the heading to Chapter 3, substitute “ PAYMENTS ”.
- (8) In Article 7—
  - (a) for the heading, substitute “ Payments ”;
  - (b) omit the first paragraph;
  - (c) in the second paragraph, for “Member States” substitute “ appropriate authority ”.
- (9) In Article 8—
  - (a) in paragraph 1—
    - (i) for “Member States” substitute “ The appropriate authority ”;
    - (ii) omit “Union”;
  - (b) in paragraph 2, for “Member States” substitute “ the appropriate authority ”;
  - (c) in paragraph 3—
    - (i) in the first subparagraph for “Member States” substitute “ The appropriate authority ”;
    - (ii) in the second subparagraph, in point (b)(iv), for “Member States” substitute “ appropriate authority ”.
- (10) In the heading to Chapter 5, omit “notifications and”.
- (11) In Article 10(1), for “2018, the participating Member States shall notify to the Commission” substitute “ exit day, the participating appropriate authorities must prepare ”.
- (12) Omit Articles 11 and 12.
- (13) For Article 13 substitute—

*“Article 13*

*Publication of annual implementation reports*

The appropriate authority must make publicly available on its website its annual implementation reports prepared in accordance with Article 10.”.

- (14) After Article 14, omit the words from “This Regulation” to “Member States.”.
- (15) In the Annex—
  - (a) omit point (2);
  - (b) in point (3)—
    - (i) in the words before point (i)—
      - (aa) for “Member State” substitute “ appropriate authority ”;
      - (bb) for “notification of the apiculture programme for approval” substitute “ publication of the apiculture programme ”;
    - (ii) for point (v) substitute—
      - “(v) the annual production of honey in the constituent nation concerned in kg in the last two calendar years preceding the publication of the apiculture programme;”;
    - (iii) in point (x), for the words from “notification of” to the end substitute “ publication of the apiculture programme ”;
  - (c) in point (4), omit the words “in the Member State”;
  - (d) in point (7), for “Member States” substitute “ appropriate authority ”;
  - (e) in point (8), for “Member States” substitute “ The appropriate authority ”;
  - (f) in point (9)—
    - (i) in point (i), for “Member State” substitute “ appropriate authority ”;
    - (ii) in point (iv) omit “in the Member State”;
    - (iii) in point (vi) omit “of the Member State concerned”.

**Commencement Information**

- II** Reg. 10 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

**Changes to legislation:**

There are currently no known outstanding effects for the The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019, Section 10.