
STATUTORY INSTRUMENTS

2019 No. 208

The Common Agricultural Policy (Rules for Direct Payments) (Amendment) (EU Exit) Regulations 2019

PART 2

Amendment of Regulation 639/2014

Amendment of Chapter 3 (greening)

- 6.—(1) In Article 38—
- (a) in paragraph 1, for “Member States” substitute “The relevant authority”;
 - (b) omit the second subparagraph of paragraph 2;
 - (c) omit paragraph 3.
- (2) In Article 39—
- (a) in paragraph 1—
 - (i) in the first subparagraph—
 - (aa) for “Member States” substitute “the relevant authority”;
 - (bb) for “Member State” substitute “constituent nation”;
 - (ii) in the second subparagraph—
 - (aa) for “Member State” substitute “constituent nation”;
 - (bb) after the words “average of the” insert “relevant authority’s share of the”;
 - (cc) omit “set out in Annex II to that Regulation”;
 - (dd) omit “or Article 36”;
 - (ee) for “Member States” substitute “The relevant authority”;
 - (b) in paragraph 2, for “Member States” substitute “the relevant authority”.
- (3) In Article 40—
- (a) in the second subparagraph of paragraph 1, for “Member States” substitute “The relevant authority”;
 - (b) in the third and fourth subparagraphs of paragraph 3, for “Member States”, in each place it occurs, substitute “the relevant authority”.
- (4) In Article 41—
- (a) in first paragraph, omit point (f);
 - (b) omit the second paragraph.
- (5) In Article 42—
- (a) in the first paragraph, for “Member State” substitute “relevant authority”;
 - (b) in the second paragraph, omit the words from “, or in the case” to the end.

- (6) In Article 43—
- (a) in paragraph 1, omit “participating in the small farmer scheme referred to in Title V of Regulation (EU) No 1307/2013, as well”;
 - (b) in paragraph 3—
 - (i) for “Member States”, in the first place it occurs, substitute “The relevant authority”;
 - (ii) omit the words from “or a change” to the end.
- (7) In Article 44—
- (a) in paragraph 1—
 - (i) in the first subparagraph—
 - (aa) for “Member States” substitute “The relevant authority”;
 - (bb) for “Member State” substitute “relevant authority”;
 - (ii) in the second subparagraph, omit the words from “, or, if” to the end;
 - (b) in paragraph 2—
 - (i) in the first subparagraph, for “Member State” substitute “relevant authority”;
 - (ii) in the second subparagraph, for “Member States” substitute “The relevant authority”;
 - (iii) in the fourth subparagraph, for “Member States” substitute “the relevant authority”;
 - (c) in paragraph 3—
 - (i) in the first subparagraph, for “Member States” substitute “the relevant authority”;
 - (ii) in the second subparagraph—
 - (aa) for “Member States”, in the first place it occurs, substitute “The relevant authority”;
 - (bb) for “Member States”, in the second place it occurs, substitute “the relevant authority”;
 - (iii) in the fourth subparagraph, omit from “, or in the case” to the end;
 - (iv) in the fifth subparagraph, for “Member State” substitute “relevant authority”.
- (8) In Article 45—
- (a) in paragraph 2—
 - (i) after “production” insert “during the period fixed by the relevant authority”;
 - (ii) omit the words from “Member State” to “6 months”;
 - (b) omit paragraph 3;
 - (c) in paragraph 4—
 - (i) in the second subparagraph—
 - (aa) for “Member States may decide to limit” substitute “Where the legislation applying in the constituent nation so provides,”;
 - (bb) after “features” insert “shall be limited”;
 - (ii) in the fifth subparagraph;
 - (aa) for “Member States may set a” substitute “the”;
 - (bb) at the end of the first sentence insert “is as set by the relevant authority prior to exit day”;
 - (cc) for “Member States”, in the second place it occurs, substitute “The relevant authority”;

- (iii) in the sixth subparagraph—
 - (aa) for “Member States shall establish” substitute “the”;
 - (bb) after “width” insert “is as established by the relevant authority prior to exit day.”;
 - (d) in paragraph 5—
 - (i) in the second subparagraph, for “Member States” substitute “The relevant authority”;
 - (ii) in the third subparagraph, for the first sentence substitute “Nothing in this Article shall prevent the relevant authority from establishing, using any power the relevant authority has, the minimum width of buffer strips and field margins.”;
 - (e) in paragraph 6, omit “or the single area payment scheme”;
 - (f) in paragraph 7—
 - (i) omit the first subparagraph;
 - (ii) in the second subparagraph, for “Member States decide”, in both places it occurs, substitute “the relevant authority decides”;
 - (g) in paragraph 8—
 - (i) for the first sentence substitute “The species that may be used for areas with short rotation coppice with no use of mineral fertiliser or plant protection products or both, are those species which have been selected by the relevant authority prior to exit day, from the list established pursuant to Article 4(2)(c) of Regulation (EU) No 1307/2013, as being the most suitable from an ecological perspective.”;
 - (ii) for “Member States shall also establish the requirements” substitute “The relevant authority must also apply any requirements established by them prior to exit day”;
 - (iii) for “Member States authorise” substitute “the relevant authority authorises”;
 - (h) in paragraph 9, in the second subparagraph—
 - (i) omit “Member States shall set up”;
 - (ii) omit “fix”;
 - (iii) after “place” insert “is as fixed by the relevant authority prior to exit day”;
 - (iv) for “Member States may establish” substitute “Nothing in this Article prevents the relevant authority from establishing, using any power the relevant authority has,”;
 - (i) in paragraph 10—
 - (i) for “Member State”, in the first place it occurs, substitute “relevant authority prior to exit day”;
 - (ii) for “Member State”, in the second place it occurs, substitute “relevant authority”;
 - (iii) for “Member States may establish” substitute “Nothing in this Article prevents the relevant authority from establishing, using any power the relevant authority has,”;
 - (j) in paragraph 10a, in the second subparagraph—
 - (i) for the word “However” substitute “Nothing in this Article prevents the relevant authority, using any power the relevant authority has,”;
 - (ii) for “may allow” substitute “allowing”.
- (9) Omit Articles 46 to 48.