
STATUTORY INSTRUMENTS

2019 No. 763

The Common Agricultural Policy (Financing,
Management and Monitoring) (Miscellaneous
Amendments) (EU Exit) Regulations 2019

PART 2

Regulation (EU) 1306/2013

Title 1 (Scope and Definitions)

3.—(1) In Article 1—

- (a) in point (a), for the words from “under” to the end substitute “on agricultural support”;
- (b) in point (c), for “Member States” substitute “relevant authority”;
- (c) omit point (e).

(2) In Article 2—

(a) in paragraph 1—

(i) for point (f), substitute—

“(f) ‘sectoral agricultural legislation’ means:

- (i) any applicable acts adopted within the framework of the common agricultural policy on the basis of Article 43 TFEU;
- (ii) any delegated or implementing acts adopted on the basis of acts referred to in point (i);
- (iii) regulations made in the exercise of powers under any act referred to in point (i);
- (iv) Part Two of [Regulation \(EU\) No 1303/2013](#) insofar as it applies to support for rural development;”;

(ii) for point (g), substitute—

“(g) ‘irregularity’ means any infringement of a provision of sectoral agricultural legislation resulting from an act or omission by an economic operator, where the infringement results, or would result, in a reduction or loss of public revenue or an unjustified item of expenditure;”;

(iii) after point (g), insert—

“(h) ‘agricultural support’ means direct payment support, support for rural development and CMO support”;

(i) ‘CMO support’ means financial support granted under:

- (i) [Regulation \(EU\) No 1308/2013](#) or any regulations made under, or delegated or implementing acts adopted on the basis of, that Regulation;

- (ii) any delegated or implementing acts adopted on the basis of Regulation (EC) No 1234/2007;
- (iii) Regulation (EU) No 1144/2014 or any regulations made under, or delegated or implementing acts adopted on the basis of, that Regulation;
- (j) ‘constituent nation’ means England, Wales, Scotland or Northern Ireland, as the case may be;
- (k) ‘direct payment support’ means financial support granted under any of the support schemes listed in Annex I to Regulation (EU) No 1307/2013;
- (l) ‘economic operator’ means any person or public entity or group of such persons or entities, including any temporary association of undertakings, which offers the execution of works or a work, the supply of products or the provision of services on the market;
- (m) ‘relevant authority’ means:
 - (i) in England, the Secretary of State;
 - (ii) in Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;
 - (iii) in Scotland, the Scottish Ministers;
 - (iv) in Wales, the Welsh Ministers;
- (n) ‘relevant accounting officer’ means:
 - (i) in England, the accounting officer for the Department for Environment, Food and Rural Affairs;
 - (ii) in Wales, the Permanent Secretary of the Welsh Government;
 - (iii) in Scotland, the Permanent Secretary of the Scottish Government;
 - (iv) in Northern Ireland, the Permanent Secretary of the Department of Agriculture, Environment and Rural Affairs;
- (o) ‘support for rural development’ means financial support granted under Title III of Regulation (EU) No 1305/2013 or Title III, Chapter II of Regulation (EU) No 1303/2013;”;
- (b) in paragraph 2, for “the CAP” substitute “expenditure on agricultural support and for the purposes of sectoral agricultural legislation”;
- (c) after paragraph 2 insert—

“3. In this Regulation, references to Regulation (EU) No 1303/2013 are references to that Regulation as amended by the European Structural and Investment Funds Common Provisions (Amendment) (EU Exit) Regulations 2019(1).”.