
STATUTORY INSTRUMENTS

2021 No. 1269

The Private Storage Aid for Pigmeat (England) Regulations 2021

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Private Storage Aid for Pigmeat (England) Regulations 2021.

(2) These Regulations come into force on the day after the day on which they are laid before Parliament.

(3) These Regulations extend to England and Wales, but apply only in relation to England.

Commencement Information

II Reg. 1 in force at 16.11.2021, see [reg. 1\(2\)](#)

Interpretation

2. In these Regulations—

“Regulation (EU) No 2016/1238” means Commission Delegated Regulation (EU) No 2016/1238 supplementing [Regulation \(EU\) No 1308/2013](#) of the European Parliament and of the Council with regard to public intervention and aid for private storage⁽¹⁾;

“Regulation (EU) No 2016/1240” means Commission Implementing Regulation (EU) No 2016/1240 of 18 May 2016 laying down rules for the application of [Regulation \(EU\) No 1308/2013](#) of the European Parliament and the Council with regard to public intervention and aid for private storage;

“the commencement day” means the day on which these Regulations come into force;

“eligible operator” means an operator to whom Article 2 of Regulation (EU) No 2016/1238⁽²⁾ applies;

“eligible product” means a product which—

- (a) is in table 1 or table 2, and
- (b) satisfies the requirements of Article 3(1) and (3) of Regulation (EU) No 2016/1238⁽³⁾ (eligibility of products);

“PSA application” has the meaning given in regulation 5(1);

“the specified rate” has the meaning given in regulation 4(2);

“table 1” means table 1 in the Schedule;

“table 2” means table 2 in the Schedule.

(1) EUR 2016/1238.

(2) Article 2 was amended by [S.I. 2019/823](#).

(3) Annex 6 was amended by [S.I. 2019/823](#).

Status: Point in time view as at 16/11/2021.

Changes to legislation: There are currently no known outstanding effects for the The Private Storage Aid for Pigmeat (England) Regulations 2021. (See end of Document for details)

Commencement Information

I2 Reg. 2 in force at 16.11.2021, see [reg. 1\(2\)](#)

Private storage aid for eligible products

3.—(1) The Secretary of State may grant aid for the private storage in England for eligible products⁽⁴⁾ in response to the exceptional market conditions which are the subject of the declaration made by the Secretary of State under section 20 of the Agriculture Act 2020 on 11th November 2021.

(2) The Secretary of State may not grant such aid for eligible products which have already been placed into storage.

(3) The maximum total quantity of eligible products in respect of which the Secretary of State may grant such aid is 14,000 tonnes.

Commencement Information

I3 Reg. 3 in force at 16.11.2021, see [reg. 1\(2\)](#)

Rates of private storage aid for eligible products

4.—(1) Aid for private storage in England for eligible products may be granted at the specified rate.

(2) For the purposes of these Regulations “the specified rate” is—

- (a) in relation to the products in table 1, the rate specified in column 3 of that table for the period for which the products are to be stored;
- (b) in relation to the products in table 2, the rate specified in column 4 of that table for the period for which the products are to be stored.

Commencement Information

I4 Reg. 4 in force at 16.11.2021, see [reg. 1\(2\)](#)

Applications for private storage aid

5.—(1) An eligible operator may make an application for aid for private storage for eligible products (a “PSA application”) at any time—

- (a) on or after the commencement day, and
- (b) before noon on 2nd February 2022.

(2) An eligible operator may make more than one PSA application.

(3) A PSA application must—

- (a) be for a storage period of 60, 90, 120, 150 or 180 days;
- (b) relate to only one of the following—
 - (i) one of the products in table 1;

(4) Article 17 of [Regulation \(EU\) No 1308/2013](#) provides for the grant of aid for private storage of products including pigmeat.

- (ii) one of the products described in the entry in column 3 of table 2 relating to category 3;
 - (iii) products in category 5;
 - (iv) products in category 6.
- (c) be in respect of at least—
- (i) 15 tonnes of eligible products, where the application relates to products in table 1;
 - (ii) 10 tonnes of eligible products, where the application relates to products in table 2;
- (d) not relate to any eligible products which have already been placed into storage.
- (4) For the purposes of paragraph (3)(b) a reference to a numbered category is a reference to the corresponding numbered category in column 1 of table 2.
- (5) This regulation is subject to Article 45 of Regulation (EU) No 2016/1240⁽⁵⁾ (decisions on applications for aid for private storage fixed in advance) as modified by regulation 7.

Commencement Information

I5 Reg. 5 in force at 16.11.2021, see [reg. 1\(2\)](#)

Security

6.—(1) The amount of the security to be lodged, in accordance with Article 40(b) of Regulation (EU) No 2016/1240⁽⁶⁾ (submission etc. of applications for aid for private storage), by an eligible operator who makes a PSA application is to be determined in accordance with this regulation.

(2) The amount of the security is an amount, in sterling, corresponding to 20% of (A × T) where—

- (a) “A” is the specified rate;
- (b) “T” is the quantity, in tonnes, of eligible products which are to be stored.

(3) Article 20 and Chapter 5 of Commission Delegated [Regulation \(EU\) No 907/2014](#) of 11 March 2014 supplementing Regulation 1306/2013 of the European Parliament and of the Council with regard to paying agencies and other bodies, financial management, clearance of accounts, securities and use of euro⁽⁷⁾ (use of euro) do not apply in relation to the security to be lodged by an eligible operator who makes a PSA application.

Commencement Information

I6 Reg. 6 in force at 16.11.2021, see [reg. 1\(2\)](#)

Decisions on PSA applications

7.—(1) Article 45 of Regulation (EU) No 2016/1240 (decisions on applications for aid for private storage fixed in advance) has effect in connection with decisions on PSA applications with the modifications specified in paragraph (2).

(2) The modifications mentioned in paragraph (1) are—

- (a) paragraph 1 is omitted;

⁽⁵⁾ Article 45 was amended by [S.I. 2019/823](#).

⁽⁶⁾ Article 40(b) was amended by [S.I. 2019/823](#). Further provision about securities is made in Chapter 4 of Commission Delegated [Regulation \(EU\) No 907/2014](#) (EUR 2014/907).

⁽⁷⁾ EUR 2014/907.

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- (b) in paragraph 2, for the words from “appropriate authority” to “paragraph 3” there is substituted “PSA threshold has not been met”;
- (c) after paragraph 2 there is inserted—
- “**2A.** For the avoidance of doubt, PSA applications submitted after the PSA threshold is met must not be accepted.
- “**2B.** The Secretary of State must reject PSA applications made before the PSA threshold is met the acceptance of which would have been decided after that threshold is met.”.
- (d) for paragraph 3 there is substituted—
- “**3.** Paragraph 4 applies where a PSA application is submitted which, if accepted by the Secretary of State in the form in which it is submitted, would mean that the PSA threshold would be exceeded.
- 4.** Where this paragraph applies, the Secretary of State—
- (a) may reduce the quantity in the PSA application to not less than the minimum quantity, if making the reduction would mean that the PSA threshold is not exceeded;
- (b) otherwise, must reject the application.

By way of derogation from Article 2(6), the operator who made the relevant PSA application may, if the Secretary of State reduces the quantity in the application, withdraw the application by the end of the relevant day.

For the purposes of this paragraph “the relevant day” is the next working day after the day on which the Secretary of State notifies the operator that the Secretary of State has decided to make the reduction.

- 5.** In this Article—
- (a) “PSA application” has the meaning given in the PSA Regulations;
- (b) “the PSA Regulations” means the Private Storage Aid for Pigmeat (England) Regulations 2021;
- (c) “the PSA threshold” means the threshold specified in regulation 3(3) of the PSA Regulations;
- (d) “the minimum quantity”, in relation to a PSA application, means—
- (i) 15 tonnes, where the application relates to products in table 1 in the Schedule to the PSA Regulations;
- (ii) 10 tonnes, where the application relates to products in table 2 in that Schedule.”.

Commencement Information

17 Reg. 7 in force at 16.11.2021, see [reg. 1\(2\)](#)

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Rural Affairs

Status:

Point in time view as at 16/11/2021.

Changes to legislation:

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