
STATUTORY INSTRUMENTS

2021 No. 1269

**The Private Storage Aid for Pigmeat
(England) Regulations 2021**

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;
- (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.”.