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## EXPLANATORY NOTE

*(This note is not part of the Order)*

These Regulations make amendments to various rules regarding the operation and management of rural development schemes established originally pursuant to [Regulation \(EU\) No 1698/2005](#) of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (EUR 2005/1698) and [Regulation \(EU\) No 1305/2013](#) of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (EUR 2013/1305), in order to align more closely with equivalent schemes established under the Agriculture Act 2020 (c. 21).

Regulations 3, 7 and 10 amend various rules regarding the prescribed length of schemes and facilitate agreement holders transferring to domestically funded schemes in the future.

Regulations 4 and 2 remove requirements to recover assistance granted from an agreement holder who transfers land or holdings during the duration of their agreement.

Regulations 5(2) and (3), 6, 11(3) to (10) provide for greater flexibility in the manner in which on-the-spot inspections and ex-post checks are undertaken and the processes for determining which agreement holders will be subject to on-the-spot inspections and ex-post checks.

Regulations 5(4), 8 and 9(3) to (7) amend various rules relating to the application of penalties, recoveries and similar options in relation to non-compliance with scheme rules.

Regulation 9(2) extends the timeframe in which agreement holders can notify the relevant authority of cases of force majeure and exceptional circumstances.

Regulation 11(2) reduces the administrative burden on agreement holders submitting payment claims.

Regulations 11(11) and 11(12) amend Article 68 of Commission Delegated [Regulation \(EU\) No 807/2014](#) supplementing [Regulation \(EU\) No 1305/2013](#) of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and introducing transitional provisions (EUR 2014/807) to remove a control rate for inspections relating to cross-compliance rules from 2023.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

**Changes to legislation:**

There are currently no known outstanding effects for the The Rural Development (Amendment) (England) Regulations 2022.