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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 191**

**The Common Agricultural Policy Basic Payment and Support Schemes Regulations (Northern Ireland) 2015**

**PART 1**

**Basic Payment Scheme**

**Regions**

3.—(1) For the purposes of Article 23(1) of the Direct Payments Regulation, Northern Ireland will be a single region.

**Payment entitlements**

4.—(1) For the purposes of Article 8(1) of the Direct Payments Implementing Regulation, the period within which the transferor of payment entitlements must notify the Department of the transfer is—

- (a) on or before 2nd May 2016, if 2016 is the first calendar year in which the transferee may include those entitlements in the transferee's application for direct payments; or
- (b) otherwise from 3rd May of the preceding calendar year to 2nd May (both those dates included) of the first calendar year where the first calendar year is 2017 or a subsequent year in which the transferee may include those entitlements in the transferee's application for direct payments.

(2) If, for the purposes of paragraph (1), 2nd May is not a working day, the deadline for notification is the next working day.

[<sup>F1</sup>(3) For the purposes of Article 22(1) of the Horizontal Implementing Regulation, to the extent that Article relates to direct payments <sup>F2</sup>..., applications for the allocation of payment entitlements must be submitted on or before 15<sup>th</sup> May of the relevant calendar year.]

**F1** Reg. 4(3) substituted (24.2.2020) by [The Common Agricultural Policy \(Direct Payments to Farmers\) \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/22\)](#), regs. 1(1), **2(2)(a)**

**F2** Words in reg. 4(3) omitted (23.2.2021) by virtue of [The Direct Payments to Farmers \(Amendment\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/40\)](#), regs. 1(1), **4**

**Allocation of Payment Entitlements**

5. Article 21(3) of the Direct Payments Regulation shall not be applied.

6. Article 24(1)(c) of the Direct Payments Regulation shall be applied with the exception of the last sentence of that paragraph.

7. The limitations referred to in Article 24(3) of the Direct Payments Regulation shall not be applied.

8. In accordance with Article 25(4) of the Direct Payments Regulation payment entitlements with an initial unit value lower than 100% of the regional unit value in 2019 shall for claim year 2019 have their unit value increased by 71.4% of the difference between their initial unit value and 100% of the regional unit value in 2019.

9. The decrease referred to in Article 25(7) of the Direct Payments Regulation shall be applied in a linear fashion each year.

10. The initial unit value of payment entitlements as referred to in Article 26 of the Direct Payments Regulation shall be calculated in accordance with paragraph 3 of that Article.

**Active farmers**

<sup>F3</sup>11. ....

**F3** [Reg. 11](#) revoked (25.6.2018) by [The Common Agricultural Policy Basic Payment and Support Schemes \(Revocation\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/122\)](#), regs. 1, **3**

**Minimum eligible area of holding**

12. For the purposes of Article 10(1)<sup>F4</sup>... of the Direct Payments Regulation, no direct payments may be granted to a farmer where the eligible area of the holding for which the payments are claimed or due to be granted in accordance with Article 10(1)<sup>F5</sup>... is less than three hectares.

**F4** Words in [reg. 12](#) omitted (24.2.2020) by virtue of [The Common Agricultural Policy \(Direct Payments to Farmers\) \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/22\)](#), regs. 1(1), **2(3)(a)**

**F5** Word in [reg. 12](#) omitted (24.2.2020) by virtue of [The Common Agricultural Policy \(Direct Payments to Farmers\) \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/22\)](#), regs. 1(1), **2(3)(b)**

13. For the purposes of Article 24(9) of the Direct Payments Regulation, the minimum size per holding in respect of which a farmer may apply for an allocation of payment entitlements shall be 3 hectares.

**Date on which eligible land must be at farmer's disposal**

14. In relation to any year in which the farmer makes a declaration in respect of parcels pursuant to Article 33(1) of the Direct Payments Regulation, the date on which those parcels must be at the farmer's disposal is 15th May.

## Reductions

15. For the purposes of Article 11(1) of the Direct Payments Regulation, where the direct payments to be granted to a farmer pursuant to Chapter 1 of Title III of that Regulation for a given calendar year exceed [<sup>F6</sup>£190 000], the sum in excess of that amount must be reduced by 100%.

**F6** Sum in [reg. 15](#) substituted (25.2.2021) by [The Direct Payments to Farmers \(Simplifications\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/42\)](#), regs. 1(1), **16**

## Short rotation coppice

16. For the purposes of Article 4(1)(k) <sup>F7</sup>... of the Direct Payments Regulation—

- (a) the list of planted tree species is—
  - (i) Alder (*Alnus* spp);
  - (ii) Birch (*Betula* spp);
  - (iii) Hazel (*Corylus avellana*);
  - (iv) Ash (*Fraxinus excelsior*);
  - (v) Lime (*Tilia cordata*);
  - (vi) Sweet chestnut (*Castanea sativa*);
  - (vii) Sycamore (*Acer pseudoplatanus*);
  - (viii) Willow (*Salix* spp); and
  - (ix) Poplar (*Populus* spp);
- (b) the maximum harvest cycle is 5 years.

**F7** Words in [reg. 16](#) omitted (24.2.2020) by virtue of [The Common Agricultural Policy \(Direct Payments to Farmers\) \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/22\)](#), regs. 1(1), **2(4)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Common Agricultural Policy Basic Payment and Support Schemes Regulations (Northern Ireland) 2015, PART 1.