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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 3**

**Greening**

**Calculation of greening payment**

**18.** For the purposes of Article 43(9) of the Direct Payments Regulation, the payment for agricultural practices beneficial for the climate and the environment (greening payment) as referred to in Annex I of that Regulation shall be calculated in accordance with sub-paragraph 3 of that Article as a percentage of the total value of the payment entitlements that the farmer has activated in accordance with Article 33(1) of that Regulation.

**Crop diversification**

**19.** For the purposes of the first sub-paragraph of Article 40(1) of the Direct Payments Delegated Regulation, the most relevant part of the cultivation period in any year is 1st June to 31st July (both those dates included).

**Environmentally sensitive permanent grassland**

**20.—(1)** For the purposes of the first sub-paragraph of Article 45(1) of the Direct Payments Regulation, permanent grasslands in areas to which the Conservation Directives apply are designated as permanent grasslands which are environmentally sensitive.

(2) In paragraph (1)—

“the Conservation Directives” means—

- (a) Council Directive [92/43/EEC](#) on the conservation of natural habitats and of wild fauna and flora<sup>(1)</sup>; and
- (b) Directive [2009/147/EC](#) of the European Parliament and of the Council on the conservation of wild birds<sup>(2)</sup>;

**Ecological focus areas**

**21.—(1)** For the purposes of the first sub-paragraph of Article 46(2) of the Direct Payments Regulation, the areas mentioned in points (a) (land lying fallow), (e) (agro-forestry), (g) (short rotation coppice), (h) (afforested areas) and (j) (areas with nitrogen-fixing crops) and, subject to paragraph (2), point (c) (landscape features) are considered to be ecological focus areas.

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<sup>(1)</sup> O.J. No. L 206, 22.7.1992 p.7

<sup>(2)</sup> O.J. No. L 20, 26.1.2010, p.7. This instrument codifies, with minor amendments, Council Directive [1979/409/EEC](#) as amended.

(2) Landscape features which are considered to be ecological focus areas shall be limited to those features which have been specified by the Department as landscape features under GAEC 7 as referred to in the second sub-paragraph of Article 45(4) of the Direct Payments Delegated Regulation.

(3) For the purposes of Article 45(10) of the Direct Payments Delegated Regulation, nitrogen-fixing crops are those listed in the Schedule.

(4) In paragraph (2), the reference to “GAEC 7” is to the relevant standard for good agricultural and environmental condition as referred to in Annex II to Regulation (EU) No.1306/2013 of the European Parliament and of the Council on the financing, management and monitoring of the Common Agricultural Policy.

### **Revocations and savings**

**22.**—(1) The Common Agricultural Policy Single Payment and Support Schemes Regulations (Northern Ireland) 2010 **(3)** are revoked.

(2) Notwithstanding paragraph (1), the Common Agricultural Policy Single Payment and Support Schemes Regulations (Northern Ireland) 2010 as in force immediately before 2015 continue to apply in respect of aid applications relating to 2014 and earlier claim years.