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## EXPLANATORY NOTE

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

These Regulations amend the Nutrient Action Programme Regulations (Northern Ireland) 2019 (the principal regulations), following the Commission Decision 2019/1325, granting approval to operate a derogation in accordance with paragraph 2 of Annex III to Council [Directive 91/676/EEC](#) concerning the protection of waters against pollution caused by nitrates from agricultural sources.

Regulation 4 contains additional definitions for derogated holdings.

Regulation 5 introduces requirement for a risk assessment when spreading fertiliser on land other than steeply sloping land and amends the exceptions to relation the land application of slurry.

Regulation 6 provides that a derogated holding is excluded from the 170 kg N/ha/year, limit of livestock manure.

Regulation 7 makes an amendment about the application of anaerobic digestate resulting from biodegradable waste.

Regulation 8 provides that certain application limits have effect from 1st January 2020.

Regulation 9 adds a requirement in relation to a fertilisation plan for a derogated holding.

Regulations 10 correct a drafting error.

Regulation 11 makes an amendment to requirement for storing poultry litter or anaerobic digestate in a field heap.

Regulation 12 amends requirements for records for a derogated holding.

Regulations 13 and 14 contain consequential amendments.

Regulation 15 makes an amendment about reviews.

Regulations 16 inserts a new Part 10 to provide for a derogation from the measure governing the limits on land application of livestock manure, as provided for in paragraph 2(b) of Annex III of the Directive.

Regulation 17 inserts a provision about phosphorus balance for derogated holdings.

Regulation 18 updates the phosphorus content of pig slurry and corrects a drafting error.

Regulation 19 makes amendments to risk assessment for fertiliser application to steeply sloping land, inserts a new risk assessment for such application to all other lands and consequential amendments

Regulation 20 inserts a new Schedule 8 setting out the conditions applying to a derogation.