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DRAFT STATUTORY RULES OF NORTHERN IRELAND

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**2021 No.**

**The Direct Payments to Farmers (Simplifications)  
Regulations (Northern Ireland) 2021**

**PART 4**

**Administrative penalties in cases of over-declaration**

**Amendment of Commission Delegated Regulation (EU) No 640/2014**

**11.** In Commission Delegated Regulation (EU) No 640/2014 supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the integrated administration and control system and conditions for refusal or withdrawal of payments and administrative penalties applicable to direct payments, rural development support and cross compliance, for Article 19a substitute—

*“Article 19a*

*Administrative penalties in cases of over-declaration of areas for the basic payment scheme, the re-distributive payment, the young farmers scheme and voluntary coupled support*

**1.** If, in respect of a crop group as referred to in Article 17(1), the area declared for the aid schemes provided for in Chapters 1, 2 and 5 of Title III and in Title IV of Regulation (EU) No 1307/2013 exceeds the area determined in accordance with Article 18 of this Regulation, the aid or support shall be calculated on the basis of the area determined reduced by 1,5 times the difference found if that difference is more than either 3 % of the area determined or 2 hectares.

The administrative penalty shall not exceed 100 % of the amounts based on the area determined.

**2.** The administrative penalty referred to in paragraph 1 will be reduced by 50% if the difference between the area declared and the area determined does not exceed 10% of the area determined.”