
DRAFT STATUTORY INSTRUMENTS

2020 No.

**The Agriculture (Payments) (Amendment,
etc) (EU Exit) Regulations 2020**

PART 4

Amendment of retained direct EU legislation

Commission Implementing Regulation (EU) 2017/1185

23.—(1) Commission Implementing Regulation (EU) 2017/1185 laying down rules for the application of Regulations (EU) No 1307/2013 and (EU) No 1308/2013 of the European Parliament and of the Council as regards notifications to the Commission of information and documents is amended as follows.

(2) In Article 7(3), for the second sentence substitute—

“Economic operators must provide the relevant authorities with such information at their disposal and specified in Annexes I, II or III as the relevant authorities request. The relevant authorities may specify the manner in which, and the period within which, such information is to be provided. If no such period is specified, the information must be provided within a reasonable time.”.

(3) After Article 16, insert—

“Article 16a

Definitions

In this Regulation:

(a) ‘relevant authority’ means:

(i) in relation to England, the Secretary of State;

(ii) in relation to Wales, the Welsh Ministers;

(iii) in relation to Scotland, the Scottish Ministers;

(iv) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;

(b) ‘constituent nation’ means England, Wales, Scotland or Northern Ireland, as the case may be.”.

(4) After Article 17, omit the words from “This Regulation” to “Member States.”.

(5) In Annex I—

(a) in the heading, for “notifications referred to in Article 11” substitute “information”;

(b) for “Content of the notification”, in each place it occurs, substitute “Information”;

(c) in section 1, in the first paragraph, for “Union market” substitute “market in the United Kingdom”;

- (d) omit sections 2 and 3;
- (e) in section 4, in the first paragraph—
 - (i) for “Part A of Annex XV to Implementing Regulation (EU) No 543/2011”, substitute “Annex VI of Regulation (EU) 2017/891”;
 - (ii) for “to that Regulation” substitute “to Implementing Regulation (EU) No 543/2011”;
- (f) in section 6, in the first paragraph, for “Union rules” substitute “legislation made”;
- (g) in section 7, in the third paragraph, for “notified” substitute “provided”;
- (h) in section 8, in the third paragraph—
 - (aa) for “notified” substitute “provided”;
 - (bb) for “Member State concerned shall notify” substitute “information must contain”;
- (i) in section 9, in the third paragraph—
 - (aa) for “notified” substitute “provided”;
 - (bb) for “its market structure” substitute “the market structure of the constituent nation concerned”;
 - (cc) for “Member State concerned may notify” substitute “information may contain”.
- (6) In Annex II—
 - (a) in the heading, for “notifications as referred to in point (a) of Article 12” substitute “information”;
 - (b) for “Content of the notification”, in each place it occurs, substitute “Information”;
 - (c) in section 3—
 - (i) in the first paragraph—
 - (aa) for “; or” substitute “.”;
 - (bb) omit point (b);
 - (ii) in the fourth paragraph—
 - (aa) for “points”, substitute “point”;
 - (bb) omit “and (b)”;
 - (cc) for “Member States concerned” substitute “relevant authority”;
 - (d) in section 4, in point (a), in the fourth paragraph, for “territory of the Member State” substitute “constituent nation concerned”.
- (7) In Annex III—
 - (a) in the heading, omit “notifications as referred to in point (b) of Article 12”;
 - (b) for “Content of the notification”, in each place it occurs, substitute “Information”;
 - (c) omit section 1;
 - (d) in section 2—
 - (i) in subsection A, omit the words from “Member States” in the first place it occurs, to “question.”;
 - (ii) in subsection B—
 - (aa) omit “(30 June for the French departments of Guadeloupe and Martinique)”;
 - (bb) omit the words from “Member States”, in the first place it occurs, to “produced.”;
 - (iii) omit subsection C;

- (iv) in subsection D—
 - (aa) in the heading, omit “and isoglucose”;
 - (bb) in the first and third paragraphs, omit point (b);
 - (cc) in the fourth paragraph, for the words from “on Union territory” to “points B and C” substitute “in the United Kingdom and to sugar production as defined in point B”;
 - (dd) in the fifth paragraph, omit the third indent;
 - (ee) omit the sixth paragraph;
- (e) in section 3, in the each of the three paragraphs, omit points (c) to (e);
- (f) omit sections 5 to 7;
- (g) in section 8, in the first paragraph—
 - (i) in point (a), for “on the territory of the Member State” substitute “in the constituent nation concerned”;
 - (ii) in point (b), for “Article 9 of Regulation (EC) No 436/2009” substitute “Article 31 of Regulation (EU) No 2018/273”;
 - (iii) in point (c), for Article 11 of Regulation (EC) No 436/2009” substitute “Article 32 of Regulation (EU) No 2018/273”;
- (h) in section 9, in the fourth paragraph—
 - (i) for “territory of the Member State” substitute “constituent nation concerned”;
 - (ii) for “Member States” substitute “The relevant authorities”;
 - (iii) omit “to the competent national authority”;
 - (iv) omit “so as to comply with this requirement”.