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STATUTORY INSTRUMENTS

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**2019 No. 764**

**The Rural Development (Amendment)  
(EU Exit) Regulations 2019**

**PART 3**

Interpretation of legacy Regulations

**Amendment of Regulation (EC) No 1698/2005**

**14.** To the extent that Council Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) <sup>M1</sup> continues to apply by virtue of the savings provision in Article 88 of Regulation (EU) No 1305/2013, Regulation (EC) No 1698/2005 is to be read as if—

- (a) Articles 1(3) and (5), 5(3), 7, 9-35a, 50, 51(3), 52-71, 73-75, 77-93 and Annex 2 (which have no continuing operative effect) were omitted;
- (b) in Article 1—
  - (i) for paragraph 1 there were substituted—

“1. lays down the general rules governing support for rural development;”;

- (c) in Article 2, at the end, insert—
  - “(k) “constituent nation” means England, Wales, Scotland or Northern Ireland, as the case may be;
  - (l) “relevant authority” means—
    - (i) in England, the Secretary of State;
    - (ii) in Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;
    - (iii) in Scotland, the Scottish Ministers;
    - (iv) in Wales, the Welsh Ministers;
  - (m) “support for rural development” means financial support granted under Title 3 of Regulation 1305/2013 or Title 3, Chapter 2 of Regulation (EU) No 1303/2013, as amended by the European Structural and Investment Funds Common Provisions (Amendment) (EU Exit) Regulations 2019.”;
- (d) for Article 3 there were substituted—

*“Article 3*

**Missions**

Support for rural development shall contribute to the promotion of sustainable rural development in a complementary manner to the market and income support policies for the agriculture sector and support under Regulation 508/2014.”;

(e) in Article 5—

(i) in paragraph 1—

(aa) for “The EAFRD” there were substituted “ Support for rural development ”;

(bb) for “Community's” there were substituted “relevant authority's”;

(ii) for paragraph 2 there were substituted—

**“2.** The relevant authority must ensure that support for rural development is provided consistently with support under Regulation (EU) No 508/2014 on the European Maritime and Fisheries Fund.”;

(iii) for paragraph 4 there were substituted—

**“4.** The relevant authority must ensure that there is coordination between the provision of support for rural development and the provision of support under Regulation 508/2014.”;

(iv) in paragraph 5, for “the European Agricultural Guarantee Fund” there were substituted “ financial support granted under any of the support schemes listed in Annex I to Regulation 1307/2013 ”;

(v) paragraph 7 were omitted;

(f) in Article 6—

(i) in paragraph 1—

(ii) for “EAFRD assistance” there were substituted “ Support for rural development ”;

(iii) for “Commission and the Member State and with” there were substituted “ relevant authorities and ”;

(iv) for “Member State”, in both places it occurs (following the amendment in paragraph (ii), there were substituted “ relevant authority ”;

(g) in paragraph 3, for “Member States” there were substituted “ The relevant authority ”.

(2) In Article 8, for “Member States and the Commission” there were substituted “ The relevant authority ”.

(3) In Article 39—

(a) for paragraph 1 there were substituted—

**“1.** The relevant authority must make available support provided for in Article 36(a) (iv) throughout its constituent nation, in accordance with the specific needs of the constituent nation.”;

[<sup>F1</sup>(b) in paragraph 3, for “Articles 4” to “Regulation (EC) No 1782/2003” substitute “Articles 93 and 94 of and Annex 2 to Regulation 1306/2013”.]

(4) In Article 42—

(a) for paragraph 1 there were substituted—

“1. Support under this subsection shall be granted only for forests and wooded areas owned by private owners or by their associations or by municipalities.”;

(b) in paragraph 2—

(i) for “Community” there were substituted “ European Union ”;

(ii) “by the Member States” were omitted.

[<sup>F2</sup>(c) in Article 51(2), for “Member States” there were substituted “ the relevant authority ” and for “Member State” there were substituted “relevant authority”];

(d) in Article 72(1) for the first subparagraph there were substituted—

“1. The relevant authority must ensure that an investment operation retains the support for rural development if that operation does not, within five years of the relevant authority’s funding decision, undergo a substantial modification that:

(a) affects its nature or implementation conditions or gives undue advantage to a firm or public body;

(b) results either from a change in the nature of ownership of an item of infrastructure, or the cessation or relocation of a productive activity.”;

(e) Article 76 were omitted;

(f) in Annex 2, rows 12 and 13 were omitted.

#### Textual Amendments

**F1** Reg. 14(3)(b) revoked (E.) (1.1.2024) by [The Agriculture \(Removal of Cross-Compliance and Miscellaneous Revocations and Amendments, etc.\) \(England\) Regulations 2023 \(S.I. 2023/816\)](#), reg., [Sch. Pt. 1 para. 1](#) Table 2 (with [Sch. Pt. 2 para. 2](#))

**F2** Reg. 14(4)(c) revoked (E.) (1.1.2024) by [The Agriculture \(Removal of Cross-Compliance and Miscellaneous Revocations and Amendments, etc.\) \(England\) Regulations 2023 \(S.I. 2023/816\)](#), reg., [Sch. Pt. 1 para. 1](#) Table 2 (with [Sch. Pt. 2 para. 2](#))

#### Commencement Information

**I1** Reg. 14 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Marginal Citations

**M1** Regulation (EC) No 1698/2005 was repealed by Article 88 of Regulation (EU) No 1305/2013, but under Article 88 of Regulation (EU) No 1305/2013, Regulation (EC) No 1698/2005 continues to apply to operations implemented pursuant to programmes approved by the European Commission under Regulation (EC) No 1698/2005 before 1st January 2014.

**Changes to legislation:**

There are currently no known outstanding effects for the The Rural Development (Amendment) (EU Exit) Regulations 2019, Section 14.