
STATUTORY INSTRUMENTS

2022 No. 200

AGRICULTURE, ENGLAND

**The Direct Payments to Farmers (Allocation
of Payment Entitlements from the National
Reserve) (England) Regulations 2022**

Made - - - - 28th February 2022
Laid before Parliament 1st March 2022
Coming into force - - 22nd March 2022

The Secretary of State makes these Regulations in exercise of the powers conferred by Article 35(1) (c) of [Regulation \(EU\) No 1307/2013](#) of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) 73/2009(1).

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Direct Payments to Farmers (Allocation of Payment Entitlements from the National Reserve) (England) Regulations 2022 and come into force 21 days after the day on which they are laid.

(2) These Regulations extend to England and Wales but apply in England only.

Amendment of Article 28 of Commission Delegated [Regulation \(EU\) No 639/2014](#)

2. In Article 28 of Commission Delegated [Regulation \(EU\) No 639/2014](#) of 11 March 2014 supplementing [Regulation \(EU\) No 1307/2013](#) of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and amending Annex X to that Regulation(2) (establishment of payment entitlements from the national or regional reserve under Article 30(6) of [Regulation \(EU\) No 1307/2013](#))—

(a) at the end of paragraph (1), insert—

(1) EUR 2013/1307; Article 35(1) was amended by [S.I. 2020/91](#). This Regulation was incorporated into domestic law by section 1 of the Direct Payments to Farmers (Legislative Continuity) Act 2020 (c. 2).
(2) EUR 2014/639, as amended by [S.I. 2020/91](#). This Regulation was incorporated into domestic law by section 1 of the Direct Payments to Farmers (Legislative Continuity) Act 2020.

“For the purposes of determining the eligible hectares under this paragraph, land acquired or leased-in by the farmer after 17th May 2021 shall not be taken into account.”; and

(b) in paragraph (2), after the end of the first subparagraph, insert—

“For the purposes of determining the eligible hectares under this subparagraph, land acquired or leased-in by the farmer after 17th May 2021 shall not be taken into account.”.

Victoria Prentis

Minister of State

Department for Environment, Food and Rural

Affairs

28th February 2022

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations, which apply to the allocation of entitlements from the national reserve in England only, are made under the powers conferred by Article 35(1)(c) of [Regulation \(EU\) No 1307/2013](#) of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation [\(EC\) No 637/2008](#) and Council Regulation [\(EC\) 73/2009](#) (“Regulation (EU) 1307/2013”).

Regulation 2 makes amendments to Article 28 of Commission Delegated [Regulation \(EU\) No 639/2014](#) of 11 March 2014 supplementing [Regulation \(EU\) No 1307/2013](#). The amendments relate to rules for calculating the number of payment entitlements that will be allocated to young farmers or new farmers from the national reserve for the purposes of a claim for direct payments under the Basic Payment Scheme.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.