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STATUTORY INSTRUMENTS

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**2023 No. 124**

**The Market Measures Payment Schemes  
(Amendments, Revocation and Transitional  
Provision) (England) Regulations 2023**

**PART 3**

**Other amendments to retained direct EU legislation**

**Regulation (EU) No 1308/2013 of the European Parliament and of the Council**

**4.—(1)** Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products is amended as follows.

(2) In Article 9 (origin of eligible products), at the end, insert—

“In relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020, the first paragraph is to be read as if “for buying-in under public intervention or” were omitted.”.

(3) In each of Articles 11 (products eligible for public intervention) and 12 (public intervention periods), at the end, insert—

“This Article does not apply in relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020.”.

(4) In Article 13 (public intervention), after paragraph 5, insert—

“**6.** This Article does not apply in relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020.”.

(5) In Article 14 (buying-in at a fixed price or tendering), at the end, insert—

“This Article does not apply in relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020.”.

(6) In Article 15 (public intervention price), after paragraph 2, insert—

“**3.** This Article does not apply in relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020.”.

(7) In Article 16 (general principles on disposal from public intervention), after paragraph 3, insert—

“**4.** This Article does not apply in relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020.”.

- (8) In Article 17 (eligible products), at the end, insert—  
“The second paragraph does not apply in relation to England.”.
- (9) In Article 19 (delegated powers)—
- (a) after paragraph 3, insert—  
“**3A.** Paragraphs 1 to 3 do not apply in relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020.”;
- (b) after paragraph 5, insert—  
“**5A.** Paragraph 5 does not apply in relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020.  
**5B.** In relation to private storage aid schemes in England, paragraph 5 is to be read as if point (c) were omitted.”;
- (c) at the end, insert—  
“**7.** In relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020, or in relation to private storage aid schemes in England, the first subparagraph of paragraph 6 is to be read as if, for “the market intervention measures”, there were substituted “aid for private storage”.”.
- (10) In Article 20 (implementing powers in accordance with the examination procedure), at the end, insert—  
“This Article does not apply in relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020.  
In relation to private storage aid schemes in England, point (o) is to be read as if point (ii) were omitted.”.