

*Regulations made by the Secretary of State, laid before Parliament under paragraph 5(3) of Schedule 7 to the European Union (Withdrawal) Act 2018, for approval by resolution of each House of Parliament within twenty-eight days beginning with the day on which the Regulations were made, subject to extension for periods of dissolution, prorogation or adjournment for more than four days.*

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STATUTORY INSTRUMENTS

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**2019 No. 812**

**EXITING THE EUROPEAN UNION  
AGRICULTURE  
FOOD**

**The Common Agricultural Policy and Market Measures  
(Miscellaneous Amendments) (EU Exit) Regulations 2019**

*Made - - - - 4th April 2019*

*Laid before Parliament 5th April 2019*

*Coming into force in accordance with regulation 1*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018<sup>(1)</sup>.

The Secretary of State is of the opinion that, by reason of urgency, it is necessary to make these Regulations without a draft of the instrument being laid before, and approved by a resolution of, each House of Parliament.

**Citation and commencement**

1. These Regulations may be cited as the Common Agricultural Policy and Market Measures (Miscellaneous Amendments) (EU Exit) Regulations 2019 and come into force immediately before exit day.

**Amendment of the Common Agricultural Policy (Direct Payments to Farmers)  
(Amendment) (EU Exit) Regulations 2019**

2.—(1) The Common Agricultural Policy (Direct Payments to Farmers) (Amendment) (EU Exit) Regulations 2019<sup>(2)</sup> are amended as follows.

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(1) 2018 c. 16.

(2) S.I. 2019/207.

(2) In regulation 4—

- (a) in paragraph (4), in the substituted text, for “Article 58(6)” substitute “Article 58(1)”;
- (b) in paragraph (8), in the substituted text, after paragraph 2, insert—

“3. By 31 December 2019, the relevant authority may decide to make available, as additional support for measures under rural development programming, up to 15% of its share of the national ceiling for calendar year 2020. The amount made available for rural development programming measures under this paragraph shall no longer be available for granting direct payments.”.

(3) In regulation 5(2), in the substituted text, in paragraph 5, after “paragraph 3,” insert “Article 14(3),”.

### **Amendment of the Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019**

3.—(1) The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019(3) are amended as follows.

(2) In regulation 7(28)—

- (a) in sub-paragraph (a), for “two places” substitute “place”;
- (b) after sub-paragraph (a), insert—
  - “(aa) for “Member State” substitute “The relevant authority”;

(3) Omit regulation 8(4)(a)(iii).

(4) In regulation 9(5)(b), in the substituted paragraph, for “Annex I of” substitute “Annex II to”.

### **Amendment of the Common Organisation of the Markets in Agricultural Products Framework (Miscellaneous Amendments, etc.) (EU Exit) Regulations 2019**

4.—(1) The Common Organisation of the Markets in Agricultural Products Framework (Miscellaneous Amendments, etc.) (EU Exit) Regulations 2019(4) is amended as follows.

(2) In regulation 47(b), in the substituted paragraph, for “or”, in the first place it occurs, substitute “of”.

(3) In regulation 48—

- (a) in paragraph (a) omit “, in both places it occurs,”;
- (b) after paragraph (a), insert—
  - “(aa) for “one or more official languages of the Union” substitute “English, and may also appear in another language”;

### **Amendment of the Market Measures (Marketing Standards) (Amendment) (EU Exit) Regulations 2019**

5.—(1) Regulation 8 of the Market Measures (Marketing Standards) (Amendment) (EU Exit) Regulations 2019(5) is amended as follows.

(2) In paragraph (16)—

- (a) in sub-paragraph (c), after ““non-EU”” insert “, in each place it occurs,”;
- (b) in sub-paragraph (d)—

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(3) [S.I. 2019/763](#).

(4) [S.I. 2019/821](#).

(5) [S.I. 2019/822](#).

- (i) in paragraph (i), after ““EU”” insert “, in each place it occurs,”;
- (ii) in paragraph (ii), after ““non-EU”” insert “, in each place it occurs,”.
- (3) In paragraph (21)(b) omit “the”, in the first place it occurs.
- (4) In paragraph (42)(c), for “14 and 15” substitute “16 and 17,”.

**Amendment of the Market Measures (Miscellaneous Provisions) (Amendment) (EU Exit) Regulations 2019**

**6.—**(1) The Market Measures (Miscellaneous Provisions) (Amendment) (EU Exit) Regulations 2019(6) are amended as follows.

- (2) In regulation 5(15) for “relevant” substitute “appropriate”.
- (3) For regulation 9(2)(a) substitute—
  - “(a) for “Union aid” substitute “Aid”,”.

4th April 2019

*Robert Goodwill*  
Minister of State  
Department for Environment, Food and Rural  
Affairs

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(b) and (g)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations amend the Common Agricultural Policy (Direct Payments to Farmers) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/207) to take account of subsequent amendments made to 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 (OJ No L 347, 20.12.2013, p. 608) by Regulation (EU) 2019/288 of the European Parliament and of the Council amending Regulations (EU) No 1305/2013 and (EU) No 1307/2013 as regards certain rules on direct payments and support for rural development in respect of the years 2019 and 2020 (OJ No L 53, 22.2.2019, p. 14).

These Regulations also amend the Market Measures (Marketing Standards) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/XXX) to take account of subsequent amendments made to Commission Implementing Regulation (EU) No 543/2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors (OJ No L 157, 15.6.2011, p. 1) by Commission Delegated Regulation (EU) 2019/428 amending Implementing Regulation (EU) No 543/2011 as regards marketing standards in the fruit and vegetables sector (OJ No L 75, 19.3.2019, p. 1).

These Regulations also make minor amendments to correct the Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019, the Common Organisation of the Markets in Agricultural Products Framework (Miscellaneous Amendments, etc.) (EU Exit) Regulations 2019, the Market Measures (Marketing Standards) (Amendment) (EU Exit) Regulations 2019 and the Market Measures (Miscellaneous Provisions) (Amendment) (EU Exit) Regulations 2019.

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