

Agriculture Bill

[AS INTRODUCED]

LEGISLATIVE COMPETENCE

At Introduction the Minister of Agriculture, Environment and Rural Affairs had made the following statement under section 9 of the Northern Ireland Act 1998:

“In my view the Agriculture Bill would be within the legislative competence of the Northern Ireland Assembly.”

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Make provision for the modification of assimilated direct legislation in relation to aid in the fruit and vegetables sector and information and promotion schemes for agricultural products; and for connected purposes.

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by His Majesty as follows:

Aid in the fruit and vegetables sector: amendment of CMO Regulation

1.—(1) Article 32 of the CMO Regulation is amended as follows.

(2) In the heading, after “funds” insert “: Northern Ireland”.

(3) In paragraph 1—

5 (a) after point (a) insert “and”;

(b) for point (b) substitute—

“(b) in a case where the relevant authority decides to grant financial assistance as mentioned in paragraph 1A, that financial assistance.”.

10 (4) After paragraph 1 insert—

“1A. Financial assistance in accordance with Article 34 may be granted by the relevant authority to a producer organisation, or to an association of producer organisations where the association presents, manages and implements an operational programme or a partial operational programme,
15 in accordance with the terms and conditions specified in legislation made pursuant to Article 37 or 38.”.

(5) The amendments of Article 32 of the CMO Regulation made by this section do not affect the operation of that Article in relation to any operational programme with a duration ending on or before 31 December 2025.

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Aid in the fruit and vegetables sector: power to modify

2.—(1) The Department may by regulations modify the following assimilated direct legislation—

- 5 (a) Articles 32 to 38 of the CMO Regulation, which make provision about aid in the fruit and vegetables sector (“relevant aid”);
- (b) so far as relating to relevant aid, Commission Delegated Regulation (EU) 2017/891 of 13 March 2017 supplementing the CMO Regulation with regard to the fruit and vegetables, and processed fruit and vegetables, sectors;
- 10 (c) so far as relating to relevant aid, Commission Implementing Regulation (EU) 2017/892 of 13 March 2017 laying down rules for the application of the CMO Regulation with regard to the fruit and vegetables, and processed fruit and vegetables, sectors.

15 (2) The Department may by regulations make provision for or about the review of any determination relating to relevant aid, including provision which amends, applies (with or without modifications), or is similar to, any provision of or made under the Common Agricultural Policy (Review of SCMO Decisions) Regulations (Northern Ireland) 2015.

20 (3) Without prejudice to section 11(1E) of the Interpretation Act (Northern Ireland) 1954 (construction of certain references to EU instruments), the reference in subsection (1)(a) above to Article 32 of the CMO Regulation includes any provision inserted in that Article by section 1.

Information provision and promotion measures: power to modify

25 3. The Department may by regulations modify the following assimilated direct legislation—

- (a) Regulation (EU) No 1144/2014 of the European Parliament and of the Council of 22 October 2014 on information provision and promotion measures concerning agricultural products implemented in the internal market and in third countries;
- 30 (b) Commission Delegated Regulation (EU) 2015/1829 of 23 April 2015 supplementing Regulation (EU) No 1144/2014 of the European Parliament and of the Council on information provision and promotion measures concerning agricultural products implemented in the internal market and in third countries;
- 35 (c) Commission Implementing Regulation (EU) 2015/1831 of 7 October 2015 laying down rules for application of Regulation (EU) No 1144/2014 of the European Parliament and of the Council on information provision and promotion measures concerning agricultural products implemented in the internal market and in the third countries.

40 Regulations

4.—(1) Regulations under this Act may contain such supplementary, incidental, consequential, transitional, transitory or saving provisions as appear to the Department to be necessary or expedient.

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(2) The provision which may be made by virtue of subsection (1) includes provision modifying any statutory provision.

(3) Regulations may not be made under this Act unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

5 **Interpretation**

5. In this Act—

“the CMO Regulation” means Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products;

10 “the Department” means the Department of Agriculture, Environment and Rural Affairs;

“modify” includes amend, repeal or revoke;

“statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954.

15 **Commencement and short title**

6.—(1) This Act comes into operation on the day after the day on which this Act receives Royal Assent.

(2) This Act may be cited as the Agriculture Act (Northern Ireland) 2024.

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A Bill to make provision for the modification of assimilated direct legislation in relation to aid in the fruit and vegetables sector and information and promotion schemes for agricultural products; and for connected purposes.

Introduced by: Mr Andrew Muir, Minister of Agriculture, Environment and Rural Affairs

On: 25 November 2024

Bill Type: Executive Bill

ACCOMPANYING DOCUMENTS

**An Explanatory and Financial Memorandum is printed separately as
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