

**2012 No. 3027**

**AGRICULTURE, ENGLAND**

**The Common Agricultural Policy Single Payment and Support Schemes (Amendment) Regulations 2012**

<i>Made</i>	- - - -	<i>3rd December 2012</i>
<i>Laid before Parliament</i>		<i>7th December 2012</i>
<i>Coming into force</i>	- -	<i>1st January 2013</i>

The Secretary of State is designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Union and makes these Regulations in exercise of the powers conferred by that section.

**Citation and commencement**

1. These Regulations may be cited as the Common Agricultural Policy Single Payment and Support Schemes (Amendment) Regulations 2012 and come into force on 1st January 2013.

**Amendment of the Common Agricultural Policy Single Payment and Support Schemes Regulations 2010**

2.—(1) The Common Agricultural Policy Single Payment and Support Schemes Regulations 2010(c) are amended as follows.

(2) For regulation 8 substitute—

**“Additional modulation**

8. The rates in the third column of the Schedule are the voluntary modulation referred to in Article 1 of Council Regulation (EC) No 378/2007 laying down rules for voluntary modulation of direct payments provided for in Regulation (EC) No 1782/2003(d) for the period 2009 to 2012 and the voluntary adjustment referred to in Article 10b of Council Regulation (EC) No 73/2009(e) for 2013(f).”.

(3) In the Schedule—

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(a) S.I. 1972/1811.  
(b) 1972 c. 68. Section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 (c. 51) section 27(1)(a) and the European Union (Amendment) Act 2008 (c. 7), Part 1 of the Schedule.  
(c) S.I. 2010/540.  
(d) OJ No L 95, 5.4.2007, p 1, as last amended by Regulation (EU) No 1231/2011 of the European Parliament and of the Council (OJ No L 326, 8.12.2011, p 24).  
(e) OJ No L 30, 31.1.2009, p 16, as last amended by Regulation (EU) No 671/2012 of the European Parliament and of the Council (OJ No L 204, 31.7.2012, p 11).  
(f) The rates in the second column, provided for the sake of completeness, are the compulsory rates of modulation provided for in Article 7 of Council Regulation (EC) No 73/2009 for the period 2009 to 2012 and the adjustments provided for in Article 10a of Council Regulation (EC) No 73/2009 for 2013.

(a) in the table headed “Amounts up to and including €5,000” after the row relating to 2012 insert—

“2013	0%	14%	14%”;
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(b) in the table headed “Amounts over €5,000 and up to and including €300,000” after the row relating to 2012 insert—

“2013	10%	9%	19%” ; and
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(c) in the table headed “Amounts over €300,000” after the row relating to 2012 insert—

“2013	14%	5%	19%”.
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## Revocation

3. The Common Agricultural Policy Single Payment and Support Schemes (Reductions from Payments) (England) Regulations 2006(a) are revoked.

*David Heath*  
Minister of State

3rd December 2012

Department for Environment, Food and Rural Affairs

## EXPLANATORY NOTE

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

These Regulations amend the Common Agricultural Policy Single Payment and Support Schemes Regulations 2010 (S.I. 2010/540) (“the principal Regulations”) which make provision in England for the administration of Council Regulation (EC) No 73/2009 (OJ No L 30, 31.1.2009, p 16), and other associated EU instruments, in relation to direct support schemes under the common agricultural policy.

Regulation 2 amends the principal Regulations to provide for additional modulation deductions which will be made from direct payments to farmers for 2013.

Regulation 3 revokes the Common Agricultural Policy Single Payment and Support Schemes (Reductions from Payments) (England) Regulations 2006 (S.I. 2006/169).

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

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(a) S.I. 2006/169.

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