EXPLANATORY MEMORANDUM TO

The Agricultural Schemes (Data Publication) Regulations (Northern Ireland) 2026

S.R. 2026 No. 0000

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department of Agriculture, Environment and Rural Affairs ("the Department") to accompany this Statutory Rule which is laid before the Northern Ireland Assembly.

1.2 The Statutory Rule is made under the powers conferred by section 48 of, and paragraph 5(4) of Schedule 6 to the Agriculture Act 2020 (a) and is subject to the negative resolution procedure.

2. Purpose

2.1 The purpose of the Statutory Rule to enable DAERA to meet its legal requirements to continue to publish this beneficiary payment data by the end of May 2027.

3. Background

3.1 Following the UK exit from the EU, Assimilated Law Regulation 1306/2013 and Commission Implementing Regulation 908/2014, require the Department to continue to publish payment data details of recipients of Farm Support Payments over a threshold of €1,250 (those beneficiaries who received less than €1,250 in total subsidy, are anonymised). Currently, legislation requires that this published data must remain accessible for two years following publication. The Department now needs to make legislative changes to enable publication of the beneficiary payment data to continue in 2027 and onwards, thus ensuring that the Department continues to meet its legal obligations, prior to the end of May 2027.

4. Consultation

4.1 The Department has not undertaken a public consultation, having received DSO advice, as the changes to legislation are an act of administrative necessity.

5. Equality Impact

5.1 In accordance with its duty under section 75 of the Northern Ireland Act 1998, and the DAERA Equality Scheme, the equality implications of the Statutory Rule have been assessed. It is the Department’s assessment that the proposed amendments have no significant adverse equality implications overall.

6. Regulatory Impact / Better Regulation / Data Protection Impact Assessment

6.1 A Regulatory Impact Screening Assessment concluded that a full Regulatory Impact Assessment was not required.

6.2 A Data Protection Impact Assessment Screening Exercise concluded that a full Data Protection Impact Assessment was not required. Appropriate governance, security and information management arrangements will apply to the processing of personal information required for Scheme administration.

7. Financial Implications

7.1 There are no financial implications for the Department associated with the making of this Statutory Rule.

8. Section 24 of the Northern Ireland Act 1998

8.1 The Department has considered the requirements of section 24 of the Northern Ireland Act 1998 and is satisfied that the Regulations are compatible with Convention Rights.

8.2 The Department has also identified no adverse implications in respect of Article 2(1) of the Windsor Framework.

9. EU Implications

9.1 There are no EU implications associated with this Statutory Rule.

10. Parity or Replicatory Measure

10.1 These changes broadly replicate post EU action taken by other UK Devolved Administrations following UK exit from the EU.

11. Additional Information

11.1 For further information contact Freda McKibbin, Agricultural Policy Division, Department of Agriculture, Environment and Rural Affairs.