Strategic Planning and Corporate Services Group
Strategic Support Directorate



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FROM: **PAUL MCGRANAGHAN**
DAERA DALO

DATE: **30 SEPTEMBER 2026**

TO: **DR. JANICE THOMPSON**
AERA COMMITTEE CLERK

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

Summary: The Department of Agriculture, Environment and Rural Affairs intends to make amendments via Statutory Rule (SR) to assimilated legislation, specifically, Regulation 1306/2013 and Commission Implementing Regulation 908/2014 which will allow DAERA to publish beneficiary payment data.

Business Area: Agricultural Policy Division

Issue: To brief the AERA Committee on the proposed changes to existing legislation to enable DAERA to meet its legal requirements to continue to publish beneficiary payment data by the end of May 2027.

Restrictions: None

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Action Required: To note the content of this letter.

Officials Attending: Richard Johnston (Director of Agricultural Policy Division, DAERA), Manus McHenry, (Deputy Director of Agricultural Policy Division, DAERA), Freda McKibbin, (Head of Programme Management Branch, Agricultural Policy Division, DAERA).

Background

The Department of Agriculture, Environment and Rural Affairs proposes to make amendments via the above named Statutory Rule under powers conferred on it by the Agriculture Act 2020, section 48, Schedule 6 to assimilated law regulation 1306/2013 and Commissioning Implementing Regulation 908/2014.

Following the UK exit from the EU, assimilated law Regulation 1306/2013 and its Commission Implementing Regulation 908/2014, require DAERA 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.

DAERA has a legal obligation under assimilated law to publish the data relating to recipients of Farm Support Payments administered under assimilated law. The principal provisions in Chapter IV (Financial Management) of Title VII (Transparency) of the Horizontal Regulation 1306/2013 provide for proportionality in the extent of disclosure. The low payment threshold in Article 112 provides protection in relation to small payments. Article 111(1) is supplemented by Chapter VI (Transparency) of Commission Implementing Regulation 908/2014 and only limited municipality postcodes are made public. The objective of reinforcing public control of the use of money provided by EU funds is explained in recital 73 of Regulation 1306/2013 and in recital 32 of Regulation 908/2014. The above noted provisions provide a fair proportionate balance between disclosure in the interest of financial controls and transparency and privacy.

The proposed legislative amendments are essential to allow DAERA to publish beneficiaries' data on an alternative platform, as the UKCB website will no longer be accessible.

The prorposed changes are;

I. **Change the name of the website** where DAERA's beneficiary payment data is intended to be published. Currently it is written in legislation that beneficiary payments must be published on a single UK website. It is therefore proposed that reference to the 'single UK website' is changed to '***one or more websites'***.

II. **Change the currency** from Euros to UK Sterling whilst maintaining the UK Sterling equivalent threshold figure at £1114. Currently published data is in Euros with threshold figure of €1250.

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The Statutory Rule is subject to negative resolution procedure

Purpose of legislation/policy background

The amendments to the Statutory Rule will enable publication of the beneficiary payment data to continue, thus ensuring that DAERA continues to meet its legal obligations

Previous Engagement with the Committee

A written briefing was issued to AERA committee at meeting that took place on 17 September 2026.

Financial Implications

The proposed amendments to assimilated law have no financial implications.

Consultation

The Departmental Solicitor's Office (DSO) have advised that the proposed amendments to legislation do not require a Public Consultation. These are 'Technical Amendments' only to the current legislation. At a meeting in June 2026, the Agricultural Policy Stakeholder Group (APSG) were informed about the proposed changes to legislation and the reasons for these proposed amendments.

Compliance with Section 24 of the Northern Ireland Act 1998

The Regulations do not have any human rights implications, nor are they incompatible with the Northern Ireland Protocol to the EU withdrawal agreement. The Regulations are therefore deemed to comply with the requirements of section 24 of the Northern Ireland Act 1998.

Consideration by the Executive

Executive agreement is not required for this Statutory Rule as it is not "cross-cutting" or "controversial". All matters within it are within the responsibility and control of the Minister of Agriculture, Environment & Rural Affairs.

Equality Impact

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 using an EQIA screening document. It is the Department's assessment that the proposed amendments have no significant adverse equality implications overall.

Regulatory Impact

The proposed Statutory Rule maintains a proportionate and workable regulatory framework following the closure of the previously used UCB website and UK exit from the EU.

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Rural Needs Impact

The proposed amendment does not impact on the social and economic needs of persons in rural areas.

Data Protection Impact

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 continue to apply to the processing of personal information required for Scheme administration as was the case with data platform this is replacing.

Child Rights Impact

No significant adverse direct or indirect impacts on children's rights have been identified. Accordingly, a full Child Rights Impact Assessment is not considered necessary.

Position in Great Britain

All other UK administrations continue to publish beneficiary payment data on Government platforms. The Department of Agriculture Food and the Marine (DAFM) in Ireland continues to deliver the EU CAP 2023-2027 programme and will remain within the EU regulations associated with this Programme. The information is published to meet the requirements of (EU) Regulations on a single nation website.

Proposed timing of consideration of the SL1

The SL1 has been submitted to the Committee in accordance with the minimum four-week timeframe for Committee consideration on 26 November 2026.

Proposed Operational Date

It is proposed that the rule will come into operation in January 2027.

The draft of the proposed Statutory Rule and Explanatory Memorandum are attached, and you will wish to bring this matter to the attention of the Committee for Agriculture, Environment and Rural Affairs.

This SL1 is being copied to the Human Rights Commission, Equality Commission and Assembly & Legislation Section of The Executive Office.

Yours sincerely,



Paul McGranaghan
Departmental Assembly Liaison Officer

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Annex A: **Statutory Rule – The Agricultural Schemes (Data Publication) Regulations (Northern Ireland) 2026**

Annex B: **Explanatory Memorandum - The Agricultural Schemes (Data Publication) Regulations (Northern Ireland) 2026**

Cc: **Human Rights Commission**
Equality Commission

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