

**Strategic Planning and Corporate
Services Group**
Strategic Support Directorate



Department of
**Agriculture, Environment
and Rural Affairs**

An Roinn

**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Department of

**Fairmin, Environment
an' Kintra Matthers**

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**FROM: PAUL MCGRANAGHAN
DAERA DALO**

DATE: 24 APRIL 2026

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

SL1 The Farming with Nature Scheme (Amendment) Regulations (Northern Ireland) 2026

Summary: The Farming with Nature Scheme (Amendment) Regulations (Northern Ireland) 2026 are intended to provide DAERA with the legal powers to implement Year 2 of the Farming with Nature Transition Scheme.

Business Area: Agricultural Policy Division

Issue: To invite the AERA Committee to consider the amendments proposed in The Farming with Nature Scheme (Amendment) Regulations (Northern Ireland) 2026 and agree that they can move forward to the next stage of the legislative process.

Restrictions: None

Action Required: That you note and consider the contents of this SL1, the attached Statutory Rule and Explanatory Memorandum.

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Officials Attending: Richard Johnston, Director of Agricultural Policy Division, Manus McHenry, Deputy Director of Agricultural Policy Division, and John Crawford, Head of Legislation Branch, Agricultural Policy Division.

Background

The Department of Agriculture, Environment and Rural Affairs proposes to make the above named Statutory Rule under powers conferred on it by section 48 of, and paragraph 5 of Schedule 6 to the Agriculture Act 2020, and Article 28(10)(2)(d) of Regulation (EU) No1305/2013 of the European Parliament and of the Council of 17 December 2013.

The Rule will be laid before the Assembly under the negative resolution procedure and it is anticipated that it will come into operation on a date to be decided in June 2026. A copy of the Statutory Rule is attached at **Annex A**.

Purpose of legislation/policy background

The purpose of these amendments to existing powers is to update payment rates, expand eligibility, and introduce additional actions to Year 2 of the Farming with Nature Transition Scheme.

The Farming with Nature Transition Scheme sits within the Farming with Nature Package which forms part of the Sustainable Agricultural Programme. It replaces the current Environmental Farming Scheme and provides a package of support for farmers to increase the extent of habitats across farmed land in Northern Ireland.

The Scheme provides for payments to be made by the Department to eligible farm businesses in relation to undertaking specific environmental actions on eligible farmed land.

This Statutory Rule also provides for the amounts of payment, withholding, and recovery of payment powers.

Part 3 of the Regulations makes amendments to provide clarity in relation to provisions in the Farm Sustainability Standards Regulations (Northern Ireland) 2025 (S.R. 2025 No. 165).

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It also makes amendments to the following three articles.

Article 96 of the Horizontal Regulation 1306/2013 is amended to correct a drafting error. Article 99 of the Horizontal regulation sets out the minimum and maximum penalties which may be applied in respect of non-compliance with Farm Sustainability standards. Article 72 of the Commission Implementing Regulation 809/2014 is amended in relation to the contents of a control report and the time scale for its finalization after an on-the-spot check

Consultation

DAERA consulted from 21 December 2021 to 15 February 2022 on proposals to introduce a Farming with Nature Package as part of the Future Agricultural Policy Proposals for Northern Ireland consultation. No further consultation has been carried out in relation to these amending regulations.

Position in GB/ROI

There are no direct comparisons in GB or ROI to highlight and bring to the AERA Committee's attention.

Equality Impact

In accordance with DAERAs obligations under section 75 of the Northern Ireland Act 1998, a screening exercise for the Farming with Nature Transition Scheme was completed with the screening decision to not conduct a full equality impact assessment. At Northern Ireland level, the Farming with Nature Transition Scheme will not have an identifiable differential impact on the main equality categories.

Regulatory Impact / Better Regulation

Regulatory impact screening was carried out with the decision that a full impact assessment was not required as is anticipated that there will be no additional compliance or administrative burdens placed on farm business over and above those required in existing regimes.

Financial Implications

The Farming with Nature Transition Scheme is funded from the Executive earmarked budget for agriculture, environment, fisheries, and rural development.

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The funding required for 2026/27 is estimated to be £7M with a further £2.3M from Resource DEL.

EU Implications

There are no EU implications associated with this statutory rule.

Section 24 of the Northern Ireland Act 1998

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

The rule does not require to be laid before the Assembly.

You will wish to bring this matter to the attention of Committee members. This SL1 is being copied to the Human Rights Commission and Legislative Programme Secretariat.

Yours sincerely,



Paul McGranaghan
Departmental Assembly Liaison Officer

Enc.

Annex A: Farming with Nature Scheme (Amendment) Regulations (Northern Ireland) 2026

Annex B: Explanatory Memorandum to The Farming with Nature Scheme (Amendment) Regulations (Northern Ireland) 2026

Cc: Assembly & Legislation Section (Executive Office)
Human Rights Commission
Equality Commission

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