

Farm payments if there's no Brexit deal

1. Department for Environment Food & Rural Affairs

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A scenario in which the UK leaves the EU without agreement (a 'no deal' scenario) remains unlikely given the mutual interests of the UK and the EU in securing a negotiated outcome.

Negotiations are progressing well and both we and the EU continue to work hard to seek a positive deal. However, it's our duty as a responsible government to prepare for all eventualities, including 'no deal', until we can be certain of the outcome of those negotiations.

For two years, the government has been implementing a significant programme of work to ensure the UK will be ready from day 1 in all scenarios, including a potential 'no deal' outcome in March 2019.

It has always been the case that as we get nearer to March 2019, preparations for a 'no deal' scenario would have to be accelerated. Such an acceleration does not reflect an increased likelihood of a 'no deal' outcome. Rather it is about ensuring our plans are in place in the unlikely scenario that they need to be relied upon.

This series of technical notices sets out information to allow businesses and citizens to understand what they would need to do in a 'no deal' scenario, so they can make informed plans and preparations.

This guidance is part of that series.

Also included is an [overarching framing notice](#) explaining the government's overarching approach to preparing the UK for this outcome in order to minimise disruption and ensure a smooth and orderly exit in all scenarios.

We are working with the devolved administrations on technical notices and we will continue to do so as plans develop.

Purpose

This notice explains how payments under the EU's Common Agricultural Policy (CAP) schemes would be affected if the UK leaves the EU in March 2019 without a deal.

As the UK will have the freedom to design its own agricultural policy once we have left the EU, the nature of support for the agricultural sector will change. The Agriculture Bill will legislate for those changes in England. The future of agricultural policy has been the subject of a public consultation in each country of the UK:

- In England, [The future for food, farming and the environment](#)
- In Wales, [Brexit and our land](#)
- In Scotland, [Stability and simplicity](#)
- In Northern Ireland, [Northern Ireland future agricultural policy framework](#)

The devolved administrations and UK government are working together to determine where UK frameworks need to be established.

This notice explains how we will achieve continuity in the short-term in the unlikely event that the UK leaves the EU in March 2019 with no deal. It relates to the immediate period after the UK leaves the EU.

Before 29 March 2019

Currently, financial support for the agricultural sector comes from our participation in the EU's Common Agricultural Policy (CAP). This makes EU funds available to reimburse, fully or in part, the support payments the UK Government makes to the sector. The UK is currently a net contributor to the EU budget, and all EU funding is

derived from funding by UK taxpayers.

The current EU regulations governing the CAP for the 2014-2020 programme include regulations (EU) 1303/2013, 1305/2013, 1306/2013, 1307/2013 and 1308/2013. Defra is the lead for the UK government on overall negotiations and reporting to the EU on the CAP, and is responsible for administering the CAP in England. The devolved administrations are responsible for administering the CAP in Scotland, Northern Ireland and Wales.

After 29 March 2019 if there's 'no deal'

If the UK leaves the EU in March 2019 with no agreement in place, eligible beneficiaries will continue to receive payments under the terms of the [UK government's funding guarantee](#).

Defra and the devolved administrations are preparing domestic legislation (under the Withdrawal Act) to ensure we have the ability in law to continue operation of payments in a 'no deal' scenario. This legislation preserves the EU law as it currently stands, and 'fixes' the legislation so that it is operable once we've left the EU.

The domestic legislation will require beneficiaries to conform to the same standards as they do currently, in order to receive payments. This will include on-site inspections to UK farms receiving payments, which will continue as normal.

All of these rules and processes will remain the same until Defra and the devolved administrations introduce new agriculture policies, either through the Agriculture Bill due to be introduced in the UK Parliament, or an Agriculture Bill in one or more of the devolved parliaments.

The government has pledged to continue to commit the same cash total in funds for farm support until the end of this parliament, expected in 2022: this includes all funding provided for farm support under both Pillar 1 and Pillar 2 of the current CAP. This commitment

applies to the whole UK.

This notice is meant for guidance only. You should consider whether you need separate professional advice before making specific preparations.

It is part of the government's ongoing programme of planning for all possible outcomes. We expect to negotiate a successful deal with the EU.

The UK government is clear that in this scenario we must respect our unique relationship with Ireland, with whom we share a land border and who are co-signatories of the Belfast Agreement. The UK government has consistently placed upholding the Agreement and its successors at the heart of our approach. It enshrines the consent principle on which Northern Ireland's constitutional status rests. We recognise the basis it has provided for the deep economic and social cooperation on the island of Ireland. This includes North-South cooperation between Northern Ireland and Ireland, which we're committed to protecting in line with the letter and spirit of Strand two of the Agreement.

The Irish government have indicated they would need to discuss arrangements in the event of no deal with the European Commission and EU Member States. The UK would stand ready in this scenario to engage constructively to meet our commitments and act in the best interests of the people of Northern Ireland, recognising the very significant challenges that the lack of a UK-EU legal agreement would pose in this unique and highly sensitive context.

It remains, though, the responsibility of the UK government, as the sovereign government in Northern Ireland, to continue preparations for the full range of potential outcomes, including 'no deal'. As we do, and as decisions are made, we'll take full account of the unique circumstances of Northern Ireland.