

Common agricultural policy CAP: common rules for support schemes for farmers

2010/0267(COD) - 30/09/2010 - Legislative proposal

PURPOSE: to amend Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers in order to align it with the Lisbon Treaty and to implement a number simplification proposals.

PROPOSED ACT: Regulation of the European Parliament and of the Council

BACKGROUND: Council Regulation (EC) No 73/2009 confers powers on the Commission in order to implement some of the provisions of that Regulation. As a consequence of the entry into force of the Lisbon Treaty, the powers conferred under Regulation (EC) No 73/2009 upon the Commission need to be aligned to Articles 290 (delegated acts) and 291 (implementing acts) of the Treaty on the Functioning of the European Union (TFEU).

IMPACT ASSESSMENT: an impact assessment is not needed since the proposal to align Council Regulation (EC) No 73/2009 to the Lisbon Treaty is an inter-institutional matter that will concern all Council Regulations. The amendments aiming at simplification are of limited scope and purely technical nature.

LEGAL BASE: Article 43 of the Treaty on the Functioning of the European Union.

CONTENT: the proposal identifies the delegated and implementing powers of the Commission in Council Regulation (EC) No 73/2009 and establishes the corresponding procedure for adoption of these acts. In addition, it makes the following points:

Simplification: in the light of the experience gained with the application of Regulation (EC) No 73/2009 some of the provisions of that Regulation will be simplified, particularly regarding cross compliance requirements.

Definitions: for reasons of legal certainty and clarity the proposal provides definitions of 'arable land', 'permanent crops', 'permanent pasture' and 'grassland'.

Declaration: the proposal provides for the possibility for Member States not to require the declaration of all the agricultural areas of their holding for farmers with a total area of the holding lower than 1 hectare. It can be assumed that the proposed possibility for Member States to exempt farmers not applying for area-related payments and declaring less than 1 hectare from the requirement of an area declaration will mainly concern livestock producers without any eligible land to apply for area-related payments. The number of farmers which could be affected is difficult to foresee, but it can be assumed that it will be limited, keeping in mind the continued decoupling of livestock payments and transfer to area related payments.

FINANCIAL IMPLICATIONS: this measure does not involve any additional Union expenditure.