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

2010/0267(COD) - 04/07/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 648 votes to 27, with 11 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending 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.

Parliament's position adopted at first reading, under the ordinary legislative procedure, amends the Commission proposal as follows:

Delegated and implementing powers of the Commission: following the recent conclusion of a Common Understanding on practical arrangements for the use of delegated acts (Article 290 TFUE), as well as the conclusion of the procedure on the Regulation of the European Parliament and the Council laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers, Parliament proposes an updated version of the legal text, including the wording agreed to by Parliament and Council, as well as with regards to other conditions of the delegation (period of delegation, timeframe for objecting to a delegated act, extension of that period, committee procedure, etc.).

Parliament suggests the modification of **annexes**, formal condition of modifying a non-essential element of the basic act. The Commission may adopt, by means of **delegated** acts, measures which are both necessary and duly justified to resolve, in an emergency, practical and specific problems.

The delegated act shall be conferred on the Commission for a period of five years from the date of entry into force of this Regulation. A delegated act shall enter into force only if no objection has been expressed either by the Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

Implementing acts: the Commission should, by means of implementing acts, approve the granting of certain specific support, decide which Member States fulfil certain conditions regarding suckler cow premium and authorise new Member States to complement, subject to certain conditions, any direct payments. Given the special nature of those acts, the Commission should be empowered to adopt them without the assistance of the Committee for Direct Payments.

Financial discipline mechanism: Parliament considers that the procedure defined in Article 11 of Regulation 73/2009 (regarding the financial discipline mechanism) may no longer be applied without the involvement of the European Parliament, in light of the Lisbon Treaty provisions on the Common Agricultural Policy and the budgetary procedure. Maintaining Article 11 unchanged - with the Council acting on a proposal from the Commission - would constitute a continuation of the reservation of Council's implementing powers under the former Article 202 EC. However, the resolution considers that in the new legislative context, this reservation of implementing powers for the Council is no longer justified in the new legislative framework.

Reductions and exclusions in case of non-compliance: Parliament considers that the Commission's proposals in this area are insufficient and still involve a need to carry out 100% follow-up on-the-spot

checks. The follow-up on-the-spot checks in the cases of minor infringements lead to a significant increase in the number of compulsory on-the-spot checks. Thereby it creates a significant administrative burden. That is why it is important to abolish the obligation to carry out follow-up controls in the cases of minor infringements; this will reduce the administrative burden.

Lastly, the Member States shall adopt rules to establish the calculation of the producer's average annual production.