

European Agricultural Fund for Rural Development (EAFRD): support for rural development 2014-2020

2011/0282(COD) - 27/09/2019 - Follow-up document

The Commission presented a report on the exercise of the power to adopt delegated acts conferred on the Commission by the main regulations of the common agricultural policy, namely:

- Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD);
- Regulation (EU) No 1306/2013 of the European Parliament and of the Council on the financing, management and monitoring of the common agricultural policy;
- Regulation (EU) No 1307/2013 of the European Parliament and of the Council laying down rules on direct payments to farmers under support schemes within the framework of the common agricultural policy;
- Regulation (EU) No 1308/2013 of the European Parliament and of the Council on the common organisation of the markets in agricultural products.

The power to adopt delegated acts shall be conferred on the Commission for a period of seven years from the date of entry into force of this Regulation. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the seven-year period. The delegation of power is tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

The Commission decided to submit this report some months before the ultimate legal deadline as this will allow the European Parliament and the Council to have an overall picture of the use of the empowerments for delegated acts in the four main Regulations of the Common Agricultural Policy, when the legislators are discussing the proposals of the Commission for the Common Agricultural Policy post 2020.

Exercise of Delegation

At this stage, the Commission has adopted nine delegated acts under Regulation (EU) No 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD).

(1) The Commission adopted six delegated acts amending Annex I to review the ceilings set out in Annex I on the basis of Article 58(7): Commission Delegated Regulation [\(EU\) No 994/2014](#), Commission Delegated Regulation [\(EU\) No 1378/2014](#), Commission Delegated Regulation [\(EU\) 2015/791](#), Commission Delegated Regulation [\(EU\) 2016/142](#), Commission Delegated Regulation [\(EU\) 2018/162](#) and Commission Delegated Regulation [\(EU\) 2019/71](#).

Most of these delegated acts, except Delegated Regulation (EU) 2015/791, reviewed the breakdown of Union support for rural development for Member States and years based on Member States' use of the possibility of financial flexibility between pillars provided for in Regulation (EC) No 73/2009 and Regulation (EU) No 1307/2013. Neither the European Parliament nor the Council issued any objection to any of the Delegated Regulations.

(2) Further to these six delegated acts, the Commission adopted one delegated act: Commission Delegated Regulation (EU) No 807/2014 which provide in particular for:

- the conditions under which a legal person may be considered to be a ‘young farmer’ and the setting of a grace period for the acquisition of occupational skills;
- provisions concerning the duration and content of farm and forest exchange schemes and farm and forest visits;
- provisions on the specific Union quality schemes, characteristics of groups of producers, and types of actions that may receive support;
- rules on the content of business plans and criteria to be used by Member States for granting support for farm and business development, minimum environmental requirements in the context of the afforestation and creation of woodland measures;
- conditions for local breeds and plant varieties in danger of being lost to farming and conservation of genetic resources under threat of genetic erosion and the definition of eligible operations;
- the calculation methods to be used to ensure that double funding is excluded when granting agri-environmental-climate, organic farming and Natura 2000 and Water Framework Directive payments;
- the definition of the areas in which animal welfare commitments are to provide upgraded standards of production methods;
- the types of operations eligible for support in the area of forest-environmental and climate services and forest conservations;
- the specification of the characteristics of pilot projects, clusters, networks, short supply chains, and local markets, eligible for support under the Co-operation measure, as well as conditions for granting support.
- Since its adoption, this delegated act has been amended twice:
- the first time by Commission Delegated Regulation [\(EU\) 2015/1367](#) as regards transitional provisions for the 2007-2013 rural development programmes;
- the second time by Commission Delegated Regulation [\(EU\) 2019/94](#) as regards the conditions under which a legal person may be considered to be a ‘young farmer’, the minimum and maximum duration of commercial loans to mutual funds and as regards a correction connected with leasing contracts and second hand equipment.

Conclusions

Overall, the Commission has exercised its delegated powers correctly. With the exception of the empowerment of Article 202 (export refunds), it cannot be excluded that the empowerments will be needed in future.