Support for rural development by the European Agricultural Fund for Rural Development (EAFRD) 2007-2013

2004/0161(CNS) - 07/12/2006 - Implementing legislative act

ACT: Commission Regulation 1975/2006/EC laying down detailed rules for the implementation of Council Regulation 1698/2005/EC as regards the implementation of control procedures as well as cross-compliance in respect of rural development support measures.

CONTENT: this Regulation lays down detailed rules for the implementation of control procedures, as well as cross-compliance procedures, in respect of the co-financed rural development support measures in accordance with Regulation 1698/2005/EC.

Experience shows that the integrated administration and control system (IACS) has proven to be an effective and efficient means for the implementation of the direct payment schemes. Therefore, as far as animal related measures are concerned, the administration and control rules, as well as the provisions concerning the reductions and exclusions of false declaration, must follow the principles set out in IACS .

For certain support schemes, however, the administration and control rules will need to be adapted according to their particular characteristics. Special provisions have, as a result, been established for those support schemes (i.e. those set out in Axes 1 and 3 in Section 1 and 3 of Regulation 1698/2005/EC. And equivalent support under Axis 4.)

In summary, the main elements of this Commission Regulation are as follows:

- In order to ensure that all national administrations are in a position to organise an efficient integrated control of all areas for which payment is claimed under Axis 2, on the one hand, and under the area-related to aid schemes covered by Regulation 796/2004/EC on the other, payment claims for area-related measures will need to be submitted within the same deadline as the single application. Nevertheless, to allow the necessary administrative arrangements to be made, a transitional period has been be granted.

- In order to ensure the deterrent effect of control, payments, as a general rule, will not be made before checks on the aid applications have been finalised. Payments will, however, be allowed up to a certain level after completion of administrative checks.

- The control rules, set out in this Regulation, take account of special characteristics – and special rules have, to that end, have been established.

- Certain payment, under measures for provided in Regulation 1698/2005/EC, will be subject to the respect of cross-compliance. As a result, this Regulation, has aligned the rules related to cross-compliance with those contained in Regulation 1782/2003 and 796/2004/EC.

- Procedures have been established concerning ex post checks of investment operations in order to ensure that all operations have been properly carried out.

- Special rules have been established to ensure that the responsibility for controlling local action groups are approved by the Member States.

- Member States will be expected to report to the Commission on the number of control that have been undertaken and the results of those controls.

- All eligibility criteria, which have been established by the Community or by national legislation, or by the rural development programmes, will need to be controlled according to a set of verifiable indicators.

- The Member States will be allowed to use evidence that they have received from other services or organisations in order to verify respect of eligibility criteria.

- Certain general control principles have been established that cover the right of the Commission to carry out checks.

- Finally, Member States will be expected to ensure that the paying agencies have sufficient information on controls carried out by other services or bodies in order for them to fulfil their duties.

ENTRY INTO FORCE: 24 December 2006. It will apply to Community support concerning the programming period starting on 1 January 2007.