Basic information

2011/0416(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Agricultural holdings: network for the collection of accountancy data on the incomes and business operation; Commission delegated and implementing powers Amending Regulation (EC) No 1217/2009 2009/0040(CNS) **Subject** 3.10.01 Agricultural structures and holdings, farmers	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AGRI Agriculture and Rural Development	SCOTTÀ Giancarlo (EFD)	20/12/2011
	Shadow rapporteur MAYER Hans-Peter (PPE) DANELLIS Spyros (S&D) REIMERS Britta (ALDE) HÄUSLING Martin (Verts/ALE) ASHWORTH Richard (ECR)	

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	3260	2013-10-07

European Commission

Commission DG	Commissioner
Agriculture and Rural Development	CIOLOŞ Dacian

European Economic and Social Committee

Key events

Date	Event	Reference	Summary
07/12/2011	Legislative proposal published	COM(2011)0855	Summary

13/12/2011	Committee referral announced in Parliament, 1st reading		
31/05/2012	Vote in committee, 1st reading		
04/06/2012	Committee report tabled for plenary, 1st reading	A7-0179/2012	Summary
11/09/2013	Decision by Parliament, 1st reading	T7-0360/2013	Summary
11/09/2013	Results of vote in Parliament		
07/10/2013	Act adopted by Council after Parliament's 1st reading		
22/10/2013	Final act signed		
22/10/2013	End of procedure in Parliament		
17/12/2013	Final act published in Official Journal		

Technical information

Procedure reference	2011/0416(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation (EC) No 1217/2009 2009/0040(CNS)
Legal basis	Treaty on the Functioning of the European Union TFEU 043-p2
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	AGRI/7/08133

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE485.902	30/03/2012	
Amendments tabled in committee		PE489.412	10/05/2012	
Committee report tabled for plenary, 1st reading/single reading		A7-0179/2012	04/06/2012	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0360/2013	11/09/2013	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00032/2013/LEX	23/10/2013	

European Commission

Document type	Reference	Date	Summary

Legislative proposal	COM(2011)0855	07/12/2011	Summary
Commission response to text adopted in plenary	SP(2013)774	06/12/2013	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2011)0855	14/02/2012	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0485/2012	22/02/2012	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	
European Commission	EUR-Lex	

Final act

Regulation 2013/1318
OJ L 340 17.12.2013, p. 0001 Summary

Agricultural holdings: network for the collection of accountancy data on the incomes and business operation; Commission delegated and implementing powers

2011/0416(COD) - 11/09/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 674 votes to 16, with 10 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1217/2009 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Community.

The European Parliament adopted its position following the ordinary legislative procedure. The amendments adopted in plenary were the result of a compromise negotiated between the European Parliament and the Council. They amend the Commission's proposal as follows:

Title of the Regulation: the title has been changed to **Council Regulation (EC) No 1217/2009 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Union (as opposed to the European Community).**

'Farm Accountancy Data Network division' or "FADN division" shall mean the territory of a Member State, or any part thereof, delimited with a view to the selection of returning holdings, (a list of such divisions is set out in Annex I).

Agricultural holdings: these shall be classified in a uniform manner according to the Union typology for agricultural holdings, depending on their type of farming, their economic size and the importance of other gainful activities directly related to them.

The Commission shall adopt **implementing acts** laying down:

- methods for the calculation of particular types of farming specialisations and for assigning the holding to a principal type of farming;
- the method for the calculation of the economic size of the holding;
- methods for the calculation of the output of the holding, and for estimating the contribution of other gainful activities to that output.

Lisbon Treaty alignment (delegating and implementing acts): amendments aim to align the implementing powers conferred on the Commission by Council Regulation (EC) no 1217/2009 to Articles 290 and 291 of the Treaty on the Functioning of the European Union (TFEU).

The Commission shall be empowered to adopt **delegated acts** as regards:

- amending Annex I with respect to Farm Accountancy Data Network (FADN) divisions per Member State;
- laying down the rules for fixing the threshold for the economic size of returning holdings and the rules for establishing the plan for the selection of returning holdings;
- fixing the reference period for the standard output;
- defining the general and principal types of farming,
- specifying the main groups of accountancy data to be collected and adopting general rules on the accountancy data to be included in the farm return;
- determining the main groups of accountancy data to be collected and the general rules for data collection.

The delegation of power is conferred on the Commission for a period of **five years** (renewable) from the date of the entry into force of the Regulation.

Agricultural holdings: network for the collection of accountancy data on the incomes and business operation; Commission delegated and implementing powers

2011/0416(COD) - 22/10/2013 - Final act

PURPOSE: to align Council Regulation (EC) No 1217/2009 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Community with the new rules of the Treaty on the Functioning of the European Union (TFEU) (Commission delegated and implementing powers).

LEGISLATIVE ACT: Regulation (EU) No 1318/2013 of the European Parliament and of the Council amending Council Regulation (EC) No 1217/2009 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Community.

CONTENT: the amended Regulation has the key object to apply the implementing powers currently provided to the Commission by Regulation (EC) No 1217/2009 on the Farm Accountancy Data Network (FADN) the distinction introduced by Articles 290 and 291 of the Treaty on the Functioning of the European Union (TFEU) between the delegated powers and implementing powers of the Commission.

Delegated powers: the Commission has the power to adopt delegated acts concerning: i) the amendment of Annex I with respect to Farm Accountancy Data Network (FADN) divisions per Member State; ii) laying down the rules for fixing the threshold for the economic size of returning holdings and the rules for establishing the plan for the selection of returning holdings; iii) fixing the reference period for the standard output; iv) defining the general and principal types of farming; v) specifying the main groups of accountancy data to be collected; and vi) adopting general rules on the accountancy data to be included in the farm return.

The power to adopt delegated acts is conferred on the Commission for a period of **five years (renewable) from 20 December 2013**. The European Parliament or the Council may raise objections in regard to a delegated act within two months of notification of that act (this period may be extended by two months).

Implementing powers: in order to ensure uniform conditions for the implementation of Regulation (EC) No 1217/2009 and to avoid discrimination between farmers, implementing powers should also be conferred on the Commission. In this context, the Commission shall be assisted by a Committee called “Committee for the Farm Accountancy Data Network”.

Simplification: in the light of the experience gained through the application of Regulation (EC) No 1217/2009, some of the provisions of that Regulation should be adapted or deleted. In particular, the reports based on FADN data are no longer submitted to the European Parliament and Council for the purpose of fixing prices of agricultural produce. The current provision whereby the reports shall be annually submitted to the European Parliament and Council is therefore obsolete.

However, in order to ensure simple and convenient access for other institutions and the public to the annual analytical reports based on FADN, provision should be made for reports covering selected sectors to be published on a **dedicated website**.

ENTRY INTO FORCE: 20/12/2013. The Regulation shall apply from 01/01/2014.

Agricultural holdings: network for the collection of accountancy data on the incomes and business operation; Commission delegated and implementing powers

2011/0416(COD) - 07/12/2011 - Legislative proposal

PURPOSE: to align Council Regulation (EC) No 1217/2009 on setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Community with the new rules of the TFEU (Commission's powers under delegated and implementing acts.)

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

BACKGROUND: the Treaty on the Functioning of the European Union (TFEU) makes a distinction between:

- powers delegated to the Commission to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a legislative act, as laid down in Article 290(1) TFEU (delegated acts);
- and on the other hand, powers conferred on the Commission to adopt uniform conditions for implementing legally binding Union acts, as laid down in Article 291(2) TFEU (implementing acts).

It is to necessary identify the powers conferred on the Commission by Council Regulation (EC) No 1217/2009 and to classify them as delegated or implementing powers in accordance with Articles 290 and 290 of the Treaty on the Functioning of the European Union.

IMPACT ASSESSMENT: since the proposal to align Council Regulation (EC) No 1217/2009 to the Lisbon Treaty is an inter-institutional matter that will concern all Council Regulations, there was no need for an impact assessment.

LEGAL BASIS: Article 43 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the proposal aims to identify the delegated and implementing powers of the Commission in Council Regulation (EC) No 1217/2009 and establish the corresponding procedure for adoption of these acts.

The Commission will be empowered to adopt delegated acts in respect of: (i) the establishment of the list of divisions per Member State, (ii) the determination of the threshold for the economic size and the number of returning holdings per division, (iii) the adoption of further rules on the qualification of returning holdings, (iv) the determination of the further content of the plan for the selection of returning holdings, (v) the adoption of further rules on the activities of Member States' National Committees for the data network, (vi) the adoption of further rules on the tasks of Member States' liaison agencies, and the adoption of rules on the accountancy data to be included in the farm return.

Implementing powers will be conferred on the Commission in respect of the adoption of rules on the standard fee in the Farm Accountancy Data Network (FADN).

Furthermore, for the sake of simplification and in the light of the experience gained with the application of Regulation (EC) No 1217/2009 some of the provisions of that Regulation will be adapted or deleted. In particular, reports based on FADN data need no longer be submitted annually to the European Parliament and the Council for the annual fixing of prices of agricultural produce. The current provision that reports shall be submitted annually to the European Parliament and the Council is therefore obsolete.

However, in order to provide convenient access to the data and reports based on FADN to other institutions as well as to the public such information should be published on a **public website.**

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

Agricultural holdings: network for the collection of accountancy data on the incomes and business operation; Commission delegated and implementing powers

2011/0416(COD) - 04/06/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Agriculture and Rural Development adopted the report by Giancarlo SCOTTÀ (EFD, IT) on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1217/2009 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Community.

The committee recommends that the European Parliament's position adopted at first reading, under the ordinary legislative procedure, should amend the Commission proposal as follows:

Website: according to the Commission proposal, the data obtained pursuant to this Regulation shall, in particular, serve as the basis for the drawing up of reports by the Commission on the situation of agriculture and of agricultural markets as well as on farm incomes in the Union. Those reports shall be made publicly available on a **dedicated website**. The reports shall also be made publicly available by the relevant Member State administrations.

Annex I of Council Regulation (EC) No 1217/2009 (list of divisions): to achieve a sufficient stratification of the sample of holdings in a MS, Annex I of Council Regulation (EC) No 1217/2009 contains per Member State a list of divisions from which data must be gathered. An identical list is in Commission Regulation (EU) No 1291/2009 regarding the selection of holdings to provide data on incomes.

Members consider that it should be ensured that the Annexes of the two regulations continue containing the same divisions per Member State. Therefore, they propose that **the current Annex I of Regulation (EC) No 1217/2009 should be maintained**. They consider that no new list needs to be made.

Delegation of power to the Commission (delegated acts): Members call for the delegation of power to be conferred on the Commission for a period of **five years** from the entry into force of the Regulation (and not for an indeterminate period of time as proposed by the Commission). The delegation of power shall be 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.