

6.3.2013

B7-0079/104

Amendment 104
Luis Manuel Capoulas Santos
on behalf of the S&D Group

**Mandate for interinstitutional negotiations,
in the form of legislative amendments**
Committee on Agriculture and Rural Development

B7-0079/2013

Decision on the opening of, and mandate for, interinstitutional negotiations on direct payments to farmers under support schemes within the framework of the CAP (COM(2011)0625 – C7-0336/2011 – COM(2012)0552 – C7-0311/2012 – 2011/0280(COD) – 2013/2528(RSP))

Proposal for a regulation
Recital 29 a (new)

Text proposed by the Commission

Amendment

(29a) In order to improve the environment, combat climate change and improve agronomic conditions, the Commission should, without delay, submit a strategic plan for the supply of vegetable proteins, which will also enable the Union to reduce its very heavy dependence on external sources of supply. The plan should provide for more oil-protein crops and legumes to be grown under the common agricultural policy and should encourage agronomic research into suitable and productive varieties.

Or. en

Amendment 105**Luis Manuel Capoulas Santos**

on behalf of the S&D Group

**Mandate for interinstitutional negotiations,
in the form of legislative amendments****B7-0079/2013****Committee on Agriculture and Rural Development**

Decision on the opening of, and mandate for, interinstitutional negotiations on direct payments to farmers under support schemes within the framework of the CAP (COM(2011)0625 – C7-0336/2011 – COM(2012)0552 – C7-0311/2012 – 2011/0280(COD) – 2013/2528(RSP))

Proposal for a regulation**Article 11***Text proposed by the Commission**Amendment*

Progressive reduction and capping of the payment

Progressive reduction and capping of the **basic** payment

1. The amount of direct payments to be granted to a farmer under this Regulation in a given calendar year shall be reduced as follows:

1. The amount of direct payments to be granted to a farmer under this Regulation in a given calendar year shall be reduced as follows:

- by **20 %** for the tranche of more than EUR **150 000** and up to EUR **200 000**;
- by **40 %** for the tranche of more than EUR **200 000** and up to EUR **250 000**;
- by **70 %** for the tranche of more than EUR **250 000 and up to EUR 300 000**;
- **by 100 % for the tranche of more than EUR 300 000.**

- by **25 %** for the tranche of more than EUR **70 000** and up to EUR **100 000**;
- by **50 %** for the tranche of more than EUR **100 000** and up to EUR **150 000**;
- by **80 %** for the tranche of more than EUR **150 000**;
- **the total amount obtained after applying those reductions shall be capped at EUR 200 000.**

1a. Paragraph 1 shall not apply in respect of cooperatives or other legal entities which group together a number of beneficiaries of direct payments and which receive and channel the payments before distributing them in full to their members who, as individuals, are subject to paragraph 1.

2. The amount referred to in paragraph 1 shall be calculated by subtracting the

2. The amount referred to in paragraph 1 shall be calculated by subtracting the

salaries effectively paid and declared by the farmer in the previous year, including taxes and social contributions related to employment, from the total amount of direct payments initially due to the farmer without taking into account the payments to be granted pursuant to Chapter 2 of Title III of this Regulation.

3. Member States shall ensure that no payment is made to farmers for whom it is established that, as from the date of publication of the Commission proposal for this Regulation, they artificially created the conditions to avoid the effects of this Article.

salaries effectively paid and declared by the farmer in the previous year, including taxes and social contributions related to employment, ***as well as costs incurred as a result of the use of contractors for specific farming operations***, from the total amount of direct payments initially due to the farmer without taking into account the payments to be granted pursuant to Chapter 2 of Title III of this Regulation.

2a. All amounts deducted by way of implementation of this Article shall remain in the Member State's Direct Payment national envelope set out in Annex II.

For each year, Member States may decide to allocate the estimated total amounts referred to in paragraph 1 partly to other measures in Pillar I and partly to measures in Pillar II covered by Regulation (EU) No [.../....] [RDR], in particular concerning innovation and agro-environmental measures.

3. Member States shall ensure that no payment is made to farmers for whom it is established that, as from the date of publication of the Commission proposal for this Regulation, they artificially created the conditions to avoid the effects of this Article.

Or. en

Amendment 106**Luis Manuel Capoulas Santos**

on behalf of the S&D Group

**Mandate for interinstitutional negotiations,
in the form of legislative amendments****B7-0079/2013****Committee on Agriculture and Rural Development**

Decision on the opening of, and mandate for, interinstitutional negotiations on direct payments to farmers under support schemes within the framework of the CAP (COM(2011)0625 – C7-0336/2011 – COM(2012)0552 – C7-0311/2012 – 2011/0280(COD) – 2013/2528(RSP))

Proposal for a regulation**Article 29***Text proposed by the Commission**Amendment*

General rules

General rules

1. Farmers entitled to a payment under the basic payment scheme referred to in Chapter 1 shall observe on their eligible hectares as defined in Article 25(2) the following agricultural practises beneficial for the climate and the environment:

1. Farmers entitled to a payment under the basic payment scheme referred to in Chapter 1 shall ***be granted an additional annual payment for agricultural practices beneficial for the climate and the environment when they*** observe, ***as appropriate***, on their eligible hectares as defined in Article 25(2) the following agricultural practises beneficial for the climate and the environment:

(a) to have three different crops on their arable land where the arable land of the farmer covers more than 3 hectares and is not entirely used for grass production (sown or natural), entirely left fallow or entirely cultivated with crops under water for a significant part of the year;

(a) crop diversification

(b) to maintain existing permanent grassland ***on their holding; and***

(b) maintaining existing permanent grassland ***and permanent pasture;***

(c) to have ecological focus area on their agricultural area.

(c) having ecological focus area on their agricultural area.

2. Without prejudice to paragraphs 3 ***and*** 4 and to the application of financial discipline, linear reductions in accordance with Article 7, ***and any reductions and***

2. Without prejudice to paragraphs 3, 4 ***and 4a*** and to the application of financial discipline, linear reductions in accordance with Article 7, Member States shall grant

penalties imposed pursuant to Regulation (EU) No [...] [HZR], Member States shall grant the payment referred to in this Chapter to farmers observing those of the three practises referred to in paragraph 1 that are **relevant for them**, and in function of their compliance with Articles 30, 31 and 32.

3. Farmers **whose holdings are fully or partly situated** in areas covered by Directives 92/43/EEC or 2009/147/EC shall **be entitled to the payment referred to in this Chapter provided that they observe the practises referred to in this Chapter to the extent that those practises are compatible in the holding concerned with the objectives of those Directives**.

4. **Farmers complying with the requirements laid down in Article 29(1) of Regulation (EC) No 834/2007 as regards organic farming shall be entitled ipso facto to the payment referred to in this Chapter**.

the payment referred to in this Chapter to farmers observing those of the three practises referred to in paragraph 1 that are **applicable to their holding**, and in function of their compliance with Articles 30, 31 and 32.

3. Farmers **shall be entitled ipso facto to the payment referred to in this Chapter when they fall within the following categories:**

– **farmers complying with the requirements laid down in Article 29(1) of Regulation (EC) No 834/2007 as regard organic farming, or**

– **beneficiaries of agri-environment-climatic payments established pursuant to Article 29 of Regulation (EU) No [...] [RDR], or**

– **farmers whose holdings are situated in areas under the Natura 2000 Network covered by Directives 92/43/EEC or 2009/147/EC ,**

The first subparagraph shall apply only to the units of a holding that are used for organic production in accordance with Article 11 of Regulation (EC) No 834/2007, are covered by agri-environment-climate measures in accordance with Article 29 of Regulation (EU) No [.../...] [RDR] or are situated in areas covered by Directives 92/43/EEC or 2009/147/EC.

4. **Where more than 75 % of the eligible agricultural area of the holding is permanent grassland or permanent pasture or used for the production of grass or other forage or cultivated with crops under water for a significant part of**

the year and where the remaining eligible agricultural land does not exceed 50 hectares, farmers shall be exempt from the obligations laid down in Article 30 and 32.

The first subparagraph shall apply only to the units of a holding that are used for organic production in accordance with Article 11 of Regulation (EC) No 834/2007.

4a. Farmers whose holding is certified under national or regional environmental certification schemes shall be considered to be complying with the relevant agricultural practices referred to in paragraph 1 provided that these schemes fulfil the following conditions:

- they shall cover the part of the holding of the farmer which is subject to the relevant practices referred to in paragraph 1; and

- they shall have at least an equivalent impact as the relevant practices referred to in paragraph 1.

5. The payment referred to in paragraph 1 shall take the form of an annual payment per eligible hectare declared according to Article 26(1), the amount of which shall be calculated annually by dividing the amount resulting from the application of Article 33(1) by the total number of eligible hectares declared in the Member State concerned according to Article 26.

5. The payment referred to in paragraph 1 shall take the form of an annual payment per eligible hectare declared according to Article 26(1), the amount of which shall be calculated annually by dividing the amount resulting from the application of Article 33(1) by the total number of eligible hectares declared in the Member State concerned according to Article 26.

5a. By way of derogation from paragraph 5 of this Article, for Member States applying Article 22a of this Regulation, the payment referred to in paragraph 1 of this Article, which is to represent 30% of the national envelope in accordance with Article 33(1), is payable to farmers as a percentage relative to their basic payment.

5b. The Commission shall be empowered to adopt delegated acts, in accordance with Article 55, in order to validate the certification schemes referred to in

paragraph 4a, in order to guarantee that these schemes have an impact at least equivalent to that of the relevant practices referred to in paragraph 1.

These certification schemes may include the following measures:

- an on-farm nutrient management plan;*
- an on-farm energy efficiency plan on their holding, including optimisation of the use of effluents;*
- a biodiversity action plan, including creation or maintenance of biodiversity corridors;*
- a water management plan;*
- soil cover;*
- integrated pest management.*

Or. en