

Amendment 124**James Nicholson**

on behalf of the ECR 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**Recital 21***Text proposed by the Commission**Amendment*

(21) Due to the successive integration of various sectors into the single payment scheme and the ensuing period of adjustment granted to farmers, it has become increasingly difficult to justify the presence of significant individual differences in the level of support per hectare resulting from use of historical references. Therefore direct income support should be ***more equitably*** distributed between Member States, by ***reducing*** the link to historical references and having regard to the overall context of the Union budget. ***To ensure a more equal distribution of direct support, while taking account of the differences that still exist in wage levels and input costs, the levels of direct support per hectare should be progressively adjusted. Member States with direct payments below the level of 90 % of the average should close one third of the gap between their current level and this level. This convergence should be financed proportionally by all Member States with direct payments above the Union average. In addition, all payment entitlements activated in 2019 in a Member State or in a region should have a uniform unit value following a***

(21) Due to the successive integration of various sectors into the single payment scheme and the ensuing period of adjustment granted to farmers, it has become increasingly difficult to justify the presence of significant individual differences in the level of support per hectare resulting from use of historical references. Therefore direct income support should be ***equally*** distributed between Member States, by ***eliminating*** the link to historical references and having regard to the overall context of the Union budget ***regarding Article 39(2) of the Treaty, which provides for the CAP taking into account of disparities between regions and not between Member States, and Article 40(2), which prohibits discrimination between agriculture producers in the Union.***

convergence towards this value that should take place during the transition period in linear steps. However, in order to avoid disruptive financial consequences for farmers, Member States having used the single payment scheme, and in particular the historical model, should be allowed to partially take historical factors into account when calculating the value of payment entitlements in the first year of application of the new scheme. The debate on the next Multiannual Financial Framework for the period starting in 2021 should also focus on the objective of complete convergence through the equal distribution of direct support across the European Union during that period.

Or. en

6.3.2013

B7-0079/125

Amendment 125

James Nicholson

on behalf of the ECR 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

Recital 26

Text proposed by the Commission

Amendment

(26) One of the objectives of the new CAP is the enhancement of environmental performance through a mandatory 'greening' component of direct payments which will support agricultural practices beneficial for the climate and the environment applicable throughout the Union. For that purpose, Member States should use part of their national ceilings for direct payments to grant an annual payment, on top of the basic payment, for compulsory practices to be followed by farmers addressing, as a priority, both climate and environment policy goals. Those practises should take the form of simple, generalised, non-contractual and annual actions that go beyond cross-compliance and are linked to agriculture such as crop diversification, maintenance of permanent grassland and ecological focus areas. The compulsory nature of those practises should also concern farmers whose holdings are fully or partly situated in 'Natura 2000' areas covered by Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora and by Directive 2009/147/EC of the

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European Parliament and of the Council of 30 November 2009 on the conservation of wild birds , as long as these practises are compatible with the objectives of those Directives. Farmers who fulfil the conditions laid down in Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 should benefit from the ‘greening’ component without fulfilling any further obligation, given the recognised environmental benefits of the organic farming systems. Non-respect of the ‘greening’ component should lead to penalties on the basis of Article 65 of Regulation (EU) No [...] [HZR].

Or. en

Amendment 126**James Nicholson**

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Proposal for a regulation**Recital 33***Text proposed by the Commission**Amendment*

(33) Member States should be allowed to use part of their national ceilings for direct payments for coupled support in certain sectors in clearly defined cases. The resources that may be used for any coupled support should be limited to an appropriate level, while allowing such support to be granted in Member States or in their specific regions facing particular situations where specific types of farming or specific agricultural sectors are particularly important for economic, environmental and/or social reasons. Member States should be allowed to use up to 5 % of their national ceilings for this support, ***or 10 % in case their level of coupled support in at least one of the years of the period 2010-2013 exceeded 5 %. However, in duly justified cases where certain sensitive needs in a region are demonstrated, and upon approval by the Commission, Member States should be allowed to use more than 10 % of their national ceiling. Coupled support should only be granted to the extent necessary to create an incentive to maintain current levels of production in those regions.*** This support should also be available to farmers holding,

(33) Member States should be allowed to use part of their national ceilings for direct payments for coupled support in certain sectors in clearly defined cases. The resources that may be used for any coupled support should be limited to an appropriate level, while allowing such support to be granted in Member States or in their specific regions facing particular situations where specific types of farming or specific agricultural sectors are particularly important for economic, environmental and/or social reasons. Member States should be allowed to use up to 5 % of their national ceilings for this support. ***Coupled support should only be granted to the extent necessary to create an incentive to maintain current levels of production in those regions and in order to ensure proper observance of that condition. The Commission should be empowered to monitor production levels in the sectors and regions where this form of support is applied and, where necessary, require Member States to reduce the percentage of direct payments provided in coupled form.*** This support should also be available to farmers holding, on 31 December 2013,

on 31 December 2013, special payment entitlements allocated under Regulation (EC) No 1782/2003 and Regulation (EC) No 73/2009 and who do not have eligible hectares for the activation of payment entitlements. ***As regards the approval of voluntary coupled support exceeding 10 % of the annual national ceiling fixed per Member State, the Commission should further be empowered to adopt implementing acts without applying Regulation (EU) No 182/2011.***

special payment entitlements allocated under Regulation (EC) No 1782/2003 and Regulation (EC) No 73/2009 and who do not have eligible hectares for the activation of payment entitlements.

Or. en

6.3.2013

B7-0079/127

Amendment 127
James Nicholson
on behalf of the ECR Group

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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 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Direct payments shall be distributed among Member States in such a way that each Member State receives, as a national ceiling, an amount corresponding to the number of hectares covered by direct-payment claims in 2013 multiplied by the average rate of direct payments in the whole of the Union in 2013. Member States in which average direct payments per hectare, calculated on the basis of payments in 2013, exceed 110 % of the average payments across the Union may apply additional payments from their national budget in an amount not exceeding two-thirds of the difference between the average amount of the direct payments in those countries and the Union average in 2013.

Or. en

6.3.2013

B7-0079/128

Amendment 128
James Nicholson
on behalf of the ECR Group

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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
Article 7 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

1. Without prejudice to Article 8, the total amount of direct payments which may be granted in a Member State pursuant to Titles III, IV and V in respect of a calendar year, after application of Article 11, shall not be higher than the ceilings set out in Annex III to this Regulation.

1. Without prejudice to Article 8, the total amount of direct payments which may be granted in a Member State pursuant to Titles III, IV and V in respect of a calendar year, after application of Article 11, **where applicable**, shall not be higher than the ceilings set out in Annex III to this Regulation.

Or. en

6.3.2013

B7-0079/129

Amendment 129

James Nicholson

on behalf of the ECR Group

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Committee on Agriculture and Rural Development

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Proposal for a regulation

Article 7 – paragraph 2

Text proposed by the Commission

Amendment

2. For each Member State and each year, the estimated product of capping as referred to in Article 11, which is reflected by the difference between the national ceilings set out in Annex II, to which is added the amount available in accordance with Article 44, and the net ceilings set out in Annex III, is made available as Union support for measures under rural development programming financed under the EAFRD as specified in Regulation (EU) No [...] [RDR].

2. For each Member State and each year, the estimated product of capping as referred to in Article 11, **where applicable**, which is reflected by the difference between the national ceilings set out in Annex II, to which is added the amount available in accordance with Article 44, and the net ceilings set out in Annex III, is made available as Union support for measures under rural development programming financed under the EAFRD as specified in Regulation (EU) No [...] [RDR].

Or. en

6.3.2013

B7-0079/130

Amendment 130
James Nicholson
on behalf of the ECR Group

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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
Article 11 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

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. **Member States may decide that the** amount of direct payments to be granted to a farmer under this Regulation in a given calendar year shall be reduced as follows:

Or. en

6.3.2013

B7-0079/131

Amendment 131
James Nicholson
on behalf of the ECR 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
Article 22 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States which applied the single area payment scheme as provided for in Regulation (EC) No 73/2009, may limit the calculation of the unit value of payment entitlements provided for in paragraph 1 to an amount corresponding to no less than 40 % of the national or regional ceiling established in accordance with Articles 19 or 20, after application of the linear reduction provided for in Article 23(1) or, where applicable, in Article 23(2).

Those Member States may increase the national or regional value of payment entitlements calculated in accordance with paragraph 1 in cases where the total value of payment entitlements held by a farmer under the basic payment scheme is lower than the total value of aid, received by that farmer in any one of the calendar years in the period between 2009 and 2013, under Regulation (EC) No 73/2009.

To this end, the national or regional value of each of the payment entitlements of the farmer concerned shall be increased by a share of the difference between the total value of the payment entitlements under

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the basic payment scheme and the total value of aid, received by that farmer in the year chosen by the Member State under the second subparagraph under, Regulation (EC) No 73/2009.

For the calculation of the increase, a Member State may take into account all support granted to a farmer in accordance with Regulation (EC) No 73/2009 in the year chosen by the Member State under the second subparagraph, other than payments under the single area payment scheme provided that that Member State has decided not to apply the voluntary coupled support pursuant to Title IV of this Regulation to the relevant sectors.

Or. en

6.3.2013

B7-0079/132

Amendment 132

James Nicholson

on behalf of the ECR Group

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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

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:

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(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;

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

(c) to have 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 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

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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 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.

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 fr the application of Article 33(1) by the total number of eligible hectares declared in the Member State concerned according to Article 26.

Or. en

6.3.2013

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Amendment 133

James Nicholson

on behalf of the ECR Group

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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 39 – paragraph 2

Text proposed by the Commission

Amendment

2. By way of derogation from paragraph 1, Member States may decide to use up to 10 % of the annual national ceiling set out in Annex II provided that:

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(a) they applied, until 31 December 2013, the single area payment scheme as laid down in Title V of Regulation (EC) No 73/2009, or financed measures under Article 111 of that Regulation, or are concerned by the derogation provided for in Article 69(5), or, in the case of Malta, in Article 69(1) of that Regulation; and/or

(b) they allocated, during at least one year in the period 2010-2013, more than 5 % of their amount available for granting the direct payments provided for in Titles III, IV and V of Regulation (EC) No 73/2009, with the exception of Section 6 of Chapter 1 of Title IV, for financing the measures laid down in Section 2 of Chapter 2 of Title III of Regulation (EC) No 73/2009, the support provided for in points (i) to (iv) of paragraph 1(a) and paragraphs 1(b) and (e) of Article 68 of that Regulation, or the measures under Chapter 1, with the exception of Section 6, of Title IV of that Regulation.

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Amendment 134

James Nicholson

on behalf of the ECR Group

**Mandate for interinstitutional negotiations,
in the form of legislative amendments**

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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 39 – paragraph 3

Text proposed by the Commission

Amendment

3. By way of derogation from paragraph 2, Member States having allocated during at least one year in the period 2010-2013 more than 10 % of their amount available for granting the direct payments provided for in Titles III, IV and V of Regulation (EC) No 73/2009, with the exception of Section 6 of Chapter 1 of Title IV, for financing the measures laid down in Section 2 of Chapter 2 of Title III of Regulation (EC) No 73/2009, the support provided for in points (i) to (iv) of paragraph 1(a) and paragraphs 1(b) and (e) of Article 68 of that Regulation, or the measures under Chapter 1, with the exception of Section 6, of Title IV of that Regulation may decide to use more than 10 % of the annual national ceiling set out in Annex II upon approval by the Commission in accordance with Article 41.

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Or. en

6.3.2013

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Amendment 135
James Nicholson
on behalf of the ECR 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
Article 39 – paragraph 4 – introductory part

Text proposed by the Commission

Amendment

4. Member States may, by 1 August 2016, review their decision pursuant to **paragraphs 1, 2 and 3** and decide, with effect from 2017:

4. Member States may, by 1 August 2016, review their decision pursuant to **paragraph 1** and decide, with effect from 2017:

Or. en

6.3.2013

B7-0079/136

Amendment 136
James Nicholson
on behalf of the ECR 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
Article 39 – paragraph 4 – point a

Text proposed by the Commission

Amendment

(a) to increase the percentage fixed pursuant to *paragraphs 1 and 2*, within the limits laid down therein where applicable, and, where appropriate, modify the conditions for granting the support;

(a) to increase the percentage fixed pursuant to *paragraph 1* within the limits laid down therein where applicable, and, where appropriate, modify the conditions for granting the support;

Or. en

6.3.2013

B7-0079/137

Amendment 137
James Nicholson
on behalf of the ECR 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
Article 47 – paragraph 3

Text proposed by the Commission

Amendment

3. Farmers participating in the small farmers scheme shall be exempted from the agricultural practises provided for in Chapter 2 of Title III.

deleted

Or. en

6.3.2013

B7-0079/138

Amendment 138
James Nicholson
on behalf of the ECR Group

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

B7-0079/2013

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Proposal for a regulation
Article 49 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

1. Member States **shall** set the amount of the annual payment for the small farmers scheme at one of the following levels, subject to paragraphs 2 and 3:

1. Member States **may** set the amount of the annual payment for the small farmers scheme at one of the following levels, subject to paragraphs 2 and 3:

Or. en