

**Amendment 177**

**João Ferreira, Inês Cristina Zuber, Patrick Le Hyaric, Marie-Christine Vergiat, Marisa Matias, Kyriacos Triantaphyllides**  
on behalf of the GUE/NGL 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, institutional negotiations on direct payments to farmers under support schemes within the framework of the common agricultural policy (COM(2011)0625/3 – C7-0336/2011 – (COM(2012)0552 – C7-0311/2012 – 2011/0280(COD) – 2013/2528(RSP))

**Proposal for a regulation****Article 4***Text proposed by the Commission**Amendment*

## Definitions

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1. For the purposes of this Regulation, the following definitions shall apply:

1. For the purposes of this Regulation, the following definitions shall apply:

(a) ‘farmer’ means a natural or legal person, or a group of natural or legal persons, whatever legal status is granted to the group and its members by national law, whose holding is situated within the Union territory, as defined in Article 52 of the Treaty on European Union in conjunction with Articles 349 and 355 of the Treaty on the Functioning of the European Union, and who exercises an agricultural activity;

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(b) ‘holding’ means all the units used for agricultural activities and managed by a farmer situated within the territory of the same Member State;

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(c) ‘agricultural activity’ means:

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rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes,

rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes,

***maintaining the agricultural area in a state which makes it suitable for grazing or cultivation without any particular***

***preparatory action going beyond traditional agricultural methods and machineries, or***

***carrying out a minimum activity to be established by Member States on agricultural areas naturally kept in a state suitable for grazing or cultivation;***

(d) ‘agricultural products’ means the products listed in Annex I to the Treaty, with the exception of fishery products, as well as cotton;

(e) ‘agricultural area’ means any area taken up by arable land, permanent grassland or permanent crops;

(f) ‘arable land’ means land cultivated for crop production or areas available for crop production but laying fallow, including areas set aside in accordance with Articles 22, 23 and 24 of Regulation (EC) No 1257/1999, with Article 39 of Regulation (EC) No 1698/2005 and with Article 29 of Regulation (EU) No [...] [RDR], irrespective of whether or not that land is under greenhouses or under fixed or mobile cover;

(g) ‘permanent crops’ means non-rotational crops other than permanent grassland that occupy the land for five years or longer and yield repeated harvests, including nurseries, and short rotation coppice;

(h) ‘permanent grassland’ means land used to grow grasses or other herbaceous forage naturally (self-seeded) or through cultivation (sown) and that has not been included in the crop rotation of the holding for five years or longer; it may include other species suitable for grazing provided that the grasses and other herbaceous forage remain predominant;

(i) ‘grasses or other herbaceous forage’ means all herbaceous plants traditionally found in natural pastures or normally included in mixtures of seeds for pastures or meadows in the Member State (whether

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(g) ‘permanent crops’ means non-rotational crops other than permanent grassland that occupy the land for five years or longer and yield repeated harvests, including nurseries, and short rotation coppice;

(h) ‘permanent grassland’ means land used to grow grasses or other herbaceous forage naturally (self-seeded) or through cultivation (sown) and that has not been included in the crop rotation of the holding for five years or longer; it may include other species suitable for grazing provided that the grasses and other herbaceous forage remain predominant;

(i) ‘grasses or other herbaceous forage’ means all herbaceous plants traditionally found in natural pastures or normally included in mixtures of seeds for pastures or meadows in the Member State (whether

or not used for grazing animals);

(j) ‘nurseries’ means the following areas of young ligneous (woody) plants grown in the open air for subsequent transplantation:

- vine and root-stock nurseries;
- fruit tree and berries nurseries;
- ornamental nurseries;
- commercial nurseries of forest trees (excluding those for the holding's own requirements grown within woodland);
- trees and bushes for planting in gardens, parks, at the roadside and on embankments (e.g. hedgerow plants, rose trees and other ornamental bushes, ornamental conifers), including in all cases their stocks and young seedlings.

***(k) ‘short rotation coppice’ means areas planted with tree species of CN code 06029041 to be defined by Member States, that consist of woody, perennial crops, the rootstock or stools remaining in the ground after harvesting, with new shoots emerging in the following season and with a maximum harvest cycle to be determined by the Member States.***

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 for the purposes of:

- (a) laying down further definitions regarding the access to support under this Regulation;
- (b) establishing the framework within which Member States shall define the minimum activities to be carried out on areas naturally kept in a state suitable for grazing or cultivation;
- (c) establishing the criteria to be met by farmers in order to be deemed to have respected the obligation of maintaining the agricultural area in a state suitable for grazing or cultivation as referred to in point (c) of paragraph 1;

or not used for grazing animals);

(j) ‘nurseries’ means the following areas of young ligneous (woody) plants grown in the open air for subsequent transplantation:

- vine and root-stock nurseries;
- fruit tree and berries nurseries;
- ornamental nurseries;
- commercial nurseries of forest trees (excluding those for the holding's own requirements grown within woodland);
- trees and bushes for planting in gardens, parks, at the roadside and on embankments (e.g. hedgerow plants, rose trees and other ornamental bushes, ornamental conifers), including in all cases their stocks and young seedlings.

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- (a) laying down further definitions regarding the access to support under this Regulation;
- (b) establishing the framework within which Member States shall define the minimum activities to be carried out on areas naturally kept in a state suitable for grazing or cultivation;
- (c) establishing the criteria to be met by farmers in order to be deemed to have respected the obligation of maintaining the agricultural area in a state suitable for grazing or cultivation as referred to in point (c) of paragraph 1;

(d) establishing the criteria to determine the predominance of grasses and other herbaceous forage for the purpose of point (h) of paragraph 1.

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Or. pt

**Amendment 178**

**João Ferreira, Inês Cristina Zuber, Kyriacos Triantaphyllides**  
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**Proposal for a regulation****Article 11***Text proposed by the Commission**Amendment*

Progressive reduction and capping of the payment

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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 20 % for the tranche of more than EUR **20** 000 and up to EUR **50** 000;
- by **50** % for the tranche of more than EUR **50** 000 and up to EUR **75** 000;
- by **80** % for the tranche of more than EUR **75** 000 and up to EUR **100** 000;
- by 100 % for the tranche of more than EUR **100** 000.

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.***

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.

3. Member States shall ensure that no

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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.

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. pt

6.3.2013

B7-0079/179

**Amendment 179**

**João Ferreira, Inês Cristina Zuber, Patrick Le Hyaric, Kyriacos Triantaphyllides, Willy Meyer, Marie-Christine Vergiat, Paul Murphy, Marisa Matias**  
on behalf of the GUE/NGL Group

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**B7-0079/2013**

**Committee on Agriculture and Rural Development**

Decision on the opening of, and mandate for, institutional negotiations on direct payments to farmers under support schemes within the framework of the common agricultural policy (COM(2011)0625/3 – C7-0336/2011 – (COM(2012)0552 – C7-0311/2012 – 2011/0280(COD) – 2013/2528(RSP))

**Proposal for a regulation**

**Article 14 – paragraph 1 – first subparagraph**

*Text proposed by the Commission*

Before 1 August 2013, Member States may decide to make available as additional support for measures under rural development programming financed under the EAFRD as specified under Regulation (EU) No [...] [RDR], **up to 10 %** of their annual national ceilings for calendar years 2014 to 2019 as set out in Annex II to this Regulation. As a result, the corresponding amount shall no longer be available for granting direct payments.

*Amendment*

Before 1 August 2013, Member States may decide to make available as additional support for measures under rural development programming financed under the EAFRD as specified under Regulation (EU) No [...] [RDR], **a certain percentage** of their annual national ceilings for calendar years 2014 to 2019 as set out in Annex II to this Regulation. As a result, the corresponding amount shall no longer be available for granting direct payments. **The funds transferred shall be 100 % financed through the CAP budget in order to reverse the decline in rural areas and agricultural activity, in particular environmentally-friendly agriculture, in line with rural development priorities (4) and (5) specified under Article 5 of Regulation (EU) No [...] [RDR].**

Or. pt

6.3.2013

B7-0079/180

**Amendment 180**

**João Ferreira, Inês Cristina Zuber, Willy Meyer, Kyriacos Triantaphyllides**  
on behalf of the GUE/NGL Group

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**Proposal for a regulation**

**Article 22 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 22a*

*Convergence between Member States as regards the value of payment entitlements*

*1. By the end of the period of validity of the 2014-2020 Multiannual Financial Framework direct support shall be distributed fairly throughout the Union so as to achieve full convergence of direct income support to farmers from one Member State to another.*

*2. For the purposes of the convergence goal set out in paragraph 1, the Commission shall, by no later than the end of the first quarter of 2013, submit a proposal laying down a method and a timetable for its implementation. That proposal shall provide for intermediate degrees of convergence of payments per hectare with a view to achieving full convergence on the date mentioned above.*

*3. The convergence referred to in paragraphs 1 and 2 shall be financed proportionally by all Member States with direct payments above the Union average.*

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*4. Notwithstanding the convergence to be achieved pursuant to paragraph 1, the differences in wage levels and input costs in the Member States shall be taken duly into account. The Commission shall allow for those differences in the proposal referred to in paragraph 2.*

Or. pt