

**Question for written answer E-008149/2015  
to the Commission**

Rule 130

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Subject: Active farmer

In December 2014, the Spanish Government adopted Royal Decree 1075/2014, regulating the model for application of the new common agricultural policy (CAP).

According to a complaint lodged with the Commission under the number CHAP(2015)00540, the concept of the active farmer – an absolute requirement for being in receipt of direct CAP payments – included in Article 10 and Annex III of that Royal Decree contravenes the regulatory priority of the provisions of Article 9(2) of Regulation (EU) No 1307/2013, a regulation that is binding in its entirety and directly applicable in all Member States.

The initial allocation of entitlements under the basic payment scheme to persons who are not active farmers is especially relevant this year, bearing in mind that the provisions of Article 26 of Regulation (EU) No 1307/2013 will become applicable.

Taking into consideration the definition of an active farmer as approved by the Spanish Government, does the Commission intend to make use of the roles assigned to it in Article 17(1) of the Treaty on European Union, in order to ensure compliance with the provisions of European law?