



**2016/0282(COD)**

28.3.2017

# **AMENDMENTS**

## **95 - 269**

**Draft opinion**

**Albert Deß**

(PE599.808v01-00)

Financial rules applicable to the general budget of the Union

Proposal for a regulation

(COM(2016)0605 – C8-0372/2016 – 2016/0282(COD))



## **Amendment 95**

**Martin Häusling**

on behalf of the Verts/ALE Group

### **Proposal for a regulation**

#### **Recital 144**

*Text proposed by the Commission*

(144) It should be clarified that, where financial instruments are combined with other forms of support from the Union budget, the rules *on financial instruments* should apply. Such rules should be complemented, where applicable, by specific requirements *stemming from the sector specific legislation*.

*Amendment*

(144) It should be clarified that, where financial instruments are combined with other forms of support from the Union budget, the rules *stemming from the sector specific legislation* should apply. Such rules should be complemented, where applicable, by specific requirements *on financial instruments*.

Or. en

## **Amendment 96**

**Nicola Caputo, Tibor Szanyi**

### **Proposal for a regulation**

#### **Recital 213**

*Text proposed by the Commission*

(213) In order to be sufficiently attractive to the private sector, it is essential that financial instruments are designed and implemented in a flexible manner. However, experience has shown that certain measure-specific eligibility rules limit the uptake of financial instruments in the rural development programmes, as well as the flexible use of financial instruments by fund managers. Therefore, it is appropriate to provide that certain measure-specific eligibility rules do not apply to financial instruments. For the same reason, it is also appropriate to provide that start-up support to young farmers under Article 19 of Regulation (EU) No 1305/2013 may also be provided in the form of financial instruments. In

*Amendment*

(213) In order to be sufficiently attractive to the private sector, it is essential that financial instruments are designed and implemented in a flexible manner. However, experience has shown that certain measure-specific eligibility rules limit the uptake of financial instruments in the rural development programmes, as well as the flexible use of financial instruments by fund managers. Therefore, it is appropriate to provide that certain measure-specific eligibility rules do not apply to financial instruments. For the same reason, it is also appropriate to provide that start-up support to young farmers under Article 19 of Regulation (EU) No 1305/2013 may also be provided in the form of financial instruments. In

view of these changes, it should be provided that where support for investments under Article 17 of Regulation (EU) No 1305/2013 is granted in the form of financial instruments, the investment must contribute to one or more Union priorities for rural development.

view of these changes, it should be provided that where support for investments under Article 17 of Regulation (EU) No 1305/2013 is granted in the form of financial instruments, the investment must contribute to one or more Union priorities for rural development. *It is also essential to call on Member States and regions to make more use of the model guarantee instrument for agriculture, developed by the European Commission and the European Investment Bank (EIB), to set up financial instruments funded by their rural development programmes (RDPs) under the European Agricultural Fund for Rural Development (EAFRD) in order to support young farmers, notably by securing loans for investments in the agricultural sector.*

Or. en

**Amendment 97**  
**Angélique Delahaye**

**Proposal for a regulation**  
**Recital 253 a (new)**

*Text proposed by the Commission*

*Amendment*

*(253a) Agricultural markets must be transparent and information about prices must be accessible and useful to all those involved; it is a part of the Union's role to facilitate transparency in the European market; in this purpose, the next CAP reform should enhance market transparency through agricultural price observatories for each sector to provide on-going, segment-by-segment analysis of agricultural markets, with the involvement of economic stakeholders, and to make relevant data and forecasts available at regular intervals;*

Or. en

**Amendment 98**  
**Angélique Delahaye**

**Proposal for a regulation**  
**Recital 253 b (new)**

*Text proposed by the Commission*

*Amendment*

***(253b) According to Article 42 and Article 43(2) of the Treaty on the Functioning of the European Union, the objectives of the Common Agricultural Policy must take precedence over all European competition rules;***

Or. en

**Amendment 99**  
**Peter Jahr**

**Proposal for a regulation**  
**Article 62 – paragraph 2 – subparagraph 4**

*Text proposed by the Commission*

*Amendment*

As part of its risk assessment and in accordance with sector- specific rules, the Commission shall monitor the management and control systems established in the Member States. The Commission shall, in its audit work, respect the principle of proportionality and shall take into account the level of assessed risk in accordance with the sector-specific rules.

As part of its risk assessment and in accordance with sector- specific rules, the Commission shall monitor the management and control systems established in the Member States. The Commission shall, in its audit work, respect the principle of proportionality and shall take into account the level of assessed risk in accordance with the sector-specific rules. ***The materiality threshold for a tolerable risk shall be 4%.***

Or. de

**Amendment 100**  
**Martin Häusling**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 62 – paragraph 9**

*Text proposed by the Commission*

*Amendment*

**9. Resources allocated to Member States under shared implementation may also be used in combination with operations and instruments carried out under Regulation 2015/1017 of the European Parliament and of the Council of 25 June 2015 on the European Fund for Strategic Investments, the European Investment Advisory Hub and the European Investment Project Portal and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013.** *deleted*

Or. en

**Amendment 101**  
**Martin Häusling**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 125**

*Text proposed by the Commission*

*Amendment*

**Article 125** *deleted*

***Transfer of resources to instruments established under this Regulation or sector specific Regulations***

***Resources allocated to Member States under shared implementation may, at their request, be transferred to instruments established under this Regulation or under sector specific Regulations. The Commission shall implement these resources in accordance with point (a) or (c) of Article 61(1), where possible for the benefit of the Member State concerned. In addition resources allocated to Member States***

*under shared implementation may at their request be used to enhance the risk-bearing capacity of the EFSI. In such cases, EFSI rules shall apply.*

Or. en

#### **Amendment 102**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Article 201 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. Where financial instruments are implemented under shared implementation with Member States, sector specific rules apply, without prejudice to subparagraph 2 of Article 208(2).**

*deleted*

Or. en

#### **Amendment 103**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Article 208 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

Where a financial instrument is established for the purpose of implementing Article 39 of Regulation (EU) No 1303/2013 with a contribution from a budgetary guarantee of the Union, **this Title shall apply with the exception of Article 201(1)**. It shall be implemented in accordance with Article 61(1)(c).

Where a financial instrument is established for the purpose of implementing Article 39 of Regulation (EU) No 1303/2013 with a contribution from a budgetary guarantee of the Union, **the sector specific rules of that Regulation shall apply**. It shall be implemented in accordance with Article 61(1)(c).

Or. en

## **Amendment 104**

**Luke Ming Flanagan**

on behalf of the GUE/NGL Group

### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 1 – point a**

Regulation (EU) No 1305/2013

Article 2 – paragraph 1 – subparagraph 2 – point n

#### *Text proposed by the Commission*

(n) "young farmer" means a person who is no more than 40 years of age at the moment of submitting the application, possesses adequate occupational skills and competence and is setting up for the first time in an agricultural holding as head of that holding; setting up may be done solely or jointly with other farmers;

#### *Amendment*

(n) "young farmer" means a person who is no more than 40 years of age at the moment of submitting the application, possesses adequate occupational skills and competence and is setting up for the first time in an agricultural holding as head of that holding; setting up may be done solely or jointly with other farmers, ***as a derogation to this and in duly justified circumstances member states may apply the provisions of this article to young farmers who are no more than 40 years of age at the moment of submitting their application, that possesses adequate occupational skills and competence, even though they are already farming on their own right in an agricultural holding as head of that holding, if they have not been in receipt of specific support for young farmers in the 2006-2013 CAP reform or in the current CAP program 2013-2020, the support should continue for a maximum of five years;***

Or. en

#### *Justification*

*This is to encourage generational renewal, a recognized issue in agriculture in the EU, the current "young farmers" scheme is restrictive and fails to recognize the complex nature of land succession and transfer. On many family farms the successor may have operated a small part time enterprise in advance of the entire holding being transferred to him/her. Currently they are ineligible for the young farmers scheme which has created inequality and acted as a disincentive to land transfers.*



## Amendment 105

Clara Eugenia Aguilera García

### Proposal for a regulation

Article 267 – paragraph 1 – point 1 – point a

Regulation (EU) No 1305/2013

Article 2 – paragraph 1 – subparagraph 2 - point n

#### *Text proposed by the Commission*

(n) "young farmer" means a person who is no more than 40 years of age at the moment of submitting the application, possesses adequate occupational skills and competence and is setting up for the first time in an agricultural holding as head of that holding; setting up may be done solely or jointly with other farmers;

#### *Amendment*

(n) "young farmer" means a person who is no more than 40 years of age at the moment of submitting the application, possesses adequate occupational skills and competence and is setting up for the first time in an agricultural holding as head of that holding; setting up may be done solely or jointly, ***under any legal form***, with other farmers. ***The person in question will be identified as the owner of an associative farm enterprise when included among the shareholders. In this case, any assistance will be limited to the share percentage in the enterprise;***

Or. es

#### *Justification*

*Without this clarification, young farmers participating in associative enterprises will be required to hold more than 51% of the shares in order to be considered eligible. This is the exception rather than the rule in the the agriculture and livestock sector, with the result that young farmers will either refrain from participating in associative enterprises or, if they do participate, forfeit the funding provided for under the rules.*

## Amendment 106

Maria Lidia Senra Rodríguez

### Proposal for a regulation

Article 267 – paragraph 1 – point 1 – point a

Regulation (EU) No 1305/2013

Article 2 – paragraph 1 – subparagraph 2 - point n

#### *Text proposed by the Commission*

#### *Amendment*

(n) "young farmer" means a person who is no more than 40 years of age at the moment of submitting the application, possesses adequate occupational skills and competence and is setting up for the first time in an agricultural holding as head of that holding; setting up may be done solely or jointly with other farmers;

(n) "young farmer" means a person who is no more than 40 years of age at the moment of submitting the application, possesses adequate occupational skills and competence and is setting up for the first time in an agricultural holding as head of that holding; setting up may be done solely or jointly with other farmers ***or as co-owner in the case of couples on the family farm, regardless of the date of incorporation by the owner;***

Or. es

**Amendment 107**  
**Paul Brannen**

**Proposal for a regulation**  
**Article 267 – paragraph 1 – point 1 – point b**  
Regulation (EU) No 1305/2013  
Article 2 – paragraph 1 – subparagraph 2 – point r

*Text proposed by the Commission*

(r) "forest" means an area of land ***spanning more than 0,5 hectares with trees higher than 5 meters and a canopy cover of more than 10 percent, or trees able to reach these thresholds in situ; and does not include land that is predominantly under agricultural or urban land use, subject to paragraph 2;***

*Amendment*

(r) 'forest' means an area of land ***defined by the minimum values for area size, tree crown cover or an equivalent stocking level, and potential tree height at maturity at the place of growth of the trees. It includes areas with trees, including groups of growing young natural trees, or plantations that have yet to reach the minimum values for tree crown cover or equivalent stocking level or minimum tree height, including any area that normally forms part of the forest area but on which there are temporarily no trees as a result of human intervention, such as harvesting, or as a result of natural causes, but which area can be expected to revert to forest;***

Or. en

*(Art. 3.1f) and Annex II of the Regulation [ ][LULUCF]*

### *Justification*

*The definitions of "forest" used in the CAP should match those used by Member States for LULUCF Reporting. The minimum values (0,5ha, 10% and 5m) are used only by 6 MS. This change should also affect calculation of eligibility of the parcel in accordance with the Regulation 640/2014. The lowest percentage of ineligible area for which no reduction coefficient applies shall be increased for Member States where forest is defined by higher canopy cover than 10% (e.g. UK, IE, ES, EE, LV).*

#### **Amendment 108**

**Luke Ming Flanagan**

on behalf of the GUE/NGL Group

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 1 – point b**

Regulation (EU) No 1305/2013

Article 2 – paragraph 1 – subparagraph 2 – point r

*Text proposed by the Commission*

(r) "forest" *means an area of land spanning more than 0,5 hectares with trees higher than 5 meters and a canopy cover of more than 10 percent, or trees able to reach these thresholds in situ; and does not include land that is predominantly under agricultural or urban land use, subject to paragraph 2;*

*Amendment*

(r) "forest" *is defined in Article 3.1(f) of the LULUCF Regulation COM(2016) 479 final*

Or. en

### *Justification*

*Reporting of greenhouse gas emissions from agricultural and forestry by Member States increasingly uses land use data collected in the CAP Land Parcel Identification System. It is essential that the definitions of "forest" used in the CAP should match those used by Member States for LULUCF Reporting. The threshold values quoted above are used by only 6 Member States, and the wording in the LULUCF Regulation reflects the true national thresholds.*

#### **Amendment 109**

**Eric Andrieu, Jean-Paul Denanot**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 1 – point c**

Regulation (EU) No 1305/2013

Article 2 – paragraph 1 – subparagraph 2 – point (s)

*Text proposed by the Commission*

(s) "date of setting up" means the date when the ***setting up process begins by means of (an) action(s) to be performed*** by the ***applicant***;

*Amendment*

(s) "date of setting up" means the date when the ***applicant starts his agricultural activity having completed his preliminary business plan and had it approved*** by the ***national authorities responsible for granting the aid***.

Or. fr

*Justification*

*The date of setting up takes effect after completion by the aid applicant of the preliminary business plan and financial estimates showing that the project is economically viable.*

#### **Amendment 110**

**Ulrike Müller, Hilde Vautmans, Jens Rohde, Hannu Takkula**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 2 a (new)**

Regulation (EU) No 1305/2013

Article 15 – paragraph 3 – subparagraph 1

*Present text*

"3. The authorities or bodies selected to provide advice shall have appropriate resources in the form of regularly trained and qualified staff and advisory experience and reliability with respect to the fields in which they advise. The beneficiaries under this measure shall be chosen through ***calls for tenders***. ***The*** selection procedure ***shall be governed by public procurement law and shall be*** open to both public and private bodies. It shall be objective and shall exclude candidates with conflicts of interest."

*Amendment*

***2a. In Article 15(3), subparagraph 1 is replaced by the following:***

"3. The authorities or bodies selected to provide advice shall have appropriate resources in the form of regularly trained and qualified staff and advisory experience and reliability with respect to the fields in which they advise. The beneficiaries under this measure shall be chosen through ***a*** selection procedure open to both public and private bodies. It shall be objective and shall exclude candidates with conflicts of interest."

Or. en

## Amendment 111

Michel Dantin, Angélique Delahaye

### Proposal for a regulation

Article 267 – paragraph 1 – point 1 – point c

Regulation (EU) No 1305/2013

Article 2 – paragraph 1 – subparagraph 2 – point s

#### *Text proposed by the Commission*

(s) "date of setting up" means the date when the *setting up process begins by means of* (an) action(s) *to be performed by the applicant.*;

#### *Amendment*

(s) "date of setting up" means the date when the *applicants performs or completes* (an) action(s) *related to the setting up referred to in point (n).*;

Or. en

#### *Justification*

*This amendment is only technical and does not change the spirit of the Commission's proposal and intends to cover all national systems already in place.*

## Amendment 112

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

### Proposal for a regulation

Article 267 – paragraph 1 – point 2 a (new)

Regulation (EU) N° 1305/2013

Article 15 – paragraph 3 – subparagraph 1

#### *Present text*

"3. The authorities or bodies selected to provide advice shall have appropriate resources in the form of regularly trained and qualified staff and advisory experience and reliability with respect to the fields in which they advise. The beneficiaries under this measure shall be chosen through calls for tenders. *The* selection procedure shall

#### *Amendment*

**2a. In Article 15 (3), subparagraph 1 is replaced by the following:**

"3. The authorities or bodies selected to provide advice shall have appropriate resources in the form of regularly trained and qualified staff and advisory experience and reliability with respect to the fields in which they advise. The beneficiaries under this measure shall be chosen through calls for *proposals or through calls for* tenders.

be governed by public procurement law and shall be open to both public and private bodies. It shall be objective and shall exclude candidates with conflicts of interest."

*In the latter case*, the selection procedure shall be governed by public procurement law and shall be open to both public and private bodies. It shall be objective and shall exclude candidates with conflicts of interest."

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)

#### *Justification*

*To make sure that this relevant measure delivers and contributes to EU priorities for Rural Development it is needed to ensure that it can be also implemented through a call for proposals procedure launched by the managing authorities.*

### **Amendment 113**

**Zbigniew Kuźmiuk, Beata Gosiewska**

#### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 2 c (new)**

Regulation (EU) No 1305/2013

Article 14 – paragraph 4

#### *Present text*

"4. Eligible costs under this measure shall be the costs of organising and delivering the knowledge transfer or information action. In the case of demonstration projects, support may also cover relevant investment costs. Costs for travel, accommodation and per diem expenses of participants as well as the cost of the replacement of farmers shall also be eligible for support. All costs identified under this paragraph shall be paid to the beneficiary."

#### *Amendment*

**2c. In Article 14, paragraph 4 is replaced by the following;**

"4. Eligible costs under this measure shall be the costs of organising and delivering the knowledge transfer or information action. ***Infrastructure installed as a result of demonstration may be used after the operation is completed.*** In the case of demonstration projects, support may also cover relevant investment costs. Costs for travel, accommodation and per diem expenses of participants as well as the cost of the replacement of farmers shall also be eligible for support. All costs identified under this paragraph shall be paid to the beneficiary."

Or. en

### *Justification*

*Article 14 of Regulation No. 1305/2013 regarding “Knowledge transfer and information actions” does not specify what should be done with the infrastructure installed as a result of demonstration project. The EC is of the opinion that the demonstration is a temporary activity and the infrastructure installed as an effect of this action must be removed or may not last after the duration of demonstration. This approach is illogical. Therefore, it is necessary to provide clearly in the Regulation 1305/2013, that there is no need to remove elements of infrastructure installed as a result of knowledge transfer operation.*

### **Amendment 114**

**Zbigniew Kuźmiuk, Beata Gosiewska**

#### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 2 d (new)**

Regulation (EU) No 1305/2013

Article 15 – paragraph 8

#### *Present text*

"8. Support under points (a) and (c) of paragraph 1 shall be limited to the maximum amounts laid down in Annex II. Support under point (b) of paragraph 1 shall be degressive over a maximum period of five years from setting up."

#### *Amendment*

**2d. In Article 15, paragraph 8 is replaced by the following:**

"8. Support under points (a) and (c) of paragraph 1 shall be limited to the maximum amounts laid down in Annex II. Support under point (b) of paragraph 1 shall be degressive over a maximum period of five years from setting up. ***The support may take a form of standard scales of unit costs, referred to in Article 67 of Regulation No 1303/2013.***"

Or. en

### *Justification*

*According to Article 15(3) of Regulation No. 1305/2013, beneficiaries of the sub-measure “Support for the use of advisory services” are chosen through calls for tenders and the selection procedure should be governed by public procurement regulations and shall be open to both public and private bodies. In case of some beneficiaries of the sub-measure it is not possible to present a proof of expenditure an invoice issued to the payment agency. Therefore*

*possibility to apply another form of reimbursement of cost taken by these beneficiaries, for example standard scales of unit costs, consists practical simplification.*

## **Amendment 115**

**Luke Ming Flanagan**

on behalf of the GUE/NGL Group

### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 3**

Regulation (EU) No 1305/2013

Article 16 – paragraph 2

#### *Text proposed by the Commission*

Support under this measure may also cover costs arising from information and promotion activities implemented by groups *of producers*, concerning products covered by a quality scheme receiving support in accordance with paragraph 1. By way of derogation from Article 70(3) of Regulation (EU) No 1303/2013, these activities may only be implemented in the internal market.

#### *Amendment*

**2.** Support under this measure may also cover costs arising from information and promotion activities implemented by *producer groups or associations of producer groups*, concerning products covered by a quality scheme receiving support in accordance with paragraph 1. By way of derogation from Article 70(3) of Regulation (EU) No 1303/2013, these activities may only be implemented in the internal market.

Or. en

## **Amendment 116**

**Herbert Dorfmann**

### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 4**

Regulation (EU) No 1305/2013

Article 17 – paragraph 1 – point b

#### *Text proposed by the Commission*

(b) concern the processing, marketing and/or development of agricultural products covered by Annex I to the TFEU or cotton, except fishery products; the output of the production process may be a product not covered by that Annex; where support is provided in the form of financial

#### *Amendment*

(b) concern the processing, *including the acquisition of technologies and agricultural machineries to be used as well by the farmers in an associated form*, marketing and/or development of agricultural products covered by Annex I to the TFEU or cotton, except fishery



instruments, the input may also be a product not covered by Annex I to the TFEU on condition that the investment contributes to one or more of the Union priorities for rural development;

products; the output of the production process may be a product not covered by that Annex; where support is provided in the form of financial instruments *to the proposing beneficiary, in case of a solely farmer or in an associated juridical form*, the input may also be a product not covered by Annex I to the TFEU on condition that the investment contributes to one or more of the Union priorities for rural development;

Or. en

### **Amendment 117**

**Elisabeth Köstinger, Albert Deß**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 4**

Regulation (EU) No 1305/2013

Article 17 – paragraph 1 – point b

#### *Text proposed by the Commission*

(b) concern the processing, marketing and/or development of agricultural products covered by Annex I to the TFEU or cotton, except fishery products; the output of the production process may be a product not covered by that Annex; *where support is provided in the form of financial instruments, the input may also be a product not covered by Annex I to the TFEU on condition that the investment contributes to one or more of the Union priorities for rural development;*

#### *Amendment*

(b) concern the processing, marketing and/or development of agricultural products covered by Annex I to the TFEU or cotton, except fishery products; the output of the production process may be a product not covered by that Annex;

Or. de

*Justification Rural development involves programmes which are designed to secure the future of rural areas and the farming industry. This basic strategy must not be undermined by the omnibus regulation. Any move to extend the scope of investment support to cover non-*

*agricultural products should therefore be rejected, otherwise rural development programmes would lose their close connection with agriculture.*

#### **Amendment 118**

**Maria Lidia Senra Rodríguez**

#### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 4**

Regulation (EU) No 1305/2013

Article 17 – paragraph 1 – point b

#### *Text proposed by the Commission*

(b) concern the processing, marketing and/or development of agricultural products covered by Annex I to the TFEU or cotton, except fishery products; the output of the production process may be a product not covered by that Annex; ***where support is provided in the form of financial instruments, the input may also be a product not covered by Annex I to the TFEU on condition that the investment contributes to one or more of the Union priorities for rural development;***

#### *Amendment*

(b) concern the processing, marketing and/or development of agricultural products covered by Annex I to the TFEU or cotton, except fishery products; the output of the production process may be a product not covered by that Annex;

Or. es

#### **Amendment 119**

**Michela Giuffrida**

#### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 4**

Regulation (EU) No 1305/2013

Article 17 – paragraph 1 – point b

#### *Text proposed by the Commission*

(b) concern the processing, marketing and/or development of agricultural products covered by Annex I to the TFEU or cotton, except fishery products; the output of the production process may be a product not covered by that Annex; where support is provided in the form of financial

#### *Amendment*

(b) concern the processing, ***including the acquisition of technologies and agricultural machineries to be used as well by the farmers in an associated form,*** marketing and/or development of agricultural products covered by Annex I to the TFEU or cotton, except fishery

instruments, the input may also be a product not covered by Annex I to the TFEU on condition that *the* investment contributes to one or more of the Union priorities for rural development;

products; the output of the production process may be a product not covered by that Annex; where support is provided in the form of financial instruments *to the proposing beneficiary, in case of a solely farmer or in an associated juridical form*, the input may also be a product not covered by Annex I to the TFEU on condition that investment contributes to one or more of the Union priorities for rural development

Or. en

## **Amendment 120**

**Nicola Caputo, Tibor Szanyi**

### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 4**

Regulation (EU) No 1305/2013

Article 17 – paragraph 1 – point b

#### *Text proposed by the Commission*

(b) concern the processing, marketing and/or development of agricultural products covered by Annex I to the TFEU or cotton, except fishery products; the output of the production process may be a product not covered by that Annex; where support is provided in the form of financial instruments, the input may also be a product not covered by Annex I to the TFEU on condition that the investment contributes to one or more of the Union priorities for rural development;

#### *Amendment*

(b) concern the processing, *including the acquisition of technologies and agricultural machineries to be used by both solely or associated farmers*, marketing and/or development of agricultural products covered by Annex I to the TFEU or cotton, except fishery products; the output of the production process may be a product not covered by that Annex; where support is provided in the form of financial instruments *to the proposing beneficiary, in case of both solely and associated farmers*, the input may also be a product not covered by Annex I to the TFEU on condition that the investment contributes to one or more of the Union priorities for rural development;

Or. en

### *Justification*

*It is necessary that the benefits provided by the CAP target farmers, both solely or in an associated form, and to make eligible the investments for the acquisition of processing equipments. This amendment facilitates the development of precision and sustainable farming and allows the acquisition of technologies and agricultural machineries, which are usually very expensive, by farmers and small enterprises who have aggregated under collective forms, such as cooperatives.*

#### **Amendment 121**

**Philippe Loiseau, Edouard Ferrand, Laurențiu Rebegea, Angelo Ciocca, Mara Bizzotto, Mario Borghezio**

#### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 4**

Regulation (EU) No 1305/2013

Article 17 – paragraph 1 – point b

#### *Text proposed by the Commission*

(b) concern the processing, marketing and/or development of agricultural products covered by Annex I to the TFEU or cotton, except fishery products; the output of the production process may be a product not covered by that Annex; where support is provided in the form of financial instruments, the input may also be a product not covered by Annex I to the TFEU on condition that the investment contributes to one or more of the Union priorities for rural development;

#### *Amendment*

(b) concern the processing, ***including the acquisition of agricultural technologies and machinery used by farmers, collectively or otherwise,*** marketing and/or development of agricultural products covered by Annex I to the TFEU or cotton, except fishery products; the output of the production process may be a product not covered by that Annex; where support is provided in the form of financial instruments ***for the use of beneficiaries, whether individuals or groups,*** the input may also be a product not covered by Annex I to the TFEU on condition that the investment contributes to one or more of the Union priorities for rural development;

Or. it

### *Justification*

*The text makes it clear that groups of farmers can also benefit from the measure, whose scope is extended to cover the acquisition of farming technologies and agricultural machinery, for which the necessary financial outlay is usually very considerable where individuals are concerned, but which, when used collectively, play a key role in processing.*

## **Amendment 122**

**Luke Ming Flanagan**

on behalf of the GUE/NGL Group

### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 4**

Regulation (EU) No 1305/2013

Article 17 – paragraph 1 – point b

#### *Text proposed by the Commission*

(b) concern the processing, marketing and/or development of agricultural products covered by Annex I to the TFEU or cotton, except fishery products; the output of the production process may be a product not covered by that Annex; *where support is provided in the form of financial instruments*, the input may also be a product not covered by Annex I to the TFEU on condition that the investment contributes to one or more of the Union priorities for rural development;

#### *Amendment*

(b) concern the processing, marketing and/or development of agricultural products covered by Annex I to the TFEU or cotton, except fishery products; the output of the production process may be a product not covered by that Annex; the input may also be a product not covered by Annex I to the TFEU on condition that the investment contributes to one or more of the Union priorities for rural development;

Or. en

## **Amendment 123**

**Luke Ming Flanagan**

on behalf of the GUE/NGL Group

### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 5 – point a**

Regulation (EU) No 1305/2013

Article 19 – paragraph 4 – subparagraph 2

#### *Text proposed by the Commission*

Support under point (a) of paragraph 1 shall be conditional on the submission of a business plan. Implementation of the business plan shall start at the latest within *nine* months from the date of the decision granting the aid. The business plan shall have a maximum duration of five years.

#### *Amendment*

Support under point (a) of paragraph 1 shall be conditional on the submission of a business plan. Implementation of the business plan shall start at the latest within *eighteen* months from the date of the decision granting the aid. The business

plan shall have a maximum duration of five years.

Or. en

#### **Amendment 124**

**Michel Dantin, Angélique Delahaye**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 5 – point a**

Regulation (EU) No 1305/2013

Article 19 – paragraph 4 – subparagraph 1

#### *Text proposed by the Commission*

The application for support under point (a)(i) of paragraph 1 shall be submitted **within** 24 months **from** the date of setting up.

#### *Amendment*

The application for support under point (a)(i) of paragraph 1 shall be submitted **at the latest** 24 months **after** the date of setting up.

Or. en

#### *Justification*

*This amendment is only technical and does not change the spirit of the Commission's proposal and intends to cover all national systems already in place.*

#### **Amendment 125**

**Maria Lidia Senra Rodríguez**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 5 – point a**

Regulation (EU) No 1305/2013

Article 19 – paragraph 4 – subparagraph 2

#### *Text proposed by the Commission*

Support under point (a) of paragraph 1 shall be conditional on the submission of **a** business plan. Implementation of the business plan shall start at the latest within nine months from the date of the decision granting the aid. **The business plan** shall have a maximum duration of five years.

#### *Amendment*

Support under point (a) of paragraph 1 shall be conditional on the submission of **an agricultural** business plan. Implementation of the business plan shall start at the latest within nine months from the date of the decision granting the aid. **It**

shall have a maximum duration of five years.

Or. es

## **Amendment 126**

**Zbigniew Kuźmiuk, Beata Gosiewska**

### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 5 – point a**

Regulation (EU) No 1305/2013

Article 19 – paragraph 4 – subparagraph 3

#### *Text proposed by the Commission*

For young farmers receiving support under point (a)(i) of paragraph 1, implementation of the business plan shall start after the date of setting up. The business plan shall provide that the young farmer complies with Article 9 of Regulation (EU) No 1307/2013, regarding active farmers within **18** months from the date of the decision granting the aid.

#### *Amendment*

For young farmers receiving support under point (a)(i) of paragraph 1, implementation of the business plan shall start after the date of setting up. The business plan shall provide that the young farmer complies with Article 9 of Regulation (EU) No 1307/2013, regarding active farmers within **24** months from the date of the decision granting the aid. ***Where the Member State decided not to apply Article 9 of Regulation (EU) No 1307/2013 from 2018 in accordance with paragraph 8 of that Article, the previous sentence shall not apply.***

Or. en

#### *Justification*

*Amendments proposed by the EC in the Omnibus to the direct payment regulation (1307/2013) allow Member States for changing application of active farmer definition. In case a Member States decides to change the definition of active farmer, this longer period for compliance would enable young farmer to meet all the necessary requirements during the process of setting up. Additionally, defining upper and lower threshold for access to the young farmer support at “per beneficiary” level will not bring any simplification to farmers nor to the Paying Agency.*

## **Amendment 127**

**Maria Lidia Senra Rodríguez**

### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 5 – point a**

Regulation (EU) No 1305/2013

Article 19 – paragraph 4 – subparagraph 3

#### *Text proposed by the Commission*

For young farmers receiving support under point (a)(i) of paragraph 1, implementation of the business plan shall start after the date of setting up. The business plan shall provide that the young farmer complies with Article 9 of Regulation (EU) No 1307/2013, regarding active farmers within 18 months from the date of the decision granting the aid.

#### *Amendment*

For young farmers receiving support under point (a)(i) of paragraph 1, implementation of the business plan shall start after the date of setting up. The business plan shall provide that the young farmer complies with Article 9 of Regulation (EU) No 1307/2013, regarding active farmers within 18 months from the date of the decision granting the aid. ***In no case will the aid received by the young farmer be linked to the establishment in the business plan of rigid minimum profit margins.***

Or. es

### **Amendment 128**

**Philippe Loiseau, Edouard Ferrand, Laurențiu Rebegea, Angelo Ciocca, Mara Bizzotto, Mario Borghezio**

### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 5 – point a**

Regulation (EU) No 283/2014

Article 3 – paragraph 8 – subparagraph 1

#### *Text proposed by the Commission*

Member States ***shall*** define ***upper and lower thresholds*** per beneficiary for allowing access to support under points (a)(i) and (a)(iii) of paragraph 1. The lower threshold for support under point (a)(i) of paragraph 1 shall be higher than the upper threshold for support under point (a)(iii) of paragraph 1. Support shall be limited to holdings coming under the definition of micro and small enterprises.

#### *Amendment*

Member States ***may*** define ***the lower threshold and/or the upper threshold*** per beneficiary for allowing access to support under points (a)(i) and (a)(iii) of paragraph 1. The lower threshold for support under point (a)(i) of paragraph 1 shall be higher than the upper threshold for support under point (a)(iii) of paragraph 1. ***Member States which have set such thresholds shall annually notify any changes to the Commission.*** Support shall be limited to



holdings coming under the definition of micro and small enterprises.

Or. it

*Justification*

*Setting thresholds should be an option for Member States; thresholds are not determined with reference to all products.*

**Amendment 129**

**Luke Ming Flanagan**

on behalf of the GUE/NGL Group

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 5 – point a**

Regulation (EU) No 1305/2013

Article 19 – paragraph 4 – subparagraph 5

*Text proposed by the Commission*

Member States shall define upper and lower thresholds per beneficiary for allowing access to support under points (a)(i) and (a)(iii) of paragraph 1. The **lower** threshold for support under point (a)(i) of paragraph 1 shall be **higher than the upper** threshold for support under point (a)(iii) of paragraph 1. Support shall be limited to holdings coming under the definition of micro and small enterprises.

*Amendment*

Member States shall define upper and lower thresholds per beneficiary for allowing access to support under points (a)(i) and (a)(iii) of paragraph 1. The threshold for support under point (a)(i) of paragraph 1 shall be **equal to the** threshold for support under point (a)(iii) of paragraph 1. Support shall be limited to holdings coming under the definition of micro and small enterprises **and shall be capped at an appropriate level to be set by the Member state;**

Or. en

**Amendment 130**

**Marco Zullo, Rosa D'Amato**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 5 – point a**

Regulation (EU) No 1305/2013

Article 19 – paragraph 4 – subparagraph 5

*Text proposed by the Commission*

Member States **shall** define upper **and** lower thresholds per beneficiary for allowing access to support under points (a)(i) and (a)(iii) of paragraph 1. The lower threshold for support under point (a)(i) of paragraph 1 shall be higher than the upper threshold for support under point (a)(iii) of paragraph 1. Support shall be limited to holdings coming under the definition of micro and small enterprises.

*Amendment*

Member States **may** define upper **and/or** lower thresholds per beneficiary for allowing access to support under points (a)(i) and (a)(iii) of paragraph 1. The lower threshold for support under point (a)(i) of paragraph 1 shall be higher than the upper threshold for support under point (a)(iii) of paragraph 1. **Member States shall annually notify to the EC any change related to the thresholds.** Support shall be limited to holdings coming under the definition of micro and small enterprises.

Or. en

**Amendment 131**

**Nicola Caputo, Tibor Szanyi**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 5 – point a**

Regulation (EU) No 1305/2013

Article 19 – paragraph 4 – subparagraph 5

*Text proposed by the Commission*

Member States **shall** define upper **and** lower thresholds per beneficiary for allowing access to support under points (a)(i) and (a)(iii) of paragraph 1. The lower threshold for support under point (a)(i) of paragraph 1 shall be higher than the upper threshold for support under point (a)(iii) of paragraph 1. **Support shall be limited to holdings coming under the definition of micro and small enterprises.**

*Amendment*

Member States **may** define upper **and/or** lower thresholds per beneficiary for allowing access to support under points (a)(i) and (a)(iii) of paragraph 1. The lower threshold for support under point (a)(i) of paragraph 1 shall be higher than the upper threshold for support under point (a)(iii) of paragraph 1.

**Member States may annually notify to the EC any changes related to the thresholds.**

Or. en

*Justification*

*The setting of thresholds may exclude potential beneficiaries depending on the sizes, while the calculation of the thresholds is often very complex and does not cover all the products.*

## **Amendment 132**

**Zbigniew Kuźmiuk, Beata Gosiewska**

### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 5 – point a**

Regulation (EU) No 1305/2013

Article 19 – paragraph 4 – subparagraph 5

#### *Text proposed by the Commission*

Member States shall define upper and lower thresholds *per beneficiary* for allowing access to support under points (a)(i) and (a)(iii) of paragraph 1. The lower threshold for support under point (a)(i) of paragraph 1 shall be higher than the upper threshold for support under point (a)(iii) of paragraph 1. Support shall be limited to holdings coming under the definition of micro and small enterprises.

#### *Amendment*

Member States shall define upper and lower thresholds for allowing access to support under points (a)(i) and (a)(iii) of paragraph 1. The lower threshold for support under point (a)(i) of paragraph 1 shall be higher than the upper threshold for support under point (a)(iii) of paragraph 1. Support shall be limited to holdings coming under the definition of micro and small enterprises.

Or. en

#### *Justification*

*Amendments proposed by the EC in the Omnibus to the direct payment regulation (1307/2013) allow Member States for changing application of active farmer definition. In case a Member States decides to change the definition of active farmer, this longer period for compliance would enable young farmer to meet all the necessary requirements during the process of setting up. Additionally, defining upper and lower threshold for access to the young farmer support at “per beneficiary” level will not bring any simplification to farmers nor to the Paying Agency.*

## **Amendment 133**

**Maria Lidia Senra Rodríguez**

### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 5 – point b**

Regulation (EU) No 1305/2013

Article 19 – paragraph 4a

#### *Text proposed by the Commission*

#### *Amendment*

(b) *the following paragraph 4a is inserted:* *deleted*

*"4a. By way of derogation from Article 37(1) of Regulation (EU) No 1303/2013, support under point (a)(i) of paragraph 1 may also be provided in the form of financial instruments, or as a combination of grants and financial instruments.;"*

Or. es

#### **Amendment 134**

**Luke Ming Flanagan**

on behalf of the GUE/NGL Group

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 5 – point c**

Regulation (EU) No 1305/2013

Article 19 – paragraph 5

*Text proposed by the Commission*

*Amendment*

5. Support under point (a) of paragraph 1 shall be paid in at least two instalments. Instalments may be degressive. The payment of the last instalment under points (a)(i) and (a)(ii) of paragraph 1 shall be conditional upon the correct implementation of the business plan.;

5. Support under point (a) of paragraph 1 shall be paid in at least two instalments. Instalments may be degressive. The payment of the last instalment under points (a)(i) and (a)(ii) of paragraph 1 shall be conditional upon the correct implementation of the business plan ***and shall be paid, in any event, within one year following the full implementation of the business plan;***

Or. en

#### **Amendment 135**

**Luke Ming Flanagan**

on behalf of the GUE/NGL Group

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 5 – point b**

Regulation (EU) No 1305/2013

Article 19 – paragraph 4a

*Text proposed by the Commission*

4a. By way of derogation from Article 37(1) of Regulation (EU) No 1303/2013, support under point (a)(i) of paragraph 1 may also be provided ***in the form of financial instruments, or*** as a combination of grants and financial instruments.;

*Amendment*

4a. By way of derogation from Article 37(1) of Regulation (EU) No 1303/2013, support under point (a)(i) of paragraph 1 may also be provided as a combination of grants and financial instruments ***with grants remaining the dominant support instrument;***

Or. en

**Amendment 136**

**Elisabeth Köstinger, Albert Deß**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 5 – point c**

Regulation (EU) No 1305/2013

Article 19 – paragraph 5

*Text proposed by the Commission*

5. Support under point (a) of paragraph 1 shall be paid in at least two instalments. Instalments may be degressive. The payment of the last instalment under points (a)(i) and (a)(ii) of paragraph 1 shall be conditional upon the correct implementation of the business plan.;

*Amendment*

(5) 5. Support under point (a) of paragraph 1 shall be paid in a single instalment. Payment shall be conditional upon the correct implementation of the business plan and shall be made, in any event, within one year following the full implementation of the business plan.

Or. de

*Justification*

*The rapporteur's Amendment 9 goes some way towards improving the text. Payment in a single instalment would, however, be a simpler option both administratively and for farmers.*

**Amendment 137**

**Maria Lidia Senra Rodríguez**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 6**

Regulation (EU) No 1305/2013

Article 20 – paragraph 4

*Text proposed by the Commission*

*Amendment*

**6. In Article 20, the following paragraph 4 is added:**

*deleted*

**"4. Paragraphs 2 and 3 shall not apply where support is provided in the form of financial instruments.;"**

Or. es

### **Amendment 138**

**Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 6 a (new)**

Regulation (EU) No 1305/2013

Article 28 – paragraph 9

*Present text*

*Amendment*

"9. Support may be provided for the conservation and for the sustainable use and development of genetic resources in agriculture for operations not covered by the provisions under paragraphs 1 to 8. Such commitments may be carried out by beneficiaries other than those referred to in paragraph 2."

**6a. In Article 28, paragraph 9 is replaced by the following:**

"9. Support may be provided for the conservation and for the sustainable use and development of genetic resources in agriculture for operations not covered by the provisions under paragraphs 1 to 8. ***This support may not be limited to indigenous resources.*** Such commitments may be carried out by beneficiaries other than those referred to in paragraph 2."

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)

*Justification*

*There is no legal provision to limit the scope of the support for this sub-measure in such a way.*

### **Amendment 139**

PE601.213v01-00

30/112

AM\1120442EN.docx

**Daciana Octavia Sârbu**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 6 b (new)**

Regulation (EU) No 1305/2013

Article 29 – paragraph 1

*Present text*

"1. Support under this measure shall be granted, per hectare of agricultural area, to farmers or groups of farmers who undertake, on a voluntary basis, to convert to or maintain organic farming practices and methods as defined in Regulation (EC) No 834/2007 and who are active farmers within the meaning of Article 9 of Regulation (EU) No 1307/2013."

*Amendment*

**6b. in Article 29, paragraph 1 is replaced by the following:**

"1. Support under this measure shall be granted, per hectare of agricultural area **and if duly justified also on livestock unit** to farmers or groups of farmers who undertake, on a voluntary basis, to convert to or maintain organic farming practices and methods as defined in Regulation (EC) **No 834/2007** and who are active farmers within the meaning of Article 9 of Regulation (EU) **No 1307/2013**"

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)

**Amendment 140**

**Michel Dantin**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 6 a (new)**

Regulation (EU) No 1305/2013

Article 31 – paragraph 2 – subparagraph 1a (new)

*Text proposed by the Commission*

*Amendment*

**6a. In Article 31(2), the following subparagraph is inserted:**

**"Member States may define additional objective and non-discriminatory criteria from 2018. They shall notify such a decision to the Commission before the 1st January 2018."**

Or. en

### *Justification*

*This amendment provides Member States with greater flexibility in the definition of eligibility criteria for granting payments to areas facing natural or other specific constraints, depending on the specificity of their territory and their agriculture.*

#### **Amendment 141**

**Eric Andrieu, Jean-Paul Denanot**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 6 b (new)**

Regulation (EU) No 1305/2013

Article 31 – paragraph 2 – subparagraph 1a(new)

*Text proposed by the Commission*

*Amendment*

**6b. In Article 31 – paragraph 2, the following subparagraph is added:**

***Member States may set additional objective and non-discriminatory criteria from 2018. They must notify such a decision to the Commission before 01 August 2017.***

Or. fr

### *Justification*

*Member States should have greater flexibility in defining eligibility criteria for the award of compensatory payments for natural drawbacks depending on the specific nature of the land and type of agriculture. This would make it possible to help the struggling livestock sector.*

#### **Amendment 142**

**Viorica Dăncilă, Daniel Buda**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 6 b (new)**

Regulation (EU) No 1305/2013

Article 29 – paragraph 1

*Present text*

*Amendment*

**6b. In Article 29, paragraph 1, is replaced by the following:**



"(I) Support under this measure shall be granted, per hectare of agricultural area, to farmers or groups of farmers who undertake, on a voluntary basis, to convert to or maintain organic farming practices and methods as defined in Regulation (EC) No 834/2007 and who are active farmers within the meaning of Article 9 of Regulation (EU) No 1307/2013."

"Support under this measure shall be granted, per hectare of agricultural area **and, where justified per livestock unit (LU)**, to farmers or groups of farmers who undertake, on a voluntary basis, to convert to or maintain organic farming practices and methods as defined in Regulation (EC) No 834/2007 and who are active farmers within the meaning of Article 9 of Regulation (EU) No 1307/2013."

Or. ro

(<http://eur-lex.europa.eu/legal-content/RO/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)

**Amendment 143**  
**Laurențiu Rebegea**

**Proposal for a regulation**  
**Article 267 – paragraph 1 – point 6 b (new)**  
Regulation (EU) No 1305/2013  
Article 29 – paragraph 1

*Present text*

"(I) Support under this measure shall be granted, per hectare of agricultural area, to farmers or groups of farmers who undertake, on a voluntary basis, to convert to or maintain organic farming practices and methods as defined in Regulation (EC) No 834/2007 and who are active farmers within the meaning of Article 9 of Regulation (EU) No 1307/2013."

*Amendment*

**6b. In Article 29, paragraph 1, is replaced by the following:**

"Support under this measure shall be granted, per hectare of agricultural area **and, where justified per livestock unit (LU)**, to farmers or groups of farmers who undertake, on a voluntary basis, to convert to or maintain organic farming practices and methods as defined in Regulation (EC) No 834/2007 and who are active farmers within the meaning of Article 9 of Regulation (EU) No 1307/2013."

Or. ro

(<http://eur-lex.europa.eu/legal-content/RO/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)

**Amendment 144**  
**Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 6 b (new)**  
Regulation (EU) No 1305/2013  
Article 29 – paragraph 1

*Present text*

"1. Support under this measure shall be granted, per hectare of agricultural area, to farmers or groups of farmers who undertake, on a voluntary basis, to convert to or maintain organic farming practices and methods as defined in Regulation (EC) No 834/2007 and who are active farmers within the meaning of Article 9 of Regulation (EU) No 1307/2013."

*Amendment*

**6b. In Article 29, paragraph 1 is replaced by the following:**

"1. Support under this measure shall be granted, per hectare of agricultural area **and, in duly justified cases, per livestock units**, to farmers or groups of farmers who undertake, on a voluntary basis, to convert to or maintain organic farming practices and methods as defined in Regulation (EC) No 834/2007 and who are active farmers within the meaning of Article 9 of Regulation (EU) No 1307/2013"

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)

*Justification*

*We propose to make this provision of the basic regulation more flexible so as this measure might also be granted, in duly justified cases, per livestock units. This modification could allow certain small swine and poultry farms to benefit from this measure.*

**Amendment 145**  
**Clara Eugenia Aguilera García**

**Proposal for a regulation**  
**Article 267 – paragraph 1 – point 6 b (new)**  
Regulation (EU) No 1305/2013  
Article 23 – paragraph 14

*Present text*

"1. Support under point (b) of Article 21(1) shall be granted to private land-holders, municipalities and their associations and shall cover the costs of establishment and an annual premium per hectare to cover the

*Amendment*

**6b. in Article 23, paragraph 1 is amended as follows:**

"1. Support under point (b) of Article 21(1) shall be granted to private land-holders, municipalities and their associations and shall cover the costs of establishment, **regeneration and/or renovation** and an

costs of maintenance for a maximum period of five years."

annual premium per hectare to cover the costs of maintenance for a maximum period of five years."

Or. es

(<http://eur-lex.europa.eu/legal-content/ES/TXT/HTML/?uri=CELEX:02013R1305-20150523&qid=1489594815838&from=ES>)

#### *Justification*

*The EAFRD Regulation does not recognize the specific nature of pasture, thereby hampering the provision of aid specifically intended for the proper regeneration of Mediterranean agroforestry systems.*

#### **Amendment 146**

**Luke Ming Flanagan**

on behalf of the GUE/NGL Group

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 6**

Regulation (EU) No 1305/2013

Article 20 – paragraph 4

*Text proposed by the Commission*

*Amendment*

**6. In Article 20, the following paragraph 4 is added:**

*deleted*

**‘4. Paragraphs 2 and 3 shall not apply where support is provided in the form of financial instruments.’**

Or. en

#### **Amendment 147**

**Clara Eugenia Aguilera García**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 6 a (new)**

Regulation (EU) No 1305/2013

Article 23 – Heading

*Present text*

*Amendment*

**6a.** *the title of Article 23 is amended as follows:*

"Establishment of agroforestry systems"

"Establishment **and regeneration/renovation** of agroforestry systems"

Or. es

(<http://eur-lex.europa.eu/legal-content/ES/TXT/HTML/?uri=CELEX:02013R1305-20150523&qid=1489594815838&from=ES>)

*Justification*

*The EAFRD Regulation does not recognize the specific nature of pasture, thereby hampering the provision of aid specifically intended for the proper regeneration of Mediterranean agroforestry systems.*

**Amendment 148**

**Michel Dantin, Herbert Dorfmann, Angélique Delahaye**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point a – point -i (new)**

Regulation (EU) No 1305/2013

Article 36 – paragraph 1 – point a

*Present text*

*Amendment*

"(a) financial contributions to premiums for crop, animal **and plant** insurance against economic losses to farmers caused by adverse climatic events, animal or plant diseases, pest infestation, **or** an environmental incident;"

**(–i) In Article 36 (1), point a is replaced by the following:**

"(a) financial contributions to premiums for crop, animal, **plant and income** insurance against economic losses to farmers caused by adverse climatic events, animal or plant diseases, pest infestation, an environmental incident **or market related hazard**;"

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)

*Justification*

*This amendment is a technical adaptation due to other tabled amendments which intend to take on board the Rapporteur's proposal to establish an income insurance (AM 21 to 23) and*

*moves it into article 37, which already provides financial contributions to premiums for crop, animal and plant insurance.*

#### **Amendment 149**

**Clara Eugenia Aguilera García**

#### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 6 c (new)**

Regulation (EU) No 1305/2013

Article 29 – paragraph 1

#### *Present text*

"1. Support under this measure shall be granted, per hectare of agricultural area, to farmers or groups of farmers who undertake, on a voluntary basis, to convert to or maintain organic farming practices and methods as defined in Regulation (EC) No 834/2007 and who are active farmers within the meaning of Article 9 of Regulation (EU) No 1307/2013."

#### *Amendment*

#### **6c. in Article 29, paragraph 1 is amended as follows:**

"1. Support under this measure shall be granted, per hectare of agricultural area, **and, where duly justified, per livestock unit**, to farmers or groups of farmers who undertake, on a voluntary basis, to convert to or maintain organic farming practices and methods as defined in Regulation (EC) No 834/2007 and who are active farmers within the meaning of Article 9 of Regulation (EU) No 1307/2013."

Or. es

*(<http://eur-lex.europa.eu/legal-content/ES/TXT/HTML/?uri=CELEX:02013R1305-20150523&qid=1489743795329&from=ES>)*

#### *Justification*

*Aid under this measure - organic farming - should be payable, only in duly justified cases, per livestock unit.*

#### **Amendment 150**

**Herbert Dorfmann**

#### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 7 – point a – point -i (new)**

Regulation (EU) No 1305/2013

Article 36 – paragraph 1 – point b

*Present text*

*Amendment*

"(a) financial contributions to premiums for crop, animal and plant insurance against economic losses to farmers caused by adverse climatic events, animal or plant diseases, pest infestation, or an environmental incident;"

**(-i) in Article 36, in paragraph 1, point (a) is replaced by the following:**

"(a) financial contributions to premiums for crop, animal and plant insurance against economic losses to farmers caused by adverse climatic events, animal or plant diseases, pest infestation, or an environmental incident **or to cover revenue variations**;"

Or. it

*(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)*

### **Amendment 151**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point a – point -i (new)**

Regulation (EU) No 1305/2013

Article 36 – paragraph 1 – point a

*Text proposed by the Commission*

*Amendment*

**(-i) In Article 36 (1), point a is deleted.**

Or. en

#### *Justification*

*Insurance schemes risk to eat up all available rural development funds, while principally benefitting financial service sector rather than farmers. The US has already turned away from this approach.*

### **Amendment 152**

**Sandra Kalniete**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point a – point -i a (new)**

Regulation (EU) No 1305/2013

Article 36 – paragraph 1 – point a

*Present text*

*Amendment*

"(a) financial contributions to premiums for crop, animal and plant insurance against economic losses to farmers caused by adverse climatic events, animal or plant diseases, pest infestation, or an environmental incident;"

**(-ia) In article 36 (1), point a is replaced by the following:**

"(a) financial contributions to premiums for crop, animal and plant insurance against economic losses to farmers caused by adverse climatic events, animal or plant diseases, pest infestation, or an environmental incident **or other incidents**;"

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)

*Justification*

*It is necessary in the light of simplification to adjust the risk management measure to help farmers to eliminate the real and not only the most frequently occurring risks they encounter. The existing scope of risks place certain constraints on the application of this measure. In order to facilitate the use of this measure, there is a need to extend the existing scope of risks. Examples of real risks currently not covered are traumatism and theft.*

**Amendment 153**  
**Herbert Dorfmann**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point a – point i**

Regulation (EU) No 1305/2013

Article 36 – paragraph 1 – point c

*Text proposed by the Commission*

*Amendment*

(c) an income stabilisation tool, in the form of financial contributions to mutual funds, providing compensation to farmers of all sectors for a severe drop in their income.;

(c) an income stabilisation tool, in the form of financial contributions to mutual funds **or for the payment of insurance premiums**, providing compensation to farmers of all sectors for a severe drop in their income.;

Or. it

**Amendment 154**

**Philippe Loiseau, Edouard Ferrand, Laurențiu Rebegea, Angelo Ciocca, Mara Bizzotto, Mario Borghezio**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point a – point i**

Regulation (EU) No 1305/2013

Article 36 – paragraph 1 – point c

*Text proposed by the Commission*

*Amendment*

(c) an income stabilisation tool, in the form of financial contributions to mutual funds, providing compensation to farmers of all sectors for a severe drop in their income.;

(c) an income stabilisation tool, in the form of financial contributions to mutual funds ***and income insurance premiums***, providing compensation to farmers of all sectors for a severe drop in their income.;

Or. it

*Justification*

*Provides the highest degree of flexibility, making it possible to act in all sectors, whether through mutual funds or through income insurance.*

**Amendment 155**

**Marco Zullo, Rosa D'Amato**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point a – point i**

Regulation (EU) No 1305/2013

Article 36 – paragraph 1 – point c

*Text proposed by the Commission*

*Amendment*

(c) an income stabilisation tool, in the form of financial contributions to mutual funds, providing compensation to farmers of all sectors for a severe drop in their income.;

(c) an income stabilisation tool, in the form of financial contributions to mutual funds ***and to premiums for income insurance***, providing compensation to farmers of all sectors for a severe drop in their income.;

Or. en

**Amendment 156**

**Nicola Caputo, Tibor Szanyi**



**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point a – point i**

Regulation (EU) No 1305/2013

Article 36 – paragraph 1 – point c

*Text proposed by the Commission*

(c) an income stabilisation tool, in the form of financial contributions to mutual funds, providing compensation to farmers of all sectors for a severe drop in their income.;

*Amendment*

(c) an income stabilisation tool, in the form of financial contributions to mutual funds **and to premiums for income insurance**, providing compensation to farmers of all sectors for a severe drop in their income;

Or. en

*Justification*

*It is important to provide flexible and comprehensive tools for risk management. In particular it should be foreseen a specific support for income insurances as well as mutual funds, that should intervene either for a specific sector or for all the sectors.*

**Amendment 157**

**Michela Giuffrida**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point a – point i**

Regulation (EU) No 1305/2013

Article 36 – paragraph 1 – point c

*Text proposed by the Commission*

(c) an income stabilisation tool, in the form of financial contributions to mutual funds, providing compensation to farmers of all sectors for a severe drop in their income.;

*Amendment*

(c) an income stabilisation tool, in the form of financial contributions to mutual funds **and to premiums for income insurance** providing compensation to farmers of all sectors for a severe drop in their income

Or. en

**Amendment 158**

**Maria Lidia Senra Rodríguez**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point a – point i**

Regulation (EU) No 1305/2013

Article 36 – paragraph 1 – point c

*Text proposed by the Commission*

(c) an income stabilisation tool, ***in the form of financial contributions to mutual funds***, providing compensation to farmers of all sectors for a severe drop in their income.;

*Amendment*

(c) an income stabilisation tool, ***depending on EU budget appropriations***, providing compensation to farmers of all sectors for a severe drop in their income.";

Or. es

**Amendment 159**

**Herbert Dorfmann**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point a – point ii**

Regulation (EU) No 1305/2013

Article 36 – point d

*Text proposed by the Commission*

(d) an income stabilisation tool, in the form of financial contributions to mutual funds, providing compensation to farmers of a specific sector for a severe drop in their income.;

*Amendment*

(d) an income stabilisation tool, in the form of financial contributions to mutual funds ***or for the payment of insurance premiums***, providing compensation to farmers of a specific sector for a severe drop in their income.;

Or. it

**Amendment 160**

**Philippe Loiseau, Edouard Ferrand, Laurențiu Rebegea, Angelo Ciocca, Mara Bizzotto, Mario Borghezio**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point a – point ii**

Regulation (EU) No 1305/2013

Article 36 – paragraph 1 – point d

*Text proposed by the Commission*

*Amendment*

(d) an income stabilisation tool, in the form of financial contributions to mutual funds, providing compensation to farmers of a specific sector for a severe drop in their income.;

(d) an income stabilisation tool, in the form of financial contributions to mutual funds **and income insurance premiums**, providing compensation to farmers of a specific sector for a severe drop in their income.;

Or. it

*Justification*

*Provides the highest degree of flexibility, making it possible to act in all sectors, whether through mutual funds or through income insurance.*

**Amendment 161**

**Marco Zullo, Rosa D'Amato**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point a – point ii**

Regulation (EU) No 1305/2013

Article 36 – paragraph 1 – point d

*Text proposed by the Commission*

(d) an income stabilisation tool, in the form of financial contributions to mutual funds, providing compensation to farmers of a specific sector for a severe drop in their income.;

*Amendment*

(d) an income stabilisation tool, in the form of financial contributions to mutual funds **and to premiums for income insurance**, providing compensation to farmers of a specific sector for a severe drop in their income.;

Or. en

**Amendment 162**

**Nicola Caputo, Tibor Szanyi**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point a – point ii**

Regulation (EU) No 1305/2013

Article 36 – paragraph 1 – point d

*Text proposed by the Commission*

(d) an income stabilisation tool, in the form of financial contributions to mutual

*Amendment*

(d) an income stabilisation tool, in the form of financial contributions to mutual

funds, providing compensation to farmers of a specific sector for a severe drop in their income.;

funds *and to premiums for income insurance*, providing compensation to farmers of a specific sector for a severe drop in their income;

Or. en

*Justification*

*It is important to provide flexible and comprehensive tools for risk management. In particular it should be foreseen a specific support for income insurances as well as mutual funds, that should intervene either for a specific sector or for all the sectors.*

**Amendment 163**  
**Michela Giuffrida**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point a – point ii**

Regulation (EU) No 1305/2013

Article 36 – paragraph 1 – point d

*Text proposed by the Commission*

(d) an income stabilisation tool, in the form of financial contributions to mutual funds, providing compensation to farmers of a specific *sector* for a severe drop in their income.;

*Amendment*

(d) an income stabilisation tool, in the form of financial contributions to mutual funds *and to premiums for income insurance* providing compensation to farmers of a specific for a severe drop in their income

Or. en

**Amendment 164**  
**Michel Dantin, Anne Sander, Angélique Delahaye**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point a – point ii**

Regulation (EU) No 1305/2013

Article 36 – paragraph 1 – point d

*Text proposed by the Commission*

(d) *an* income stabilisation tool, in the form of financial contributions to mutual funds, providing compensation to farmers

*Amendment*

(d) *a sector-specific* income stabilisation tool, in the form of financial contributions to mutual funds, providing

of a specific sector for a severe drop in their income.;

compensation to farmers of a specific sector for a severe drop in their income.;

Or. en

*Justification*

*This amendment intends to differentiate the sector-specific Income Stabilisation Tool from the general income stabilisation tool.*

**Amendment 165**

**Maria Lidia Senra Rodríguez**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point a – point ii**

Regulation (EU) No 1305/2013

Article 36 – paragraph 1 – point d

*Text proposed by the Commission*

(d) an income stabilisation tool, ***in the form of financial contributions to mutual funds***, providing compensation to farmers ***of a specific*** sector for a severe drop in their income.;

*Amendment*

(d) an income stabilisation tool, ***depending on EU budget appropriations***, providing compensation to farmers ***in a given*** sector for a severe drop in their income.";

Or. es

**Amendment 166**

**Paolo De Castro**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point a – point ii a (new)**

Regulation (EU) No 1305/2013

Article 36 – Paragraph 1 – point da (new)

*Text proposed by the Commission*

*Amendment*

***(iia) the following point (da) is added:  
(da) financial contributions to premiums for income insurance;***

Or. en

### *Justification*

*The amendment aims at favouring the use of risk management tools: in this perspective, the greater reliance of farmers on insurance tools, could foster their use in order to protect farmers' income.*

#### **Amendment 167**

**Maria Lidia Senra Rodríguez**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point b**

Regulation (EU) No 1305/2013

Article 36 – paragraph 3

*Text proposed by the Commission*

3. For the purpose of **points (b), (c) and (d)** of paragraph 1, 'mutual fund' means a scheme accredited by the Member State in accordance with its national law for affiliated farmers to insure themselves, whereby compensation payments are made to affiliated farmers for economic losses caused by the outbreak of adverse climatic events or an animal or plant disease or pest infestation or an environmental incident, **or for a severe drop in their income.**

*Amendment*

For the purpose of **point (b)** of paragraph 1, 'mutual fund' means a scheme accredited by the Member State in accordance with its national law for affiliated farmers to insure themselves, whereby compensation payments are made to affiliated farmers for economic losses caused by the outbreak of adverse climatic events or an animal or plant disease or pest infestation or an environmental incident. ***In the case of natural disasters and adverse weather, small and medium-sized farms will receive compensation even if they are not linked to insurance schemes.***

Or. es

#### **Amendment 168**

**Luke Ming Flanagan**

on behalf of the GUE/NGL Group

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point b**

Regulation (EU) No 1305/2013

Article 36 – paragraph 3

*Text proposed by the Commission*

*Amendment*

3. For the purpose of points (b), (c) and (d) of paragraph 1, 'mutual fund' means a scheme accredited by the Member State in accordance with its national law for affiliated farmers to insure themselves, whereby compensation payments are made to affiliated farmers for economic losses caused by the outbreak of adverse climatic events or an animal or plant disease or pest infestation or an environmental incident, or for a severe drop in their income.

3. For the purpose of points (b), (c) and (d) of paragraph 1, 'mutual fund' means a scheme accredited by the Member State in accordance with its national law for affiliated farmers to insure themselves, whereby compensation payments are made to affiliated farmers for economic losses caused by the outbreak of adverse climatic events or an animal or plant disease or pest infestation or an environmental incident, or for a severe drop in their income ***as a result of political decisions over which they have control;***

Or. en

### **Amendment 169**

**Martin Häusling**

on behalf of the Verts/ALE Group

### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point b a (new)**

Regulation (EU) No 1305/2013

Article 36 – paragraph 3a (new)

*Text proposed by the Commission*

*Amendment*

***(ba) In Article 36 (3), the following paragraph is added:***

***3a Member States shall ensure that beneficiaries of all support under this measure, outlined under points ( a - d ) of paragraph 1, commit to take steps to mitigate the negative effects of events that they apply to be insured or covered against. Specifically, cover against flooding and drought shall be granted upon fulfilment of practices that ensure vegetative soil cover, improve topsoil or include trees and similar landscape features, while cover against pest attack shall be contingent upon ensuring spatial and temporal diversity in cropping and land use patterns to break pest cycles in vegetation and soils, limiting the extent of monocultures to avoid susceptibility to***

*pests, with applicability to Articles 37, 38, 39 and 39a.*

Or. en

*Justification*

*These tools are as yet unproven in the CAP & risk eating up increasingly limited rural development funds, while benefitting bankers/financial sector rather than farmers. To avoid losing funds on production systems that are susceptible to failure, farms can be more cost-effectively "insured" against floods/droughts/pests by making them resilient e.g. by avoiding vast or year-on-year monocultures, adding trees, improving soil health and increasing beneficial functional biodiversity.*

**Amendment 170**  
**Paul Brannen**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point b a (new)**

Regulation (EU) No 1305/2013

Article 36 – paragraph 3a (new)

*Text proposed by the Commission*

*Amendment*

***(ba) In Article 36 (3), the following paragraph is added:***

***3a Member States shall ensure that beneficiaries of all support under this measure, outlined under points ( a - d ) of paragraph 1, are in line with all relevant cross compliance and good agricultural practice that would mitigate the negative effects of events that they apply to be insured or covered against. This provision shall prevent the situation where there are increasingly used risk management tools for losses that could have been prevented should the recognized preventive cropping pattern been used.***

Or. en

*Justification*

*The loss of 30% of crop yield is a serious issue and can be, as good practice shows, to certain extent prevented. If support under this measure is covering losses emanating from*



*unsustainable practice (e.g. the same crop over number of years weakening the physical properties of soil), the message simply is that it is acceptable to lose 30% of crop yield. In such context any talk about food security or production efficiency is not in place and we should take preventive measures, being good cropping patters, e.g. breaking pest cycles, and care for water retention capacity of soil, seriously.*

#### **Amendment 171**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point c**

Regulation (EU) No 1305/2013

Article 36 – paragraph 5 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

*(c) in paragraph 5, the second subparagraph is deleted. deleted*

Or. en

#### *Justification*

*In proposing to delete Art. 36(5)§2 Reg.1305/2013, the Commission tries to absolve itself of its obligation to report on the implementation of Risk Management, while elsewhere it is extending its scope, including into new funding sources that involve private ones and on larger scale (i.e. not simply small scale infrastructure projects as required by Art.20§2 Reg.1305/2013). So it becomes even more important to assess success so far and appropriateness of these new funding approaches.*

#### **Amendment 172**

**Nicola Caputo, Tibor Szanyi**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point c**

Regulation (EU) No 1305/2013

Article 36 – paragraph 5 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

*(c) in paragraph 5, the second subparagraph is deleted. deleted*

Or. en

**Amendment 173**

**Philippe Loiseau, Edouard Ferrand, Laurențiu Rebegea, Angelo Ciocca, Mara Bizzotto, Mario Borghezio**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point c**

Regulation (EU) No 1305/2013

Article 36 – paragraph 5 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

*(c) in paragraph 5, the second subparagraph is deleted.*

*deleted*

Or. it

**Amendment 174**

**Philippe Loiseau, Edouard Ferrand, Laurențiu Rebegea, Angelo Ciocca, Mara Bizzotto, Mario Borghezio**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point c a (new)**

Regulation (EU) No 1305/2013

Article 36 – paragraph 5 – subparagraph 2

*Present text*

*Amendment*

*(ca) in Article 36, in paragraph 5, the second subparagraph is replaced by the following:*

"The Commission shall present a report on the implementation of this Article to the European Parliament and the Council by 31 December **2018**."

"The Commission shall **undertake to** present a **progress** report on the implementation of this Article to the European Parliament and the Council by 31 December **2019**."

Or. it

*(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)*

*Justification*

*The sector needs to be given a proper overview of the effectiveness of risk management tools.*

## **Amendment 175**

**Marco Zullo, Rosa D'Amato**

### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 a (new)**

Regulation (EU) No 1305/2013

Article 37 – paragraph 1

#### *Present text*

"Support under point (a) of Article 36(1) shall only be granted for insurance contracts which cover for loss caused by an adverse climatic event, or by an animal or plant disease, or a pest infestation, or an environmental incident or a measure adopted in accordance with Directive 2000/29/EC to eradicate or contain a plant disease, or pest which destroys more than **30** % of the average annual production of the farmer in the preceding three-year period or a three-year average based on the preceding five-year period, excluding the highest and lowest entry. Indexes may be used in order to calculate the annual production of the farmer. The calculation method used shall permit the determination of the actual loss of an individual farmer in a given year."

#### *Amendment*

**7a. In Article 37, paragraph 1 is replaced by the following:**

"Support under point (a) of Article 36(1) shall only be granted for insurance contracts which cover for loss caused by an adverse climatic event, or by an animal or plant disease, or a pest infestation, or an environmental incident or a measure adopted in accordance with Directive 2000/29/EC to eradicate or contain a plant disease, or pest which destroys more than **20** % of the average annual production of the farmer in the preceding three-year period or a three-year average based on the preceding five-year period, excluding the highest and lowest entry. Indexes may be used in order to calculate the annual production of the farmer. The calculation method used shall permit the determination of the actual loss of an individual farmer in a given year."

Or. en

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:347:0487:0548:EN:PDF>)

## **Amendment 176**

**Sandra Kalniete**

### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 a (new)**

Regulation (EU) No 1305/2013

Article 37 – paragraph 1 – subparagraph 1

"1. Support under point (a) of Article 36(1) shall only be granted for insurance contracts which cover for loss caused by an adverse climatic event, or by an animal or plant disease, or a pest infestation, or an environmental incident or a measure adopted in accordance with Directive 2000/29/EC to eradicate or contain a plant disease, or pest ***which destroys more than 30 % of the average annual production of the farmer in the preceding three-year period or a three-year average based on the preceding five-year period, excluding the highest and lowest entry.*** Indexes may be used in order to calculate the annual production of the farmer. The calculation method used shall permit the determination of the actual loss of an individual farmer in a given year."

***7a. In article 37 (1), subparagraph 1 is replaced by the following:***

"1. Support under point (a) of Article 36(1) shall only be granted for insurance contracts which cover for loss caused by an adverse climatic event, or by an animal or plant disease, or a pest infestation, or an environmental incident or a measure adopted in accordance with Directive 2000/29/EC to eradicate or contain a plant disease, or pest ***or other incidents.*** Indexes may be used in order to calculate the annual production of the farmer. The calculation method used shall permit the determination of the actual loss of an individual farmer in a given year."

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)

#### *Justification*

*To align conditions of Art 37(1) of reg. no1305/2013 with conditions of Art 28(3) of reg. no 702/2014. The existing 30% volume of minimum losses is disproportionately high as it can be applied to catastrophic events but not all the other risks. Currently, insurance companies cover the minimum level of losses that are lower than 30%. In addition, the existing method of identification of losses places an additional administrative burden on farmers, insurance companies and administration.*

#### **Amendment 177**

**Michel Dantin, Angélique Delahaye**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 a (new)**

Regulation (EU) No 1305/2013

Article 37 – Heading

*Present text*

*Amendment*

"Crop, animal, **and plant** insurance"

**7a. In Article 37, the heading is replaced by the following:**

"Crop, animal, **plant and income** insurance"

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1490086023420&uri=CELEX:32013R1305>)

*Justification*

*This amendment is a technical adaptation due to other tabled amendments which intend to take on board the Rapporteur's proposal to establish an income insurance (AM 21 to 23) and moves it into article 37, which already provides financial contributions to premiums for crop, animal and plant insurance.*

**Amendment 178**  
**Herbert Dorfmann**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 a (new)**

Regulation (EU) No 1305/2013

Article 37 – paragraph 1 – subparagraph 2 – point ba (new)

*Text proposed by the Commission*

*Amendment*

**7a. in Article 37, in the second subparagraph of paragraph 1, the following point is inserted:**

**"(ba) production indices, based for example on georeferencing systems and expert evaluations of average production, may be used to calculate a farmer's annual production."**

Or. it

**Amendment 179**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 a (new)**

Regulation (EU) No 1305/2013

Article 37

*Text proposed by the Commission*

*Amendment*

**7a. Article 37 is deleted.**

Or. en

*Justification*

*Insurance schemes risk to eat up all available rural development funds, while principally benefitting financial service sector rather than farmers. The US has already turned away from this approach.*

**Amendment 180**

**Nicola Caputo, Tibor Szanyi**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 – point c a (new)**

Regulation (EU) No 1305/2013

Article 36 – paragraph 5 – subparagraph 2

*Present text*

*Amendment*

**(ca) In Article 36, paragraph 5, subparagraph 2 is replaced by the following:**

"The Commission shall present a report on the implementation of this Article to the European Parliament and the Council by 31 December **2018**"

"The Commission shall present a report on the implementation of this Article to the European Parliament and the Council by 31 December **2019**"

Or. en

*(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)*

*Justification*

*It is necessary to provide data and statistics on the effectiveness of the risk management tools.*

**Amendment 181**

**Michel Dantin, Angélique Delahaye**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 b (new)**

Regulation (EU) No 1305/2013

Article 37 – paragraph 1 – subparagraph 1a (new)

*Text proposed by the Commission*

*Amendment*

**7b. In Article 37(1), the following subparagraph is added:**

***Similarly, support under point (a) of Article 36(1) shall also be granted for insurance contracts which cover for income loss of more than 30% of the average annual income of the farmer in the preceding three-year period or a three-year average based on the preceding five-year period, excluding the highest and lowest entry. Income for the purposes of point (a) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Indexes may be used in order to calculate the annual production or the income of the farmer. The calculation method used shall permit the fair estimation of the actual loss of an individual farmer in a given year.***

Or. en

*Justification*

*This amendment intends to take on board the Rapporteur's proposal to establish an income insurance (AM 21 to 23) and moves it into article 37, which already provides financial contributions to premiums for crop, animal and plant insurance.*

**Amendment 182**

**Michel Dantin**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 c (new)**

Regulation (EU) No 1305/2013

Article 37 – paragraph 1 – subparagraph 2 – point ba (new)

*Text proposed by the Commission*

*Amendment*

**7c. In Article 37(1), the following point is added:**

**(ba) economic indexes (production level and prices)**

Or. en

*Justification*

*This amendment is in line with other tabled amendments which intend to take on board the Rapporteur's proposal to establish an income insurance (AM 21 to 23) and moves it into article 37, which already provides financial contributions to premiums for crop, animal and plant insurance.*

### **Amendment 183**

**Michel Dantin, Herbert Dorfmann, Angélique Delahaye**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 d (new)**

Regulation (EU) No 1305/2013

Article 38 – paragraph 3 – point b

*Present text*

*Amendment*

"(b) the amounts paid by the mutual fund as financial compensation to farmers. In addition, the financial contribution may relate to interest on commercial loans taken out by the mutual fund for the purpose of paying the financial compensation to farmers in case of crisis."

**7d. In Article 38(3), point b is replaced by the following :**

"(b) the amounts paid by the mutual fund as financial compensation to farmers. In addition, the financial contribution may relate to interest on commercial loans taken out by the mutual fund for the purpose of paying the financial compensation to farmers in case of crisis **and/or** ;"

Or. en

*(<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1490086023420&uri=CELEX:32013R1305>)*



### *Justification*

*This amendment intends to provide the mutual funds with sufficient support to either the financial compensation to farmers in case of crisis or to the annual payments into the fund, in order to increase the options available for the management of the funds.*

#### **Amendment 184**

**Michel Dantin, Herbert Dorfmann, Angélique Delahaye**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 7 e (new)**

Regulation (EU) No 1305/2013

Article 38 – paragraph 3 – point ba (new)

*Text proposed by the Commission*

*Amendment*

**7e. In Article 38(3), the following point is added:**

**(ba) supplementing the annual payments into the fund.**

Or. en

### *Justification*

*This amendment intends to provide the mutual funds with sufficient support to either the financial compensation to farmers in case of crisis or to the annual payments into the fund, in order to increase the options available for the management of the funds.*

#### **Amendment 185**

**Michel Dantin, Herbert Dorfmann, Angélique Delahaye**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 8 a (new)**

Regulation (EU) No 1305/2013

Article 38 – paragraph 3 – subparagraph 1a (new)

*Text proposed by the Commission*

*Amendment*

**8a. In Article 38(3), the following subparagraph is added:**

**The financial contributions under point (b) and (c) can be cumulated or mutually exclusive as long as the total amount of**

*contribution is limited to the maximum support rate laid down in Annex II*

Or. en

*Justification*

*This amendment intends to provide the mutual funds with sufficient support to either the financial compensation to farmers in case of crisis or to the annual payments into the fund, in order to increase the options available for the management of the funds.*

**Amendment 186**

**Philippe Loiseau, Edouard Ferrand, Laurențiu Rebegea, Angelo Ciocca, Mara Bizzotto, Mario Borghezio**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 9 – point a**

Regulation (EU) No 1305/2013

Article 39 – Heading

*Text proposed by the Commission*

*Amendment*

Article 39 *Income stabilisation tool for farmers of all sectors*  
Article 39 *Income stabilisation tool for farmers of all sectors*

Article 39

*Income stabilisation and insurance tool for farmers of all sectors*

Or. it

*Justification*

*It is necessary to cover all means able to stabilise income when the need arises.*

**Amendment 187**

**Nicola Caputo, Tibor Szanyi**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 9 – point a**

Regulation (EU) No 1305/2013

Article 39 – Heading

*Text proposed by the Commission*

*Amendment*

Article 39 *Income stabilisation tool for farmers of all sectors*

Article 39

Income *insurance and* stabilisation tool for farmers of all sectors

Or. en

*Justification*

*The amendment aims at promoting the use of mutual funds and income insurances by farmers.*

**Amendment 188**

**Philippe Loiseau, Edouard Ferrand, Laurențiu Rebegea, Angelo Ciocca, Mara Bizzotto, Mario Borghezio**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 9 – point a a (new)**

Regulation (EU) No 1305/2013

Article 39 – paragraph 1

*Present text*

*Amendment*

"1. Support under point (c) of Article 36(1) shall only be granted where the **drop** of income exceeds **30%** of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (c) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Payments by the mutual fund to farmers shall compensate for less than **70 %** of the **income lost** in the year the producer becomes eligible to receive this assistance."

**(aa) in Article 39, paragraph 1 is replaced by the following:**

"1. Support under point (c) of Article 36(1) shall only be granted where the **loss** of income **or revenue** exceeds **20%** of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (c) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Payments by the mutual fund to farmers shall compensate for less than **80%** of the **loss incurred** in the year the producer becomes eligible to receive this assistance. **For the purposes of calculating the real income or revenue loss incurred by each farmer, the indices or indicators used may also relate to revenue, prices,**

*quantities, and costs; indicators may be determined on a regional basis."*

Or. it

(<http://eur-lex.europa.eu/legal-content/IT/TXT/HTML/?uri=CELEX:02013R1305-20150523&qid=1490017184167&from=EN>)

*Justification*

*Farmers should be helped to make use more readily of mutual funds and insurance. To that end, the threshold for losses incurred (measured in terms either of income or of revenue, depending on the threshold chosen by the Member State concerned) should be lowered to 20% and the compensation threshold raised to 80%. A reliable, inexpensive system should be devised for determining losses.*

**Amendment 189**

**Marco Zullo, Rosa D'Amato**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 9 – point a a (new)**

Regulation (EU) No 1305/2013

Article 39 – paragraph 1

*Present text*

"1. Support under point (c) of Article 36(1) shall only be granted where the drop of income exceeds **30** % of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (c) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Payments by the mutual fund to farmers shall compensate for less than 70 % of the income lost in the year the producer becomes eligible to receive this assistance."

*Amendment*

**(aa) In Article 39, paragraph 1 is replaced by the following:**

"1. Support under point (c) of Article 36(1) shall only be granted where the drop of income exceeds **20** % of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (c) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Payments by the mutual fund to farmers shall compensate for less than 70 % of the income lost in the year the producer becomes eligible to receive this assistance. ***Indexes or indicators, which may refer for example to revenues, prices, quantities***

*and/or costs, even at regional level or local area, may be used to calculate the actual loss of turnover or revenues per farmer."*

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)

## **Amendment 190**

**Nicola Caputo, Tibor Szanyi**

### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 9 – point a a (new)**

Regulation (EU) No 1305/2013

Article 39 – paragraph 4 – point b

#### *Present text*

"(b) the amounts paid by the mutual fund as financial compensation to farmers. In addition, the financial contribution may relate to interest on commercial loans taken out by the mutual fund for the purpose of paying the financial compensation to farmers in case of crisis. ***No contribution by public funds shall be made to initial capital stock.***"

#### *Amendment*

***(aa) In Article 39 (4), point b is replaced by the following:***

"(b) the amounts paid by the mutual fund as financial compensation to farmers ***in case of loss or as the annual contribution to the same fund.*** In addition, the financial contribution may relate to interest on commercial loans taken out by the mutual fund for the purpose of paying the financial compensation to farmers in case of crisis."

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)

#### *Justification*

*The amendment aims at promoting the use of mutual funds and income insurances by farmers.*

## **Amendment 191**

**Philippe Loiseau, Edouard Ferrand, Laurențiu Rebega, Angelo Ciocca, Mara Bizzotto, Mario Borghezio**

### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 9 – point a b (new)**

*Present text*

"(b) the amounts paid by the mutual fund as financial compensation to farmers. In addition, the financial contribution may relate to interest on commercial loans taken out by the mutual fund for the purpose of paying the financial compensation to farmers in case of crisis. **No contribution by public funds shall be made to initial capital stock.**"

*Amendment*

**(ab) in Article 39, in paragraph 4, point (b) is replaced by the following:**

"(b) the amounts paid by the mutual fund as financial compensation to farmers **in the event of loss or in connection with the annual contribution to the fund**, In addition, the financial contribution may relate to interest on commercial loans taken out by the mutual fund for the purpose of paying the financial compensation to farmers in case of crisis."

Or. it

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)

*Justification*

*Enables financial contributions to mutual funds to be used more flexibly in order to encourage farmers to join such schemes.*

**Amendment 192**

**Marco Zullo, Rosa D'Amato**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 9 – point a b (new)**

Regulation (EU) No 1305/2013

Article 39 – paragraph 4 – point b

*Present text*

"(b) the amounts paid by the mutual fund as financial compensation to farmers. In addition, the financial contribution may relate to interest on commercial loans taken out by the mutual fund for the purpose of paying the financial compensation to farmers in case of crisis. **No contribution**

*Amendment*

**(ab) In Article 39 (4), point b is replaced by the following:**

"(b) the amounts paid by the mutual fund as financial compensation to farmers **in case of loss or as the annual contribution to the same fund**. In addition, the financial contribution may relate to interest on commercial loans taken out by the mutual

***by public funds shall be made to initial capital stock."***

fund for the purpose of paying the financial compensation to farmers in case of crisis."

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)

**Amendment 193**

**Nicola Caputo, Tibor Szanyi**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 9 – point b**

Regulation (EU) No 1305/2013

Article 39 – paragraph 4 – point b

*Text proposed by the Commission*

*Amendment*

***(b) in point (b) of paragraph 4, the last sentence is deleted.***

***deleted***

Or. en

**Amendment 194**

**Marco Zullo, Rosa D'Amato**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 9 – point b**

Regulation (EU) No 1305/2013

Article 39 – paragraph 4 – point b

*Text proposed by the Commission*

*Amendment*

***(b) in point (b) of paragraph 4, the last sentence is deleted.***

***deleted***

Or. en

**Amendment 195**

**Philippe Loiseau, Edouard Ferrand, Laurențiu Rebegea, Angelo Ciocca, Mara Bizzotto, Mario Borghezio**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 9 – point b**

Regulation (EU) No 1305/2013  
Article 39 – paragraph 4 – point b

*Text proposed by the Commission*

*Amendment*

**(b) in point (b) of paragraph 4, the last sentence is deleted.**

**deleted**

Or. it

#### **Amendment 196**

**Philippe Loiseau, Edouard Ferrand, Laurențiu Rebegea, Angelo Ciocca, Mara Bizzotto, Mario Borghezio**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 9 – point b a (new)**

Regulation (EU) No 1305/2013

Article 39 – paragraph 4 – point ba (new)

*Text proposed by the Commission*

*Amendment*

**(ba) In Article 39, in paragraph 4, the following point is inserted:**

**"(ba) insurance contracts."**

Or. it

#### **Amendment 197**

**Michel Dantin, Herbert Dorfmann, Angélique Delahaye**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 9 – point b a (new)**

Regulation (EU) No 1305/2013

Article 39 – paragraph 4 – point ba (new)

*Text proposed by the Commission*

*Amendment*

**(ba) In article 39(4), the following point is added:**

**(ba) supplementing the annual payments into the fund**

Or. en



*Justification*

*This amendment intends to provide the Income Stabilisation Fund, based on a mutual fund, with sufficient support to the financial compensation to farmers in case of crisis and/or to the annual payments into the fund, in order to increase the options available for the management of the fund.*

**Amendment 198**

**Nicola Caputo, Tibor Szanyi**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 9 – point b a (new)**

Reg. UE 1305/2013

Article 39 – paragraph 4 – point ba (new)

*Text proposed by the Commission*

*Amendment*

*(ba) In Article 39, paragraph 4, the following point is added:*

*ba) premium insurance contracts.*

Or. en

*Justification*

*The amendment aims at promoting the use of mutual funds and income insurances by farmers.*

**Amendment 199**

**Philippe Loiseau, Edouard Ferrand, Laurențiu Rebegea, Angelo Ciocca, Mara Bizzotto, Mario Borghezio**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 10**

Regulation (EU) No 1305/2013

Article 39a – Heading

*Text proposed by the Commission*

*Amendment*

*Article 39a Income stabilisation tool for farmers of a specific sector*  
*Article 39a Income stabilisation tool for farmers of a specific sector*

*Article 39a*

*Income stabilisation and insurance tool for farmers of a specific sector*

**Amendment 200**  
**Michela Giuffrida**

**Proposal for a regulation**  
**Article 267 – paragraph 1 – point 10**  
Regulation (EU) No 1305/2013  
Article 39a – Heading

*Text proposed by the Commission*

Article 39a *Income stabilisation tool for farmers of a specific sector*

*Amendment*

Article 39a

Income *insurance and* stabilisation tool for farmers of a specific sector

Or. en

**Amendment 201**  
**Nicola Caputo, Tibor Szanyi**

**Proposal for a regulation**  
**Article 267 – paragraph 1 – point 10**  
Regulation (EU) No 1305/2013  
Article 39a – Heading

*Text proposed by the Commission*

Article 39a *Income stabilisation tool for farmers of a specific sector*

*Amendment*

Article 39a

Income *insurance and* stabilisation tool for farmers of a specific sector

Or. en

*Justification*

*The amendment aims at promoting the use of mutual funds and income insurances by farmers.*

**Amendment 202**  
**Marco Zullo, Rosa D'Amato**

**Proposal for a regulation**  
**Article 267 – paragraph 1 – point 10**  
Regulation (EU) No 1305/2013  
Article 39a – Heading

*Text proposed by the Commission*

Article 39a *Income stabilisation tool for farmers of a specific sector*

*Amendment*

Article 39a

Income *insurance and* stabilisation tool for farmers of a specific sector

Or. en

**Amendment 203**  
**Michel Dantin, Anne Sander, Angélique Delahaye, Herbert Dorfmann**

**Proposal for a regulation**  
**Article 267 – paragraph 1 – point 10**  
Regulation (EU) No 1305/2013  
Article 39a – paragraph 1

*Text proposed by the Commission*

1. Support under point (d) of Article 36(1) shall only be granted in duly justified cases and where the drop of income exceeds 20 % of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (d) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Payments by the mutual fund to farmers shall compensate for less than 70 % of the income lost in the year the producer becomes eligible to receive this assistance.

*Amendment*

1. Support under point (d) of Article 36(1) shall only be granted in duly justified cases and where the drop of income *related to the specific production for which the income stabilisation tool has been set up* exceeds 20 % of the average annual income of the individual farmer *for this specific production* in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (d) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market *for this specific production*, including any form of public support, deducting input costs *associated to this specific production*. Payments by the mutual fund to farmers shall compensate for less than 70 % of the income lost in the year the producer becomes eligible to

receive this assistance. ***Indexes may be used to calculate the annual income loss of the farmer. The index calculation method used shall permit the fair estimation of the actual income loss of an individual farmer of a specific sector in a given year.***

Or. en

#### *Justification*

*This amendment intends to open the possibility in the management of the sector specific Income Stabilisation Tool set up for a specific production, to calculate the losses using appropriate indexes that reflect the actual income losses of the farmers, as is already the case for crop, animal and plant insurance in Article 37 of Regulation (UE) n°1305/2013.*

#### **Amendment 204**

**Maria Lidia Senra Rodríguez**

#### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 10**

Regulation (EU) No 1305/2013

Article 39a – paragraph 1

#### *Text proposed by the Commission*

1. Support under point (d) of Article 36(1) shall only be granted in duly justified cases and where the drop of income exceeds 20 % of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (d) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Payments by the mutual fund to farmers shall compensate for less than 70 % of the income lost in the year the producer becomes eligible to receive this assistance.

#### *Amendment*

1. Support under point (d) of Article 36(1) shall only be granted in duly justified cases and where the drop of income exceeds 20 % of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (d) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Payments by the mutual fund to farmers shall compensate for less than 70 % of the income lost in the year the producer becomes eligible to receive this assistance. ***For small and medium-sized farms, aid will be granted when the loss in income***

*exceeds 10% and payments will cover total losses.*

*This instrument of stabilization will depend directly on the budget of the European Union and not on mutual funds.*

Or. es

## **Amendment 205**

**Tom Vandenkendelaere, Annie Schreijer-Pierik**

### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 10**

Regulation (EU) No 1305/2013

Article 39a – paragraph 1

#### *Text proposed by the Commission*

1. Support under point (d) of Article 36(1) shall only be granted in duly justified cases and where the drop of income exceeds 20 % of the average annual income of the *individual farmer* in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (d) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Payments by the mutual fund to farmers shall compensate for less than 70 % of the income lost in the year the producer becomes eligible to receive this assistance.

#### *Amendment*

1. Support under point (d) of Article 36(1) shall only be granted in duly justified cases and where the drop of income exceeds *a threshold of at least* 20 % of the average annual income of the *group of farmers in a specific sector* in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. *Indexes may be used in order to calculate the annual income of the farmer.* Income for the purposes of point (d) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Payments by the mutual fund to farmers shall compensate for less than 70 % of the income lost in the year the producer becomes eligible to receive this assistance.

Or. en

## **Amendment 206**

**Philippe Loiseau, Edouard Ferrand, Laurențiu Rebegea, Angelo Ciocca, Mara Bizzotto, Mario Borghesio**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 10**

Regulation (EU) No 1305/2013

Article 39a – paragraph 1

*Text proposed by the Commission*

1. Support under point (d) of Article 36(1) shall only be granted in duly justified cases and where the drop of income exceeds 20 % of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (d) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. ***Payments by the mutual fund to farmers shall compensate for less than 70 % of the income lost in the year the producer becomes eligible to receive this assistance.***

*Amendment*

1. Support under point (d) of Article 36(1), ***for insurance contracts and mutual funds***, shall only be granted in duly justified cases and where the drop of income exceeds 20 % of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (d) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. ***For the purposes of calculating the real income or revenue loss incurred by each farmer, the indices or indicators used may also relate to revenue, prices, quantities, and costs; such indices or indicators may be determined on a regional basis.***

Or. it

**Amendment 207**

**Marco Zullo, Rosa D'Amato**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 10**

Regulation (EU) No 1305/2013

Article 39a – paragraph 1

*Text proposed by the Commission*

1. Support under point (d) of Article 36(1) shall only be granted ***in duly justified cases and where the drop of*** income

*Amendment*

1. Support under point (d) of Article 36(1) shall only be granted ***for insurance contracts and mutual funds which cover***

*exceeds 20 % of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (d) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. **Payments by the mutual fund to farmers shall compensate for less than 70 % of the income lost in the year the producer becomes eligible to receive this assistance.***

*for income **loss exceeding** 20 % of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (d) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. **Indexes or indicators, which may refer for example to revenues, prices, quantities and/or costs, even at regional level or local area, may be used to calculate the actual loss of turnover or revenues per farmer.***

Or. en

## **Amendment 208**

**Nicola Caputo, Tibor Szanyi**

### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 10**

Reg. UE 1305/2013

Article 39a – paragraph 1

#### *Text proposed by the Commission*

1. Support under point (d) of Article 36(1) shall only be granted in duly justified cases and where the drop of income exceeds 20 % of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (d) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Payments by the mutual fund to farmers shall compensate for less than 70 % of the income lost in the year the producer becomes eligible to receive this assistance.

#### *Amendment*

1. Support under point (d) of Article 36(1) shall only be granted in duly justified cases and where the drop of income exceeds 20 % of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (d) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Payments by the mutual fund to farmers shall compensate for less than 70 % of the income lost in the year the producer becomes eligible to receive this assistance.

*Indexes or indicators, which may refer for example to revenues, prices, quantities and/or costs, may be used to calculate the actual loss of turnover or revenues per farmer.*

Or. en

*Justification*

*The use of other indexes or indicators should be included in order to better measure the loss of profitability.*

**Amendment 209**

**Luke Ming Flanagan**

on behalf of the GUE/NGL Group

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 10**

Regulation (EU) No 1305/2013

Article 45 – paragraph 1

*Text proposed by the Commission*

1. Support under point (d) of Article 36(1) shall only be granted in duly justified cases and where the drop of income exceeds 20 % of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (d) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Payments by the mutual fund to farmers shall compensate for less than 70 % of the income lost in the year the producer becomes eligible to receive this assistance.

*Amendment*

1. Support under point (d) of Article 36(1) shall only be granted in duly justified cases and where the drop of income exceeds 20 % of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (d) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input, **overhead and labor** costs. Payments by the mutual fund to farmers shall compensate for less than 70 % of the income lost in the year the producer becomes eligible to receive this assistance.

Or. en



## **Amendment 210**

**Ulrike Müller, Hilde Vautmans, Jens Rohde**

### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 10**

Regulation (EU) No 1305/2013

Article 39a – paragraph 1

#### *Text proposed by the Commission*

1. Support under point (d) of Article 36(1) shall only be granted in duly justified cases and where the drop of income exceeds **20** % of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (d) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Payments by the mutual fund to farmers shall compensate for less than 70 % of the income lost in the year the producer becomes eligible to receive this assistance.

#### *Amendment*

1. Support under point (d) of Article 36(1) shall only be granted in duly justified cases and where the drop of income exceeds **30** % of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (d) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Payments by the mutual fund to farmers shall compensate for less than 70 % of the income lost in the year the producer becomes eligible to receive this assistance.

Or. en

## **Amendment 211**

**Tom Vandenkendelaere, Annie Schreijer-Pierik**

### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 10 a (new)**

Regulation (EU) No 1305/2013

Article 39a – paragraph 1a (new)

#### *Text proposed by the Commission*

#### *Amendment*

***1a. By way of derogation to paragraph 1, Member States may decide to apply a drop of income threshold of 30%. They will notify the European Commission about this decision.***

**Amendment 212**  
**Paolo De Castro**

**Proposal for a regulation**  
**Article 267 – paragraph 1 – point 10 a (new)**  
Regulation (EU) No 1305/2013  
Article 39b (new)

*Text proposed by the Commission*

*Amendment*

**10a. The following Article 39b is inserted:**

**Article 39b**

**Income insurance**

**1. Support under point (da) of Article 36(1) shall only be granted for insurance contracts which cover for income loss exceeding 30 % of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (da) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Indexes may be used to calculate the annual loss of income of the farmer.**

**2. Support shall be limited to the maximum rate laid down in Annex II.**

Or. en

*Justification*

*The amendment aims at creating a new risk management tool which could be easily utilized by farmers, given the extremely limited use of the Income Stabilization Tool made by Member States so far.*

**Amendment 213**

**Paolo De Castro, Albert Deß**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 11 – point a**

Regulation (EU) No 1035/2013

Article 45 – paragraph 5

*Text proposed by the Commission*

5. **Working capital that is ancillary to, and linked to a new investment, which receives EAFRD support** through a financial instrument established in accordance with Article 37 of Regulation (EU) No 1303/2013, may be eligible expenditure. Such eligible expenditure shall not exceed **30 %** of the total amount of the eligible expenditure for the investment. **The relevant request shall be duly substantiated.**

*Amendment*

5. **Where support is provided** through a financial instrument established in accordance with Article 37 of Regulation (EU) No 1303/2013, **working capital** may be eligible expenditure. Such eligible expenditure shall not exceed **EUR 200 000 or 30%** of the total amount of the eligible expenditure for the investment, **whichever is the higher.**

Or. en

*Justification*

*The amendment aims at providing greater flexibility for small and medium-sized projects, and aligns the rules with those applicable under other ESI Funds.*

**Amendment 214**

**Luke Ming Flanagan**

on behalf of the GUE/NGL Group

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 11 – point a**

Regulation (EU) No 1305/2013

Article 45 – paragraph 5

*Text proposed by the Commission*

5. Working capital that is ancillary to, and linked to a new investment, which receives EAFRD support through a financial instrument established in accordance with Article 37 of Regulation (EU) No 1303/2013, may be eligible expenditure. Such eligible expenditure shall not exceed **30 %** of the total amount

*Amendment*

5. Working capital that is ancillary to, and linked to a new investment, which receives EAFRD support through a financial instrument established in accordance with Article 37 of Regulation (EU) No 1303/2013, may be eligible expenditure. Such eligible expenditure shall not exceed **50 %** of the total amount

of the eligible expenditure for the investment. The relevant request shall be duly substantiated.

of the eligible expenditure for the investment. The relevant request shall be duly substantiated.

Or. en

**Amendment 215**  
**Maria Lidia Senra Rodríguez**

**Proposal for a regulation**  
**Article 267 – paragraph 1 – point 11 – point b**  
Regulation (EU) No 1305/2013  
Article 45 – paragraph 7

*Text proposed by the Commission*

*Amendment*

**(b) the following paragraph 7 is added:** **deleted**

***"7.Paragraphs 1, 2 and 3 shall not apply where support is provided in the form of financial instruments.;"***

Or. es

**Amendment 216**  
**Luke Ming Flanagan**  
on behalf of the GUE/NGL Group

**Proposal for a regulation**  
**Article 267 – paragraph 1 – point 11 – point b**  
Regulation (EU) N°1305/2013  
Article 45 – paragraph 7

*Text proposed by the Commission*

*Amendment*

**7. Paragraphs 1, 2 and 3 shall not apply where support is provided in the form of financial instruments.;** **deleted**

Or. en

**Amendment 217**

PE601.213v01-00

76/112

AM\1120442EN.docx

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 11 – point b**

Regulation (EU) N°1305/2013

Article 45 – paragraph 7

*Text proposed by the Commission*

*Amendment*

7. Paragraphs **I**, 2 and 3 shall not apply where support is provided in the form of financial instruments.;

7. Paragraphs 2 and 3 shall not apply where support is provided in the form of financial instruments.;

Or. en

*Justification*

*Paragraph 1 stipulates the need for an assessment of expected environmental impact. Such an assessment is needed if we are to respect the principle of effective use of Union budgets outlined in the Horizontal Regulation, to prevent that public funds/loans/financial instruments are solicited with the intention of, e.g. building a factory farm, where large and unsustainable externalised costs are paid for from the public purse and ultimately the taxpayer-citizen.*

**Amendment 218**

**Paul Brannen**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 11 – point b**

Regulation (EU) N°1305/2013

Article 45 – paragraph 7

*Text proposed by the Commission*

*Amendment*

7. Paragraphs **I**, 2 and 3 shall not apply where support is provided in the form of financial instruments.;

7. Paragraphs 2 and 3 shall not apply where support is provided in the form of financial instruments.;

Or. en

*Justification*

*The reading of the R 1305/2013 Art. 45.1 shall stay. The provision of application of EIA legislation where it is applicable, as an eligibility criterion for investments, is crucial to prevent potential infringements. Given that the support under the Regulation is to be widened if combined with use of financial instruments, possibly increasing the scale of the investments, it should be a reason more for it to stay, not a reason against it.*

## **Amendment 219**

**Martin Häusling**

on behalf of the Verts/ALE Group

### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 11 – point b a (new)**

Regulation (EU) N°1305/2013

Article 45 – paragraph 7a (new)

*Text proposed by the Commission*

*Amendment*

***(ba) in Article 45, the following paragraph is added:***

***"7a. Financial instruments under shared management shall comply with high standards of transparency, accountability and democratic scrutiny."***

Or. en

*Justification*

*The financial instruments are as yet new and unproven; all the more reason that if the Commission intends to steamroll them out, there is space for maximal democratic scrutiny and objective criticism.*

## **Amendment 220**

**Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso**

### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 12 a (new)**

Regulation (EU) No 1035/2013

Article 49 – paragraph 3

*Present text*

*Amendment*

"

***3. Where appropriate, the*** beneficiaries may be selected on the basis of calls for proposals, applying economic and environmental efficiency criteria."

"

***12a. In Article 49, paragraph 3 is replaced by the following:***

***3.*** The beneficiaries may be selected on the basis of calls for proposals, applying economic, ***social*** and environmental efficiency criteria."

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)

*Justification*

*This measure should be more ambitious, by including the social criteria, and not only economic or environmental criteria, even for IACS measures, for which selection criteria are not mandatory.*

**Amendment 221**

**Maria Lidia Senra Rodríguez**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 12 – point c**

Regulation (EU) No 1305/2013

Article 49 – paragraph 4a

*Text proposed by the Commission*

*Amendment*

*(c) the following paragraph 4 is added:*

*deleted*

*"4. Paragraphs 1 and 2 shall not apply where support is provided in the form of financial instruments.;"*

**Amendment 222**

**Elisabeth Köstinger**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 12 a (new)**

Regulation (EU) No 1305/2013

Article 58 – paragraph 1

*Present text*

*Amendment*

*""1. Without prejudice to paragraphs 5, 6 and 7 of this Article, the total amount of Union support for rural development under this Regulation for the period from 1*

*12a. in Article 58, paragraph 1 is replaced by the following:*

*""1. Without prejudice to paragraphs 5, 6 and 7 of this Article, the total amount of Union support for rural development under this Regulation for the period from 1*

January 2014 to 31 December 2020 shall be EUR 84 936 million, in 2011 prices, in accordance with the multiannual financial framework for the years 2014 to 2020."

January 2014 to 31 December 2020 shall be EUR 84 936 million, in 2011 prices, in accordance with the multiannual financial framework for the years 2014 to 2020.

***Without prejudice to a redefinition of the total amount of Union support for rural development, the current rural development programmes, approved in accordance with Article 10(2), shall apply until a new reform is adopted.***"

Or. de

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&from=EN>)

#### *Justification*

*The programmes should remain valid up to the point when a new reform is adopted: such an extension of their life is essential in order to afford legal certainty to farmers.*

#### **Amendment 223**

**Maria Lidia Senra Rodríguez**

#### **Proposal for a regulation**

**Article 267 – paragraph 1 – point 13 – point c**

Regulation (EU) No 1305/2013

Article 59 – paragraph 4 – point h

*Text proposed by the Commission*

*Amendment*

**(c) the following point (h) is added: deleted**

***"(h) the contribution rate referred to in Article 39a(13) of Regulation (EU) No 1303/2013 for the financial instrument referred to in point (c) of Article 38(1) of the same Regulation."***

Or. es

#### **Amendment 224**

**Elisabeth Köstinger, Albert Deß**

#### **Proposal for a regulation**



**Article 267 – paragraph 1 – point 14 – point a**  
Regulation (EU) No 1305/2013  
Article 60 – paragraph 1

*Text proposed by the Commission*

*Amendment*

**1. By way of derogation from Article 65(9) of Regulation (EU) No 1303/2013, in cases of emergency measures due to natural disasters, catastrophic events or adverse climatic events or a significant and sudden change in the socio-economic conditions of the Member State or region, including significant and sudden demographic changes resulting from migration or reception of refugees, the rural development programmes may provide that eligibility of expenditure relating to programme changes may start from the date when the event occurred.**

*deleted*

Or. de

*Justification*

*Rural development is being pursued through forward-looking programmes for rural areas and agriculture; this core strategy must not be undermined by an omnibus regulation.*

**Amendment 225**  
**Norbert Erdős**

**Proposal for a regulation**  
**Article 267 – paragraph 1 – point 14 – point a**  
Regulation (EU) No 1305/2013  
Article 60 – paragraph 1

*Text proposed by the Commission*

*Amendment*

**1. By way of derogation from Article 65(9) of Regulation (EU) No 1303/2013, in cases of emergency measures due to natural disasters, catastrophic events or adverse climatic events *or a significant and sudden change in the socio-economic conditions of the Member State or region, including significant and sudden demographic changes resulting from***

**1. By way of derogation from Article 65(9) of Regulation (EU) No 1303/2013, in cases of emergency measures due to natural disasters, catastrophic events or adverse climatic events, the rural development programmes may provide that eligibility of expenditure relating to**

*migration or reception of refugees*, the rural development programmes may provide that eligibility of expenditure relating to programme changes may start from the date when the event occurred.

programme changes may start from the date when the event occurred.

Or. en

#### *Justification*

*It is important to ensure that farmers and citizens in rural areas receive the financial support under the Common Agricultural Policy. Therefore, I refuse that issues related to social and demographic changes, especially to the migration crisis could be financed - even on a voluntary basis - by the rural development budget. It is clearly outlined in the EU Treaties that social issues belong to the EU's Social Policy and not to the CAP.*

#### **Amendment 226**

**Maria Lidia Senra Rodríguez**

#### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 14 – point a**

Regulation (EU) No 1305/2013

Article 60 – paragraph 1

#### *Text proposed by the Commission*

1. By way of derogation from Article 65(9) of Regulation (EU) No 1303/2013, in cases of emergency measures due to natural disasters, catastrophic events or adverse climatic events or a significant and sudden change in the socio-economic conditions of the Member State or region, including significant and sudden demographic changes resulting from migration or reception of refugees, the rural development programmes may provide that eligibility of expenditure relating to programme changes may start from the date when the event occurred.

#### *Amendment*

1. By way of derogation from Article 65(9) of Regulation (EU) No 1303/2013, in cases of emergency measures due to natural disasters, catastrophic events or adverse climatic events or a significant and sudden change in the socio-economic conditions of the Member State or region, including significant and sudden demographic changes resulting from migration or reception of refugees, the rural development programmes may provide that eligibility of expenditure relating to programme changes may start from the date when the event occurred."

Or. es

#### **Amendment 227**

**Luke Ming Flanagan**

on behalf of the GUE/NGL Group

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 14 – point a**

Regulation (EU) No 1305/2013

Article 60 – paragraph 1

*Text proposed by the Commission*

1. By way of derogation from Article 65(9) of Regulation (EU) No 1303/2013, in cases of emergency measures due to natural disasters, catastrophic events or adverse climatic events or a significant and sudden change in the socio-economic conditions of the Member State or region, ***including significant and sudden demographic changes resulting from migration or reception of refugees***, the rural development programmes may provide that eligibility of expenditure relating to programme changes may start from the date when the event occurred.

*Amendment*

1. By way of derogation from Article 65(9) of Regulation (EU) No 1303/2013, in cases of emergency measures due to natural disasters, catastrophic events or adverse climatic events or a significant and sudden change in the socio-economic conditions of the Member State or region, the rural development programmes may provide that eligibility of expenditure relating to programme changes may start from the date when the event occurred.

Or. en

*Justification*

*Significant and sudden demographic changes resulting from migration or reception of refugees are external factors unrelated to agriculture and should be supported separately from the CAP budget.*

**Amendment 228**

**Philippe Loiseau, Edouard Ferrand, Laurențiu Rebegea, Angelo Ciocca, Mara Bizzotto, Mario Borghezio**

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 14 – point b**

Regulation (EU) No 1305/2013

Article 60 – paragraph 2

*Text proposed by the Commission*

With the exception of general costs as defined in Article 45(2)(c), in respect of investment operations under measures

*Amendment*

With the exception of general costs as defined in Article 45(2)(c), in respect of investment operations under measures

falling within the scope of Article 42 TFEU, only expenditure which has been incurred after an application has been submitted to the competent authority shall be considered eligible. However, Member States may provide in their programme that expenditure which is related to emergency measures due to natural disasters, catastrophic events or adverse climatic events or a significant and sudden change in the socio-economic conditions of the Member State or region, ***including significant and sudden demographic changes resulting from migration or reception of refugees***, and which has been incurred by the beneficiary after the event occurs, is also eligible

falling within the scope of Article 42 TFEU, only expenditure which has been incurred after an application has been submitted to the competent authority shall be considered eligible. However, Member States may provide in their programme that expenditure which is related to emergency measures due to natural disasters, catastrophic events or adverse climatic events or a significant and sudden change in the socio-economic conditions of the Member State or region, and which has been incurred by the beneficiary after the event occurs, is also eligible.

Or. it

#### *Justification*

*Investment expenditure relates to the long term, given that its object is to restore the production potential of farms; refugee status is generally temporary, and refugee reception arrangements cannot be equated with disaster response measures. Expenditure necessitated by the reception of refugees is thus an investment made for reasons that will in time cease to exist, unlike expenditure to put damaged farms back into operation.*

#### **Amendment 229**

**Annie Schreijer-Pierik, Tom Vandenkendelaere**

#### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 14 – point b**

Regulation (EU) No 1305/2013

Article 60 – paragraph 2

#### *Text proposed by the Commission*

With the exception of general costs as defined in Article 45(2)(c), in respect of investment operations under measures falling within the scope of Article 42 TFEU, only expenditure which has been incurred after an application has been submitted to the competent authority shall be considered eligible. ***However, Member***

#### *Amendment*

With the exception of general costs as defined in Article 45(2)(c), in respect of investment operations under measures falling within the scope of Article 42 TFEU, only expenditure which has been incurred after an application has been submitted to the competent authority shall be considered eligible. ***The European***

***States may provide in their programme that expenditure which is related to emergency measures due to natural disasters, catastrophic events or adverse climatic events or a significant and sudden change in the socio-economic conditions of the Member State or region, including significant and sudden demographic changes resulting from migration or reception of refugees, and which has been incurred by the beneficiary after the event occurs, is also eligible***

***Commission needs to decide after natural disasters, catastrophic events or adverse climatic events or a significant and sudden change in the socio-economic conditions of the Member State or region, including significant and sudden demographic changes resulting from migration or reception of refugees, whether member states should be eligible for aid.***

Or. en

*Justification*

*Necessary to ensure that all European farmers and gardeners are being treated equally in the case of natural or financial disaster, without being dependent on the conclusions and decisions of individual member states. This is also necessary to ensure a European level playing field.*

**Amendment 230**

**Luke Ming Flanagan**

on behalf of the GUE/NGL Group

**Proposal for a regulation**

**Article 267 – paragraph 1 – point 14 – point b**

Regulation (EU) No 1305/2013

Article 60 – paragraph 2

*Text proposed by the Commission*

With the exception of general costs as defined in Article 45(2)(c), in respect of investment operations under measures falling within the scope of Article 42 TFEU, only expenditure which has been incurred after an application has been submitted to the competent authority shall be considered eligible. However, Member States may provide in their programme that expenditure which is related to emergency measures due to natural disasters, catastrophic events or adverse climatic events or a significant and sudden change

*Amendment*

With the exception of general costs as defined in Article 45(2)(c), in respect of investment operations under measures falling within the scope of Article 42 TFEU, only expenditure which has been incurred after an application has been submitted to the competent authority shall be considered eligible. However, Member States may provide in their programme that expenditure which is related to emergency measures due to natural disasters, catastrophic events or adverse climatic events or a significant and sudden change

in the socio-economic conditions of the Member State or region, ***including significant and sudden demographic changes resulting from migration or reception of refugees***, and which has been incurred by the beneficiary after the event occurs, is also eligible

in the socio-economic conditions of the Member State or region, and which has been incurred by the beneficiary after the event occurs, is also eligible

Or. en

#### *Justification*

*Significant and sudden demographic changes resulting from migration or reception of refugees are external factors unrelated to agriculture and should be supported separately from the CAP budget.*

### **Amendment 231** **Marijana Petir**

#### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 14 – point b b (new)**

Regulation (EU) No 1305/2013

Article 60 – paragraph 3

#### *Present text*

"3. Paragraphs 1 and 2 shall not apply to Article 51(1) and (2)."

#### *Amendment*

***(bb) paragraph 3 is replaced by the following:***

"3. Paragraphs 1 and 2 shall not apply to Article **20 and Article 51**(1) and (2).'"

Or. hr

*(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&from=EN>)*

#### *Justification*

*In addition to technical assistance under Article 51(1) and (2), the paragraphs concerned should likewise not apply to support for basic services and village renewal in rural areas, as referred to in Article 20 of the regulation. At present, local administrative units, as users, have two sets of rules governing the implementation of their activities, a fact which creates an additional administrative burden; and the EAFRD, moreover, seems unnecessarily restrictive compared with the ERDF.*

## **Amendment 232**

**Viorica Dăncilă, Daniel Buda**

### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 15**

Regulation (EU) No 1305/2013

Article 62 – paragraph 2

#### *Text proposed by the Commission*

2. Where aid is granted on the basis of standard costs or additional costs and income foregone in accordance with in points (a) and (b) of Article 21(1) of this Regulation (*concerning income forgone and maintenance costs*) and Articles 28 to 31, 33, and 34 of Regulation (EU) No 1305/2013, Member States shall ensure that the relevant calculations are adequate and accurate and established in advance on the basis of a fair, equitable and verifiable calculation method. To this end, a body that is functionally independent from the authorities responsible for the programme implementation and possesses the appropriate expertise shall perform the calculations or confirm the adequacy and accuracy of the calculations. A statement confirming the adequacy and accuracy of the calculations shall be included in the rural development programme.

#### *Amendment*

2. Where aid is granted on the basis of standard costs or additional costs and income foregone in accordance with in points (a) and (b) of Article 21(1) of this Regulation and Articles 28 to 31, 33, and 34 of Regulation (EU) No 1305/2013, Member States shall ensure that the relevant calculations are adequate and accurate and established in advance on the basis of a fair, equitable and verifiable calculation method. To this end, a body that is functionally independent from the authorities responsible for the programme implementation and possesses the appropriate expertise shall perform the calculations or confirm the adequacy and accuracy of the calculations. A statement confirming the adequacy and accuracy of the calculations shall be included in the rural development programme.

Or. en

## **Amendment 233**

**Laurențiu Rebegea**

### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 15**

Regulation (EU) No 1305/2013

Article 62 – paragraph 2

#### *Text proposed by the Commission*

2. Where aid is granted on the basis of standard costs or additional costs and

#### *Amendment*

2. Where aid is granted on the basis of standard costs or additional costs and

income foregone in accordance with in points (a) and (b) of Article 21(1) of this Regulation (*concerning income forgone and maintenance costs*) and Articles 28 to 31, 33, and 34 of Regulation (EU) No 1305/2013, Member States shall ensure that the relevant calculations are adequate and accurate and established in advance on the basis of a fair, equitable and verifiable calculation method. To this end, a body that is functionally independent from the authorities responsible for the programme implementation and possesses the appropriate expertise shall perform the calculations or confirm the adequacy and accuracy of the calculations. A statement confirming the adequacy and accuracy of the calculations shall be included in the rural development programme.

income foregone in accordance with in points (a) and (b) of Article 21(1) of this Regulation and Articles 28 to 31, 33, and 34 of Regulation (EU) No 1305/2013, Member States shall ensure that the relevant calculations are adequate and accurate and established in advance on the basis of a fair, equitable and verifiable calculation method. To this end, a body that is functionally independent from the authorities responsible for the programme implementation and possesses the appropriate expertise shall perform the calculations or confirm the adequacy and accuracy of the calculations. A statement confirming the adequacy and accuracy of the calculations shall be included in the rural development programme.

Or. en

#### **Amendment 234**

**Elisabeth Köstinger, Albert Deß**

#### **Proposal for a regulation**

#### **Article 267 – paragraph 1 – point 16**

Regulation (EU) No 1305/2013

Article 74 - point a

*Text proposed by the Commission*

*Amendment*

*(a) be consulted and shall issue an opinion, before publication of the relevant call for proposals, on the selection criteria for financed operations, which shall be revised according to programming needs;*

*deleted*

Or. de

#### *Justification*

*The change being proposed, whereby selection criteria would have to be submitted beforehand to the Monitoring Committee, should be viewed as an additional administrative burden and is at odds with the moves towards simplification.*



**Amendment 235**  
**Paolo De Castro**

**Proposal for a regulation**  
**Article 267 – paragraph 1 – point 16 a (new)**  
Regulation (EU) No 1305/2013  
Annex II – Article 39b (new)

*Text proposed by the Commission*

*Amendment*

**16a.** *In Annex II, the following line is inserted after 38(5):*

**Article 39b(2)**

**Income insurance**

**Maximum amount in EUR or rate : 70 %  
of the insurance premium due**

Or. en

**Amendment 236**  
**Daniel Buda, Viorica Dăncilă**

**Proposal for a regulation**  
**Article 267 – paragraph 1 – point 16 b (new)**  
Regulation (EU) No 1305/2013  
Annex II – Article 17(3)

*Present text*

*Amendment*

**16b.** *In Annex II, Article 17(3), column 4, Processing and marketing of products listed in Annex I to the TFEU, line 4 is replaced by the following:*

"Article: 17(3)

"Article: 17(3)

Subject: Investment in physical assets

Subject: Investment in physical assets

Processing and marketing of products listed in Annex I to the TFEU:

Processing and marketing of products listed in Annex I to the TFEU:

Of the amount of eligible investment in other regionsThe above rates may be increased by an additional 20 percentage points, provided that maximum combined

Of the amount of eligible investment in other regionsThe above rates may be increased by an additional 20 percentage points, provided that maximum combined

support does not exceed 90 %, for operations supported in the framework of the EIP or those linked to a merger of producer organisations"

support does not exceed 90 %, for operations supported in the framework of the EIP, *for collective investments and intergrated projects* or those linked to a merger of producer organisations"

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1305&rid=1>)

**Amendment 237**  
**Sandra Kalniete**

**Proposal for a regulation**  
**Article 268 – paragraph -1 (new)**  
Regulation (EU) No 1306/2013  
Article 25 – paragraph 2

*Present text*

*Amendment*

"

The total amount of the reserve shall be **EUR 2 800 million with equal annual instalments of** EUR 400 million (at 2011 prices) for the period 2014-2020 and shall be included under Heading 2 of the Multiannual Financial Framework as set out in the Annex to Regulation (EU, Euratom) No 1311/2013."

**-1 In Article 25, paragraph 2 is replaced by the following:**

"

**The total amount of the annual reserve shall be** EUR 400 million (at 2011 prices) for the period 2014-2020 and shall be included under Heading 2 of the Multiannual Financial Framework as set out in the Annex to Regulation (EU, Euratom) No 1311/2013."

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1306&rid=1>)

**Amendment 238**  
**Peter Jahr**

**Proposal for a regulation**  
**Article 268 – paragraph 1 – point -1 (new)**  
Regulation (EU) No 1306/2013  
Article 9a (new)

**-1. The following Article 9a is inserted:**

**" Article 9a Materiality threshold**

**Checks by paying agencies and certifying authorities shall allow for a materiality threshold for a tolerable risk of error. The materiality threshold shall be 4%."**

Or. de

**Amendment 239**  
**Peter Jahr**

**Proposal for a regulation**  
**Article 268 – paragraph 1 – point -1 (new)**  
Regulation (EU) No. 1306/2013  
Article 9 – paragraph 1 – subparagraph 1

*Present text*

"The certification body shall be a public or private audit body designated by the Member State. Where it is a private audit body, and the applicable Union or national law so requires, it shall be selected by the Member State by means of a public tendering procedure. It shall provide an opinion, drawn up in accordance with internationally accepted audit standards, on the completeness, accuracy and veracity of the annual accounts of the paying agency, on the proper functioning of its internal control system and on the legality and regularity of the expenditure for which reimbursement has been requested from the Commission. That opinion shall also state whether the examination puts in doubt the assertions made in the management declaration."

*Amendment*

**-1. In Article 9 (1), subparagraph 1 is replaced by the following**

"The certification body shall be a public or private audit body designated by the Member State. Where it is a private audit body, and the applicable Union or national law so requires, it shall be selected by the Member State by means of a public tendering procedure. It shall provide an opinion, drawn up in accordance with internationally accepted audit standards, on the completeness, accuracy and veracity of the annual accounts of the paying agency, on the proper functioning of its internal control system and on the legality and regularity of the expenditure for which reimbursement has been requested from the Commission. That opinion shall also state whether the examination puts in doubt the assertions made in the management declaration. **The certification body shall only check compliance with Union law.**"

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1306&qid=1490106989808&from=DE>)

**Amendment 240**

**Sandra Kalniete**

**Proposal for a regulation**

**Article 268 – paragraph 1 – point 1 – point b**

Regulation (EU) No 1306/2013

Article 26 – paragraph 5 – subparagraph 1

*Text proposed by the Commission*

*Amendment*

*Member States shall reimburse the appropriations carried over in accordance with Article 12(2)(d) of the Financial Regulation to the final recipients who are subject, in the financial year to which the appropriations are carried over, to the adjustment rate.*

The appropriations carried over in accordance with Article 12(2)(d) of the Financial Regulation *if were not used* in the *current* financial year *shall be transferred to the reserve for crises in the agricultural sector of the next financial year.*

**Amendment 241**

**Sandra Kalniete**

**Proposal for a regulation**

**Article 268 – paragraph 1 – point 1 – point b**

Regulation (EU) No 1306/2013

Article 26 – paragraph 5 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

*The reimbursement referred to in the first subparagraph shall only apply to final beneficiaries in those Member States where financial discipline applied in the preceding financial year.*

*deleted*

**Amendment 242**

**Sandra Kalniete**

**Proposal for a regulation**

**Article 268 – paragraph 1 – point 1 a (new)**

Regulation (EU) No 1306/2013

Article 26 – paragraph 7a (new)

*Text proposed by the Commission*

*Amendment*

**1a. In Article 26, following paragraph is added:**

**7a. The reimbursement referred to in the first and sixth subparagraph shall only apply to final beneficiaries in the financial year 2021 in those Member States where financial discipline applied in the preceding financial years".**

**Final reimbursement will be done at the end of financial period for those beneficiaries who applied for the direct support in 2020 ( financial year 2021).**

Or. en

**Amendment 243**

**Viorica Dăncilă, Daniel Buda**

**Proposal for a regulation**

**Article 268 – paragraph 1 – point 3**

Regulation (EU) No 1306/2013

Article 43 – paragraph 1 – point a

*Text proposed by the Commission*

*Amendment*

(a) sums which, under Articles 40, **Article 41(2)** and Article 51 as regards expenditure under EAGF, and under Articles 52 and 54, must be paid to the Union's budget, including interest thereon;

(a) sums which, under Articles 40 and Article 51 as regards expenditure under EAGF, and under Articles 52 and 54, must be paid to the Union's budget, including interest thereon;

Or. en

**Amendment 244**

**Laurențiu Rebegea**

**Proposal for a regulation**

**Article 268 – paragraph 1 – point 3**

Regulation (EU) No 1306/2013

Article 43 – paragraph 1 – point a

*Text proposed by the Commission*

(a) sums which, under Articles 40, **Article 41(2)** and Article 51 as regards expenditure under EAGF, and under Articles 52 and 54, must be paid to the Union's budget, including interest thereon;

*Amendment*

(a) sums which, under Articles 40 and Article 51 as regards expenditure under EAGF, and under Articles 52 and 54, must be paid to the Union's budget, including interest thereon;

Or. en

**Amendment 245**

**Clara Eugenia Aguilera García**

**Proposal for a regulation**

**Article 268 – paragraph 1 – point 4**

Regulation (EU) No 1306/2013

Article 54 – paragraph 2

*Text proposed by the Commission*

**4. in Article 54, paragraph 2 is replaced by the following:**

**"2.**

***If recovery has not taken place within four years from the date of the recovery request, or within eight years where recovery is taken in the national courts, the financial consequences of the non-recovery shall be borne by the Member State concerned, without prejudice to the requirement that the Member State concerned must pursue recovery procedures in compliance with Article 58.***

***Where, in the context of the recovery procedure, the absence of any irregularity is recorded by an administrative or legal instrument of a final nature, the Member State concerned shall declare as***

*Amendment*

***deleted***

*expenditure to the Funds the financial burden borne by it under the first subparagraph.*

*However, if for reasons not attributable to the Member State concerned, it is not possible for recovery to take place within the time limit specified in the first subparagraph, and the amount to be recovered exceeds EUR 1 million, the Commission may, at the request of the Member State, extend the time-limit by a period of up to half of the original period."*

Or. es

**Amendment 246**  
**Laurențiu Rebeca**

**Proposal for a regulation**  
**Article 268 – paragraph 1 – point 4**  
Regulation (EU) No 1306/2013  
Article 54 – paragraph 2

*Text proposed by the Commission*

*Amendment*

**4. in Article 54, paragraph 2 is replaced by the following:** *deleted*

**‘2.**

*If recovery has not taken place within four years from the date of the recovery request, or within eight years where recovery is taken in the national courts, the financial consequences of the non-recovery shall be borne by the Member State concerned, without prejudice to the requirement that the Member State concerned must pursue recovery procedures in compliance with Article 58.*

*Where, in the context of the recovery procedure, the absence of any irregularity is recorded by an administrative or legal instrument of a final nature, the Member State concerned shall declare as*

*expenditure to the Funds the financial burden borne by it under the first subparagraph.*

*However, if for reasons not attributable to the Member State concerned, it is not possible for recovery to take place within the time limit specified in the first subparagraph, and the amount to be recovered exceeds EUR 1 million, the Commission may, at the request of the Member State, extend the time-limit by a period of up to half of the original period.'*

Or. en

#### **Amendment 247**

**Marco Zullo, Rosa D'Amato**

#### **Proposal for a regulation**

**Article 268 – paragraph 1 – point 4**

Regulation (EU) No 1306/2013

Article 54 – paragraph 2

*Text proposed by the Commission*

*Amendment*

**4. in Article 54, paragraph 2 is replaced by the following:**

*deleted*

**'2.**

***If recovery has not taken place within four years from the date of the recovery request, or within eight years where recovery is taken in the national courts, the financial consequences of the non-recovery shall be borne by the Member State concerned, without prejudice to the requirement that the Member State concerned must pursue recovery procedures in compliance with Article 58.***

***Where, in the context of the recovery procedure, the absence of any irregularity is recorded by an administrative or legal instrument of a final nature, the Member State concerned shall declare as***



*expenditure to the Funds the financial burden borne by it under the first subparagraph.*

*However, if for reasons not attributable to the Member State concerned, it is not possible for recovery to take place within the time limit specified in the first subparagraph, and the amount to be recovered exceeds EUR 1 million, the Commission may, at the request of the Member State, extend the time-limit by a period of up to half of the original period.'*

Or. en

**Amendment 248**  
**Franc Bogovič**

**Proposal for a regulation**  
**Article 268 – paragraph 1 – point 4**  
Regulation (EU) No 1306/2013  
Article 54 – paragraph 2

*Text proposed by the Commission*

*Amendment*

**4. in Article 54, paragraph 2 is replaced by the following:** *deleted*

**'2.**

*If recovery has not taken place within four years from the date of the recovery request, or within eight years where recovery is taken in the national courts, the financial consequences of the non-recovery shall be borne by the Member State concerned, without prejudice to the requirement that the Member State concerned must pursue recovery procedures in compliance with Article 58.*

*Where, in the context of the recovery procedure, the absence of any irregularity is recorded by an administrative or legal instrument of a final nature, the Member State concerned shall declare as*

*expenditure to the Funds the financial burden borne by it under the first subparagraph.*

*However, if for reasons not attributable to the Member State concerned, it is not possible for recovery to take place within the time limit specified in the first subparagraph, and the amount to be recovered exceeds EUR 1 million, the Commission may, at the request of the Member State, extend the time-limit by a period of up to half of the original period.'*

Or. en

#### *Justification*

*The proposed changes to the rules of financial consequences of non recovery do not reduce the administrative burden for member states administrations. Proposed changes also put the financial burden of non-recovery of funds only to member states. Therefore we suggest to delete the proposed article and keep the current arrangement.*

#### **Amendment 249**

**Viorica Dăncilă, Daniel Buda**

#### **Proposal for a regulation**

**Article 268 – paragraph 1 – point 4**

Regulation (EU) No 1306/2013

Article 54 – paragraph 2

*Text proposed by the Commission*

*Amendment*

**4. in Article 54, paragraph 2 is replaced by the following:** **deleted**

**'2.**

***If recovery has not taken place within four years from the date of the recovery request, or within eight years where recovery is taken in the national courts, the financial consequences of the non-recovery shall be borne by the Member State concerned, without prejudice to the requirement that the Member State***

*concerned must pursue recovery procedures in compliance with Article 58.*

*Where, in the context of the recovery procedure, the absence of any irregularity is recorded by an administrative or legal instrument of a final nature, the Member State concerned shall declare as expenditure to the Funds the financial burden borne by it under the first subparagraph.*

*However, if for reasons not attributable to the Member State concerned, it is not possible for recovery to take place within the time limit specified in the first subparagraph, and the amount to be recovered exceeds EUR 1 million, the Commission may, at the request of the Member State, extend the time-limit by a period of up to half of the original period.'*

Or. en

#### **Amendment 250**

**Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso**

#### **Proposal for a regulation**

**Article 268 – paragraph 1 – point 4**

Regulation (EU) No 1306/2013

Article 54 – paragraph 2

*Text proposed by the Commission*

*Amendment*

**4. in Article 54, paragraph 2 is replaced by the following:**

*deleted*

**'2.**

*If recovery has not taken place within four years from the date of the recovery request, or within eight years where recovery is taken in the national courts, the financial consequences of the non-recovery shall be borne by the Member State concerned, without prejudice to the requirement that the Member State*

*concerned must pursue recovery procedures in compliance with Article 58.*

*Where, in the context of the recovery procedure, the absence of any irregularity is recorded by an administrative or legal instrument of a final nature, the Member State concerned shall declare as expenditure to the Funds the financial burden borne by it under the first subparagraph.*

*However, if for reasons not attributable to the Member State concerned, it is not possible for recovery to take place within the time limit specified in the first subparagraph, and the amount to be recovered exceeds EUR 1 million, the Commission may, at the request of the Member State, extend the time-limit by a period of up to half of the original period.'*

Or. en

#### *Justification*

*We disagree with the elimination of the 50/50 rule (50% by the Member State and 50% by the Commission). These payments should not be totally assumed by the Member State, taking into account the laborious and long administrative procedures of the recovery procedure.*

#### **Amendment 251**

**Luke Ming Flanagan**

on behalf of the GUE/NGL Group

#### **Proposal for a regulation**

**Article 268 – paragraph 1 – point 4**

Regulation (EU) No 1306/2013

Article 54 – paragraph 2 – subparagraph 1

*Text proposed by the Commission*

*Amendment*

*If recovery has not taken place within four years from the date of the recovery request, or within eight years where recovery is taken in the national courts, the financial consequences of the non-*

*deleted*

*recovery shall be borne by the Member State concerned, without prejudice to the requirement that the Member State concerned must pursue recovery procedures in compliance with Article 58.*

Or. en

## **Amendment 252**

**Maria Noichl**

### **Proposal for a regulation**

#### **Article 268 – paragraph 1 – point 4**

Regulation (EU) No 1306/2013

Article 54 – paragraph 2 – subparagraph 1

#### *Text proposed by the Commission*

If recovery has not taken place within four years from the date of the recovery request, or within eight years where recovery is taken in the national courts, the financial consequences of the *non-recovery* shall be borne by the Member State concerned, without prejudice to the requirement that the Member State concerned must pursue recovery procedures in compliance with Article 58.

#### *Amendment*

If recovery has not taken place within four years from the date of the recovery request, or within eight years where recovery is taken in the national courts, **50 % of** the financial consequences of the *non-recovery* shall be borne by the Member State concerned **and 50 % by the Union's budget**, without prejudice to the requirement that the Member State concerned must pursue recovery procedures in compliance with Article 58.

Or. en

#### *Justification*

*There is no justification for additional financial burden for the Member States.*

## **Amendment 253**

**Hannu Takkula, Ulrike Müller**

### **Proposal for a regulation**

#### **Article 268 – paragraph 1 – point 4 a (new)**

Regulation (EU) No 1306/2013

Article 54 – paragraph 3 – point ba (new)

**4a. In Article 54 (3) the following point is added:**

**(ba) by way of derogation from Article 97(3), Member States may decide not to pursue recovery based on cross-compliance non-compliances in accordance with point (a).**

Or. en

*Justification*

*This amendment is intended to be additional to the rapporteurs amendment 34 as the rapporteur has amended the point a so that the limit of recovery amount is EUR 250.*

**Amendment 254**  
**James Nicholson**

**Proposal for a regulation**  
**Article 268 – paragraph 1 – point 4 a (new)**  
Regulation (EU) No 1306/2013  
Article 54 – paragraph 3 – subparagraph 1

*Present text*

"3. On duly justified grounds, Member States may decide not to pursue recovery. A decision to this effect may be taken **only** in the following cases:

(a) where the costs already and likely to be effected total more than the amount to be recovered, which condition shall be considered to have been met if:

***(i) the amount to be recovered from the beneficiary in the context of an individual payment for an aid scheme or support***

*Amendment*

**4a. In Article 54(3), first subparagraph is replaced by the following:**

"3. On duly justified grounds, Member States may decide not to pursue recovery. A decision to this effect may be taken in the following cases:

(a) where the costs already and likely to be effected total more than the amount to be recovered, which condition shall be considered to have been met if the amount to be recovered from the beneficiary in the context of an individual payment for an aid scheme or support measure, not including interest, does not exceed EUR 250;

***(b) If a Member State follows best practice for updating LPIS in a 3-year cycle and has implemented the geo-spatial aid***

*measure, not including interest, does not exceed EUR 100; or*

*application, there should be no requirement of recovery of undue payments to small areas under 1 ha"*

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1306&rid=1>)

#### **Amendment 255**

**Viorica Dăncilă, Daniel Buda**

#### **Proposal for a regulation**

**Article 268 – paragraph 1 – point 4 a (new)**

Regulation (EU) No 1305/2013

Article 54 – paragraph 3 – point a – point i

#### *Present text*

"(i) the amount to be recovered from the beneficiary in the context of an individual payment for an aid scheme or support measure, not including interest, does not exceed EUR **100; or**"

#### *Amendment*

**4a. in Article 54 (3) subparagraph (a) is replaced by the following**

"(i) the amount to be recovered from the beneficiary in the context of an individual payment for an aid scheme or support measure, not including interest, does not exceed EUR **250;**"

Or. ro

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1306&rid=1>)

#### **Amendment 256**

**Clara Eugenia Aguilera García**

#### **Proposal for a regulation**

**Article 268 – paragraph 1 – point 4 b (new)**

Regulation (EU) No 1306/2013

Article 54 – paragraph 3 – subparagraph 2

#### *Present text*

#### *Amendment*

**4b. In Article 54(3), the second subparagraph is replaced by the following:**

"*Where* the decision referred to in the first subparagraph of this paragraph is adopted before the outstanding amount has been subject to the rules referred to in paragraph 2, the financial consequence of non-recovery shall be borne by the Union's budget."

"*Independently of whether* the decision referred to in the first subparagraph of this paragraph is adopted before *or after* the outstanding amount has been subject to the rules referred to in paragraph 2, the financial consequence of non-recovery shall be borne by the Union's budget."

Or. es

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1306&rid=1>)

#### **Amendment 257**

**Laurențiu Rebeaga, Angelo Ciocca, Mara Bizzotto, Mario Borghezio**

#### **Proposal for a regulation**

#### **Article 268 – paragraph 1 – point 4 b (new)**

Regulation (EU) No 1306/2013

Article 54 – paragraph 3 – point a – point i

#### *Present text*

"(i) the amount to be recovered from the beneficiary in the context of an individual payment for an aid scheme or support measure, not including interest, does not exceed EUR **100**; or"

#### *Amendment*

#### **4b. In Article 54(3), in point a, the point i is replaced by the following:**

"(i) the amount to be recovered from the beneficiary in the context of an individual payment for an aid scheme or support measure, not including interest, does not exceed EUR **250**; or"

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1306&rid=1>)

#### **Amendment 258**

**Viorica Dăncilă, Daniel Buda**

#### **Proposal for a regulation**

#### **Article 268 – paragraph 1 – point 5**

Regulation (EU) No. 1306/2013

Article 63 – paragraph 1 – subparagraph 1a (new)

#### *Text proposed by the Commission*

Where the non-compliance concerns national or Union rules on public

#### *Amendment*

Where the non-compliance concerns national or Union rules on public



procurement, the part of the aid not to be paid or to be withdrawn shall be determined on the basis of the gravity of the non-compliance and in accordance with the principle of proportionality, taking into account the relevant *guidelines* established by the Commission on financial corrections to be made to expenditure financed by the Union under shared implementation for non-compliance with the rules on public procurement. The legality and regularity of the transaction shall only be affected up to the level of the part of the aid not to be made or withdrawn.

procurement, the part of the aid not to be paid or to be withdrawn shall be determined on the basis of the gravity of the non-compliance and in accordance with the principle of proportionality, taking into account the relevant *rules based upon certain parameters or threshold amounts* established by the Commission on financial corrections to be made to expenditure financed by the Union under shared implementation for non-compliance with the rules on public procurement. The legality and regularity of the transaction shall only be affected up to the level of the part of the aid not to be made or withdrawn.

Or. en

**Amendment 259**  
**Laurențiu Rebegea**

**Proposal for a regulation**  
**Article 268 – paragraph 1 – point 5**  
Regulation (EU) No 1306/2013  
Article 63 – paragraph 1– subparagraph 1a (new)

*Text proposed by the Commission*

Where the non-compliance concerns national or Union rules on public procurement, the part of the aid not to be paid or to be withdrawn shall be determined on the basis of the gravity of the non-compliance and in accordance with the principle of proportionality, taking into account the relevant *guidelines* established by the Commission on financial corrections to be made to expenditure financed by the Union under shared implementation for non-compliance with the rules on public procurement. The legality and regularity of the transaction shall only be affected up to the level of the part of the aid not to be made or withdrawn.

*Amendment*

Where the non-compliance concerns national or Union rules on public procurement, the part of the aid not to be paid or to be withdrawn shall be determined on the basis of the gravity of the non-compliance and in accordance with the principle of proportionality, taking into account the relevant *rules based upon certain parameters or threshold amounts* established by the Commission on financial corrections to be made to expenditure financed by the Union under shared implementation for non-compliance with the rules on public procurement. The legality and regularity of the transaction shall only be affected up to the level of the

part of the aid not to be made or withdrawn.

Or. en

## **Amendment 260**

**Zbigniew Kuźmiuk, Beata Gosiewska**

### **Proposal for a regulation**

**Article 268 – paragraph 1 – point 5 d (new)**

Regulation (EU) No 1306/2013

Article 72 – paragraph 2

#### *Present text*

"2. By way of derogation from point (a) of paragraph 1, Member States may decide that ***agricultural parcels of an area of up to 0,1 ha on which an application for payment is not made, do not need to be declared, provided that the sum of such parcels does not exceed 1 ha, and/or may decide that a farmer who does not apply for any area-based direct payment does not have to declare his agricultural parcels in the case where the total area does not exceed 1 ha. In all cases, the farmer shall, indicate in his application that he has agricultural parcels at his disposal and at the request of the competent authorities, shall indicate their location.***"

#### *Amendment*

***5d. In Article 72, paragraph 2 is replaced by the following:***

"2. By way of derogation from point (a) of paragraph 1, Member States may decide that:

***(a)*** agricultural parcels of an area of up to 0,1 ha on which an application for payment is not made, do not need to be declared, provided that the sum of such parcels does not exceed 1 ha, and/or may decide that a farmer who does not apply for any area-based direct payment does not have to declare his agricultural parcels in the case where the total area does not exceed 1 ha. In all cases, the farmer shall, indicate in his application that he has agricultural parcels

at his disposal and at the request of the competent authorities, shall indicate their location;

***(b) farmers participating in the small farmer scheme do not need to declare the agricultural parcels on which an application for payment is not made, unless such a declaration is required for the purpose of other aid or support."***

Or. en

*(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1306&rid=1>)*

## **Amendment 261**

**Hannu Takkula**

### **Proposal for a regulation**

**Article 268 – paragraph 1 – point 5 b (new)**

Regulation (EU) No 1306/2013

Article 75 – paragraph 1 – subparagraph 4

#### *Present text*

"With regard to support granted under rural development, as referred to in Article 67(2), this paragraph shall apply in respect of the aid applications or payment claims submitted from claim year **2018**, except as regards the payment of advances of up to 75 % provided for in the third subparagraph of this paragraph."

#### *Amendment*

***5b. In Article 75(1), subparagraph 4 is replaced by the following:***

"With regard to support granted under rural development, as referred to in Article 67(2), this paragraph shall apply in respect of the aid applications or payment claims submitted from claim year **2020**, except as regards the payment of advances of up to 75 % provided for in the third subparagraph of this paragraph."

Or. en

*(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1306&rid=1>)*

## **Amendment 262**

**Zbigniew Kuźmiuk, Beata Gosiewska**

### **Proposal for a regulation**

**Article 268 – paragraph 1 – point 5 b (new)**

Regulation (EU) No 1306/2013

Article 77 – paragraph 6

*Text proposed by the Commission*

*Amendment*

**5b. Article 77(6) is deleted**

Or. en

*Justification*

*Administrative penalties imposed in case the greening requirements are not respected by a farmer should be limited to the amount of green payment. Given that 30% of financial envelope for direct payments is allocated to greening, the penalty amounting to the payment for agricultural practices beneficial for the climate and the environment, is a sufficiently severe for the farmer.*

*As a consequence of amendment proposed in paragraph 6 of Article 77 the paragraph 7 of this article shall be adapted.*

### **Amendment 263**

**Zbigniew Kuźmiuk, Beata Gosiewska**

#### **Proposal for a regulation**

**Article 268 – paragraph 1 – point 5 e (new)**

Regulation (EU) No 1306/2013

Article 77 – paragraph 7 – point a

*Present text*

*Amendment*

"

(a) identifying, for each aid scheme or support measure and person concerned as referred to in paragraph 3 from the list set out in paragraph 4 and within the limits laid down in **paragraphs 5 and 6**, the administrative penalty and determining the specific rate to be imposed by Member States, including in cases of non-quantifiable non-compliance;"

**5e. In Article 77(7), point a is replaced by the following:**

"

(a) identifying, for each aid scheme or support measure and person concerned as referred to in paragraph 3 from the list set out in paragraph 4 and within the limits laid down in **paragraph 5**, the administrative penalty and determining the specific rate to be imposed by Member States, including in cases of non-quantifiable non-compliance;"

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1306&rid=1>)

### *Justification*

*Administrative penalties imposed in case the greening requirements are not respected by a farmer should be limited to the amount of green payment. Given that 30% of financial envelope for direct payments is allocated to greening, the penalty amounting to the payment for agricultural practices beneficial for the climate and the environment, is a sufficiently severe for the farmer.*

*As a consequence of amendment proposed in paragraph 6 of Article 77 the paragraph 7 of this article shall be adapted.*

#### **Amendment 264**

**Ulrike Müller, Hilde Vautmans, Jens Rohde, Hannu Takkula**

#### **Proposal for a regulation**

**Article 268 – paragraph 1 – point 5 a (new)**

Regulation (EU) No 1306/2013

Article 118a (new)

*Text proposed by the Commission*

*Amendment*

**5a. The following Article is inserted after the Article 118:**

**"Article 118a**

***Retroaction ban***

***1. Changes to the sector specific regulations as well as to the Commission's guidance notes may have effect only for the future.***

***2. Retroactive effect may be allowed only in the case of absolute exception. The possibility of transitional arrangements without sanctions shall duly be considered."***

Or. en

#### **Amendment 265**

**Peter Jahr**

#### **Proposal for a regulation**

**Article 268 – paragraph 1 – point 5 a (new)**

Regulation (EU) No 1306/2013

Article 118a (new)

*Text proposed by the Commission*

*Amendment*

**5a. The following Article is inserted after the Article 118:**

**"Article 118a**

***Retroaction ban***

***1. Changes to the regulations as well as to the guidelines, working tools, or any other documents of the Commission with direct and indirect external effects, as well as previous interpretations of provisions by institutions and bodies of the European Union as well as of the certifying body and paying agencies of the Commission may have burdensome effect only for the future.***

Or. en

**Amendment 266**

**Albert Deß, Elisabeth Köstinger**

**Proposal for a regulation**

**Article 268 – paragraph 1 – point 5 c (new)**

Regulation (EU) No 1306/2013

Annex II – Public health – Identification and registration of animals – SMR 6–8

*Text proposed by the Commission*

*Amendment*

**5c. In Annex II, Public health animal health and plant health, Identification and registration of animals, SMR 6,7 and 8 are deleted**

Or. en

**Amendment 267**

**Albert Deß, Elisabeth Köstinger**

**Proposal for a regulation**

**Article 268 – paragraph 1 – point 5 d (new)**

*Text proposed by the Commission*

*Amendment*

**5d. In Annex II, Public health, animal health and plant health, Plan protection products, SMR 10 is deleted**

Or. en

**Amendment 268**  
**Sandra Kalniete**

**Proposal for a regulation**  
**Article 268 – paragraph 1 e (new)**  
Regulation (EU) No 1306/2013  
Article 26 – paragraph 6

*Present text*

*Amendment*

**"6. The Commission may adopt implementing acts, laying down the terms and conditions applicable to appropriations carried over in accordance with Article 169(3) of Regulation (EU, Euratom) No 966/2012 in order to finance the expenditure referred to in Article 4(1)(b) of this Regulation. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 116(2)."**

***In Article 26, paragraph 6 is replaced by the following:***

**"6. By way of derogation from paragraph 5 if the reserve for crises in the agricultural sector is not used in the current financial year, appropriations shall be carried over to the following year in accordance with Article 12 (X) of the Financial Regulation and shall be available for the agricultural sector in the event of a crisis."**

***If the Commission foresees that crisis reserve annual amount in the current financial year exceed appropriation which are carried over, the Commission shall apply the reduction to direct payments with the financial discipline mechanism in this Article."***

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1306&rid=1>)

**Amendment 269**  
**Sandra Kalniete**

**Proposal for a regulation**  
**Article 268 – paragraph 1 f (new)**  
Regulation (EU) No 1306/2013  
Article 26 – paragraph 7

*Present text*

"7. When applying this Article, the amount of the reserve for crises in the agricultural sector referred to in Article 25 shall be included in the determination of the adjustment rate. Any amount not made available for crisis measures by the end of the financial year shall be ***disbursed in accordance with paragraph 5 of this Article.***"

*Amendment*

***In Article 26, paragraph 7 is replaced by the following:***

"7. When applying this Article, the amount of the reserve for crises in the agricultural sector referred to in Article 25 shall be included in the determination of the adjustment rate, ***if crisis reserve is used or shall be adjusted to the current financial year.*** Any amount not made available for crisis measures by the end of the financial year shall be ***carried over to the next financial year.***"

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013R1306&rid=1>)