



30.8.2018

## **DRAFT OPINION**

of the Committee on Agriculture and Rural Development

for the Committee on Regional Development

on the proposal for a regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument

(COM(2018)0375 – C8-0230/2018 – 2018/0196(COD))

Rapporteur for opinion: Maria Gabriela Zoană

PA\_Legam

## **SHORT JUSTIFICATION**

The Rapporteur appreciates the effort put forth by the Commission in its drafting of the proposal for a regulation on common provisions, especially considering that it meets the need for continuity in the disbursement of funds, flexibility and simplification in its implementation.

This regulation is a basis for the synergy between the Structural Funds, whose main objective is to furnishing support to less developed regions to strengthen the economic and social cohesion in the European Union.

The European Agricultural Fund for Rural Development is a sustainable and efficient investment vehicle for the growth and development of rural areas, businesses and resources in the agricultural and forestry sector as well as in the rural economy. It can support a wide range of development goals, aimed to benefit an extended segment of recipients, with the potential to reuse funds for other investments.

The Proposal for a Regulation of the European Parliament and of the Council laying down common provisions on the Structural Funds is part of the new Multiannual Financial Framework 2021-2027, and establishes common provisions for shared management thus providing a common set of basic rules for seven funds with the blaring exception of the European Agricultural Fund for Rural Development (EAFRD).

In the rapporteur's view, it is necessary to maintain the EAFRD in the Common Provisions Regulation of the future legislative framework. This opinion mainly amends this aspect of the Commission's proposal.

The proposed amendments aim to re-establish the linkage between funds, without creating additional administrative burden and duplication of the rules, while ensuring a coherent level of structural funds.

## **AMENDMENTS**

The Committee on Agriculture and Rural Development calls on the Committee on Regional Development, as the committee responsible, to take into account the following amendments:

## Amendment 1

### Proposal for a regulation Title

*Text proposed by the Commission*

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
laying down common provisions on the  
European Regional Development Fund, the  
European Social Fund Plus, the Cohesion  
Fund, *and* the European Maritime and  
Fisheries Fund and financial rules for those  
and for the Asylum and Migration Fund,  
the Internal Security Fund and the Border  
Management and Visa Instrument

*Amendment*

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
laying down common provisions on the  
European Regional Development Fund, the  
European Social Fund Plus, the Cohesion  
Fund, *the European Agricultural Fund  
for Rural Development*, the European  
Maritime and Fisheries Fund and financial  
rules for those and for the Asylum and  
Migration Fund, the Internal Security Fund  
and the Border Management and Visa  
Instrument

Or. en

## Amendment 2

### Proposal for a regulation Recital 2

*Text proposed by the Commission*

(2) In order to further develop a  
coordinated and harmonised  
implementation of Union Funds  
implemented under shared management  
namely the European Regional  
Development Fund ('ERDF'), the European  
Social Fund Plus ('ESF+'), the Cohesion  
Fund, measures financed under shared  
management in the European Maritime and  
Fisheries Fund ('EMFF'), the Asylum and  
Migration Fund ('AMIF'), Internal Security  
Fund ('ISF') and Integrated Border  
Management Fund ('BMVI'), financial  
rules based on Article 322 of the TFEU  
should be established for all these Funds  
(*'the Funds'*), clearly specifying the scope

*Amendment*

(2) In order to further develop a  
coordinated and harmonised  
implementation of Union Funds  
implemented under shared management  
namely the European Regional  
Development Fund ('ERDF'), the European  
Social Fund Plus ('ESF+'), the Cohesion  
Fund, *the European Agricultural Fund  
for Rural Development ('EARDF')*,  
measures financed under shared  
management in the European Maritime and  
Fisheries Fund ('EMFF'), the Asylum and  
Migration Fund ('AMIF'), Internal Security  
Fund ('ISF') and Integrated Border  
Management Fund ('BMVI'), financial  
rules based on Article 322 of the TFEU

of application of the relevant provisions. In addition, common provisions based on Article 177 of the TFEU should be established to cover policy specific rules for the ERDF, the ESF+, the Cohesion Fund and the EMFF.

should be established for all these Funds ('the Funds'), clearly specifying the scope of application of the relevant provisions. In addition, common provisions based on Article 177 of the TFEU should be established to cover policy specific rules for the ERDF, the ESF+, the Cohesion Fund and the EMFF.

Or. en

### **Amendment 3**

#### **Proposal for a regulation Recital 15**

##### *Text proposed by the Commission*

(15) The Partnership Agreement, prepared by each Member State, should be a strategic document guiding the negotiations between the Commission and the Member State concerned on the design of programmes. In order to reduce the administrative burden, it should not be necessary to amend Partnership Agreements during the programming period. To facilitate the programming and avoid overlapping content in programming documents, Partnership Agreements *can* be included as part of a programme.

##### *Amendment*

(15) The Partnership Agreement, prepared by each Member State, should be a strategic document guiding the negotiations between the Commission and the Member State concerned on the design of programmes. In order to reduce the administrative burden, it should not be necessary to amend Partnership Agreements during the programming period. To facilitate the programming and avoid overlapping content in programming documents, *it should be possible for* Partnership Agreements *to* be included as part of a programme.

Or. en

### **Amendment 4**

#### **Proposal for a regulation Recital 24**

##### *Text proposed by the Commission*

(24) To better mobilise potential at the local level, it is necessary to strengthen and facilitate CLLD. It should take into account

##### *Amendment*

(24) To better mobilise potential at the local level, it is necessary to strengthen and facilitate CLLD (*referred to as 'LEADER'*)

local needs and potential, as well as relevant socio-cultural characteristics, and should provide for structural changes, build community capacity and stimulate innovation. The close cooperation and integrated use of the Funds to deliver local development strategies should be strengthened. Local action groups, representing the interests of the community, *should be*, as an essential principle ***responsible for the design and implementation of CLLD strategies***. In order to facilitate coordinated support from different Funds to CLLD strategies and to facilitate their implementation, the use of a 'Lead Fund' approach should be facilitated.

***under the EAFRD***). It should take into account local needs and potential, as well as relevant socio-cultural characteristics, and should provide for structural changes, build community capacity and stimulate innovation. The close cooperation and integrated use of the Funds to deliver local development strategies should be strengthened. ***Responsibility for the design and implementation of community-led local development strategies should be given to*** local action groups, representing the interests of the community as an essential principle. In order to facilitate coordinated support from different Funds to CLLD strategies and to facilitate their implementation, the use of a 'Lead Fund' approach should be facilitated.

Or. en

## Amendment 5

### Proposal for a regulation

#### Recital 62

##### *Text proposed by the Commission*

(62) In order to set out an appropriate financial framework for the ERDF, the ESF+ **and** the Cohesion Fund, the Commission should set out the annual breakdown of available allocations per Member State under the Investment for jobs and growth goal together with the list of eligible regions, as well as the allocations for the European territorial cooperation goal (Interreg). Taking into account that the national allocations of Member States should be established on the basis of the statistical data and forecasts available in 2018 and given the forecasting uncertainties, the Commission should review the total allocations of all Member States in 2024 on the basis of the most recent statistics available at the time and, where there is a cumulative divergence of

##### *Amendment*

(62) In order to set out an appropriate financial framework for the ERDF, the ESF+, the Cohesion Fund **and EAFRD**, the Commission should set out the annual breakdown of available allocations per Member State under the Investment for jobs and growth goal together with the list of eligible regions, as well as the allocations for the European territorial cooperation goal (Interreg). Taking into account that the national allocations of Member States should be established on the basis of the statistical data and forecasts available in 2018 and given the forecasting uncertainties, the Commission should review the total allocations of all Member States in 2024 on the basis of the most recent statistics available at the time and, where there is a cumulative divergence of

more than +/- 5 %, it should adjust those allocations for the years 2025 to 2027 in order for the outcomes of the mid-term review and the technical adjustment exercise to be reflected in programme amendments at the same time.

more than +/- 5 %, it should adjust those allocations for the years 2025 to 2027 in order for the outcomes of the mid-term review and the technical adjustment exercise to be reflected in programme amendments at the same time.

Or. en

## Amendment 6

### Proposal for a regulation

#### Article 1 – paragraph 1 – point a

##### *Text proposed by the Commission*

(a) financial rules for the European Regional Development Fund ('ERDF'), the European Social Fund Plus ('ESF+'), the Cohesion Fund, the European Maritime and Fisheries Fund ('EMFF'), the Asylum and Migration Fund ('AMIF'), the Internal Security Fund ('ISF') and the Border Management and Visa Instrument ('BMVI') ('the Funds');

##### *Amendment*

(a) financial rules for the European Regional Development Fund ('ERDF'), the European Social Fund Plus ('ESF+'), the Cohesion Fund, ***the European Agricultural Fund for Rural Development ('EAFRD')***, the European Maritime and Fisheries Fund ('EMFF'), the Asylum and Migration Fund ('AMIF'), the Internal Security Fund ('ISF') and the Border Management and Visa Instrument ('BMVI') ('the Funds');

***With regard to the EAFRD the following provisions shall apply:***

- Title I;***
- in Title II, Chapter I, Articles 11 and 12 of Chapter II and Chapter III;***
- in Title III, Chapter II;***
- in Title IV, Articles 33 to 36 of Chapter I, Chapter II and Chapter III;***
- in Title V, Chapter I and Section 2 of Chapter I; and***
- Title IX.***

Or. en

## Amendment 7

### Proposal for a regulation

#### Article 1 – paragraph 6 – point c a (new)

*Text proposed by the Commission*

*Amendment*

**(c a) Regulation (EU) No [...] (the 'CAP Strategic Plans Regulation')<sup>1a</sup>**

---

<sup>1a</sup> OJ L [...], [...], p. [...].

Or. en

## Amendment 8

### Proposal for a regulation

#### Article 1 – paragraph 6 – point c b (new)

*Text proposed by the Commission*

*Amendment*

**(c b) Regulation (EU) No [...] (the 'CAP Horizontal Regulation')<sup>1b</sup>**

---

<sup>1b</sup> OJ L [...], [...], p. [...].

Or. en

## Amendment 9

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 4 a (new)

*Text proposed by the Commission*

*Amendment*

**(4 a) `programme` in the context of the EAFRD shall be understood as CAP Strategic Plans referred to in the CAP Strategic Plans Regulation;**

Or. en



## Amendment 10

### Proposal for a regulation

#### Article 4 – paragraph 1 – introductory part

*Text proposed by the Commission*

1. The ERDF, the ESF+, the Cohesion Fund and the EMFF shall support the following policy objectives:

*Amendment*

1. The ERDF, the ESF+, the Cohesion Fund, **the EAFRD** and the EMFF shall support the following policy objectives:

Or. en

## Amendment 11

### Proposal for a regulation

#### Article 7 – paragraph 4

*Text proposed by the Commission*

4. The Member State shall **draw up** the Partnership Agreement in accordance with the template set out in Annex II. It may include the Partnership Agreement in one of its programmes.

*Amendment*

4. The Member State shall **submit** the Partnership Agreement in accordance with the template set out in Annex II. It may include the Partnership Agreement in one of its programmes.

Or. en

## Amendment 12

### Proposal for a regulation

#### Article 12 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1 a. For programmes supported by the EAFRD, milestones shall be established and reached annually.***

Or. en

## Amendment 13

### Proposal for a regulation Article 12 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

**3 a. Milestones and targets for output indicators shall refer to the outputs achieved.**

Or. en

## Amendment 14

### Proposal for a regulation Article 25 – paragraph - 1 (new)

*Text proposed by the Commission*

*Amendment*

**- 1. The EAFRD shall support community-led local development. In that case it shall be referred to as “LEADER”.**

Or. en

## Amendment 15

### Proposal for a regulation Article 27 – paragraph 5

*Text proposed by the Commission*

*Amendment*

5. The local action group may be a beneficiary and may implement operations in accordance with the strategy.

5. The local action group may be a beneficiary and may implement operations in accordance with the strategy, ***provided that there is separation of functions inside the local action group.***

Or. en

## Amendment 16

### Proposal for a regulation

#### Article 35 – paragraph 2 – introductory part

*Text proposed by the Commission*

2. The monitoring committee shall approve:

*Amendment*

2. The monitoring committee shall, ***for programmes supported by the EAFRD, give its opinion on, and, for programmes supported by other Funds,*** approve:

Or. en

## Amendment 17

### Proposal for a regulation

#### Article 35 – paragraph 2 – point b

*Text proposed by the Commission*

(b) the annual performance reports for programmes supported by the EMFF, the AMF, the ISF and the BMVI, and the final performance report for programmes supported by the ERDF, the ESF+ and the Cohesion Fund;

*Amendment*

(b) the annual performance reports for programmes supported by ***the EAFRD,*** the EMFF, the AMF, the ISF and the BMVI, and the final performance report for programmes supported by the ERDF, the ESF+ and the Cohesion Fund;

Or. en

## Amendment 18

### Proposal for a regulation

#### Article 36 – paragraph 6

*Text proposed by the Commission*

6. For programmes supported by the EMFF, the AMF, the ISF and the BMVI, the Member State shall submit an annual performance report in accordance with the Fund-specific Regulations.

*Amendment*

6. For programmes supported by ***the EAFRD,*** the EMFF, the AMF, the ISF and the BMVI, the Member State shall submit an annual performance report in accordance with the Fund-specific Regulations.

## Amendment 19

### Proposal for a regulation

#### Article 44 – paragraph 3 – subparagraph 1 – point h

*Text proposed by the Commission*

(h) total cost of the operation;

*Amendment*

(h) total cost of the operation *or, for the EAFRD, the amounts of payments corresponding to each type of intervention received by each beneficiary in the financial year concerned;*

Or. en

## Amendment 20

### Proposal for a regulation

#### Article 44 – paragraph 3 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

*For the EAFRD, the data referred to in point (b) of the first subparagraph shall not be published where the amounts of payments received by the beneficiary in the financial year concerned is equal to or less than EUR 1 250. The beneficiary shall be identified by a code, in a form to be decided by the Member State.*

Or. en

## Amendment 21

### Proposal for a regulation

#### Article 45 – paragraph 1 – point c – point ii

*Text proposed by the Commission*

(ii) operations supported by the ESF+, the EMFF, the ISF, the AMIF and the

*Amendment*

(ii) operations supported by the ESF+, *the EAFRD*, the EMFF, the ISF, the AMIF

BMVI the total cost of which exceeds EUR 100 000.

and the BMVI the total cost of which exceeds EUR 100 000.

Or. en

## Amendment 22

### Proposal for a regulation Article 53 – paragraph 7

#### *Text proposed by the Commission*

7. The managing authority, in managing the financial instrument pursuant to paragraph 2, or the body implementing the financial instrument, in managing the financial instrument pursuant to paragraph 3, shall keep separate accounts or maintain an accounting code per priority and per each category of region for each programme contribution and separately for resources referred to in Articles 54 and 56 respectively.

#### *Amendment*

7. The managing authority, in managing the financial instrument pursuant to paragraph 2, or the body implementing the financial instrument, in managing the financial instrument pursuant to paragraph 3, shall keep separate accounts or maintain an accounting code per priority and per each category of region ***or by type of interventions for the EAFRD*** for each programme contribution and separately for resources referred to in Articles 54 and 56 respectively.

Or. en

## Amendment 23

### Proposal for a regulation Article 84 – paragraph 2 – subparagraph 1 – point a

#### *Text proposed by the Commission*

(a) 2021: **0.5** %;

#### *Amendment*

(a) 2021: **1,5** %;

Or. en

## Amendment 24

### Proposal for a regulation Article 84 – paragraph 2 – subparagraph 1 – point b

*Text proposed by the Commission*

*Amendment*

(b) 2022: **0.5** %;

(b) 2022: **1,5** %;

Or. en

## **Amendment 25**

### **Proposal for a regulation**

#### **Article 84 – paragraph 2 – subparagraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) 2023: **0.5** %;

(c) 2023: **1,5** %;

Or. en

## **Amendment 26**

### **Proposal for a regulation**

#### **Article 84 – paragraph 2 – subparagraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

(d) 2024: **0.5** %;

(d) 2024: **1,5** %;

Or. en

## **Amendment 27**

### **Proposal for a regulation**

#### **Article 84 – paragraph 2 – subparagraph 1 – point e**

*Text proposed by the Commission*

*Amendment*

(e) 2025: **0.5** %;

(e) 2025: **1,5** %;

Or. en

## Amendment 28

### Proposal for a regulation

#### Article 84 – paragraph 2 – subparagraph 1 – point f

*Text proposed by the Commission*

(f) 2026: **0.5** %

*Amendment*

(f) 2026: **1,5** %

Or. en

## Amendment 29

### Proposal for a regulation

#### Article 110 – paragraph 1

*Text proposed by the Commission*

Regulation (EC) No 1303/2013 or any other act applicable to the 2014–2020 programming period shall continue to apply to programmes and operations supported by the ERDF, the ESF+, the Cohesion Fund and the EMFF under that period.

*Amendment*

Regulation (EC) No 1303/2013 or any other act applicable to the 2014–2020 programming period shall continue to apply to programmes and operations supported by the ERDF, the ESF+, the Cohesion Fund, **the EAFRD** and the EMFF under that period.

Or. en