Amendment 1139
Peter Jahr
on behalf of the EPP Group
Maria Noichl
on behalf of the S&D Group
Martin Hlaváček, Jeremy Decerle
on behalf of the Renew Group
Report
Peter Jahr

Proposal for a regulation
Article 68

Text proposed by the Commission

Article 68
Investments

1. Member States may grant support for investments under the conditions set out in this Article and as further specified in their CAP Strategic Plans.

2. Member States may only grant support under this type of interventions for tangible and/or intangible investments, which contribute to achieving the specific objectives set out in Article 6. Support to the forestry sector shall be based on a forest management plan or equivalent instrument.

Amendment

Article 68
Investments

1. Member States may grant support for investments under the conditions set out in this Article and as further specified in their CAP Strategic Plans.

1a. In order to be eligible for EAFRD support, investment operations shall be preceded by an assessment of the expected environmental impact in accordance with law specific to that kind of investment where the investment is likely to have negative effects on the environment

2. Member States may only grant support under this type of interventions for tangible and/or intangible investments, including in collective form, which contribute to achieving the relevant specific objectives set out in Article 6. Support to the forestry sector shall be based on a forest management plan which includes the requirement of planting species adapted to local ecosystems, or equivalent instrument in the case of holdings above a certain size to be determined by the Member State.

2a. Member States shall allocate at least 30 % of the support referred to in this article to investments for environment and climate-related purposes contributing to
3. Member States shall establish a list of ineligible investments and categories of expenditure, including at least the following:

(a) purchase of agricultural production rights;

(b) purchase of payment entitlements;

(c) purchase of land with the exception of land purchase for environmental conservation or land purchased by young farmers through the use of financial instruments;

(d) purchase of animals, annual plants and their planting other than for the purpose of restoring agricultural or forestry potential following natural disaster and catastrophic events;

(e) interest rate on debt, except in relation to grants given in the form of an interest rate subsidy or guarantee fee subsidy;

(f) investments in irrigation which are not consistent with the achievement of good status of water bodies, as laid down in Article 4(1) of Directive 2000/60/EC, including expansion of irrigation affecting water bodies whose status has been defined as less than good in the relevant river basin management plan;

the objectives referred to in points (d), (e) and (f) of Article 6(1). Member States shall establish priorities for those investments by means of higher support, higher score evaluation and other objective criteria with similar effect.

Member States may also establish a priority for investments made by young farmers under this Article.

3. Member States shall establish a list of ineligible investments and categories of expenditure, including at least the following:

(a) purchase of agricultural production rights;

(b) purchase of payment entitlements;

(c) purchase of land with the exception of land purchase for environmental conservation or land purchased by young farmers through the use of financial instruments;

(d) purchase of animals, except those used instead of machines for landscape conservation and for protection against large predators.

(da) purchase of annual plants and their planting other than for the purpose of restoring agricultural or forestry potential following natural disaster and catastrophic events;

(e) interest rate on debt, except in relation to grants given in the form of an interest rate subsidy or guarantee fee subsidy;
(g) investments in large infrastructures not being part of local development strategies;

(h) investments in afforestation which are not consistent with climate and environmental objectives in line with sustainable forest management principles, as developed in the Pan-European Guidelines for Afforestation and Reforestation.

Points (a), (b), (d) and (g) of the first subparagraph shall not apply where support is provided through financial instruments.

4.

Member States shall limit the support to the maximum rate of 75% of the eligible costs.

The maximum support rate may be increased for the following investments:

(a) afforestation and non-productive investments linked to the specific environmental- and climate-related objectives set out in points (d), (e) and (f) of Article 6(1);

(b) investments in basic services in

(g) investments in large infrastructures not being part of local development strategies; Member States may also provide for specific derogations for investments in broadband when clear criteria ensuring complementarity with support under other Union instruments is provided;

(h) investments in afforestation which are not consistent with climate and environmental objectives in line with sustainable forest management principles, as developed in the Pan-European Guidelines for Afforestation and Reforestation.

(ha) investments which are not consistent with animal health and welfare legislation or with Directive 91/676/EEC;

(hb) investments in bioenergy production that are not consistent with the sustainability criteria of the Renewable Energy Directive.

Points (a), (b), (d) and (g) of the first subparagraph shall not apply where support is provided through financial instruments.

By way of derogation from points (a) to (h) of the first subparagraph, Member States may provide for derogations in island regions, including outermost regions, to tackle disadvantages linked to insularity and remoteness.

4.

Member States shall limit the support to the maximum rate of the eligible costs laid down in Annex IXaa.

The maximum support rate may be increased for the following investments:

(a) afforestation, establishment of agroforestry systems and non-productive investments, including land consolidation, linked to the specific environmental- and climate-related objectives set out in points (d), (e) and (f) of Article 6(1);

(b) investments in basic services in
(c) investments in the restoration of agricultural or forestry potential following natural disasters or catastrophic events and investments in appropriate preventive actions in forests and the rural environment.

or

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(rural areas; rural areas; investments in the restoration of agricultural or forestry potential following fires and other natural disasters or catastrophic events, including storms, floods, pests and disease, as well as investments in maintaining the health of forests; 

(c) investments in the restoration of agricultural or forestry potential damaged following fires and other natural disasters or catastrophic events; 

or

(c) investments in innovative production techniques and systems simultaneously contributing to the objectives referred to in points (a), (b), (d), (e) and (f) of Article 9.

or

(cc) investments in outermost regions and areas with natural constraints, including mountain and island regions; 

Or. en