Amendment 727
Maria Noichl
on behalf of the S&D Group

Report
Peter Jahr
Common agricultural policy - support for strategic plans to be drawn up by Member States and financed by the EAGF and by the EAFRD

Proposal for a regulation
Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) In order to ensure a more precise and accurate tracking of expenditure on climate and environmental objectives, the Commission should take into account the EU Taxonomy for Sustainable Finance as well as the Union Climate marker system.

Or. en
Amendment 728
Maria Noichl
on behalf of the S&D Group

Report
Peter Jahr
Common agricultural policy - support for strategic plans to be drawn up by Member States and financed by the EAGF and by the EAFRD

Proposal for a regulation
Recital 21

Text proposed by the Commission

(21) Building on the previous system of cross-compliance implemented until 2020, the system of new conditionality links full receipt of CAP support to the compliance by beneficiaries of basic standards concerning the environment, climate change, public health, animal health, plant health and animal welfare. The basic standards encompass in a streamlined form a list of statutory management requirements (SMRs) and standards of good agricultural and environmental conditions of land (GAECs). These basic standards should better take into account the environmental and climate challenges and the new environmental architecture of the CAP, thus delivering a higher level of environmental and climate ambition as the Commission announced in its Communications on the ‘Future of Food and Farming’ and the Multiannual Financial Framework (MFF).

Conditionality aims to contribute to the development of sustainable agriculture through better awareness on the part of beneficiaries of the need to respect those basic standards. It also aims to make the CAP more compatible with the expectations of society through improving consistency of the policy with the

Amendment

(21) Building on the previous system of cross-compliance implemented until 2020, the system of new conditionality links full receipt of CAP support to the compliance by beneficiaries of basic standards concerning the environment, climate change, public health, applicable working and employment conditions, animal health, plant health and animal welfare. The basic standards encompass in a streamlined form a list of statutory management requirements (SMRs) and standards of good agricultural and environmental conditions of land (GAECs). These basic standards should better take into account the environmental and climate challenges and the new environmental architecture of the CAP, thus delivering a higher level of environmental and climate ambition as the Commission announced in its Communications on the ‘Future of Food and Farming’ and the Multiannual Financial Framework (MFF). Moreover it is of particular importance that Member States take relevant measures to ensure employers’ access to direct payments is conditional on the compliance with the applicable working and employment conditions and/or employer obligations.
environment, public health, animal health, plant health and animal welfare objectives. Conditionality should form an integral part of the environmental architecture of the CAP, as part of the baseline for more ambitious environmental and climate commitments, and should be comprehensively applied across the Union. For those farmers who do not comply with those requirements, Member States should ensure that proportionate, effective and dissuasive penalties are applied in accordance with [the HZR Regulation].

Conditionality aims to contribute to the development of sustainable agriculture through better awareness on the part of beneficiaries of the need to respect those basic standards. It also aims to make the CAP more compatible with the expectations of society through improving consistency of the policy with the environment, labour standards, public health, animal health, plant health and animal welfare objectives. Conditionality should form an integral part of the environmental and social architecture of the CAP, as part of the baseline for more ambitious environmental, social and climate commitments, and should be comprehensively applied across the Union. For those farmers who do not comply with those requirements, Member States should ensure that proportionate, effective and dissuasive penalties are applied in accordance with [the HZR Regulation].
Amendment 729
Maria Noichl
on behalf of the S&D Group

Report
Peter Jahr
Common agricultural policy - support for strategic plans to be drawn up by Member
States and financed by the EAGF and by the EAFRD

Proposal for a regulation
Recital 37 a (new)

Text proposed by the Commission

(37a) In view of ensuring the resilience of EU’s ecosystems and promoting biodiversity, Member States should be allowed to grant payments to agri-environmental sustainable practices, for climate mitigation and adaptation and for the protection and improvement of genetic resources, in particular through traditional breeding methods.

Amendment

Or. en
Amendment 730
Maria Noichl
on behalf of the S&D Group

Report
Peter Jahr
Common agricultural policy - support for strategic plans to be drawn up by Member States and financed by the EAGF and by the EAFRD

Proposal for a regulation
Recital 55 a (new)

Text proposed by the Commission

(55a) In accordance with Article 208 TFEU, The Union and Member States should ensure that development cooperation objectives are taken into account in all CAP interventions, and respect the Right to Food as well as the Right to Development; Member States should also ensure that CAP Strategic Plans contribute to the maximum extent possible to the timely achievement of the goals set in the 2030 Agenda for Sustainable Development and in the Paris Agreement, as well as of the objectives of the European Green Deal, the Union's environmental and climate commitments and applicable legislation adopted by the European Parliament and the Council on the basis of the Farm to Fork Strategy and the Biodiversity Strategy.

Or. en
Amendment 731
Maria Noichl
on behalf of the S&D Group

Report
Peter Jahr
Common agricultural policy - support for strategic plans to be drawn up by Member States and financed by the EAGF and by the EAFRD

Proposal for a regulation
Article 9a (new)

Text proposed by the Commission

Amendment

Article 9a

Sustainable development

The objectives of the CAP Strategic Plans shall be pursued in line with the principle of sustainable development and with the aim of preserving, protecting and improving the quality of the environment, as set out in Article 11 and Article 191(1) TFEU, taking into account the polluter pays principle. The Member States and the Commission shall ensure that environmental protection requirements, resource efficiency, climate change mitigation and adaptation, biodiversity, disaster resilience, and risk mitigation and prevention are promoted in the preparation and implementation of CAP specific objectives. Interventions shall be planned and carried out in accordance with the principle of policy coherence for development as set out in Article 208 TFEU. This strategic consistency shall be checked by the Commission in line with the procedure outlined in Chapter III of Title V.

Or. en
Proposal for a regulation
Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11a

Principle and scope on the social conditionality

1. Member States shall include in their CAP Strategic Plans a system of conditionality, under which beneficiaries receiving direct payments under Chapter II and Chapter III of this Title or the annual premia under Articles 65, 66 and 67 shall be subject to an administrative penalty if they do not comply with the applicable working and employment conditions and/or employer obligations resulting from all relevant collective agreements and social and labour law at national, Union and international levels.

2. The rules on an effective and proportionate system of administrative penalties to be included in the CAP Strategic Plan shall respect the requirements set out in Chapter IV of Title IV of Regulation (EU) [H2R].

Or. en
Amendment 733
Maria Noichl
on behalf of the S&D Group

Report
Peter Jahr
Common agricultural policy - support for strategic plans to be drawn up by Member States and financed by the EAGF and by the EAFRD

Proposal for a regulation
Article 15

Text proposed by the Commission

Article 15
Reduction of payments

1. Member States shall reduce the amount of direct payments to be granted to a farmer pursuant to this Chapter for a given calendar year exceeding EUR 60 000 as follows:

(a) by at least 25 % for the tranche between EUR 60 000 and EUR 75 000;
(b) by at least 50 % for the tranche between EUR 75 000 and EUR 90 000;
(c) by at least 75 % for the tranche between EUR 90 000 and EUR 100 000;
(d) by 100 % for the amount exceeding EUR 100 000.

2. Before applying paragraph 1, Member States shall subtract from the amount of direct payments to be granted to a farmer pursuant to this Chapter in a given calendar year:

(a) the salaries linked to an agricultural activity declared by the farmer, including taxes and social contributions related to employment; and

Amendment

Article 15
Reduction of payments

1. Member States shall limit the amount of direct payments to be granted to a farmer pursuant to this Chapter for a given calendar year to EUR 60 000.

2. Before applying paragraph 1, Member States may subtract from the amount of direct payments to be granted to a farmer pursuant to this Chapter in a given calendar year:

(a) 50 % of the salaries linked to an agricultural activity declared by the farmer, including taxes and social contributions related to employment; and
(b) the equivalent cost of regular and unpaid labour linked to an agricultural activity practiced by persons working on the farm concerned who do not receive a salary, or who receive less remuneration than the amount normally paid for the services rendered, but are rewarded through the economic result of the farm business.

To calculate the amounts referred to in points a) and b), Member States shall use the average standard salaries linked to an agricultural activity at national or regional level multiplied by the number of annual work units declared by the farmer concerned.

To calculate the amounts referred to in point (a), Member States shall use the actual salary costs linked to an agricultural and related activity at national or regional level multiplied by the number of annual work units declared by the farmer concerned.

2a. Before applying paragraph 1, Member States shall subtract from the amount of direct payments to be granted to a farmer pursuant to this Chapter in a given calendar year the amounts received pursuant to Articles 27 and 28.

3.

The estimated product of the reduction of payments shall primarily be used to contribute to the financing of the complementary redistributive income support for sustainability and thereafter of other interventions belonging to decoupled direct payments.

Member States may also use all or part of the product to finance types of interventions under the EAFRD as specified in Chapter IV by means of a transfer. Such transfer to the EAFRD shall be part of the CAP Strategic Plan financial tables and may be reviewed in 2023 in accordance with Article 90. It shall not be subject to the maximum limits for the transfers of funds from the EAGF to the EAFRD established under Article 90.

Member States may also use all or part of the product to finance types of interventions under the EAFRD as specified in Chapter IV by means of a transfer. Such transfer to the EAFRD shall be part of the CAP Strategic Plan financial tables and may be reviewed in 2024 in accordance with Article 90.

3a. In the case of a legal person, or a group of natural or legal persons, Member States may apply the reduction referred to in paragraph 1 at the level of the members of those legal persons or
groups where national law provides for the individual members to assume rights and obligations comparable to those of individual farmers who have the status of a head of holding, in particular as regards their economic, social and tax status, provided that they have contributed to strengthening the agricultural structures of the legal persons or groups concerned.

3b. Where a Member State grants complementary redistributive income support to Farmers under Article 26 and to that end uses at least 12% of its allocation for direct payments laid down in Annex IV, it may decide to waive the application of this Article.

4. The Commission is empowered to adopt delegated acts in accordance with Article 138 supplementing this Regulation with rules establishing a harmonised basis for calculation for the reduction of payments laid down in paragraph 1 to ensure a correct distribution of the funds to the entitled beneficiaries.
Amendment 734
Maria Noichl
on behalf of the S&D Group

Report
Peter Jahr
Common agricultural policy - support for strategic plans to be drawn up by Member States and financed by the EAGF and by the EAFRD

Proposal for a regulation
Article 94

Text proposed by the Commission

Amendment

Article 94

Procedural requirements

1. Member States shall draw up the CAP Strategic Plans based on transparent procedures, in accordance with their institutional and legal framework.

2. The body of the Member State responsible for drawing up the CAP Strategic Plan shall ensure that the competent authorities for the environment and climate are effectively involved in the preparation of the environmental and climate aspects of the plan.

3. Each Member State shall organise a partnership with the competent regional and local authorities. The partnership shall include at least the following partners:
   (a) relevant public authorities;
   (b) economic and social partners;

Amendment

Article 94

Principles for partnership

1. Each Member State shall organise and implement a comprehensive partnership to draw up the CAP Strategic Plans based on transparent procedures, in accordance with their institutional and legal framework taking into account the specificities of the CAP Strategic Plans with the competent regional and local authorities as well as other partners.

2. The body of the Member State responsible for drawing up the CAP Strategic Plan shall ensure that the competent public authorities for the environment and climate are fully involved in the preparation of the environmental and climate aspects of the plan.

3. Each Member State shall organise a partnership with the competent regional and local authorities as well as others partners. The partnership shall include at least the following partners:
   (a) regional, local, rural and other relevant public authorities;
   (b) economic and social partners;
(c) relevant bodies representing civil society and where relevant bodies responsible for promoting social inclusion, fundamental rights, gender equality and non-discrimination.

Member States shall involve those partners in the preparation of the CAP Strategic Plans.

3a. The partnership established under paragraph 1 shall operate in accordance with the multi-level governance principle and a bottom-up approach. The Member State shall involve the Partners mentioned in paragraph 3 in the preparation, implementation and evaluation of the CAP Strategic Plans.

3b. The organisation and implementation of partnership in the CAP Strategic plans shall be carried out mutandis mutandis in accordance with Commission Delegated Regulation (EU) No 240/2014.

3c. At least once a year, the Commission shall consult organisations representing partners at Union level on the implementation of CAP strategic plans, and shall report to the European Parliament and Council on the outcome.

4. Member States and the Commission shall cooperate to ensure effective coordination in the implementation of CAP Strategic Plans, taking account of the principles of proportionality and shared management.

4. Member States and the Commission shall cooperate to ensure effective coordination in the implementation of CAP Strategic Plans, taking account of the principles of proportionality and shared management and proper functioning of the internal market.
Amendment 735
Maria Noichl
on behalf of the S&D Group

Report
Peter Jahr
Common agricultural policy - support for strategic plans to be drawn up by Member States and financed by the EAGF and by the EAFRD

Proposal for a regulation
Article 107

Text proposed by the Commission

Article 107
Amendment of the CAP Strategic Plan

1. Member States may submit to the Commission requests to amend their CAP Strategic Plans.

2. Requests for amendment of CAP Strategic Plans shall be duly justified and shall in particular set out the expected impact of the changes to the plan on achieving the specific objectives referred to in Article 6(1). They shall be accompanied by the amended plan including the updated annexes as appropriate.

3. The Commission shall assess the consistency of the amendment with this Regulation and the provisions adopted pursuant to it as well as with the Regulation (EU) [HzR] and its effective contribution to the specific objectives.

4. The Commission shall approve the requested amendment to a CAP Strategic Plan provided that the necessary information has been submitted and the Commission is satisfied that the amended

Amendment

Article 107
Amendment of the CAP Strategic Plan

1. Member States may submit to the Commission requests to amend their CAP Strategic Plans including, where applicable, any amendment to the regional intervention programmes, in agreement with regional managing authorities.

2. Requests for amendment of CAP Strategic Plans shall include an explanation setting out the expected impact of the changes to the plan on achieving the specific objectives referred to in Article 6(1). They shall be accompanied by the amended plan including the updated annexes as appropriate.

3. The Commission shall assess the consistency of the amendment with this Regulation and the provisions adopted pursuant to it as well as with the Regulation (EU) [HzR] and its effective contribution to the specific objectives.

4. The Commission shall approve the requested amendment to a CAP Strategic Plan provided that the necessary information has been submitted and the Commission is satisfied that the amended
plan is compatible with the general principles of Union law, the requirements set out in this Regulation, the provisions adopted pursuant to it and in Regulation (EU) [HzR].

5. The Commission may make observations within 30 working days from the submission of the request for amendment of the CAP Strategic Plan. The Member State shall provide to the Commission all necessary additional information.

6. The approval of a request for amendment of a CAP Strategic Plan shall take place no later than three months after its submission by the Member State provided that any observations made by the Commission have been adequately taken into account.

7. A request for amendment of the CAP Strategic Plan may be submitted no more than once per calendar year subject to possible exceptions to be determined by the Commission in accordance with Article 109.

8. Each amendment of the CAP Strategic Plan shall be approved by the Commission by means of an implementing decision without applying the Committee procedure referred to in Article 139.

9. Without prejudice to Article 80, amendments to CAP Strategic Plans shall only have legal effects after their approval by the Commission.

10. Corrections of a purely clerical or editorial nature or of obvious errors that do not affect the implementation of the policy and the intervention shall not be considered as a request for amendment. Member States shall inform the Commission of such corrections.
Amendment 736  
Maria Noichl  
on behalf of the S&D Group

Report  
Peter Jahr  
Common agricultural policy - support for strategic plans to be drawn up by Member States and financed by the EAGF and by the EAFRD  

Proposal for a regulation  
Article 110

Text proposed by the Commission  

Amendment

Article 110  
Managing Authority

1. Member States shall designate a Managing Authority for their CAP Strategic Plans.

   Member States shall ensure that the relevant management and control system has been set up in such a way that it ensures a clear allocation and separation of functions between the Managing Authority and other bodies. Member States shall be responsible for ensuring that the system functions effectively throughout the CAP Strategic Plan period.

1a. Member States may also establish regional managing authorities for the implementation and management of interventions financed by the EAFRD within the framework of their national Strategic Plans where such interventions have a regional scope. In that event, the national Managing Authority shall appoint a national coordination body for the EAFRD that will ensure the uniform application of Union rules, ensuring consistency with the elements of the Strategic Plan laid down at national level, in accordance with the second
2. The Managing Authority shall be responsible for managing and implementing the CAP Strategic Plan in an efficient, effective and correct way. In particular, it shall ensure that:

- there is an appropriate secure electronic system to record, maintain, manage and report statistical information on the plan and its implementation required for the purposes of monitoring and evaluation and, in particular, information required to monitor progress towards the defined objectives and targets;
- beneficiaries and other bodies involved in the implementation of interventions:
  - are informed of their obligations resulting from the aid granted, and maintain either a separate accounting system or an adequate accounting code for all transactions relating to an operation;
  - are aware of the requirements concerning the provision of data to the Managing Authority and the recording of outputs and results;
- the beneficiaries concerned are provided, where appropriate by the use of electronic means, with the list of the statutory management requirements and the minimum standards of good agricultural and environmental condition established pursuant to Section 2 of Chapter I of Title III to be applied at farm level, as well as clear and precise information thereon;
- the ex-ante evaluation referred to in Article 125 conforms to the evaluation and monitoring system and that it is accepted and submitted to the Commission;
- the evaluation plan referred to in subsection (e) of Article 93.

2. The Managing Authority shall be responsible for managing and implementing the CAP Strategic Plan in an efficient, effective and correct way and, where appropriate, in association with the regional managing authorities for regional intervention programs. In particular, they shall ensure that:

- there is an appropriate secure electronic system to record, maintain, manage and report statistical information on the plan and its implementation required for the purposes of monitoring and evaluation and, in particular, information required to monitor progress towards the defined objectives and targets;
- beneficiaries and other bodies involved in the implementation of interventions:
  - are informed of their obligations resulting from the aid granted, and maintain either a separate accounting system or an adequate accounting code for all transactions relating to an operation;
  - are aware of the requirements concerning the provision of data to the Managing Authority and the recording of outputs and results;
- the beneficiaries concerned are provided, where appropriate by the use of electronic means, with the list of the statutory management requirements and the minimum standards of good agricultural and environmental condition established pursuant to Section 2 of Chapter I of Title III to be applied at farm level, as well as clear and precise information thereon;
- the ex-ante evaluation referred to in Article 125 conforms to the evaluation and monitoring system and that it is accepted and submitted to the Commission;
- the evaluation plan referred to in subsection (e) of Article 93.
Article 126 is in place, that the ex post evaluation referred to in that Article is conducted within the time limits laid down in this Regulation, ensuring that such evaluations conform to the monitoring and evaluation system and that they are submitted to the Monitoring Committee referred to in Article 111 and the Commission;

(f) the Monitoring Committee is provided with the information and documents needed to monitor the implementation of the CAP Strategic Plan in the light of its specific objectives and priorities;

(g) the annual performance report is drawn up, including aggregate monitoring tables, and, after consultation of the Monitoring Committee, is submitted to the Commission;

(h) relevant follow-up actions on Commission's observations on the annual performance reports are taken;

(i) the paying agency receives all necessary information, in particular on the procedures operated and any controls carried out in relation to interventions selected for funding, before payments are authorised;

(j) beneficiaries under interventions financed by the EAFRD, other than area- and animal-related interventions, acknowledge the financial support received, including the appropriate use of the Union emblem in accordance with the rules laid down by the Commission in accordance with paragraph 5;

(k) publicity is made for the CAP Strategic Plan, including through the national CAP network, by informing potential beneficiaries, professional organisations, the economic and social partners, bodies involved in promoting equality between men and women, and the non-governmental organisations concerned, including environmental
organisations, of the possibilities offered by the CAP Strategic Plan and the rules for gaining access to the CAP Strategic Plan funding as well as by informing beneficiaries and the general public of the Union support for agriculture and rural development through the CAP Strategic Plan.

3. The Member State or the Managing Authority may designate one or more intermediate bodies including local authorities, regional development bodies or non-governmental organisations, to carry out the management and implementation of CAP Strategic Plan interventions.

4. When a part of its tasks is delegated to another body, the Managing Authority shall retain full responsibility for the efficiency and correctness of the management and implementation of those tasks. The Managing Authority shall ensure that appropriate provisions are in place to allow the other body to obtain all necessary data and information for the execution of those tasks.

5. The Commission shall be empowered to adopt delegated acts in accordance with Article 138, supplementing this Regulation with detailed rules on the application of the information, publicity and visibility requirements referred to in points (j) and (k) of paragraph 2.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 139(2).

The Commission is empowered to adopt delegated acts in accordance with Article 138, supplementing this Regulation with detailed rules on the application of the information, publicity and visibility requirements referred to in points (j) and (k) of paragraph 2.