Under the Common Agricultural Policy, Member States can provide support for farmers for installing agriphotovoltaic systems either for producing electricity for their own use and/or for selling it to the grid. Under the EU legislation, agricultural areas would remain eligible for income support if agriphotovoltaic systems are installed, provided that the conditions laid down in Article 4 of the Strategic Plan Regulation\(^1\) are complied with and that the agricultural activity remains possible despite the restrictions arising from the non-agricultural activities (dual use is ensured)\(^2\).

The EU Framework Programmes for Research and Innovation play a key role for the development of optimised agrivoltaic systems that ensure sustained or even enhanced crop production. Already in Horizon 2020, EU-funded projects\(^3\) aimed to increase the marketability of agrivoltaic systems and to develop attractive, new business models for farmers. Research and Innovation under Horizon Europe will further capitalise on previous Horizon 2020 results, supporting the development of agrivoltaic systems\(^4\).

In addition, the Commission has published on 18 May 2022 the REPowerEU Plan\(^5\), including the Communication EU Solar Energy Strategy\(^6\). This strategy supports the development of solar energy, including through innovative forms of deployment that promote multiple use of space such as agriphotovoltaic. The Commission will assess barriers to these and issue a guidance for Member States to promote their development.

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1 Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 (OJ L 435, 6.12.2021, p. 1).
2 See the jurisprudence of the Court of Justice of the European Union Case C-61/09 (Landkreis Bad Dürkheim) as well as the cases C-422/13 (Wree) and C-684/13 (Demmer).
3 Such as HyPErFarm (https://cordis.europa.eu/project/id/101000828).