



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate G. Horizontal aspects of rural development
G.1. Consistency of rural development

Brussels, 5/3/2013
G.1/JTK/LV/ (2013) 346260

Subject: Proposed substance of the empowerment given by Article 95 of the proposal for a Regulation of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) – see attached document.

Version 1

Disclaimer: The transitional rules adopted with Article 91 of Regulation (EC) No 1698/2005 as a legal basis will insert Article 41b to Regulation (EC) No 1974 which states that where the amount allocated to the programme and/or measure is used up at a date earlier than the final date of eligibility laid down in Article 71(1) of Regulation (EC) No 1698/2005, MS shall not undertake new legal commitments to beneficiaries

Article	Content	Remarks
1. Scope	Facilitate the transition between Regulation 1698/2005 and the new Regulation.	
2. Definitions	Definitions	Definitions of: current/new programming period, commitments/payments, multiannual commitments and final date of eligibility of the current programming period.
3. Cut-off date	For a given type of measures as listed in Annex, MS shall start undertaking commitments under the new programming period from the date from which no further commitments are undertaken in the current programming period at programme or measure level.	The preparatory support for Leader under Article 43 of [RD/2013] should be available from 1.1.2014 onwards. Possibility to define the cut-off date at LAG level.
4. Rules for multiannual measures	Expenditure relating to multiannual commitments shall be eligible under EAFRD in the new programming period either from the final date of eligibility of current programming period or earlier, but after 31 December 2013, if the funds available for measure/programme have been used up. The co-financing rate of the new programming period shall apply to such expenditure.	New RDPs should make a provision for expenditure related to multiannual commitments
5. Rules for annual area-	Expenditure relating to commitments under Articles 37,	New RDPs should make a provision for expenditure related to

related measures	<p>38 and 46 of Regulation (EC) No 1698/2005 shall be eligible under EAFRD in the new programming period either from the final date of eligibility of the current programming period or earlier, but after 31 December 2013, if the funds available for measure/programme have been used up.</p> <p>The co-financing rate of the new programming period shall apply to such expenditure.</p>	natural handicap payments and Natura 2000 +WFD payments.
6. Rules for other measures	<p>For operations relating to non-multiannual measures for which commitments to beneficiaries have been undertaken before the final date of eligibility of the current programming period, any expenditure shall be eligible under EAFRD in the new programming period either from the final date of eligibility of current programming period or a date earlier than that, if the funds available for measure/programme are used up.</p> <p>The co-financing and eligibility conditions for the operations in the new programming period need to be met.</p>	New RDPs should make a provision for expenditure related to non-multiannual commitments, breaking down operations into stages from the 2 programming periods.
7. Croatia	Specific transitional provisions for Croatia	Derogation to the reference in Article 40a(1) of [RD/2013] to Article 132) of [DP/2013] and in Article 40a(2) to Article 16a.
8. Specific provision for agri-environment and	Before the end of the commitment period referred to in Article 39(3) and Article 47(1) of Regulation (EC) No 1698/2005, MS may authorise the conversion of that	

forest-environment	commitment into a new commitment for a period of between five and seven years as a general rule under the new programming period, if beneficial for the environment and if the commitment is reinforced.	
9. Technical assistance	<p>Expenditure relating to the ex post evaluation of the current programming period shall be eligible under the technical assistance component of the rural development programme in the new programming period.</p> <p>No carry-over of technical assistance except for ex post evaluations and for preparation of final reports.</p>	<p>New RDPs should make a provision for expenditure related to the technical assistance.</p> <p>4% limit mentioned in Article 51(3) of Regulation [RD/2013] need to be respected.</p>
10. Identification of operations	MS need to clearly identify transitional operations through the management and control system.	
11. and Annex	Correlation table is needed to define from which measures the financing of carry-over operations takes place.	Where a measure is discontinued in the next programming period, there will be a separate financial table for these measures. The co-financing rate of the type of region concerned to be used.