

WORKING DOCUMENT
DELEGATED ACT FOR DIRECT PAYMENTS
Legal draft of the Article related to the **payment for young farmers**

DISCLAIMER

The content of this draft has not yet been agreed upon by other Commission services and is subject to changes.

Recital

(x) Regulation (EU) No [...] [DPR] lays down eligibility conditions for the payment for young farmers. In particular, the payment is subject to the condition that the young farmer is setting up for the first time an agricultural holding as head of the holding, or has already set up such a holding during the five years preceding the first application for the payment, and that the farmer is no more than 40 years of age in the year of submitting the first application for the payment. In the case of legal persons it is appropriate that these conditions are fulfilled by all natural persons having control over the legal person. It is further necessary to clarify which conditions are to be fulfilled by the legal person and the natural person(s) in control of that legal person. In order to avoid possible circumvention of the scheme, it should be provided that the payment is granted to a legal person only for as long as at least one of the natural persons having control over the legal person in the first year of application for the scheme remains in such control.

Article

1. The annual payment for young farmers referred to in Article 36(1) of Regulation (EU) No [DPR] shall be granted to a legal person if the following conditions are fulfilled:

(a) the legal person is entitled to a payment under the basic payment scheme or the single area payment scheme referred to in Chapter 1 of Regulation (EU) No [DPR] and has activated payment entitlements or declared eligible hectares, as referred to in Article 36(3) of Regulation (EU) No [DPR];

(b) all natural persons having control over the legal person in the first year of the legal person's application for the basic payment scheme or the single area payment scheme shall be young farmers within the meaning of the first subparagraph of Article 36(2) of Regulation (EU) No [DPR];

(c) at least one of the natural persons fulfilling the condition set out in point (b) meets the eligibility criteria established by Member States pursuant to the second subparagraph of

Article 36(2) of Regulation (EU) No [DPR], if any, unless Member States have decided that those criteria shall apply to all such natural persons.

2. The payment referred to in Article 36(1) of Regulation (EU) No [DPR] shall no longer be granted if all natural persons complying with the criteria set out in paragraph 1(b) and, where appropriate, in paragraph 1(c) have ceased control over the legal person.

3. For the purposes of this Article, any reference in Article 36(3) to (6) of Regulation (EU) No [DPR] to 'farmer' shall be construed as a reference to the legal person referred to in this Article.