

Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001 (repealed)

## TITLE V

### TRANSITIONAL AND FINAL RULES

#### *Article 144*

#### **Management Committee for Direct Payments**

1 The Commission shall be assisted by the Management Committee for Direct Payments, consisting of representatives of the Member States and chaired by a representative of the Commission.

2 Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period provided for in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3 The Committee shall adopt its Rules of Procedure.

#### *Article 145*

#### **Implementing Rules**

In accordance with the procedure referred to in Article 144(2), detailed rules shall be adopted for the implementation of this Regulation. They shall include in particular:

- (a) detailed rules related to the establishment of a farm advisory system;
- (b) detailed rules related to the definition of the criteria for the allocation of amounts made available by the application of modulation;
- (c) detailed rules related to the granting of aids provided for in this Regulation, including eligibility conditions, dates of application and payment and control provisions as well as checking and establishing entitlement to the aids including any necessary exchange of data with the Member States, and the establishment of the overrun of the base areas or maximum guaranteed areas as well as detailed rules concerning the withdrawal and reallocation of unused premium rights established under Chapter 11 and 12;
- (d) <sup>[F1]</sup>with regard to the single payment scheme, detailed rules relating in particular to the establishment of national reserve, the transfer of entitlements, the definition of permanent crops, permanent pastures, agricultural land and grassland, the options provided for in Chapters 5 and 6 of Title III and the list of crops allowed on the set-aside land as well as detailed rules relating to compliance with the Memorandum of

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*Status: Point in time view as at 03/02/2005.*

**Changes to legislation:** *There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE V. (See end of Document for details)*

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Understanding on certain oil seeds between the European Economic Community and the United States of America within the framework of the GATT approved by Decision 93/355/EEC<sup>(1)</sup>;

- (e) with regard to durum wheat, detailed rules relating to the quantities of certified seeds and recognised varieties;
- (f) with regard to energy crops, detailed rules relating to the definition of crops covered by the scheme, minimal requirements for the contract, control measures on the quantity processed and processing on the holding;
- (g) with regard to hemp grown for fibre, detailed rules relating to the specific control measures and methods for determining tetrahydrocannabinol levels including the arrangements for contracts and to the commitment referred to in Article 52;
- (h) such amendments to Annex I as may become necessary taking into account the criteria set out in Article 1;
- (i) [<sup>F1</sup>such amendments to Annexes II, VI, VII, IX, X and XI as may become necessary, taking into account in particular new Community legislation and, as far as it concerns Annexes VIII and VIIIa, in case of application of Articles 62 and 71i respectively and, as the case may be, in function of the information communicated by the Member States in relation to the part of the reference amounts corresponding to the payments for arable crops, as well as the amounts of the ceilings themselves, to be increased in function of the difference between the area actually determined and the area for which premiums were paid for arable crops in 2000 and 2001, in application of Article 9(2) and (3) of Commission Regulation (EEC) No 3887/92<sup>(2)</sup>, within the limit of the base areas (or maximum guaranteed area for durum wheat) and taking into account the average national yield used for the calculation of Annex VIII;]
- (j) the basic features of the identification system for agricultural parcels and their definition;
- (k) any amendments which may be made to the aid application and exemption from the requirement to submit an aid application;
- (l) rules on the minimum amount of information to be included in the aid applications;
- (m) rules on the administrative and on-the-spot checks and the checks by remote sensing;
- (n) rules on the application of reductions and exclusions from payments in case of non-compliance with the obligations referred to in Articles 3 and 24, including cases of non-application of reductions and exclusions;
- (o) such amendments to Annex V as may become necessary taking into account the criteria set out in Article 26;
- (p) communications between the Member States and the Commission;
- (q) [<sup>F1</sup>measures which are both necessary and duly justified to resolve, in an emergency, practical and specific problems, in particular those related to the implementation of Chapter 4 of Title II and Chapters 5 and 6 of Title III. Such measures may derogate from certain parts of this Regulation, but only to the extent that, and for such a period as, is strictly necessary.]

*Status: Point in time view as at 03/02/2005.*

**Changes to legislation:** There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE V. (See end of Document for details)

### Textual Amendments

- F1** Substituted by Council Regulation (EC) No 583/2004 of 22 March 2004 amending Regulations (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, (EC) No 1786/2003 on the common organisation of the market in dried fodder and (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.

### *f<sup>1</sup>* Article 146

#### **Transmission of information to the Commission**

Member States shall inform the Commission in detail of the measures taken to implement this Regulation and, in particular, those relating to Articles 5, 13, 42, 58, 71d and 71e.]

### Textual Amendments

- F1** Substituted by Council Regulation (EC) No 583/2004 of 22 March 2004 amending Regulations (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, (EC) No 1786/2003 on the common organisation of the market in dried fodder and (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.

### *Article 147*

#### **Amendments to Regulations (EEC) No 2019/93, (EC) No 1452/2001, No 1453/2001, No 1454/2001**

- 1) Article 6 of Regulation (EEC) No 2019/93 shall be replaced by the following:
 

*Article 6*

  - 1 In case of application of the exclusion provided for in Article 70 of Council Regulation (EC) No 1782/2003<sup>(3)</sup> of 29 September 2003 establishing common rules for direct support schemes under the Common Agricultural Policy and establishing certain support schemes for farmers, the Hellenic Republic shall present to the Commission a programme to assist traditional activities connected with beef and veal, as well as sheep and goat production, within the limits of the consumption needs of minor Aegean Islands.
 

The programme shall be prepared and implemented by the competent authorities designated by the Member State.
  - 2 The Community shall finance the programme up to an annual amount equal to the sum of premiums actually paid in 2003 pursuant to Regulation (EC) No 1254/1999<sup>(4)</sup>, to this Regulation and to Regulation (EC) No 2529/2001<sup>(5)</sup> for producers established in the minor Aegean Islands.

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*Status: Point in time view as at 03/02/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE V. (See end of Document for details)*

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The Commission shall increase such amount in order to take into consideration the development of the local production. However, the annual amount shall in no case be higher than the sum of the ceilings applicable in 2003 for beef premiums pursuant to this Regulation multiplied by the base and complementary premiums and payments applicable in 2003 and the sum of all premiums rights held by producers established in the minor Aegean Islands at the date of 30 June 2003 pursuant to Regulation (EC) No 2529/2001 and the pertinent proportion of the national reserve multiplied by the premiums and payments applicable in 2003.

3 The Commission shall adopt the implementing arrangements, approve and modify the programme as well as fix and increase the amount provided for in paragraph 2, first subparagraph, of this Article in accordance with the procedure referred to in Article 144(2) of Regulation (EC) No 1782/2003 + The Commission may, in accordance with the same procedure, revise the limit set forth in paragraph 2, second subparagraph.

4 Before 15 April every year, Greek authorities shall present a report on the implementation of the programme.

2) Article 9 of Regulation (EC) No 1452/2001 shall be replaced by the following:

*Article 9*

1 In case of application of the exclusion provided for in Article 70 of Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers<sup>(6)</sup>, France shall present to the Commission programmes to assist traditional activities connected with beef and veal, as well as sheep and goat production and measures to improve product quality, within the limits of the consumption needs of the French Overseas Departments.

The programmes shall be prepared and implemented by the competent authorities designated by the Member State.

2 The Community shall finance the programmes up to an annual amount equal to the sum of premiums actually paid in 2003 pursuant to Regulation (EC) No 1254/1999<sup>(7)</sup>, to this Regulation and to Regulation (EC) No 2529/2001<sup>(8)</sup> for producers established in the French Overseas Departments.

The Commission shall increase such amount in order to take into consideration the development of the local production. However, the annual amount shall in no case be higher than the sum of the ceilings applicable in 2003 for beef premiums pursuant to Regulation (EC) No 1452/2001 multiplied by the base and complementary premiums and payments applicable in 2003 and the sum of all premiums rights held by producers established in the French Overseas Departments at the date of 30 June 2003 pursuant to Regulation (EC) No 2529/2001 and the pertinent proportion of the national reserve multiplied by the premiums and payments applicable in 2003.

3 The Commission shall adopt the implementing arrangements, approve and modify the programmes as well as fix and increase the amount provided for in paragraph 2, first subparagraph of this Article, in accordance with the procedure referred to in Article 144(2) of Regulation (EC) No 1782/2003. The Commission may, in accordance with the same procedure, revise the limit set forth in paragraph 2, second subparagraph.

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*Status: Point in time view as at 03/02/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE V. (See end of Document for details)*

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4 Before 15 April every year, French authorities shall present a report on the implementation of the programmes.

3) Regulation (EC) No 1453/2001 is hereby amended as follows:

(a) Article 13 shall be replaced by the following:

*Article 13*

1 In case of application of the exclusion provided for in Article 70 of Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers<sup>(9)</sup>, the Portuguese Republic shall present to the Commission a programme to assist traditional activities connected with beef and veal, as well as sheep and goat production and measures to improve product quality, within the limits of the consumption needs of Madeira.

The programme shall be prepared and implemented by the competent authorities designated by the Member State.

2 The Community shall finance the programme up to an annual amount equal to the sum of premiums actually paid in 2003 pursuant to Regulation (EC) No 1254/1999<sup>(10)</sup>, to this Regulation and to Regulation (EC) No 2529/2001<sup>(11)</sup> for producers established in Madeira.

The Commission shall increase such amount in order to take into consideration the development of the local production. However, the annual amount shall in no case be higher than the sum of the ceilings applicable in 2003 for beef premiums pursuant to Regulation (EC) No 1453/2001 multiplied by the base and complementary premiums and payments applicable in 2003 and the sum of all premiums rights held by producers established in Madeira at the date of 30 June 2003 pursuant to Regulation (EC) No 2529/2001 and the pertinent proportion of the national reserve multiplied by the premiums and payments applicable in 2003.

3 The Commission shall adopt the implementing arrangements, approve and modify the programme as well as fix and increase the amount provided for in paragraph 2, first subparagraph, of this Article in accordance with the procedure referred to in Article 144(2) of Regulation (EC) No 1782/2003. The Commission may, in accordance with the same procedure, revise the limit set forth in paragraph 2, second subparagraph.

4 Before 15 April every year, the Portuguese Republic authorities shall present a report on implementation of the programme.

(b) Article 22(2) to (5) shall be replaced by the following:

2. In case of application of the exclusion provided for in Article 70 of Council Regulation (EC) No 1782/2003<sup>+</sup>, the Portuguese Republic shall present to the Commission a programme to assist traditional activities connected with beef and veal, as well as sheep and goat production and measures to improve product quality.

The programme shall be prepared and implemented by the competent authorities designated by the Member State.

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*Status: Point in time view as at 03/02/2005.*

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3 The Community shall finance the programme up to an annual amount equal to the sum of premiums actually paid in 2003 pursuant to Regulation (EC) No 1254/1999, to this Regulation and to Regulation (EC) No 2529/2001 for producers established in the Azores.

The Commission shall increase such amount in order to take into consideration the development of the local production. However, the annual amount shall in no case be higher than the sum of the ceilings applicable in 2003 for beef premiums pursuant to this Regulation multiplied by the base and complementary premiums and payments applicable in 2003 and the sum of all premiums rights held by producers established in the Azores at the date of 30 June 2003 pursuant to Regulation (EC) No 2529/2001 and to Regulation (EC) No 1254/1999 for suckler cows premiums, and the pertinent proportions of the national reserves thereof multiplied by the premiums and payments applicable in 2003.

In case of application of Article 68(a)(i) of Regulation (EC) No 1782/2003 the Portuguese Republic authorities may increase the ceiling for suckler cow for the Azores by transferring suckler cow premium rights from the national ceiling. In this case, the corresponding amount shall be transferred from the ceiling fixed in application of Article 68(a)(i) of Regulation (EC) No 1782/2003 to the ceiling referred to in the second subparagraph of paragraph 3 of this Article.

4 The Commission shall adopt the implementing arrangements, approve and modify the programme as well as fix and increase the amount provided for in paragraph 3, first subparagraph of this Article, in accordance with the procedure referred to in Article 144(2) of Regulation (EC) No 1782/2003. The Commission may, in accordance with the same procedure, revise the limit set forth in paragraph 2, second subparagraph.

5 Before 15 April every year the Portuguese Republic authorities shall present a report on implementation of the programme.

- (c) Article 22(6) shall be repealed.
- (d) Article 23 shall be replaced by the following:  
*Article 23*

For a transitional period covering the 1999/2000 to 2004/2005 marketing years, for the purposes of sharing the additional levy between the producers referred to in the second sentence of Article 2(1) of Regulation (EEC) No 3950/92<sup>(12)</sup>, only producers as defined in Article 9(c) of that Regulation, established and producing in the Azores, who market quantities exceeding their reference quantity increased by the percentage referred to in the third subparagraph shall be deemed to have contributed to the overrun.

The additional levy shall be due on quantities exceeding the increased reference quantity after reallocation of the unused quantities within the margin resulting from this increase among the producers referred to in the first paragraph and in proportion to the reference quantity available to each producer.

The percentage referred to in the first paragraph shall be equal to the ratio between the quantities respectively, of 73 000 tonnes for the period

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1999/2000 to 2003/2004 and 61 500 tonnes for the 2004/2005 marketing years, and the total of the reference quantities available on each holding on 31 March 2000. It shall apply for each producer only to the reference quantities available to that producer on 31 March 2000.

4) Regulation (EC) No 1454/2001 is hereby amended as follows:

(a) Article 5 shall be replaced by the following:

*Article 5*

1 In case of application of the exclusion provided for in Article 70 of Council Regulation (EC) No 1782/2003<sup>+</sup> of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers<sup>(13)</sup> the Kingdom of Spain shall present to the Commission a programme to assist traditional activities connected with beef and veal, as well as sheep and goat production and measures to improve product quality, within the limits of the consumption needs of Canary Islands.

The programme shall be prepared and implemented by the competent authorities designated by the Member State.

2 The Community shall finance the programme up to an annual amount equal to the sum of premiums actually paid in 2003 pursuant to Regulation (EC) No 1254/1999<sup>(14)</sup>, to this Regulation and to Regulation (EC) No 2529/2001<sup>(15)</sup> for producers established in the Canary Islands.

The Commission shall increase such amount in order to take into consideration the development of the local production. However, the annual amount shall in no case be higher than the sum of the ceilings applicable in 2003 for beef premiums pursuant to Regulation (EC) No 1454/2001 multiplied by the base and complementary premiums and payments applicable in 2003 and the sum of all premiums rights held by producers established in the Canary Islands at the date of 30 June 2003 pursuant to Regulation (EC) No 2529/2001 and the pertinent proportion of the national reserve multiplied by the premiums and payments applicable in 2003.

3 The Commission shall adopt the implementing arrangements, approve and modify the programme as well as fix and increase the amount provided for in paragraph 2, first subparagraph, of this Article in accordance with the procedure referred to in Article 144(2) of Regulation (EC) No 1782/2003. The Commission may, in accordance with the same procedure, revise the limit set forth in paragraph 2, second subparagraph.

4 Before 15 April every year, the Kingdom of Spain authorities shall present a report on implementation of the programme.

(b) Article 6 shall be repealed.

*Article 148*

**Amendments to Regulation (EC) No 1868/94**

Regulation (EC) No 1868/94 is hereby amended as follows:

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*Status: Point in time view as at 03/02/2005.*

**Changes to legislation:** *There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE V. (See end of Document for details)*

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- 1) The following Article 4 shall be inserted:

*Article 4a*

A minimum price for potatoes intended for the manufacture of potato starch shall be set at EUR 178,31 per tonne from the 2004/2005 marketing year onwards.

This price applies to the quantity of potatoes, delivered to the factory, which is needed for making one tonne of starch.

The minimum price shall be adjusted according to the starch content of the potatoes.

- 2) Article 5 shall be replaced by the following:

*Article 5*

A premium of EUR 22,25 per tonne of starch produced shall be paid to undertakings producing potato starch for the quantity of potato starch up the quota limit referred to in Article 2(2), provided that they have paid to potato producers the minimum price, referred to in Article 4a, for all the potatoes necessary to produce starch up to that quota limit.

- 3) Article 7 shall be replaced by the following:

*Article 7*

The provisions of this Regulation shall not cover production of potato starch by undertakings which are not subject to Article 2(2) of this Regulation and which purchase potatoes for which producers do not benefit from the payment provided for in Article 93 of Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers<sup>(16)</sup>.

*Article 149*

**Amendments to Regulation (EC) No 1251/1999**

Regulation (EC) No 1251/1999 is amended as follows:

- 1) In Article 4(3), the first indent shall be replaced by the following:

for protein crops:

— EUR 63,00/t from the 2004/2005 marketing year onwards.

- 2) In Article 4(4), the amount of 'EUR 19/t' shall be replaced by 'EUR 24/t'.

- 3) In Article 5:

- (a) the first subparagraph shall be replaced by the following:

A supplement to the area payment of EUR 313/ha for the marketing year 2004/2005, shall be paid for the area down to durum wheat in the traditional production zones listed in Annex II, subject to the limits fixed in Annex III.;

- (b) the fourth subparagraph shall be replaced by the following:

In regions where the production of durum wheat is well established, other than those referred to in Annex II, special aid amounting to EUR 93/ha for

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the marketing year 2004/2005 shall be granted up to a limit of the number of hectares laid down in Annex IV.

#### *Article 150*

#### **Amendments to Regulation (EC) No 1254/1999**

Regulation (EC) No 1254/1999 is amended as follows:

- 1) In Article 10(1) second subparagraph, the percentage of ‘20 %’ shall be replaced by ‘40 %’.
- 2) In Annex I, in the table concerning Special premium, the figure for Austria is replaced by ‘373 400’.
- 3) In Annex II, in the table concerning Suckler cow premium, the figures for Austria and Portugal are replaced respectively by ‘375 000’ and ‘416 539’.

#### *Article 151*

#### **Amendments to Regulation (EC) No 1673/2000**

Regulation (EC) No 1673/2000 is hereby amended as follows:

- 1) Article 1 is amended as follows:
  - (a) In paragraph 2, point (a) shall be replaced by the following:

“farmer” shall mean a farmer as defined in Article 2(a) of Council Regulation (EC) No 1782/2003<sup>+</sup> of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers<sup>(17)</sup>.
  - (b) In paragraph 3, ‘Regulation (EC) No 1251/1999’ shall be replaced by ‘Article 52 of Regulation (EC) No 1782/2003<sup>+</sup>’.
- 2) In the first and second indent of Article 5(2), ‘Article 5a of Regulation (EC) No 1251/1999’ shall be replaced by ‘Article 52 of Regulation (EC) No 1782/2003<sup>+</sup>’.

#### *[<sup>F2</sup>Article 151a*

#### **Amendments to Regulation (EC) No 546/2002**

Regulation (EC) No 546/2002 is amended as follows:

1. in Articles 1 and 2 and in Annex I, ‘harvests 2002, 2003 and 2004’ shall be replaced by ‘harvests 2002, 2003, 2004 and 2005’;
2. the title of the second table set out in Annex II is replaced by the following:

The guaranteed thresholds for the harvests 2003, 2004 and 2005

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**Changes to legislation:** There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE V. (See end of Document for details)

### Textual Amendments

- F2** Inserted by Council Regulation (EC) No 864/2004 of 29 April 2004 amending Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, and adapting it by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.

### Article 151b

#### Amendment to Regulation (EC) No 2075/92

In Article 13(1) the following indent is added:

3 % of the premium for the harvest 2005.]

### Textual Amendments

- F2** Inserted by Council Regulation (EC) No 864/2004 of 29 April 2004 amending Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, and adapting it by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.

### Article 152

#### Amendments to other Regulations

The following provisions are deleted:

- (a) Article 3 of Regulation (EEC) No 2358/71;
- (b) Articles 3 to 25 of Regulation (EC) No 1254/1999;
- (c) Articles 3 to 11 of Regulation (EC) No 2529/2001<sup>[F3]</sup>;
- (e) <sup>[F2]</sup>Articles 12 and 13 of Regulation (EEC) No 1696/71<sup>(18)</sup>. However, they shall continue to apply to applications for direct payments in respect of the 2004 harvest and of the 2005 harvest if a Member State decides to apply the single payment scheme after the transitional period for hops referred to in the third subparagraph of Article 71(1) of this Regulation.]

### Textual Amendments

- F2** Inserted by Council Regulation (EC) No 864/2004 of 29 April 2004 amending Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, and adapting it by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.
- F3** Substituted by Council Regulation (EC) No 864/2004 of 29 April 2004 amending Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, and adapting it by reason of the accession

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of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.

### Article 153

#### Repeals

1 Regulation (EEC) No 3508/92 is hereby repealed. However, it shall continue to apply to applications for direct payments in respect of the calendar years preceding 2005.

2 Regulation (EC) No 1017/94 is hereby repealed starting from 1 January 2005.

3 Regulation (EC) No 1577/96 and Regulation (EC) No 1251/1999 are hereby repealed. However, they shall continue to apply to the marketing year 2004/2005.

4 Regulation (EC) No 1259/1999 is hereby repealed starting from 1 May 2004. However, Articles 2a and 11 of Regulation (EC) No 1259/1999 as well as, for the purpose of applying those Articles, the Annex of that Regulation shall continue to apply until 31 December 2005. Furthermore Articles 3, 4, 5 and, for the purpose of applying those Articles, the Annex of that Regulation (EC) No 1259/1999 shall continue to apply until 31 December 2004.

[<sup>F2</sup>4b Regulation (EC) No 1098/98 is hereby repealed. However it shall continue to apply until 31 December 2005 if a Member State decides to apply the single payment scheme after the transitional period for hops referred to in the third subparagraph of Article 71(1) of this Regulation.]

5 References made to the repealed Regulations shall be construed as being made to this Regulation.

#### Textual Amendments

- F2** Inserted by Council Regulation (EC) No 864/2004 of 29 April 2004 amending Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, and adapting it by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.

### Article 154

#### Transitional rules for the simplified scheme

Where a Member State applies the simplified scheme referred to in Article 2a of Regulation (EC) No 1259/1999, the following provisions shall apply:

- (a) 2003 shall be the last year in which participants may introduce new applications;
- (b) Participants shall continue to receive the amount established under the simplified scheme until 2005;
- (c) Chapters 1 and 2 of Title II of this Regulation shall not apply to the amounts granted under the simplified scheme during the participation in the scheme;

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- (d) Farmers participating in the simplified scheme shall not be entitled to apply for the single payment as long they participate in the simplified scheme. In case of application for the single payment scheme, the amount granted under the simplified scheme shall be included in the reference amount referred to in Article 37 and calculated and adjusted according to Chapter 2 of Title III of this Regulation.

#### *[<sup>F4</sup> Article 154a*

### **Transitional arrangements for new Member States**

1 Where transitional measures are necessary in order to facilitate, for the new Member States, the transition from the single area payment scheme to the single payment scheme and other aid schemes referred to in Titles III and IV, such measures shall be adopted in accordance with the procedure laid down in Article 144(2).

2 The measures referred to in paragraph 1 may be adopted during a period starting on 1 May 2004 and expiring on 30 June 2009 and shall not apply beyond that date. The Council, acting by a qualified majority on a proposal from the Commission, may extend that period.]

#### **Textual Amendments**

- F4** Inserted by [Council Regulation \(EC\) No 583/2004 of 22 March 2004 amending Regulations \(EC\) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, \(EC\) No 1786/2003 on the common organisation of the market in dried fodder and \(EC\) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund \(EAGGF\) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.](#)

#### *Article 155*

### **Other transitional rules**

Further measures required to facilitate the transition from the arrangements provided for in the Regulations referred to in Articles 152 and 153 to those established by this Regulation, notably those related to the application of Articles 4 and 5 and the Annex of Regulation (EC) No 1259/1999, Article 6 of Regulation (EC) No 1251/1999 [<sup>X1</sup>and from the provisions related to the improvement plans provided for in Regulation (EEC) No 1035/72 to those referred to in Articles 83 to 87 of this Regulation,] may be adopted in accordance with the procedure referred to in Article 144(2) of this Regulation. Regulations and Articles referred to in Articles 152 and 153 shall continue to apply for the purpose of the establishment of the reference amounts referred to in Annex VII.

#### **Editorial Information**

- X1** Substituted by [Corrigendum to Council Regulation \(EC\) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations \(EEC\) No 2019/93, \(EC\) No 1452/2001, \(EC\) No 1453/2001, \(EC\) No 1454/2001, \(EC\) No 1868/94, \(EC\) No 1251/1999, \(EC\)](#)

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No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001 (Official Journal of the European Union L 270 of 21 October 2003).

## Article 156

### Entry into force and application

- 1 This Regulation shall enter into force on the seventh day following that of its publication in the *Official Journal of the European Union*.
- 2 It shall apply as of the date of entry into force, with the following exceptions:
  - a Title II, Chapters 4 and 5 shall apply to the applications for payments made in respect of the calendar year 2005 and onwards. However, Article 28(2) shall apply for the application for payments under Title IV, Chapters 1 to 7 from 1 January 2004.
  - b Title IV, Chapters 1, 2, 3, 6, and Article 149 shall apply starting from marketing year 2004/2005.
  - c Title IV, Chapters 4, 5, 7 and Article 150 shall apply from 1 January 2004.
  - d Title II, Chapter 1, Article 20, Title III, Title IV Chapters 8, 10, 11, 12 and 13 and Article 147 shall apply from 1 January 2005, except Article 147(3)(d) which shall apply from 1 April 2003.
  - e Title IV, Chapter 9 shall apply from marketing year 2005/2006.
  - f Article 151 and 152 shall apply from 1 January 2005, except Article 152(a) which shall apply from the marketing year 2005/2006.

*Status: Point in time view as at 03/02/2005.*

**Changes to legislation:** *There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE V. (See end of Document for details)*

- (1) [<sup>F1</sup>OJ L 147, 18.6.1993, p. 25.]
- (2) [<sup>F1</sup>OJ L 327, 12.12.2001, p. 11.]
- (3) OJ L 270, 21.10.2003, p. 1.
- (4) OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).
- (5) OJ L 341, 22.12.2001, p. 3.’
- (6) OJ L 270, 21.10.2003, p. 1.
- (7) OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).
- (8) OJ L 341, 22.12.2001, p. 3.’
- (9) OJ L 270, 21.10.2003, p. 1.
- (10) OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).
- (11) OJ L 341, 22.12.2001, p. 3.’
- (12) OJ L 405, 31.12.1992, p. 1. Regulation as last amended by Commission Regulation (EC) No 572/2003 (OJ L 82, 29.3.2003, p. 20).’
- (13) OJ L 270, 21.10.2003, p. 1.
- (14) OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).
- (15) OJ L 341, 22.12.2001, p. 3.’
- (16) OJ L 270, 21.10.2003, p. 1’
- (17) OJ L 270, 21.10.2003, p. 1.’
- (18) [<sup>F2</sup>OJ L 175, 4.8.1971, p. 1. Regulation as last amended by Regulation (EC) No 2320/2003 (OJ L 345, 31.12.2003, p. 18).]

#### Textual Amendments

- F1** Substituted by Council Regulation (EC) No 583/2004 of 22 March 2004 amending Regulations (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, (EC) No 1786/2003 on the common organisation of the market in dried fodder and (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.
- F2** Inserted by Council Regulation (EC) No 864/2004 of 29 April 2004 amending Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, and adapting it by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.

**Status:**

Point in time view as at 03/02/2005.

**Changes to legislation:**

There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE V.