

Commission Implementing Regulation (EU) No 809/2014 of 17 July 2014 laying down rules for the application of Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the integrated administration and control system, rural development measures and cross compliance

TITLE III

CHECKS

CHAPTER III

On-the-spot checks within the integrated system

Section 3

On-the-spot checks of livestock aid applications and payment claims under animal-related support measures

Article 42

On-the-spot checks

1. On-the-spot checks shall verify that all eligibility criteria, commitments and other obligations are fulfilled and cover all animals for which aid applications or payment claims have been submitted under the animal aid schemes or animal-related support measures to be checked.

Where the [F1 Member State][F1 relevant authority] has determined a period in accordance with Article 21(1)(d) at least 50 % of the minimum rate of on-the-spot checks provided for in Article 32 or Article 33 shall be spread throughout that period for the respective animal aid scheme or animal-related support measure. [F2 However, where the retention period starts before an aid application or payment claim has been submitted or where it cannot be fixed in advance, [F3 Member States][F3 the relevant authority] may decide that the on-the-spot checks provided for in Article 32 or 33 shall be spread over the period in which an animal may qualify for the payment or support.]

Where the [F4 Member State][F4 relevant authority] makes use of the possibility provided for in Article 21(3), the potentially eligible animals as defined in point (17) of the second subparagraph of Article 2(1) of Delegated Regulation (EU) No 640/2014 shall also be checked.

On-the-spot checks shall include in particular a check that the number of animals present on the holding for which aid applications and/or payment claims have been submitted and, where applicable, the number of potentially eligible animals corresponds to the number of animals entered in the registers and to the number of animals notified to the computerised database for animals.

2. On-the-spot checks shall also include checks:

Status: Point in time view as at 31/01/2020. This version of this provision has been superseded.

Changes to legislation: There are outstanding changes not yet made to Commission Implementing Regulation (EU) No 809/2014. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

- (a) of the correctness and coherence of entries in the register and the notifications to the computerised database for animals on the basis of a sample of supporting documents such as purchase and sales invoices, slaughter certificates, veterinary certificates and, where applicable, animal passports or movement documents, in relation to animals for which aid applications or payment claims were submitted in the six months prior to the on-the-spot check; however if anomalies are found, the check shall be extended to 12 months prior to the on-the-spot check;
- (b) that bovine or ovine/caprine animals are identified by ear tags or other means of identification, accompanied, where applicable, by animal passports or movement documents and that they are recorded in the register and have been duly notified to the computerised database for animals.

The checks referred to in point (b) of the first subparagraph may be made on the basis of a random sample. When this sample check reveals any non-compliance, all animals shall be checked, or conclusions from the sample shall be extrapolated.

Textual Amendments

- F1** Words in Art. 42(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **14(38)(a)(i)**
- F2** Inserted by [Commission Implementing Regulation \(EU\) 2015/2333 of 14 December 2015 amending Implementing Regulation \(EU\) No 809/2014 laying down rules for the application of Regulation \(EU\) No 1306/2013 of the European Parliament and of the Council with regard to the integrated administration and control system, rural development measures and cross compliance](#).
- F3** Words in Art. 42(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **14(38)(a)(ii)**
- F4** Words in Art. 42(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **14(38)(b)**

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