
Status: Point in time view as at 01/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), ANNEX VII.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

ANNEX VII

Calculation of the reference amount referred to in Article 37

A. Area aids

1. Where a farmer has received area aids, the number of hectares, to two decimal places, for which a payment has been granted, respectively, in each year of the reference period, shall be multiplied by the following amounts:

- 1.1. For cereals, including durum wheat, oilseeds, protein crops, linseed, flax and hemp grown for fibre, grass silage and set-aside:
 — EUR 63/t multiplied by the yield as provided for in Article 4(2) of Regulation (EC) No 1251/1999 determined in the regionalisation plan for the region concerned applicable in the calendar year 2002.

This point shall apply without prejudice to the provisions laid down by Member States in application of Article 6(6) of Regulation (EC) No 1251/1999.

By way of derogation from Article 38, for flax and hemp, the average shall be calculated on the basis of the number hectares for which a payment was granted in the calendar year 2001 and 2002.

1.2. For rice:

EUR 102/t multiplied by the following average yields:

Member States	Yields (t/ha)
Spain	6,35
France	
— Metropolitan territory	5,49
— French Guyana	7,51
Greece	7,48
Italy	6,04
Portugal	6,05

- 1.3. For grain legumes:
 — for lentils and chick peas, EUR 181/ha
 — for vetches, respectively, EUR 175,02/ha in 2000, EUR 176,60/ha in 2001 and EUR 150,52/ha in 2002.

2. Where a farmer has received durum wheat supplement or special aid, the number of hectares, to two decimal places, for which such a payment has been granted, respectively, in each year of the reference period, shall be multiplied by the following amounts:

In the zones listed in Annex II of Regulation (EC) No 1251/1999 and in Annex IV of Regulation (EC) No 2316/1999:

- EUR 291/ha for the single payment to be granted for the calendar year 2005,

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- EUR 285/ha for the single payment to be granted for the calendar year 2006 and subsequent calendar years.

In the zones listed in Annex V of Regulation (EC) No 2316/1999:

- EUR 46/ha for the single payment to be granted for the calendar year 2005.
3. For the purpose of the preceding points, ‘number of hectares’ shall mean the determined number of hectares corresponding to each different type of area aid listed in Annex VI of this Regulation, for which all the conditions laid down in the rules for the granting of the aid have been met, taking into account the application of Articles 2(4) and 5 of Regulation (EC) No 1251/1999. In case of rice, by way of derogation to Article 6(5) of Council Regulation (EC) No 3072/95, where the areas given over to rice in one Member State in the reference period exceeded its Maximum Guaranteed Area for this period, the amount per hectare shall be reduced proportionally.

B. Potato starch payment

Where a farmer has received potato starch payment, the amount shall be calculated by multiplying the number of tonnes for which such a payment has been granted, respectively, in each year of the reference period, by EUR 44,22 per tonne of potato starch. Member states shall calculate the number of hectares to be included in calculation of the single payment proportionately to the number of tonnes of potato starch produced for which the aid provided for in Article 8(2) of Regulation (EEC) No 1766/92 has been granted, respectively, in each year of the reference period, and within the limits of a base area to be fixed by the Commission on the basis of the number of hectares, covered by a cultivation contract in the reference period, communicated by Member States.

C. Livestock premiums and supplements

Where a farmer has received livestock premiums and/or supplements, the amount shall be calculated by multiplying the number of determined animals for which such a payment has been granted, respectively, in each year of the reference period, by the amounts per head established for the calendar year 2002 by the corresponding Articles referred to in Annex VI, taking into account the application of Article 4(4), Article 7(2) and Article 10(1) of Regulation (EC) No 1254/1999 or Article 8(3) of Regulation (EC) No 2529/2001.

By way of derogation from Article 38, for sheep and goat additional payments granted on the basis of Article 11(2) first, second and fourth indent of Regulation (EC) No 2529/2001, the average shall be calculated on the basis of the number of animals for which the payment has been granted in the calendar year 2002.

However, the payments under Article 4(2) second subparagraph of Regulation (EC) No 1254/1999, shall not be taken into account.

Moreover, by way of derogation from Article 38, in case of application of Article 32(11) and (12) of Commission Regulation (EC) No 2342/1999 and Article 4 of Commission Regulation (EC) No 1458/2001, the number of animals, for which a payment was granted in the year during which such measures were applied, to be taken into account for the calculation of the reference amount, shall not be higher than the average of the number of animals for which a payment was granted in the year/years during which such measures were not applied.

D. Dried fodder

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When a farmer has delivered fodder under a contract as provided for in Article 9(c) of Regulation (EC) No 603/95 or a declaration of areas as under Article 10 of the same Regulation, Member States shall calculate the amount to be included in the reference amount proportionately to the number of tonnes of dried fodder produced for which the aid provided for in Article 3 of that Regulation has been granted, respectively, in each year of the reference period, and within the limits of the following ceilings expressed in EUR millions:

Member State	Ceiling for fodder processed into the products referred to in Article 3(2) of Regulation (EC) No 603/95 (dehydrated fodder)	Ceiling for fodder processed into the products referred to in Article 3(3) of Regulation (EC) No 603/95 (sun-dried fodder)	Total ceiling
UEBL	0,049		0,049
Denmark	5,424		5,424
Germany	11,888		11,888
Greece	1,101		1,101
Spain	42,124	1,951	44,075
France	41,155	0,069	41,224
Ireland	0,166		0,166
Italy	17,999	1,586	19,585
Netherlands	6,804		6,804
Austria	0,07		0,07
Portugal	0,102	0,02	0,122
Finland	0,019		0,019
Sweden	0,232		0,232
United Kingdom	1,95		1,95

Member States shall calculate the number of hectares to be included in calculation of the reference amounts proportionately to the number of tonnes of dried fodder produced for which the aid provided for in Article 3 of Regulation (EC) No 603/95 has been granted, respectively, in each year of the reference period, and within the limits of a base area to be fixed by the Commission on the basis of the number of hectares, covered by a cultivation contract or a declaration of areas in the reference period, communicated by Member States.

E. Regional aids

In the regions concerned, the following amounts shall be included in the calculation of the reference amount:

- EUR 24/t multiplied by the yields utilised for the area payments for cereals, oilseeds, linseed and flax and hemp grown for fibre in the regions indicated in Article 4(4) of Regulation (EC) No 1251/1999;

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- the amount per head as provided for in Article 9(1)(a) and (b) of Regulation (EC) No 1452/2001, Articles 13(2) and (3), 22(2) and (3) of Regulation (EC) No 1453/2001, Article 5(2) and (3), 6(1) and (2) of Regulation (EC) No 1454/2001, multiplied by the number of animals for which such a payment has been granted in 2002;
- the amount per head as provided for in Article 6(2) and (3) of Regulation (EEC) No 2019/93 multiplied by the number of animals for which such a payment has been granted in 2002.

F. Seed aids

Where a farmer has received seed production aid, the amount shall be calculated by multiplying the number of tonnes for which such a payment has been granted, respectively, in each year of the reference period, by the amount per tonne established in application of Article 3 of Regulation (EEC) No 2358/71. Member States shall calculate the number of hectares to be included in calculation of the single payment proportionately to area accepted for certification for which the aid provided for in Article 3 of Regulation (EEC) No 2358/71 has been granted, respectively, in each year of the reference period, and within the limits of a base area to be fixed by the Commission on the basis of the total area accepted for certification as communicated to the Commission according to Regulation (EEC) No 3083/73. This total area shall not include the area accepted for certification for rice (*Oryza sativa L.*), spelt (*Triticum spelta L.*), and fibre and oil flax (*Linum usitatissimum L.*) and hemp (*Cannabis sativa L.*) that already has been declared for arable crops.

[^{F1}G. Cotton

Where a farmer has declared areas sown under cotton, Member States shall calculate the amount to be included in the reference amount by multiplying the number of hectares, to two decimal places, which produced cotton that was granted aid pursuant to paragraph 3 of Protocol 4 on cotton⁽¹⁾ in each year of the reference period, by the following amounts per hectare:

- EUR 966 for Greece,
- EUR 1 509 for Spain,
- EUR 1 202 for Portugal.

Textual Amendments

- F1** 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.

H. Olive oil

Where a farmer has received olive oil production aid, the amount shall be calculated by multiplying the number of tonnes for which such a payment has been granted in the reference period (i.e. respectively, in each of the marketing years 1999/2000, 2000/01, 2001/02 and 2002/03) by the corresponding unit amount of aid, expressed in EUR/tonne, as fixed in Commission Regulations (EC) No 1415/2001⁽²⁾, (EC) No 1271/2002⁽³⁾, (EC) No 1221/2003⁽⁴⁾ and [^{F2}(EC) No 1299/2004]⁽⁵⁾, and multiplied by a 0,6 coefficient. However, Member States may decide by 1 August 2005 to increase this coefficient. This coefficient shall not be applied to farmers whose average number of olive GIS-ha during the reference period, excluding the number of olive GIS-ha corresponding to additional trees planted outside any approved planting scheme after 1 May 1998, is less than 0,3. The number of olive GIS-ha shall be calculated by a

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common method to be established in accordance with the procedure referred to in Article 144(2) and on the basis of data from the geographic information system for olive cultivation.

Textual Amendments

- F2** Substituted by [Commission Regulation \(EC\) No 2183/2005 of 22 December 2005 amending Council 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 amending Regulation \(EC\) No 795/2004 laying down detailed rules for the implementation of the single payment scheme provided for in Council Regulation \(EC\) No 1782/2003.](#)

Where the aid payments during the reference period have been affected by application of the measures laid down in Article 2(3) of Regulation (EEC) No 1638/98⁽⁶⁾, the calculation mentioned in the third subparagraph shall be adjusted as follows:

- where the measures were applied to only one marketing year, the number of tonnes to be taken into account for the year concerned shall be equal to the number of tonnes for which aid would have been granted had the measures not been applied,
- where the measures were applied to two consecutive marketing years, the number of tonnes to be taken into account for the first year concerned shall be established in accordance with the first indent, and the number of tonnes to be taken into account for the following year shall be equal to the number of tonnes for which aid was granted in respect of the last marketing year before the reference period which has not been affected by an application of the said measures.

Member States shall calculate the number of hectares to be included in the calculation of the single payment as the number of olive GIS-ha obtained by a common method to be established in accordance with the procedure referred to in Article 144(2) and on the basis of data from the geographic information system for olive cultivation, excluding the number of olive GIS-ha of additional trees planted outside an approved planting scheme after 1 May 1998, except for Cyprus and Malta, for which the date shall be 31 December 2001.

I. Raw tobacco

Where a farmer has received a tobacco premium payment, the amount to be included in the reference amount shall be calculated by multiplying the three-year average number of kilograms from which such a payment was granted, by the weighted three-year average aid amount granted per kilogram, taking into account the total quantity of raw tobacco of all variety groups and multiplied by a 0,4 coefficient. Member States may decide to increase this coefficient.

As from 2010 the coefficient shall be 0,5.

The number of hectares to be included in calculation of the single payment shall correspond to the area indicated in the registered cultivation contracts for which the premium payment has been granted, respectively, in each year of the reference period, and within the limits of a base area to be fixed by the Commission on the basis of the total area as communicated to the Commission in accordance with Annex I(1.3) to Commission Regulation (EC) No 2636/1999⁽⁷⁾.

Where the aid payments during the reference period have been affected by an application of the measures laid down in Article 50 of Regulation (EEC) No 2848/98, the calculation mentioned in the third subparagraph shall be adjusted as follows:

- where the premium has been partly or totally reduced, the amounts of payment to be taken into account for the year concerned shall be equal to the amounts which would have been granted without the reduction,

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Sweden	20 809	26 045	31 281	34 082	34 082	34 082	34 082	34 082	34 082	34 082	34 082
United Kingdom	64 340	80 528	96 717	105 376	105 376	105 376	105 376	105 376	105 376	105 376	105 376]

3. By way of derogation from point 2, where in the cases of Finland, Ireland, Portugal, Spain and the United Kingdom, the sum of the amounts determined in accordance with point 1 exceeds the sum of the ceilings set out for the Member State concerned in Table 1, and Table 2 hereafter, the amount per farmer shall be reduced proportionally.

TABLE 2

Additional annual amounts to be included in the sum of the reference amounts of the farmers during the four years of the period 2006 to 2009

(EUR 1 000)

Member State	Additional annual amounts
Spain	10 123
Ireland	1 747
Portugal	611
Finland	1 281
United Kingdom	9 985

However, the Member States referred to in the first subparagraph may retain up to 90 % of the amount set out in Table 2 of the first subparagraph and use the amounts resulting therefrom in accordance with Article 69. In that case, the derogation referred to in the first subparagraph shall not apply.

4. Each Member State shall calculate the number of hectares referred to in Article 43(2) (a) proportionately to the amount determined in accordance with point 1 and according to objective and non-discriminatory criteria chosen to that end or on the basis of the number of hectares of sugar beet, cane and chicory declared by the farmers during the representative period fixed in accordance with point 1.]

Textual Amendments

- F4** Substituted by Council Regulation (EC) No 2011/2006 of 19 December 2006 adapting Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, Regulation (EC) No 318/2006 on the common organisation of the markets in the sugar sector and Regulation (EC) No 320/2006 establishing a temporary scheme for the restructuring of the sugar industry in the Community, by reason of the accession of Bulgaria and Romania to the European Union.

Textual Amendments

- F3** Inserted by Council Regulation (EC) No 319/2006 of 20 February 2006 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.

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[^{F5}L. Bananas

Member States shall determine the amount to be included in the reference amount of each farmer on the basis of objective and non-discriminatory criteria such as:

- (a) the quantity of bananas marketed by that farmer for which compensation for loss of income was paid under Article 12 of Regulation (EEC) No 404/93 during a representative period between the 2000 and 2005 marketing years;
- (b) the areas on which the bananas referred to in point (a) were grown; and
- (c) the amount of compensation for loss of income paid to the farmer during the period referred to in point (a).

Member States shall calculate the applicable hectares referred to in Article 43(2) of this Regulation on the basis of objective and non-discriminatory criteria such as the areas referred to in point (b).]

Textual Amendments

- F5** Inserted by [Council Regulation \(EC\) No 2013/2006 of 19 December 2006 amending Regulations \(EEC\) No 404/93, \(EC\) No 1782/2003 and \(EC\) No 247/2006 as regards the banana sector.](#)

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- (1) [^{F1}OJ L 291, 19.11.1979, p. 174.
- (2) OJ L, 191, 13.7.2001, p. 10.
- (3) OJ L 184, 13.7.2002, p. 5.
- (4) OJ L 170, 9.7.2003, p. 8.
- (5) [^{F2}OJ L 244, 16.7.2004, p. 16.]
- (6) OJ L 210, 28.7.1998, p. 32.
- (7) OJ L 323, 15.12.1999, p. 4.;
- (8) [^{F3}OJ L 252, 25.9.1999, p. 1. Regulation as repealed by Regulation (EC) No 1260/2001.]

Textual Amendments

- F1** 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.
- F2** Substituted by Commission Regulation (EC) No 2183/2005 of 22 December 2005 amending Council 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 amending Regulation (EC) No 795/2004 laying down detailed rules for the implementation of the single payment scheme provided for in Council Regulation (EC) No 1782/2003.
- F3** Inserted by Council Regulation (EC) No 319/2006 of 20 February 2006 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.

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