

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(EC) 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001 (repealed)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 IV

### OTHER AID SCHEMES

#### CHAPTER 11

### SHEEP AND GOAT PREMIUMS

#### *Article 111*

#### **Scope of application**

In case of application of Article 67, Member States shall grant, on a yearly basis, premiums or additional payments to farmers rearing sheep and goats under the conditions provided for in this Chapter, save as otherwise provided.

#### *Article 112*

#### **Definitions**

For the purposes of this Chapter the following definitions shall apply:

- (a) 'ewe' shall mean any female of the ovine species having lambed at least once or aged at least one year;
- (b) 'she-goat' shall mean any female of the caprine species having kidded at least once or aged at least one year.

#### *Article 113*

#### **Ewe and goat premium**

1 A farmer keeping ewes on his holding may qualify, on application for a premium for maintaining ewes (ewe premium).

2 A farmer keeping she-goats on his holding may qualify, on application for a premium for maintaining she-goats (goat premium). This premium shall be granted to farmers in specific areas where the production meets the following two criteria:

- a goat rearing is mainly directed towards the production of goatmeat;
- b goat and sheep rearing techniques are similar in nature.

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*Status: Point in time view as at 01/01/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), CHAPTER 11. (See end of Document for details)*

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A list of such areas shall be established following the procedure referred to in Article 144(2).

3 The ewe premium and the goat premium shall be granted in the form of an annual payment per eligible animal per calendar year and per farmer within the limits of individual ceilings. The minimum number of animals in respect of which an application for a premium is lodged shall be determined by the Member State. This minimum shall not be less than 10 or greater than 50.

4 Per ewe, the amount of the premium shall be EUR 21. However for farmers marketing sheep's milk or products based on sheep's milk the premium per ewe shall be EUR 16,8.

5 Per she-goat the amount of the premium shall be EUR 16,8.

#### *Article 114*

### **Supplementary premium**

1 A supplementary premium shall be paid to farmers in areas where sheep and goat production constitutes a traditional activity or contributes significantly to the rural economy. Member States shall define these areas. In any event the supplementary premium shall only be granted to a farmer whose holding has at least 50 % of its area used for agriculture situated in less-favoured areas defined pursuant to Regulation (EC) No 1257/1999.

2 The supplementary premium shall also be granted to a farmer practising transhumance provided that:

- a at least 90 % of the animals for which the premium is applied are grazed for at least 90 consecutive days in an eligible area established in accordance with paragraph 1, and
- b the seat of the holding is situated in a well-defined geographical area for which it has been established by the Member State that transhumance is a traditional practice of sheep and/or goat rearing and that these animal movements are necessary owing to the absence of forage in sufficient quantity during the transhumance period.

3 The amount of the supplementary premium shall be set at EUR 7 per ewe and per she-goat. The supplementary premium shall be granted under the same conditions as those laid down for the grant of the ewe and goat premium.

#### *Article 115*

### **Common provisions**

1 Premiums shall be paid to recipient farmers on the basis of the number of ewes and/or she-goats kept on their holding over a minimum period to be determined in accordance with the procedure referred to in Article 144(2).

2 Once a Regulation providing for new rules on the identification and registration of sheep and goats becomes applicable, to qualify for the premium an animal shall be identified and registered in accordance with these rules.

*Status: Point in time view as at 01/01/2005.*

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## Article 116

### Individual limits

1 On 1 January 2005 the individual ceiling per farmer referred to in Article 113(3), shall be equal to the number of premium rights which he held on 31 December 2004 in accordance with the relevant Community rules.

[<sup>F12</sup> Member States shall take the necessary measures to ensure that the sum of premium rights on their territory does not exceed the national ceilings set out in paragraph 4 and that the national reserves referred to in Article 118 may be maintained.

Except in cases where Article 143b is applied, the new Member States shall allocate individual ceilings to producers and shall set up the national reserves from the overall number of rights to the premium reserved for each of these new Member States as set out in paragraph 4, no later than one year after the date of accession.

After the end of the period of application of the single area payment scheme according to Article 143b and where Article 67 is applied, the allocation of the individual ceilings to producers and the setting up of the national reserve referred to in the second subparagraph shall take place no later than the end of the first year of the application of the single payment scheme.]

3 Premium rights, which have been withdrawn pursuant to the measure taken pursuant to paragraph 2 shall be abolished.

[<sup>F14</sup> The following ceilings shall apply:

<b>Member State</b>	<b>Rights (× 1 000)</b>
Belgium	70
Czech Republic	66,733
Denmark	104
Germany	2 432
Estonia	48
Greece	11 023
Spain	19 580
France	7 842
Ireland	4 956
Italy	9 575
Cyprus	472,401
Latvia	18,437
Lithuania	17,304
Luxembourg	4

a To be adjusted on the expiry of Regulation (EC) No 1017/94.]

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Hungary	1 146
Malta	8,485
Netherlands	930
Austria	206
Poland	335,88
Portugal <sup>a</sup>	2 690
Slovenia	84,909
Slovakia	305,756
Finland	80
Sweden	180
United Kingdom	19 492
Total	81 667,905

a To be adjusted on the expiry of Regulation (EC) No 1017/94.]

#### 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 117

##### Transfer of premium rights

1 When a farmer sells or otherwise transfers his holding, he may transfer all his premium rights to the person who takes over his holding.

2 A farmer may also transfer, in whole or in part, his rights to other farmers without transferring his holding.

In the case of a transfer of rights without transfer of the holding, a part of the premium rights transferred, not exceeding 15 %, shall be surrendered, without compensation to the national reserve of the Member State where his holding is situated for redistribution free of charge.

Member States may acquire premium rights from farmers who agree, on a voluntary basis, to surrender their rights, in whole or in part. In this case payments for the acquisition of such rights may be made to such farmers either from national budgets or as provided for under Article 119(2), fifth indent.

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By way of derogation from paragraph 1 and in duly justified circumstances, Member States may provide that in the case of a sale or other transfer of the holding, the transfer of rights is carried out by the intermediary of the national reserve.

3 Member States may take the necessary measures to avoid premium rights being moved away from sensitive zones or regions where sheep production is especially important for the local economy.

4 Member States may authorise, before a date that they shall determine, temporary transfers of that part of the premium rights, which are not intended to be used by the farmer who holds them.

### *Article 118*

#### **National reserve**

1 Each Member State shall maintain a national reserve of premium rights.

2 Any premium rights withdrawn pursuant to Article 117(2) or other Community provisions shall be added to the national reserve.

3 Member States may allocate premium rights to farmers, within the limits of their national reserves. When making the allocation they shall give precedence in particular to newcomers, young farmers or other priority farmers.

### *Article 119*

#### **Additional payments**

1 In case of application of Article 71, Member States shall, on a yearly basis, make additional payments totalling the global amounts set out in paragraph 3 of this Article.

Member States may decide to supplement the global amounts set out in paragraph 3 of this Article by reducing the amounts of the payments referred to in Article 113. The reduction in the amounts, which may be applied on a regional basis, shall not exceed one euro.

The payments shall be made, on a yearly basis, according to objective criteria including, in particular, the relevant production structures and conditions, and in such a way as to ensure equal treatment between producers and to avoid market and competition distortions. Moreover, such payments shall not be linked to fluctuations of market prices. They may be made on a regional basis.

2 Payments may include, in particular, the following:

- payments to farmers engaged in specific types of production, in particular related to quality, which are important for the local economy or the protection of the environment;
- an increase in the premium set out in Article 113. The additional amounts may be subject to the application of stocking density requirements, to be determined by the Member State according to local conditions;
- support for restructuring of farmers' holdings or the development of producers' organisations;

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- area payments to farmers, to be granted per hectare of forage area, which is available to a farmer during the calendar year concerned and in respect of which no payments are claimed for the same year under the support system for farmers producing certain arable crops, under the aid system for dried fodder and under Community aid schemes for other permanent or horticultural crops;
- payments to farmers who surrender their rights on a voluntary basis pursuant to Article 117(2);
- support for the improvement and rationalisation of processing and marketing of sheep and goatmeat.

[<sup>F13</sup> The following global amounts shall apply:

(EUR 1 000)	
Belgium	64
Czech Republic	71
Denmark	79
Germany	1 793
Estonia	51
Greece	8 767
Spain	18 827
France	7 083
Ireland	4 875
Italy	6 920
Cyprus	441
Latvia	19
Lithuania	18
Luxembourg	4
Hungary	1 212
Malta	9
Netherlands	743
Austria	185
Poland	355
Portugal	2 275
Slovenia	86
Slovakia	323
Finland	61
Sweden	162
United Kingdom	20 162]

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[<sup>F24</sup> In the new Member States, the global amounts shall be applied in accordance with the schedule of increments as set out in Article 143a.]

#### **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 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 120*

#### **Ceilings**

The sum of the amounts of each premium or additional payment claimed shall not exceed the limit of the ceiling, fixed by the Commission in accordance with Article 64(2).

When the total amount of aid claimed exceeds the fixed ceiling, the aid per farmer shall be reduced proportionately in that year.

**Status:**

Point in time view as at 01/01/2005.

**Changes to legislation:**

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