Status: Point in time view as at 19/01/2009. This version of this provision has been superseded.
Changes to legislation: There are outstanding changes not yet made to Council Regulation
(EC) No 73/2009 (repealed). 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)

Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 (repealed)

TITLE III

SINGLE PAYMENT SCHEME

CHAPTER 3

Implementation in the new Member States having applied the single area payment scheme

Article 59

Allocation of payment entitlements

1   Farmers shall receive payment entitlements, the unit value of which shall be calculated by dividing the applicable national ceiling referred to in Article 40 after any reduction provided for in Article 57 by the number of payment entitlements established at national level in accordance with paragraph 2 of this Article.

2   Except in the case of *force majeure* or exceptional circumstances, the number of payment entitlements per farmer shall be equal to the number of hectares the farmer declares in accordance with Article 35(1) for the first year of application of the single payment scheme.

3   By way of derogation from paragraph 2, the new Member States may decide that, except in the case of *force majeure* or exceptional circumstances, the number of payment entitlements per farmer shall be equal to the average annual number of all hectares which during one or more years of a representative period to be fixed by the Member State but no later than 2008 conferred a right to the single area payment.

However, where a farmer has commenced agricultural activity in the representative period, the average number of hectares shall be based on the payments he was granted in the calendar year or years during which he exercised the agricultural activity.

Status:
Point in time view as at 19/01/2009. This version of this provision has been superseded.

Changes to legislation:
There are outstanding changes not yet made to Council Regulation (EC) No 73/2009 (repealed). Any changes that have already been made to the legislation appear in the content and are referenced with annotations.