**Changes to legislation:** Council Regulation (EC) No 73/2009 (repealed) is up to date with all changes known to be in force on or before 25 August 2023. There are changes that may be brought into force at a future date. Changes that have been made 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amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 (repealed)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 I

## SCOPE AND DEFINITIONS

Article 1	Scope
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Article 2 Definitions

Article 3 Financing of direct payments

# TITLE II

# GENERAL PROVISIONS ON DIRECT PAYMENTS

# CHAPTER 1

# Cross compliance

		•
Article 4	Maın	requirements

- Article 5 Statutory management requirements
- Article 6 Good agricultural and environmental condition

# CHAPTER 2

# Modulation and financial discipline

- Article 7 Modulation
- Article 8 Net ceilings
- Article 9 Amounts resulting from modulation
- Article 10 Special rules for modulation in the new Member States
- Article 11 Financial discipline

# CHAPTER 3

## Farm advisory system

Article 12	Farm advisory system		

Article 13 Obligations of designated authorities and private bodies

## CHAPTER 4

### Integrated administration and control system

Scope
Elements of the integrated system
Computerised database
Identification system for agricultural parcels
System for the identification and registration of payment entitlements
Aid applications
Verification of eligibility conditions
Reductions and exclusions in the event of non-compliance with eligibility rules
Controls on cross compliance
Reduction of or exclusion from payments in the event of non- compliance with cross compliance rules
Detailed rules on reductions and exclusions in the event of non- compliance with cross compliance rules
Amounts resulting from cross compliance
Compatibility of support schemes with the integrated system
Information and control

# CHAPTER 5

## Other general provisions

- Article 28 Minimum requirements for receiving direct payments
- Article 29 Payment
- Article 30 Circumvention clause
- Article 31 Force majeure and exceptional circumstances
- Article 32 Review

# TITLE III

#### SINGLE PAYMENT SCHEME

# CHAPTER 1

## General implementation

- Article 33 Payment entitlements
- Article 34 Activation of payment entitlements per eligible hectare
- Article 35 Declaration of eligible hectares
- Article 36 Modification of payment entitlements
- Article 37 Multiple claims
- Article 38 Use of land in the event of the deferred integration of the fruit and vegetables sector
- Article 39 Use of land for the production of hemp
- Article 40 National ceilings
- Article 41 National reserve
- Article 42 Unused payment entitlements

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Article 43	Transfer of payment entitlements
Article 44	Conditions for special entitlements
Article 45	Revision of payment entitlements

## CHAPTER 2

#### Regional and partial implementation

## Section 1

#### **Regional implementation**

Article 46	Regional allocation of the national ceilings referred to in Article
	40
Article 47	Regionalisation of the single payment scheme
Article 48	Revision of payment entitlements
Article 49	Grassland
Article 50	Conditions for the payment entitlements established under this
	Section

## Section 2

## Partial implementation

A 1	C 1	
Article 51	General	provisions
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- Article 52 Sheepmeat and goatmeat payments
- Article 53 Beef and veal payments
- Article 54 Transitional fruit and vegetables payments

## CHAPTER 3

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

Article 55	Introduction of the single payment scheme in the Member States having applied the single area payment scheme
Article 56	Application for support
Article 57	National reserve
Article 58	Regional allocation of the national ceilings referred to in Article 40
Article 59	Allocation of payment entitlements
Article 60	Farmers with no eligible hectares
Article 61	Grassland
A 1: 1 CO	

Article 62 Conditions for payment entitlements

## CHAPTER 4

## Integration of coupled support into the single payment scheme

- Article 63 Integration of coupled support into the single payment scheme
- Article 64 Integration of coupled support excluded from the single payment scheme
- Article 65 Integration of coupled support partially excluded from the single payment scheme

Changes to legislation: Council Regulation (EC) No 73/2009 (repealed) is up to date with all changes known to be in force on or before 25 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Article 66	Optional integration of coupled support partially excluded from
	the single payment scheme
A .: 1 CT	

Advanced integration of coupled support into the single payment Article 67 scheme

# **CHAPTER 5**

## Specific support

Article 68	General rules
Article 69	Financial provisions for specific support
Article 70	Crop, animal, and plant insurance
Article 71	Mutual funds for animal and plant diseases and environmental
	incidents
Article 72	Transitional provisions

# TITLE IV

# OTHER AID SCHEMES

# CHAPTER 1

# Community aid schemes

## Section 1

## Crop specific payment for rice

- Article 73 Scope
- Conditions and amount of the aid Article 74
- Article 75 Areas Article 76
- Overrun of the areas

# Section 2

## Aid for starch potato growers

Article 77 Scope and amount of the aid Article 78 Conditions

## Section 3

# Protein crop premium

Article 79	Scope
Article 80	Amount and eligibility
Article 81	Area

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#### Section 4

#### Area payment for nuts

- Article 82 Community area payment for nuts
- Article 83 Areas
- Article 84 Overrun of the sub-base areas
- Article 85 Conditions for eligibility
- Article 86 National aid

#### Section 5

# Seed aid

Article 87 Aid

## Section 6

#### Crop specific payment for cotton

Article 88	Scope
Article 89	Eligibility
Article 90	Base areas, fixed yields and reference amounts
Article 91	Approved inter-branch organisations
Article 92	Payment of the aid

## Section 7

### Aid for sugar beet and cane producers

Article 93	Scope
Article 94	Conditions
Article 95	Amount of the aid

# Section 8

## Transitional fruit and vegetables payments

Article 96Transitional area aidsArticle 97Amount of the aid and eligibility

### Section 9

## Transitional soft fruit payment

Article 98 Soft fruit payment

# Section 10

## Premiums in the sheepmeat and goatmeat sector

Article 99 Scope Article 100 Definitions

**Changes to legislation:** Council Regulation (EC) No 73/2009 (repealed) is up to date with all changes known to be in force on or before 25 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- Article 101 Ewe and goat premiums
- Article 102 Supplementary premium
- Article 103 Common rules on premiums
- Article 104 Individual limits
- Article 105 Transfer of premium rights
- Article 106 National reserve
- Article 107 Ceilings

## Section 11

## Beef and veal payments

Article 108	Scope
Article 109	Definitions
Article 110	Special premium
Article 111	Suckler cow premium
Article 112	Individual ceiling for suckler cow
Article 113	Transfer of suckler cow premium rights
Article 114	National reserve of suckler cow premium rights
Article 115	Heifers
Article 116	Slaughter premium
Article 117	Common rules on premiums
Article 118	Ceilings

Article 119 Substances prohibited under Directive 96/22/EC

# CHAPTER 2

## National aids

Article 120 National aid for nuts

# TITLE V

## IMPLEMENTATION OF DIRECT PAYMENTS IN THE NEW MEMBER STATES

## CHAPTER 1

## General provisions

Article 121 Introduction of direct payments

# CHAPTER 2

## Single area payment scheme

- Article 122 Single area payment scheme
- Article 123 Annual financial envelope
- Article 124 Area under the single area payment scheme
- Article 125 Communication

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### CHAPTER 3

#### Separate payments and specific support

Article 126	Separate sugar payment
Article 127	Separate fruit and vegetables payment
Article 128	Separate transitional fruit and vegetables payment
Article 129	Separate soft fruit payment
Article 130	Common provisions for the separate payments
Article 131	Specific support

## CHAPTER 4

#### Complementary national direct payments and direct payments

Article 132	Complementary national direct payments and direct payments
Article 133	State aid in Cyprus

### TITLE VI

## FINANCIAL TRANSFERS

		restructuring		
Article 134				

- Article 135 Financial transfer for restructuring in the tobacco regions
- Article 136 Transfer to EAFRD

# TITLE VII

### IMPLEMENTING, TRANSITIONAL AND FINAL PROVISIONS

#### CHAPTER 1

### Implementing provisions

- Article 137 Confirmation of payment entitlements
- Article 138 Application to the outermost regions
- Article 139 State aid
- Article 140 Transmission of information to the Commission
- Article 141 Management Committee for Direct Payments
- Article 142 Implementing rules

## CHAPTER 2

## Transitional and final provisions

Article 143	Amendments	of Regulation	(EC	) No	1290/2005

- Article 144 Amendments of Regulation (EC) No 247/2006
- Article 145 Amendments of Regulation (EC) No 378/2007
- Article 146 Repeals
- Article 146a Sheep and goat payments in 2009
- Article 147 Transitional rules
- Article 148 Transitional arrangements for the new Member States

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Article 149 Entry into force and application Signature

# ANNEX I

ANNEX II

ANNEX III

ANNEX IV

ANNEX V

ANNEX VI

ANNEX VII

# ANNEX VIII

# ANNEX IX

# Payment entitlements referred to in Article 33(1)(b)(iii)

- A. Fruit and vegetables, ware potatoes and nurseries
  - 1. For the purposes of this Annex, 'fruit and vegetables' shall...
  - 2. Member States shall determine the amount to be included in...
  - 3. Member States shall calculate the applicable hectares on the basis...
  - 4. A farmer whose production was adversely affected during the representative...
  - 5. If the whole reference period was affected by the case...
  - 6. A case of force majeure or exceptional circumstances, with relevant...
- B. Wine (grubbing up)
- C. Wine (transfer from support programmes)

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## ANNEX X

Components of the national ceilings referred to in Article 54

- 1. The component of the national ceilings referred to in Article 54(1)...
- 2. The component of the national ceilings referred to in Article 54(2)...

# ANNEX XI

Integration of coupled support into the single payment scheme as referred to in Article 63

- 1.
- 2.
- Ζ.
- 3.
- 4.

## ANNEX XII

Integration of coupled support into the single payment scheme as referred to in Article 64

## ANNEX XIII

## ANNEX XIV

## ANNEX XV

## ANNEX XVI

Complementary national direct payments under the single payment scheme: The total amount of complementary national direct payments that may...

# ANNEX XVII

# ANNEX XVIII

Status: Point in time view as at 22/12/2009. Changes to legislation: Council Regulation (EC) No 73/2009 (repealed) is up to date with all changes known to be in force on or before 25 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (1) Opinion of 19 November 2008 (not yet published in the Official Journal).
- (2) Opinion of 23 October 2008 (not yet published in the Official Journal). Opinion delivered following non-compulsory obligation.
- (3) Opinion of 8 October 2008 (not yet published in the Official Journal). Opinion delivered following non-compulsory obligation.
- (4) OJ L 270, 21.10.2003, p. 1.
- (5) Council Decision 2002/358/EC of 25 April 2002 concerning the approval, on behalf of the European Community, of the Kyoto Protocol to the United Nations Framework convention on Climate change and the joint fulfilment of commitments thereunder (OJ L 130, 15.5.2002, p. 1).
- (6) OJ L 299, 16.11.2007, p. 1.
- (7) OJ L 277, 21.10.2005, p. 1.
- (8) OJ L 95, 5.4.2007, p. 1.
- (9) OJ L 209, 11.8.2005, p. 1.
- (10) OJ L 63, 23.6.2007, p. 17.
- (11) See page 1 of this Official Journal.
- (12) OJ L 204, 11.8.2000, p. 1.
- (13) OJ L 5, 9.1.2004, p. 8.
- (14) OJ L 58, 28.2.2006, p. 42.
- (15) OJ L 42, 14.2.2006, p. 1.
- (16) OJ L 184, 17.7.1999, p. 23.

# Status:

Point in time view as at 22/12/2009.

## Changes to legislation:

Council Regulation (EC) No 73/2009 (repealed) is up to date with all changes known to be in force on or before 25 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.