

Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005

TITLE I

OBJECTIVES AND STRATEGY

CHAPTER I

Subject matter and Definitions

Article 2

Definitions

1 For the purposes of this Regulation, the definitions of "programme", "operation", "beneficiary", "community-led local development strategy", [^{F1}"public expenditure", "SMEs",] "completed operation" and "financial instruments" as laid down or referred to in Article 2 and of [^{F2}"less developed regions" and] "transition regions" as laid down in [^{F3}points (a) and (b)] [^{F3}point (b)] in Article 90(2) of Regulation (EU) No 1303/2013 [^{F4}as it had effect immediately before IP completion day] apply.

In addition, the following definitions shall apply:

- a "programming": means the process of organisation, decision making and allocation of financial resources in several stages, with the involvement of partners, intended to implement, on a multi-annual basis, [^{F5}action to achieve the priorities for rural development].
- b "region" means a territorial unit corresponding to level 1 or 2 of the Nomenclature of territorial units for statistics (NUTS level 1 and 2) within the meaning of Regulation (EC) No 1059/2003 of the European Parliament and of the Council⁽¹⁾ [^{F6}as it had effect immediately before IP completion day];
- c "measure" means a set of operations contributing to one or more of the ^{F7}... priorities for rural development;
- d "support rate" means the rate of public contribution to an operation;
- e "transaction cost" means an additional cost linked to fulfilling a commitment, but not directly attributable to its implementation or not included in the costs or income foregone that are compensated directly; and which can be calculated on a standard cost basis;
- f "agricultural area" means any area taken up by arable land, permanent grassland and [^{F8}permanent pasture or] permanent crops as defined in Article 4 of Regulation (EU) No 1307/2013;
- g "economic losses" means any additional cost incurred by a farmer as a result of exceptional measures taken by the farmer with the objective of reducing supply on the market concerned or any substantial loss of production;

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- h "adverse climatic event" means weather conditions, such as frost, storms and hail, ice, heavy rain or severe drought, which can be assimilated to a natural disaster;
 - i "animal diseases" means diseases mentioned in the list of animal diseases established by the World Organisation for Animal Health or in [F9Annex II of Regulation (EU) No 652/2014];
 - j "environmental incident" means a specific occurrence of pollution, contamination or degradation in the quality of the environment which is related to a specific event and is of limited geographical scope; but does not cover general environmental risks not connected with a specific event, such as climate change or atmospheric pollution;
 - k "natural disaster": means a naturally occurring event of a biotic or abiotic nature that leads to important disturbances in agricultural production systems or forest structures, eventually causing important economic damage to the farming or forestry sectors;
 - l "catastrophic event": means an unforeseen event of a biotic or abiotic nature caused by human action that leads to important disturbances in agricultural production systems or forest structures, eventually causing important economic damage to the farming or forestry sectors;
 - m "short supply chain": means a supply chain involving a limited number of economic operators, committed to co-operation, local economic development, and close geographical and social relations between producers, processors and consumers;
 - [F10n "young farmer" means a person who is no more than 40 years of age at the moment of submitting the application, possesses adequate occupational skills and competence and is setting up for the first time in an agricultural holding as head of that holding; the setting up may be done solely or jointly with other farmers, irrespective of its legal form;]
 - [F11o "thematic objectives": means the thematic objectives defined in Article 9 of Regulation (EU) No 1303/2013;]
 - [F12p "Common Strategic Framework" ("CSF")": means the Common Strategic Framework referred to in Article 10 of Regulation (EU) No 1303/2013;]
 - q "cluster" means a grouping of independent undertakings, including start-ups, small, medium and large undertakings as well as advisory bodies and/or research organisations - designed to stimulate economic/ innovative activity by promoting intensive interactions, the sharing of facilities and the exchange of knowledge and expertise, as well as contributing effectively to knowledge transfer, networking and information dissemination among the undertakings in the cluster;
 - r "forest" means an area of land spanning more than 0,5 hectares with trees higher than 5 meters and a canopy cover of more than 10 percent, or trees able to reach these thresholds in situ; and does not include land that is predominantly under agricultural or urban land use, subject to paragraph 2[F10;]
 - [F13s "date of setting up" means the date when the applicant performs or completes (an) action(s) related to the setting up referred to in point (n);]
 - [F14t "Directive 2000/29" means Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community;
 - u) "Directive 2009/147" means Directive 2009/147/EC of the European Parliament and of the Council on the conservation of wild birds;]
 - [F15v) [F16"appropriate authority" means the relevant authority for the constituent nation in which the regulations apply.]]
- 2 [F17The relevant authority] or region may choose to apply a forest definition, other than the one in point (r) of paragraph 1, based on existing national law or inventory system.

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The [F18relevant authorities] or regions shall provide such definition in the rural development programme;

3 In order to ensure a coherent approach in the treatment of beneficiaries and to take into account the need for an adaptation period, as regards the definition of young farmer laid down in paragraph 1(n), the [F19appropriate authority may make regulations] concerning the conditions under which a legal person may be considered to be a 'young farmer', and the setting of a grace period for the acquisition of occupational skills .

[F20 4 [F21In these Regulations, references to Regulation (EU) No 1303/2013 are references to Regulation (EU) No 1303/2013, as amended by the European Structural and Investment Funds Common Provisions (Amendment) (EU Exit) Regulations 2019.]]

Textual Amendments

- F1** Words in Art. 2(1) omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of The Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/400), regs. 1(2), 7(3)(a)(i)
- F2** Words in Art. 2(1) omitted (S.) (1.1.2021) by virtue of The Rural Development (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/477), regs. 1(2), 4(2)(a)
- F3** Words in Art. 2(1) substituted (S.) (1.1.2021) by The Rural Development (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/477), regs. 1(2), 4(2)(b)
- F4** Words in Art. 2(1) inserted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, 3(2)(a)(i) (as amended by S.I. 2020/1445, regs. 1(2)(a), 12(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 2(1)(a) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, 3(2)(a)(ii)(aa); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Art. 2(1)(b) inserted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, 3(2)(a)(ii)(bb) (as amended by S.I. 2020/1445, regs. 1(2)(a), 12(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Word in Art. 2(1)(c) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, 3(2)(a)(ii)(cc); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in Art. 2(1)(f) omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of The Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/400), regs. 1(2), 7(3)(a)(ii)
- F9** Words in Art. 2(1)(i) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, 3(2)(a)(ii)(dd); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Substituted by Regulation (EU) 2017/2393 of the European Parliament and of the Council of 13 December 2017 amending Regulations (EU) No 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), (EU) No 1306/2013 on the financing, management and monitoring of the common agricultural policy, (EU) No 1307/2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy, (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products and (EU) No 652/2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material.
- F11** Art. 2(1)(o) omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of The Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/400), regs. 1(2), 7(3)(a)(iii)
- F12** Art. 2(1)(p) omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of The Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/400), regs. 1(2), 7(3)(a)(iv)

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- F13** Inserted by Regulation (EU) 2017/2393 of the European Parliament and of the Council of 13 December 2017 amending Regulations (EU) No 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), (EU) No 1306/2013 on the financing, management and monitoring of the common agricultural policy, (EU) No 1307/2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy, (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products and (EU) No 652/2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material.
- F14** Art. 2(1)(t)(u) inserted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **3(2)(a)(ii)(ee)**; 2020 c. 1, Sch. 5 para. 1(1)
- F15** Art. 2(1)(v) inserted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/748), regs. 1, **50(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F16** Art. 2(1)(v) substituted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by The Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/400), regs. 1(2), **7(3)(a)(v)**
- F17** Words in Art. 2(2) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **3(2)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F18** Words in Art. 2(2) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **3(2)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F19** Words in Art. 2(3) substituted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/748), regs. 1, **50(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F20** Art. 2(4) inserted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **3(2)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F21** Art. 2(4) omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of The Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/400), regs. 1(2), **7(3)(b)**

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- (1) Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) ([OJ L 154, 21.6.2003, p. 1](#)).

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