

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 V

FINANCIAL PROVISIONS

Article 58 **E+W+N.I.**

**Resources and their distribution**

[<sup>F1</sup> Without prejudice to paragraphs 5, 6 and 7 of this Article, the core contribution to rural development under this Regulation ('the core contribution') for the period from 1 January 2014 to 31 December 2020 shall be EUR 5,195,417,491, in 2011 prices.]

<sup>F2</sup> .....

<sup>F3</sup> .....

4 The annual breakdown [<sup>F4</sup>of the core contribution] is set out in Annex I.

[<sup>F5</sup> Funds transferred under Article 14(2) of Regulation (EU) No 1307/2013 shall be subtracted from the core contribution.]

[<sup>F6</sup> The funds transferred to the [<sup>F7</sup>core contribution] in application of Article 136a(1) of Regulation (EC) No 73/2009 and Article 7(2) of Regulation (EU) No 1307/2013 and the funds transferred to the [<sup>F7</sup>core contribution] in application of Articles 10b, 136 and 136b of Regulation (EC) No 73/2009 in respect of calendar years 2013 and 2014 shall also be included in the annual breakdown referred to in paragraph 4 of this Article.]

[<sup>F8</sup> In order to take account of the developments relating to the annual breakdown referred to in paragraph 4 of this Article, including the transfers referred to in paragraphs 5 and 6 of this Article and the transfers resulting from the application of Article 1 of Regulation (EU) 2020/2220, to make technical adjustments without changing the overall allocations, or to take account of any other change provided for by a legislative act after the adoption of this Regulation, the [<sup>F9</sup>Secretary of State may make regulations], to review the ceilings set out in Annex I to this Regulation.]

[<sup>F10</sup>7A The Secretary of State may not make regulations under paragraph 7 without the consent of each of the relevant authorities for Wales, Scotland and Northern Ireland.

Where the relevant authority for Wales, Scotland or Northern Ireland requests that the Secretary of State makes regulations under paragraph 7, the Secretary of State must have regard to that request.]

<sup>F11</sup>8 .....

**Extent Information**

**E1** This version of this provision extends to England and Wales and Northern Ireland only; a separate version has been created for Scotland only

**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) No 1305/2013 of the European Parliament and of the Council. 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) View outstanding changes

### Textual Amendments

- F1** Art. 58(1) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(4)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Art. 58(2) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Art. 58(3) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 58(4) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(4)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Art. 58(5) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(4)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Substituted by Regulation (EU) No 1310/2013 of the European Parliament and of the Council of 17 December 2013 laying down certain transitional provisions on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), amending Regulation (EU) No 1305/2013 of the European Parliament and of the Council as regards resources and their distribution in respect of the year 2014 and amending Council Regulation (EC) No 73/2009 and Regulations (EU) No 1307/2013, (EU) No 1306/2013 and (EU) No 1308/2013 of the European Parliament and of the Council as regards their application in the year 2014.
- F7** Words in Art. 58(6) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(4)(e)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Substituted by Regulation (EU) 2020/2220 of the European Parliament and of the Council of 23 December 2020 laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development (EAFRD) and from the European Agricultural Guarantee Fund (EAGF) in the years 2021 and 2022 and amending Regulations (EU) No 1305/2013, (EU) No 1306/2013 and (EU) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation (EU) No 1308/2013 as regards resources and the distribution of such support in respect of the years 2021 and 2022.
- F9** Words in Art. 58(7) substituted (31.12.2020) by virtue of The Agriculture (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/748), regs. 1, **68(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F10** Art. 58(7A) inserted (31.12.2020) by The Agriculture (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/748), regs. 1, **68(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Art. 58(8) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(4)(f)**; 2020 c. 1, Sch. 5 para. 1(1)

### <sup>F43</sup> Article 58 **S**

#### Resources and their distribution

1 Without prejudice to paragraphs 3, 5 and 7 of this Article, the core contribution to rural development under this Regulation (“core contribution”) is the amount determined by the Scottish Ministers.

2 The Scottish Ministers must determine the core contribution before the start of the relevant financial year.

3 The Scottish Ministers must include in the core contribution any funds transferred, or to be transferred, in respect of the relevant year under Articles 11(4A) and 14 of Regulation (EU) No 1307/2013.

4 When the core contribution has been determined, the Scottish Ministers must publish that amount as soon as practicable after that determination has been made.

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5 The Scottish Ministers may review the core contribution determined under paragraph 2, and for that purpose may have regard to:

- a any transfer of funds under Articles 11(4A) and 14 of Regulation (EU) No 1307/2013;
- b any legislative change after the determination; and
- c such other matters as they consider appropriate.

6 A review under paragraph 5 (including a further review) may be carried out before or during the relevant financial year.

7 The Scottish Ministers may adjust the core contribution after carrying out a review under paragraph 5 provided that they do so before the end of the relevant financial year.

8 When the Scottish Ministers adjust the core contribution under paragraph 7 they must publish the adjusted amount as soon as practicable after making that adjustment.

9 In this Article, “financial year” means a period of 12 months beginning with 1 April.]

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**Extent Information**

**E3** This version of this provision extends to Scotland only; a separate version has been created for England and Wales and Northern Ireland only

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**Textual Amendments**

**F43** Art. 58 substituted (S.) (1.1.2021) by [The Rural Development \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/477\)](#), regs. 1(2), **4(11)**

*<sup>F12</sup>Article 58a*

**Resources for the recovery of the Union agricultural sector and rural areas**

1 Point (g) of Article 1(2) of Council Regulation (EU) 2020/2094 (‘EURI Regulation’) shall be implemented in accordance with this Article through measures that are eligible under the EAFRD and that are directed at addressing the impact of the COVID-19 crisis, with an amount of EUR 8 070 486 840 in current prices of the amount referred to in point (vi) of Article 2(2)(a) of that Regulation, subject to Article 3(3), (4) and (8) thereof.

That amount of EUR 8 070 486 840 in current prices shall constitute external assigned revenues in accordance with Article 21(5) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council<sup>(1)</sup>.

It shall be made available as additional resources for budgetary commitment under the EAFRD for the years 2021 and 2022, in addition to the total resources set out in Article 58 of this Regulation as follows:

- 2021: EUR 2 387 718 000;
- 2022: EUR 5 682 768 840.

For the purpose of this Regulation and Regulations (EU) No 1306/2013 and (EU) No 1307/2013, those additional resources shall be considered as amounts financing measures under the EAFRD. They shall be considered as being part of the total amount of Union support for rural development, as referred to in Article 58(1) of this Regulation, to which they shall be added when reference is made to the total amount of Union support for rural development. Article 14 of Regulation (EU) No 1307/2013 shall not

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*Changes to legislation:* There are outstanding changes not yet made to Regulation (EU) No 1305/2013 of the European Parliament and of the Council. 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) [View outstanding changes](#)

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apply to the additional resources referred to in this paragraph and in paragraph 2 of this Article.

2 The breakdown for each Member State of the additional resources referred to in paragraph 1 of this Article, after deduction of the amount referred to in paragraph 7 of this Article, is set out in Annex Ia.

3 The percentage thresholds of the total EAFRD contribution to the rural development programme referred to in Article 59(5) and (6) of this Regulation shall not apply to the additional resources referred to in paragraph 1 of this Article. However, Member States shall ensure that at least the same overall share of the EAFRD contribution, including the additional resources referred to in paragraph 2 of this Article, is reserved in each rural development programme for the measures referred to in Article 59(6) of this Regulation, in line with Article 1(2) of Regulation (EU) 2020/2220.

4 At least 37 % of the additional resources referred to in paragraph 2 of this Article shall be reserved in each rural development programme for measures referred to in Article 33 and Article 59(5) and (6), and in particular for:

- a organic farming;
- b mitigation of, and adaptation to, climate change, including reduction of greenhouse gas emissions from agriculture;
- c soil conservation, including the enhancement of soil fertility through carbon sequestration;
- d improvement of the use and management of water, including water saving;
- e creation, conservation and restoration of habitats favourable to biodiversity;
- f reduction of the risks and impacts of pesticide and antimicrobial use;
- g animal welfare;
- h LEADER cooperation activities.

5 At least 55 % of the additional resources referred to in paragraph 2 of this Article shall be reserved in each rural development programme for measures referred to in Articles 17, 19, 20 and 35, provided that the designated use of such measures in the rural development programmes promotes economic and social development in rural areas, and contributes to a resilient, sustainable and digital economic recovery in line, inter alia, with the agri-environment-climate objectives pursued under this Regulation, and in particular:

- a short supply chains and local markets;
- b resource efficiency, including precision and smart farming, innovation, digitalisation and modernisation of production machinery and equipment;
- c safety conditions at work;
- d renewable energy, circular and bio-economy;
- e access to high-quality ICT in rural areas.

When allocating the additional resources referred to in paragraph 2 of this Article, Member States may decide to derogate from the percentage threshold set out in the first subparagraph of this paragraph to the extent necessary to comply with the non-regression principle set out in Article 1(2) of Regulation (EU) 2020/2220. However, Member States may instead decide to derogate from that non-regression principle to the extent necessary to comply with the percentage threshold set out in the first subparagraph of this paragraph.

6 Up to 4 % of the total additional resources referred to in paragraph 2 of this Article may be allocated to technical assistance, at the initiative of the Member States, to the rural

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development programmes in accordance with Article 51(2). That percentage threshold may be 5 % for those Member States to which the fourth subparagraph of Article 51(2) applies.

7 Up to 0,25 % of the total additional resources referred to in paragraph 1 of this Article may be allocated to technical assistance in accordance with Article 51(1).

8 The budget commitments relating to the additional resources referred to in paragraphs 1 and 2 of this Article shall in each rural development programme be made separately from the allocation referred to in Article 58(4).

9 Articles 20, 21 and 22 of Regulation (EU) No 1303/2013 shall not apply to the total additional resources referred to in paragraphs 1 and 2 of this Article.]

#### Textual Amendments

**F12** Inserted by Regulation (EU) 2020/2220 of the European Parliament and of the Council of 23 December 2020 laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development (EAFRD) and from the European Agricultural Guarantee Fund (EAGF) in the years 2021 and 2022 and amending Regulations (EU) No 1305/2013, (EU) No 1306/2013 and (EU) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation (EU) No 1308/2013 as regards resources and the distribution of such support in respect of the years 2021 and 2022

### Article 59 **E+W+N.I.**

#### Fund contribution

1 The decision approving a rural development programme shall set the [<sup>F13</sup>core contribution] to the programme. The decision shall clearly identify, where necessary, the appropriations allocated to the less developed regions.

2 The [<sup>F14</sup>core] contribution shall be calculated on the basis of the amount of eligible public expenditure.

[<sup>F15</sup>3. The rural development programmes shall establish a single core contribution rate applicable to all measures. Where applicable, a separate core contribution rate shall be established for less-developed regions, as well as for transition regions. The maximum core contribution rate shall be:]

- [<sup>X1</sup>a 85 % of the eligible public expenditure in the less developed regions <sup>F16</sup>...;]
- b 75 % of the eligible public expenditure for all regions whose GDP per capita for the 2007-2013 period was less than 75 % of the average of the EU-25 for the reference period but whose GDP per capita is above 75 % of the GDP average of the EU-27;
- c 63 % of the eligible public expenditure for the transition regions other than those referred to in point (b) of this paragraph;
- d 53 % of the eligible public expenditure in the other regions.

The minimum [<sup>F17</sup>core] contribution rate shall be 20 %.

4 By way of derogation from paragraph 3, the maximum [<sup>F18</sup>core] contribution shall be:

- a 80 % for the measures referred to in Articles 14, 27 and 35, for the LEADER local development referred to in Article 32 of Regulation (EU) No 1303/2013 and for operations under point (a)(i) of Article 19(1). [<sup>X1</sup>That rate may be increased to a

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- maximum of 90 % for the programmes of less developed regions <sup>F19</sup>... and of transition regions referred to in points (b) and (c) of paragraph 3;]
- b 75 % for operations contributing to the objectives of environment and climate change mitigation and adaptation under Article 17, points (a) and (b) of Article 21(1), Articles 28 29, 30 31 and 34;
- <sup>F20</sup> c .....]
- d the contribution rate applicable to the measure concerned increased by an additional 10 percentage points for contributions to financial instruments referred to in point (b) of Article 38(1) of Regulation 1303/2013;
- [<sup>X1</sup>e 100 % for operations receiving funding from funds transferred to the [<sup>F21</sup>core contribution] in application of Article 136a(1) of Regulation (EC) No 73/2009 and Article 7(2) and Article 14(1) of Regulation (EU) No 1307/2013;]
- [<sup>F22</sup>ea 100 % for operations receiving funding from additional resources referred to in Article 58a(1). Member States may establish a single, specific EAFRD contribution rate applicable to all those operations;]
- <sup>F23</sup> f .....]
- <sup>F23</sup> g .....]
- <sup>F23</sup> h .....]
- [<sup>F24</sup>5 At least 5 % <sup>F25</sup>... of the total [<sup>F26</sup>core] contribution to the rural development programme shall be reserved for LEADER and community-led local development as referred to in Article 4 of Regulation (EU) 2020/2220.
- When Member States make use of the possibility provided for in the sixth or seventh subparagraph of Article 14(1) of Regulation (EU) No 1307/2013, the percentages laid down in the first subparagraph of this paragraph shall apply to the total EAFRD contribution to the rural development programme without the additional support made available in accordance with the sixth or seventh subparagraph of Article 14(1) of Regulation (EU) No 1307/2013.]
- 6 At least 30 % of the total [<sup>F27</sup>core] contribution to the rural development programme shall be reserved for measures under the following Articles: Article 17 for environment and climate related investments; Articles 21, 28, 29 and 30, with the exception of Water Framework Directive related payments; and Articles 31, 32 and 34.
- <sup>F28</sup> ...]
- [<sup>F29</sup>6a The <sup>F30</sup>... support provided under Article 39b shall not exceed 2 % of the total [<sup>F31</sup>core] contribution to the rural development programme for the years 2014-2020 as provided for in Part One of Annex I.]
- <sup>F32</sup> 7 .....]
- [<sup>F33</sup>8 An expenditure receiving support for rural development shall not be co-financed by way of a contribution from under Regulation 508/2014 or CMO support or direct payment support.]
- 9 Public expenditure on aid to enterprises shall comply with the aid limits laid down in respect of State aid, unless this Regulation provides otherwise.

#### Editorial Information

- X1** Substituted by [Corrigendum to 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](#)

**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) No 1305/2013 of the European Parliament and of the Council. 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) View outstanding changes

Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (Official Journal of the European Union L 347 of 20 December 2013).

### Extent Information

- E2** This version of this provision extends to England and Wales and Northern Ireland only; a separate version has been created for Scotland only

### Textual Amendments

- F13** Words in Art. 59(1) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F14** Word in Art. 59(2) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F15** Words in Art. 59(3) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F16** Words in Art. 59(3)(a) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F17** Word in Art. 59(3) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F18** Word in Art. 59(4) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(d)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F19** Words in Art. 59(4)(a) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(d)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F20** Art. 59(4)(c) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(d)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F21** Words in Art. 59(4)(e) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(d)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F22** Inserted by Regulation (EU) 2020/2220 of the European Parliament and of the Council of 23 December 2020 laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development (EAFRD) and from the European Agricultural Guarantee Fund (EAGF) in the years 2021 and 2022 and amending Regulations (EU) No 1305/2013, (EU) No 1306/2013 and (EU) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation (EU) No 1308/2013 as regards resources and the distribution of such support in respect of the years 2021 and 2022
- F23** Art. 59(4)(f)-(h) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(d)(v)**; 2020 c. 1, Sch. 5 para. 1(1)
- F24** Substituted by Regulation (EU) 2020/2220 of the European Parliament and of the Council of 23 December 2020 laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development (EAFRD) and from the European Agricultural Guarantee Fund (EAGF) in the years 2021 and 2022 and amending Regulations (EU) No 1305/2013, (EU) No 1306/2013 and (EU) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation (EU) No 1308/2013 as regards resources and the distribution of such support in respect of the years 2021 and 2022
- F25** Words in Art. 59(5) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(e)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F26** Word in Art. 59(5) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(e)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F27** Word in Art. 59(6) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(f)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F28** Words in Art. 59(6) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(f)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F29** Substituted by Regulation (EU) 2020/2220 of the European Parliament and of the Council of 23 December 2020 laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development (EAFRD) and from the European Agricultural Guarantee Fund (EAGF)

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in the years 2021 and 2022 and amending Regulations (EU) No 1305/2013, (EU) No 1306/2013 and (EU) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation (EU) No 1308/2013 as regards resources and the distribution of such support in respect of the years 2021 and 2022

- F30** Word in Art. 59(6a) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(fa)(i)** (as inserted by S.I. 2020/1445, regs. 1(2)(a), **12(5)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F31** Word in Art. 59(6a) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(fa)(ii)** (as inserted by S.I. 2020/1445, regs. 1(2)(a), **12(5)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F32** Art. 59(7) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(g)**; 2020 c. 1, Sch. 5 para. 1(1)
- F33** Art. 59(8) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(h)**; 2020 c. 1, Sch. 5 para. 1(1)

## Article 59 S

### Fund contribution

<sup>F44</sup>1 .....

<sup>F45</sup>2 .....

<sup>F46</sup>3. The rural development programmes shall establish a single core contribution rate applicable to all measures. Where applicable, a separate core contribution rate shall be established for <sup>F47</sup>... transition regions. The maximum core contribution rate shall be:]

<sup>F48</sup>a .....

<sup>F49</sup>b .....

c 63 % of the eligible public expenditure for the transition regions <sup>F50</sup>...;

d 53 % of the eligible public expenditure in the other regions.

The minimum [<sup>F51</sup>core] contribution rate shall be 20 %.

4 By way of derogation from paragraph 3, the maximum [<sup>F52</sup>core] contribution shall be:

a 80 % for the measures referred to in Articles 14, 27 and 35, for the LEADER local development referred to in Article 32 of Regulation (EU) No 1303/2013 and for operations under point (a)(i) of Article 19(1). [<sup>X2</sup>That rate may be increased to a maximum of 90 % for the programmes of <sup>F53</sup>... transition regions referred to in [<sup>F54</sup>point] (c) of paragraph 3;]

b 75 % for operations contributing to the objectives of environment and climate change mitigation and adaptation under Article 17, points (a) and (b) of Article 21(1), Articles 28 29, 30 31 and 34;

<sup>F55</sup>c .....

d the contribution rate applicable to the measure concerned increased by an additional 10 percentage points for contributions to financial instruments referred to in point (b) of Article 38(1) of Regulation 1303/2013;

[<sup>X2</sup>e 100 % for operations receiving funding from funds transferred to the [<sup>F56</sup>core contribution] in application of [<sup>F57</sup>Article 11(4A) and Article 14] of Regulation (EU) No 1307/2013;]



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[<sup>F22</sup>ea 100 % for operations receiving funding from additional resources referred to in Article 58a(1). Member States may establish a single, specific EAFRD contribution rate applicable to all those operations;]

<sup>F58</sup>f .....

<sup>F58</sup>g .....

<sup>F58</sup>h .....

[<sup>F59</sup>5 The funding allocated to LEADER must be equivalent to at least 5% of the total core contribution to the rural development programme.

6 The funding allocated to measures under the following Articles must be equivalent to at least 30% of the total core contribution to the rural development programme: Article 17 for environment and climate related investments; Articles 21, 28, 29 and 30, with the exception of Water Framework Directive related payments; and Articles 31, 32 and 34.]

[<sup>F29</sup>6a The <sup>F60</sup>... support provided under Article 39b shall not exceed 2 % of the total [<sup>F61</sup>core] contribution to the rural development programme for the years 2014-2020 as provided for in Part One of Annex I.]

<sup>F62</sup>7 .....

[<sup>F63</sup>8 An expenditure receiving support for rural development shall not be co-financed by way of a contribution from under Regulation 508/2014 or CMO support or direct payment support.]

9 Public expenditure on aid to enterprises shall comply with the aid limits laid down in respect of State aid, unless this Regulation provides otherwise.

#### Editorial Information

**X2** Substituted by [Corrigendum to 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 \(Official Journal of the European Union L 347 of 20 December 2013\)](#).

#### Extent Information

**E4** This version of this provision extends to Scotland only; a separate version has been created for England and Wales and Northern Ireland only

#### Textual Amendments

**F22** Inserted by [Regulation \(EU\) 2020/2220 of the European Parliament and of the Council of 23 December 2020 laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development \(EAFRD\) and from the European Agricultural Guarantee Fund \(EAGF\) in the years 2021 and 2022 and amending Regulations \(EU\) No 1305/2013, \(EU\) No 1306/2013 and \(EU\) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation \(EU\) No 1308/2013 as regards resources and the distribution of such support in respect of the years 2021 and 2022](#)

**F29** Substituted by [Regulation \(EU\) 2020/2220 of the European Parliament and of the Council of 23 December 2020 laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development \(EAFRD\) and from the European Agricultural Guarantee Fund \(EAGF\) in the years 2021 and 2022 and amending Regulations \(EU\) No 1305/2013, \(EU\) No 1306/2013 and \(EU\) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation \(EU\) No 1308/2013 as regards resources and the distribution of such support in respect of the years 2021 and 2022](#)

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- F45** Art. 59(2) 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(12)(a)**
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- F47** Words in Art. 59(3) 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(12)(b)(i)**
- F48** Art. 59(3)(a) 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(12)(b)(ii)**
- F49** Art. 59(3)(b) 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(12)(b)(ii)**
- F50** Words in Art. 59(3)(c) 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(12)(b)(iii)**
- F51** Word in Art. 59(3) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F52** Word in Art. 59(4) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(d)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
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- F57** Words in Art. 59(4)(e) substituted (S.) (1.1.2021) by The Rural Development (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/477), regs. 1(2), **4(12)(c)(ii)**
- F58** Art. 59(4)(f)-(h) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(d)(v)**; 2020 c. 1, Sch. 5 para. 1(1)
- F59** Art. 59(5)(6) substituted (S.) (1.1.2021) by The Rural Development (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/477), regs. 1(2), **4(12)(d)**
- F60** Word in Art. 59(6a) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(fa)(i)** (as inserted by S.I. 2020/1445, regs. 1(2)(a), **12(5)**); 2020 c. 1, **Sch. 5 para. 1(1)**
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- F62** Art. 59(7) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(g)**; 2020 c. 1, Sch. 5 para. 1(1)
- F63** Art. 59(8) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(h)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 59 **S**

**Fund contribution**

- F44<sup>1</sup> .....
- F45<sup>2</sup> .....

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[<sup>F46</sup>3. The rural development programmes shall establish a single core contribution rate applicable to all measures. Where applicable, a separate core contribution rate shall be established for <sup>F47</sup>... transition regions. The maximum core contribution rate shall be:]

- <sup>F48</sup>a .....
- <sup>F49</sup>b .....
- c 63 % of the eligible public expenditure for the transition regions <sup>F50</sup>...;
- d 53 % of the eligible public expenditure in the other regions.

The minimum [<sup>F51</sup>core] contribution rate shall be 20 %.

4 By way of derogation from paragraph 3, the maximum [<sup>F52</sup>core] contribution shall be:

- a 80 % for the measures referred to in Articles 14, 27 and 35, for the LEADER local development referred to in Article 32 of Regulation (EU) No 1303/2013 and for operations under point (a)(i) of Article 19(1). [<sup>X2</sup>That rate may be increased to a maximum of 90 % for the programmes of <sup>F53</sup>... transition regions referred to in [<sup>F54</sup>point] (c) of paragraph 3;]
- b 75 % for operations contributing to the objectives of environment and climate change mitigation and adaptation under Article 17, points (a) and (b) of Article 21(1), Articles 28 29, 30 31 and 34;
- <sup>F55</sup>c .....
- d the contribution rate applicable to the measure concerned increased by an additional 10 percentage points for contributions to financial instruments referred to in point (b) of Article 38(1) of Regulation 1303/2013;
- [<sup>X2</sup>e 100 % for operations receiving funding from funds transferred to the [<sup>F56</sup>core contribution] in application of [<sup>F57</sup>Article 11(4A) and Article 14] of Regulation (EU) No 1307/2013;]
- [<sup>F22</sup>ea 100 % for operations receiving funding from additional resources referred to in Article 58a(1). Member States may establish a single, specific EAFRD contribution rate applicable to all those operations;]
- <sup>F58</sup>f .....
- <sup>F58</sup>g .....
- <sup>F58</sup>h .....

[<sup>F59</sup>5 The funding allocated to LEADER must be equivalent to at least 5% of the total core contribution to the rural development programme.

6 The funding allocated to measures under the following Articles must be equivalent to at least 30% of the total core contribution to the rural development programme: Article 17 for environment and climate related investments; Articles 21, 28, 29 and 30, with the exception of Water Framework Directive related payments; and Articles 31, 32 and 34.]

[<sup>F29</sup>6a The <sup>F60</sup>... support provided under Article 39b shall not exceed 2 % of the total [<sup>F61</sup>core] contribution to the rural development programme for the years 2014-2020 as provided for in Part One of Annex I.

<sup>F62</sup>7 .....

[<sup>F63</sup>8 An expenditure receiving support for rural development shall not be co-financed by way of a contribution from under Regulation 508/2014 or CMO support or direct payment support.]

9 Public expenditure on aid to enterprises shall comply with the aid limits laid down in respect of State aid, unless this Regulation provides otherwise.]

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### Editorial Information

- X2** Substituted by [Corrigendum to 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 \(Official Journal of the European Union L 347 of 20 December 2013\)](#).

### Extent Information

- E4** This version of this provision extends to Scotland only; a separate version has been created for England and Wales and Northern Ireland only

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- F45** Art. 59(2) 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(12)(a)**
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- F51** Word in Art. 59(3) substituted (31.12.2020) by [The Rural Development \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/764\)](#), regs. 1, **7(5)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
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## <sup>F29</sup><sup>F31</sup> Article 59 **S**

### Fund contribution

<sup>F44</sup>1 .....

<sup>F45</sup>2 .....

<sup>F46</sup>3. The rural development programmes shall establish a single core contribution rate applicable to all measures. Where applicable, a separate core contribution rate shall be established for <sup>F47</sup>... transition regions. The maximum core contribution rate shall be:]

<sup>F48</sup>a .....

<sup>F49</sup>b .....

c 63 % of the eligible public expenditure for the transition regions <sup>F50</sup>...;

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4 By way of derogation from paragraph 3, the maximum [<sup>F52</sup>core] contribution shall be:

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[<sup>F22</sup>ea 100 % for operations receiving funding from additional resources referred to in Article 58a(1). Member States may establish a single, specific EAFRD contribution rate applicable to all those operations;]

<sup>F58</sup>f .....

<sup>F58</sup>g .....

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[<sup>F59</sup>5 The funding allocated to LEADER must be equivalent to at least 5% of the total core contribution to the rural development programme.

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[<sup>F29</sup>6a The <sup>F60</sup>... support provided under Article 39b shall not exceed 2 % of the total [<sup>F61</sup>core] contribution to the rural development programme for the years 2014-2020 as provided for in Part One of Annex I.

<sup>F62</sup>7 .....

[<sup>F63</sup>8 An expenditure receiving support for rural development shall not be co-financed by way of a contribution from under Regulation 508/2014 or CMO support or direct payment support.]

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- F44** Art. 59(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(12)(a)**
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- F49** Art. 59(3)(b) 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(12)(b)(ii)**
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<sup>F29</sup><sup>F31</sup> Article 59 **S**

### Fund contribution

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F452 .....

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F48 a .....

F49 b .....

c 63 % of the eligible public expenditure for the transition regions F50 ...;

d 53 % of the eligible public expenditure in the other regions.

The minimum [F51 core] contribution rate shall be 20 %.

4 By way of derogation from paragraph 3, the maximum [F52 core] contribution shall be:

a 80 % for the measures referred to in Articles 14, 27 and 35, for the LEADER local development referred to in Article 32 of Regulation (EU) No 1303/2013 and for operations under point (a)(i) of Article 19(1). [X2 That rate may be increased to a maximum of 90 % for the programmes of F53 ... transition regions referred to in [F54 point] (c) of paragraph 3;]

b 75 % for operations contributing to the objectives of environment and climate change mitigation and adaptation under Article 17, points (a) and (b) of Article 21(1), Articles 28 29, 30 31 and 34;

F55 c .....

d the contribution rate applicable to the measure concerned increased by an additional 10 percentage points for contributions to financial instruments referred to in point (b) of Article 38(1) of Regulation 1303/2013;

[X2 e 100 % for operations receiving funding from funds transferred to the [F56 core contribution] in application of [F57 Article 11(4A) and Article 14] of Regulation (EU) No 1307/2013;]

[F22 ea 100 % for operations receiving funding from additional resources referred to in Article 58a(1). Member States may establish a single, specific EAFRD contribution rate applicable to all those operations;]

F58 f .....

F58 g .....

F58 h .....

[F59 5 The funding allocated to LEADER must be equivalent to at least 5% of the total core contribution to the rural development programme.

6 The funding allocated to measures under the following Articles must be equivalent to at least 30% of the total core contribution to the rural development programme: Article 17 for environment and climate related investments; Articles 21, 28, 29 and 30, with the exception of Water Framework Directive related payments; and Articles 31, 32 and 34.]

[F29 6a The F60 ... support provided under Article 39b shall not exceed 2 % of the total [F61 core] contribution to the rural development programme for the years 2014-2020 as provided for in Part One of Annex I.

F62 7 .....

[F63 8 An expenditure receiving support for rural development shall not be co-financed by way of a contribution from under Regulation 508/2014 or CMO support or direct payment support.]



**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) No 1305/2013 of the European Parliament and of the Council. 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) View outstanding changes

9 Public expenditure on aid to enterprises shall comply with the aid limits laid down in respect of State aid, unless this Regulation provides otherwise.]]]

#### Editorial Information

- X2** Substituted by [Corrigendum to 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 \(Official Journal of the European Union L 347 of 20 December 2013\)](#).

#### Extent Information

- E4** This version of this provision extends to Scotland only; a separate version has been created for England and Wales and Northern Ireland only

#### Textual Amendments

- F22** Inserted by [Regulation \(EU\) 2020/2220 of the European Parliament and of the Council of 23 December 2020 laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development \(EAFRD\) and from the European Agricultural Guarantee Fund \(EAGF\) in the years 2021 and 2022 and amending Regulations \(EU\) No 1305/2013, \(EU\) No 1306/2013 and \(EU\) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation \(EU\) No 1308/2013 as regards resources and the distribution of such support in respect of the years 2021 and 2022](#)
- F29** Substituted by [Regulation \(EU\) 2020/2220 of the European Parliament and of the Council of 23 December 2020 laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development \(EAFRD\) and from the European Agricultural Guarantee Fund \(EAGF\) in the years 2021 and 2022 and amending Regulations \(EU\) No 1305/2013, \(EU\) No 1306/2013 and \(EU\) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation \(EU\) No 1308/2013 as regards resources and the distribution of such support in respect of the years 2021 and 2022](#)
- F31** Word in Art. 59(6a) substituted (31.12.2020) by [The Rural Development \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/764\)](#), regs. 1, **7(5)(fa)(ii)** (as inserted by S.I. 2020/1445, regs. 1(2)(a), **12(5)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F44** Art. 59(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(12)(a)**
- F45** Art. 59(2) 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(12)(a)**
- F46** Words in Art. 59(3) substituted (31.12.2020) by [The Rural Development \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/764\)](#), regs. 1, **7(5)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F47** Words in Art. 59(3) 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(12)(b)(i)**
- F48** Art. 59(3)(a) 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(12)(b)(ii)**
- F49** Art. 59(3)(b) 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(12)(b)(ii)**
- F50** Words in Art. 59(3)(c) 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(12)(b)(iii)**
- F51** Word in Art. 59(3) substituted (31.12.2020) by [The Rural Development \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/764\)](#), regs. 1, **7(5)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F52** Word in Art. 59(4) substituted (31.12.2020) by [The Rural Development \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/764\)](#), regs. 1, **7(5)(d)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F53** Words in Art. 59(4)(a) 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(12)(c)(i)(aa)**

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- F54** Word in Art. 59(4)(a) substituted (S.) (1.1.2021) by The Rural Development (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/477), regs. 1(2), **4(12)(c)(i)(bb)**
- F55** Art. 59(4)(c) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(d)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F56** Words in Art. 59(4)(e) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(d)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F57** Words in Art. 59(4)(e) substituted (S.) (1.1.2021) by The Rural Development (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/477), regs. 1(2), **4(12)(c)(ii)**
- F58** Art. 59(4)(f)-(h) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(d)(v)**; 2020 c. 1, Sch. 5 para. 1(1)
- F59** Art. 59(5)(6) substituted (S.) (1.1.2021) by The Rural Development (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/477), regs. 1(2), **4(12)(d)**
- F60** Word in Art. 59(6a) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(fa)(i)** (as inserted by S.I. 2020/1445, regs. 1(2)(a), **12(5)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F61** Word in Art. 59(6a) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(fa)(ii)** (as inserted by S.I. 2020/1445, regs. 1(2)(a), **12(5)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F62** Art. 59(7) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(g)**; 2020 c. 1, Sch. 5 para. 1(1)
- F63** Art. 59(8) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(h)**; 2020 c. 1, Sch. 5 para. 1(1)

<sup>F29</sup><sup>F31</sup> Article 59 **S**

**Fund contribution**

<sup>F44</sup>1 .....

<sup>F45</sup>2 .....

<sup>F46</sup>3. The rural development programmes shall establish a single core contribution rate applicable to all measures. Where applicable, a separate core contribution rate shall be established for <sup>F47</sup>... transition regions. The maximum core contribution rate shall be:]

<sup>F48</sup>a .....

<sup>F49</sup>b .....

c 63 % of the eligible public expenditure for the transition regions <sup>F50</sup>...;

d 53 % of the eligible public expenditure in the other regions.

The minimum [<sup>F51</sup>core] contribution rate shall be 20 %.

4 By way of derogation from paragraph 3, the maximum [<sup>F52</sup>core] contribution shall be:

a 80 % for the measures referred to in Articles 14, 27 and 35, for the LEADER local development referred to in Article 32 of Regulation (EU) No 1303/2013 and for operations under point (a)(i) of Article 19(1). [<sup>X2</sup>That rate may be increased to a maximum of 90 % for the programmes of <sup>F53</sup>... transition regions referred to in [<sup>F54</sup>point] (c) of paragraph 3;]

b 75 % for operations contributing to the objectives of environment and climate change mitigation and adaptation under Article 17, points (a) and (b) of Article 21(1), Articles 28 29, 30 31 and 34;

<sup>F55</sup>c .....

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- d the contribution rate applicable to the measure concerned increased by an additional 10 percentage points for contributions to financial instruments referred to in point (b) of Article 38(1) of Regulation 1303/2013;
- [<sup>X2</sup>e 100 % for operations receiving funding from funds transferred to the [<sup>F56</sup>core contribution] in application of [<sup>F57</sup>Article 11(4A) and Article 14] of Regulation (EU) No 1307/2013;]
- [<sup>F22</sup>ea 100 % for operations receiving funding from additional resources referred to in Article 58a(1). Member States may establish a single, specific EAFRD contribution rate applicable to all those operations;]
- <sup>F58</sup>f .....
- <sup>F58</sup>g .....
- <sup>F58</sup>h .....
- [<sup>F59</sup>5 The funding allocated to LEADER must be equivalent to at least 5% of the total core contribution to the rural development programme.
- 6 The funding allocated to measures under the following Articles must be equivalent to at least 30% of the total core contribution to the rural development programme: Article 17 for environment and climate related investments; Articles 21, 28, 29 and 30, with the exception of Water Framework Directive related payments; and Articles 31, 32 and 34.]
- [<sup>F64</sup>6a The <sup>F60</sup>... support provided under Article 39b shall not exceed 2 % of the total [<sup>F61</sup>core] contribution to the rural development programme.]
- [<sup>F29</sup>6a The <sup>F60</sup>... support provided under Article 39b shall not exceed 2 % of the total [<sup>F61</sup>core] contribution to the rural development programme for the years 2014-2020 as provided for in Part One of Annex I.
- <sup>F62</sup>7 .....
- [<sup>F63</sup>8 An expenditure receiving support for rural development shall not be co-financed by way of a contribution from under Regulation 508/2014 or CMO support or direct payment support.]
- 9 Public expenditure on aid to enterprises shall comply with the aid limits laid down in respect of State aid, unless this Regulation provides otherwise.]]]

#### Editorial Information

- X2** Substituted by [Corrigendum to 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 \(Official Journal of the European Union L 347 of 20 December 2013\)](#).

#### Extent Information

- E4** This version of this provision extends to Scotland only; a separate version has been created for England and Wales and Northern Ireland only

#### Textual Amendments

- F22** Inserted by [Regulation \(EU\) 2020/2220 of the European Parliament and of the Council of 23 December 2020 laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development \(EAFRD\) and from the European Agricultural Guarantee Fund \(EAGF\) in the years 2021 and 2022 and amending Regulations \(EU\) No 1305/2013, \(EU\) No 1306/2013 and \(EU\) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation](#)

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**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) No 1305/2013 of the European Parliament and of the Council. 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) View outstanding changes

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- (EU) No 1308/2013 as regards resources and the distribution of such support in respect of the years 2021 and 2022
- F29** Substituted by Regulation (EU) 2020/2220 of the European Parliament and of the Council of 23 December 2020 laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development (EAFRD) and from the European Agricultural Guarantee Fund (EAGF) in the years 2021 and 2022 and amending Regulations (EU) No 1305/2013, (EU) No 1306/2013 and (EU) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation (EU) No 1308/2013 as regards resources and the distribution of such support in respect of the years 2021 and 2022
- F31** Word in Art. 59(6a) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(fa)(ii)** (as inserted by S.I. 2020/1445, regs. 1(2)(a), **12(5)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F44** Art. 59(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(12)(a)**
- F45** Art. 59(2) 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(12)(a)**
- F46** Words in Art. 59(3) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F47** Words in Art. 59(3) 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(12)(b)(i)**
- F48** Art. 59(3)(a) 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(12)(b)(ii)**
- F49** Art. 59(3)(b) 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(12)(b)(ii)**
- F50** Words in Art. 59(3)(c) 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(12)(b)(iii)**
- F51** Word in Art. 59(3) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F52** Word in Art. 59(4) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(d)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F53** Words in Art. 59(4)(a) 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(12)(c)(i)(aa)**
- F54** Word in Art. 59(4)(a) substituted (S.) (1.1.2021) by The Rural Development (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/477), regs. 1(2), **4(12)(c)(i)(bb)**
- F55** Art. 59(4)(c) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(d)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F56** Words in Art. 59(4)(e) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(d)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F57** Words in Art. 59(4)(e) substituted (S.) (1.1.2021) by The Rural Development (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/477), regs. 1(2), **4(12)(c)(ii)**
- F58** Art. 59(4)(f)-(h) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(d)(v)**; 2020 c. 1, Sch. 5 para. 1(1)
- F59** Art. 59(5)(6) substituted (S.) (1.1.2021) by The Rural Development (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/477), regs. 1(2), **4(12)(d)**
- F60** Word in Art. 59(6a) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(fa)(i)** (as inserted by S.I. 2020/1445, regs. 1(2)(a), **12(5)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F61** Word in Art. 59(6a) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(fa)(ii)** (as inserted by S.I. 2020/1445, regs. 1(2)(a), **12(5)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F62** Art. 59(7) omitted (31.12.2020) by virtue of The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(5)(g)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F63** Art. 59(8) substituted (31.12.2020) by [The Rural Development \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/764\)](#), regs. 1, **7(5)(h)**; 2020 c. 1, Sch. 5 para. 1(1)
- F64** Inserted by [Regulation \(EU\) 2020/872 of the European Parliament and of the Council of 24 June 2020 amending Regulation \(EU\) No 1305/2013 as regards a specific measure to provide exceptional temporary support under the European Agricultural Fund for Rural Development \(EAFRD\) in response to the COVID-19 outbreak.](#)

## Article 60

### Eligibility of expenditure

[<sup>F34</sup>1 By way of derogation from Article 65(9) of Regulation (EU) No 1303/2013, in cases of emergency measures due to natural disasters, catastrophic events or adverse climatic events or a significant and sudden change in the socioeconomic conditions of the [<sup>F35</sup>constituent nation] or region, the rural development programmes may provide that eligibility of expenditure relating to programme changes may start from the date when the event occurred.]

2 Expenditure shall be eligible for [<sup>F36</sup>rural development support] only where incurred for operations decided upon by the Managing Authority of the programme in question or under its responsibility, in accordance with selection criteria referred to in Article 49.

[<sup>F34</sup>With the exception of general costs as defined in point (c) of Article 45(2), in respect of investment operations under measures [<sup>F37</sup>in relation to the production of, and trade in, agricultural products], only expenditure which has been incurred after an application has been submitted to the competent authority shall be considered eligible. However, [<sup>F38</sup>relevant authorities] may provide in their programme that expenditure which is related to emergency measures due to natural disasters, catastrophic events or adverse climatic events or a significant and sudden change in the socioeconomic conditions of the [<sup>F39</sup>constituent nation] or region, and which has been incurred by the beneficiary after the event occurs, is also eligible.]

[<sup>F40</sup>Relevant authorities] may provide in their programmes that only expenditure which has been incurred after the application for support has been approved by the competent authority shall be eligible.

3 Paragraphs 1 and 2 shall not apply to Article 51(1) and (2).

[<sup>F34</sup>4 Payments by beneficiaries shall be supported by invoices and documents proving payment. Where this cannot be done, payments shall be supported by documents of equivalent probative value, except for the forms of support referred to in Article 67(1) of Regulation (EU) No 1303/2013 other than under point (a) thereof.]

#### Textual Amendments

- F34** 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.](#)

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- F35** Words in Art. 60(1) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(6)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F36** Words in Art. 60(2) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(6)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F37** Words in Art. 60(2) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(6)(b)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F38** Words in Art. 60(2) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(6)(b)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F39** Words in Art. 60(2) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(6)(b)(ii)(cc)**; 2020 c. 1, Sch. 5 para. 1(1)
- F40** Words in Art. 60(2) substituted (31.12.2020) by The Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), regs. 1, **7(6)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

### *Article 61*

#### **Eligible expenditure**

1 Where running costs are covered by support under this Regulation the following types of costs shall be eligible:

- a operating costs;
- b personnel costs;
- c training costs;
- d costs linked to public relations;
- e financial costs;
- f networking costs.

2 Studies shall only be eligible expenditure where they are linked to a specific operation under the programme or the specific objectives and targets of the programme.

3 Contributions in kind in the form of provision of works, goods, services, land and real estate for which no cash payment supported by invoices or documents of equivalent probative value has been made, may be eligible for support provided that the conditions of Article 69 of Regulation (EU) No 1303/2013 are fulfilled.

### *[<sup>F41</sup> Article 62*

#### **Verifiability and controllability of measures**

1 The relevant authority must ensure that all the rural development measures that they intend to implement are verifiable and controllable. The Managing Authority and paying agency must also undertake the assessment of the verifiability and controllability of measures during the implementation of the rural development programme. Assessment during the implementation period must take into account the results of controls in the previous and current programming period. Where the assessment reveals that the requirements of verifiability and controllability are not met, the measures concerned must be adjusted accordingly.]

[<sup>F342</sup> Where aid is granted on the basis of standard costs or additional costs and income foregone in accordance with points (a) and (b) of Article 21(1), as regards income foregone and maintenance costs, and with Articles 28 to 31, 33, and 34, [<sup>F42</sup> the relevant authority] shall ensure that the relevant calculations are adequate and accurate and established in advance on the basis of a fair, equitable and verifiable calculation method. To this end, a body that is functionally

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independent from the authorities responsible for the programme implementation and possesses the appropriate expertise shall perform the calculations or confirm the adequacy and accuracy of the calculations. A statement confirming the adequacy and accuracy of the calculations shall be included in the rural development programme.]

#### Textual Amendments

- F34** 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.](#)
- F41** Art. 62(1) substituted (31.12.2020) by [The Rural Development \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/764\)](#), regs. 1, **7(7)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F42** Words in Art. 62(2) substituted (31.12.2020) by [The Rural Development \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/764\)](#), regs. 1, **7(7)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Article 63

##### Advances

1 Payment of advances shall be subject to the establishment of a bank guarantee or an equivalent guarantee corresponding to 100 % of the amount of the advance. As regards public beneficiaries, advances shall be paid to municipalities, regional authorities and associations thereof, as well as to public law bodies.

A facility provided as a guarantee by a public authority shall be considered equivalent to the guarantee referred to in the first subparagraph, provided that the authority undertakes to pay the amount covered by that guarantee if entitlement to the advance paid is not established.

2 The guarantee may be released when the competent paying agency establishes that the amount of actual expenditure corresponding to the public contribution related to the operation exceeds the amount of the advance.

**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) No 1305/2013 of the European Parliament and of the Council. 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) [View outstanding changes](#)

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- (1) Regulation (EU) 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ([OJ L 343, 14.12.2012, p. 1](#)).



### Changes to legislation:

There are outstanding changes not yet made to Regulation (EU) No 1305/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

### Changes and effects yet to be applied to :

- Regulation power to modify conferred by [2023 asc 4 s. 19](#)
- Regulation power to modify conferred (temp.) by [2020 asp 17 s. 2](#)
- Regulation power to modify conferred (temp.) by [2020 asp 17 s. 3](#)
- Regulation power to modify conferred (temp.) by [2020 asp 17 s. 4](#)

### Changes and effects yet to be applied to the whole legislation item and associated provisions

- Annex 1a omitted by [S.I. 2021/400 reg. 7\(52\)](#)
- Art. 2(1)(f) words omitted by [S.I. 2021/400 reg. 7\(3\)\(a\)\(ii\)](#)
- Art. 2(1)(f) words substituted by [S.I. 2023/1430 Sch. 4 para. 1\(2\)](#)
- Art. 2(1)(o) omitted by [S.I. 2021/400 reg. 7\(3\)\(a\)\(iii\)](#)
- Art. 2(1)(p) omitted by [S.I. 2021/400 reg. 7\(3\)\(a\)\(iv\)](#)
- Art. 2(1)(v) substituted by [S.I. 2021/400 reg. 7\(3\)\(a\)\(v\)](#)
- Art. 2(4) omitted by [S.I. 2021/400 reg. 7\(3\)\(b\)](#)
- Art. 8(1)(h)(i) words substituted by [S.I. 2023/1430 Sch. 4 para. 1\(3\)](#)
- Art. 8(1)(h)(ii) words omitted by [S.S.I. 2021/33 reg. 2\(2\)](#)
- Art. 8(1)(h)(ii) words omitted by [S.I. 2022/861 reg. 3\(2\)](#)
- Art. 12(a) omitted by [S.I. 2019/764 reg. 4\(6\)](#) (This amendment not applied to [legislation.gov.uk](#). Reg. 4(6) omitted immediately before IP completion day by virtue of [S.I. 2019/1405](#), regs. 1(2), 2(2))
- Art. 15(1)(a) word substituted by [S.I. 2021/400 reg. 7\(11\)\(a\)\(i\)](#)
- Art. 15(1)(b) words substituted by [S.I. 2021/400 reg. 7\(11\)\(a\)\(ii\)](#)
- Art. 15(4)(a) revoked by [S.I. 2023/816 Sch. Pt. 1 para. 1 Table 2](#)
- Art. 15(4)(b) substituted by [S.I. 2023/1430 Sch. 4 para. 1\(4\)](#)
- Art. 15(4)(b) words omitted by [S.I. 2021/400 reg. 7\(11\)\(d\)\(i\)](#)
- Art. 17(1)(a) words inserted by [S.I. 2021/400 reg. 7\(13\)\(a\)\(ii\)](#)
- Art. 17(1)(c) word omitted by [S.I. 2021/400 reg. 7\(13\)\(a\)\(iii\)](#)
- Art. 17(1)(e) and word inserted by [S.I. 2021/400 reg. 7\(13\)\(a\)\(iv\)](#)
- Art. 19(1)(c) omitted by [S.I. 2023/1430 Sch. 4 para. 1\(7\)\(a\)](#)
- Art. 19(1)(c) omitted by [S.I. 2021/400 reg. 7\(15\)\(a\)](#)
- Art. 20(1)(g) words inserted by [S.I. 2021/400 reg. 7\(16\)\(a\)\(i\)](#)
- Art. 20(1)(h) inserted by [S.I. 2021/400 reg. 7\(16\)\(a\)\(ii\)](#)
- Art. 21(1)(d) substituted by [S.I. 2021/400 reg. 7\(17\)\(a\)](#)
- Art. 21(1)(e)-(h) substituted for Art. 21(1)(e) by [S.I. 2021/400 reg. 7\(17\)\(b\)](#)
- Art. 30(4)(a) words omitted by [S.I. 2021/400 reg. 7\(25\)\(b\)\(i\)](#)
- Art. 30(4)(b) words revoked by [S.I. 2023/816 Sch. Pt. 1 para. 1 Table 2](#)
- Art. 30(4)(b) words substituted by [S.I. 2023/1430 Sch. 4 para. 1\(11\)\(c\)](#)
- Art. 30(4)(c) words omitted by [S.I. 2021/400 reg. 7\(25\)\(b\)\(ii\)](#)
- Art. 31(4)(a) words omitted by [S.I. 2021/400 reg. 7\(26\)\(d\)\(ii\)](#)
- Art. 35(1)(c) omitted by [S.I. 2021/400 reg. 7\(30\)\(a\)](#)
- Art. 35(5)(b) words omitted by [S.I. 2021/400 reg. 7\(30\)\(b\)](#)
- Art. 41(c) words omitted by [S.I. 2021/400 reg. 7\(36\)](#)
- Art. 59(4)(e) omitted by [S.I. 2023/1430 Sch. 4 para. 1\(19\)\(a\)](#)