

Regulation (EU) No 228/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in the outermost regions of the Union and repealing Council Regulation (EC) No 247/2006

CHAPTER II

POSEI PROGRAMMES

Article 3

Establishing the POSEI programmes

1 The measures provided for in Article 1 shall be defined for each outermost region by a Programme of Options Specifically Relating to Remoteness and Insularity (POSEI), ('the POSEI programme'), comprising:

- a specific supply arrangements as provided for in Chapter III; and
- b specific measures to assist local agricultural production as provided for in Chapter IV.

2 The POSEI programme shall be established at the geographical level which the Member State concerned deems to be the most appropriate. It shall be prepared by the competent authorities designated by the said Member State, which shall submit it to the Commission for approval in accordance with Article 6 after the competent authorities and organisations at the appropriate regional level have been consulted.

3 A single POSEI programme may be submitted for each Member State in respect of its outermost regions.

Article 4

Compatibility and consistency

1 Measures taken under POSEI programmes shall comply with Union law. Such measures shall be consistent with other Union policies and with the measures taken under such policies.

2 Consistency of the measures taken under POSEI programmes with measures implemented under other instruments of the common agricultural policy, and in particular the common organisations of markets, rural development, product quality, animal welfare and the protection of the environment, shall be ensured.

In particular, no measure under this Regulation shall be financed as:

- a additional support for premium or aid schemes under a common organisation of the market save in exceptional cases justified by objective criteria;
- b support for research projects, measures to support research projects or measures eligible for Union financing under Council Decision 2009/470/EC of 25 May 2009 on expenditure in the veterinary field⁽¹⁾;
- c support for measures within the scope of Regulation (EC) No 1698/2005.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 228/2013 of the European Parliament and of the Council, CHAPTER II. (See end of Document for details)

Article 5

Content of the POSEI programmes

A POSEI programme shall comprise:

- (a) a schedule for the implementation of the measures and a general annual indicative financing table showing the resources to be deployed;
- (b) proof of the compatibility and consistency between the various measures under the programmes and with the criteria and quantitative indicators to be used for monitoring and evaluation;
- (c) the steps taken to ensure that the programmes are implemented effectively and appropriately, including the arrangements for publicity, monitoring and evaluation, and a specified set of quantified indicators for use in programme evaluation;
- (d) the designation of the competent authorities and bodies responsible for implementing the programme and the designation at the appropriate levels of authorities or associated bodies and socio-economic partners, and the results of consultations held.

Article 6

Approval and amendments of the POSEI programmes

1 The POSEI programmes are established by Regulation (EC) No 247/2006 and are financed under the financial allocation referred to in Article 30(2) and (3).

Each programme comprises a forecast supply balance indicating the products, the quantities thereof and the amount of aid for supply from the Union together with a draft programme of support for local production.

2 Depending on the annual evaluation of the implementation of measures included in the POSEI programmes, the Member States may, after consulting the socio-economic partners concerned, submit to the Commission duly substantiated proposals for amendments to those measures within the context of the financial allocation referred to in Article 30(2) and (3), to bring them more into line with the requirements of the outermost regions and the strategy proposed. The Commission shall adopt implementing acts laying down the procedures for assessing whether the amendments proposed comply with Union law and for deciding whether to approve them. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).

3 The procedures laid down by the implementing acts referred to in paragraph 2 may take account of the following elements: the importance of the modifications proposed by the Member States with reference to the introduction of new measures, whether the changes to the budget allocated to the measures are substantial, changes in the quantities and in the level of aid for products in the forecast supply balances and any amendments to codes and descriptions laid down in Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽²⁾.

4 The implementing acts referred to in paragraph 2 shall also determine, for each procedure, the frequency with which requests for amendments are to be made, as well as the time frames within which the approved amendments are to be implemented.

Article 7

Amendments regarding the financial allocations

By 22 April 2013, Member States shall submit to the Commission the draft amendments to their POSEI programmes to reflect the changes introduced by Article 30(5).

These amendments shall become applicable one month after their submission if during this period the Commission raises no objections.

The competent authorities shall pay the aid referred to in Article 30(5) not later than 30 June 2013.

Article 8

Monitoring and follow-up

The Member States shall conduct verifications by means of administrative and on-the-spot checks. The Commission shall adopt implementing acts regarding the minimum characteristics of the checks to be carried out by the Member States.

The Commission shall also adopt implementing acts regarding the procedures and physical and financial indicators in order to ensure that the implementation of the programmes is monitored in an effective manner.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 228/2013 of the European Parliament and of the Council, CHAPTER II. (See end of Document for details)

- (1) OJ L 155, 18.6.2009, p. 30.
- (2) OJ L 256, 7.9.1987, p. 1.

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EU) No 228/2013 of the European Parliament and of the Council, CHAPTER II.