

Commission Delegated Regulation (EU) No 639/2014 of 11 March 2014 supplementing Regulation (EU) No 1307/2013 of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and amending Annex X to that Regulation

[<sup>F1</sup>]<sup>F2</sup>CHAPTER 3

**GREENING**

[<sup>F1</sup>]<sup>F2</sup>SECTION 4

***Ecological focus area***

*Article 45*

**Further criteria for the types of ecological focus area**

1. For the qualification of the types of areas listed in the first subparagraph of Article 46(2) of Regulation (EU) No 1307/2013 as ecological focus areas, paragraphs 2 to [<sup>F3</sup>12] of this Article shall apply.

[<sup>F4</sup>2. On land lying fallow and land lying fallow for melliferous plants (pollen- and nectar-rich species) there shall be no agricultural production [<sup>F5</sup>during the period fixed by the relevant authority]. <sup>F6</sup>... As regards areas under land lying fallow for melliferous plants, [<sup>F7</sup>the relevant authority must set] up a list of pollen- and nectar-rich species to be used. Invasive alien plant species within the meaning of Article 3(2) of Regulation (EU) No 1143/2014 of the European Parliament and of the Council<sup>(1)</sup> must not appear on the list. Such areas shall not include areas under crops normally sown for harvesting. [<sup>F8</sup>The relevant authority may] establish further requirements. Such areas may include herbaceous species, provided that melliferous crops remain predominant. Without prejudice to the ‘no production’ requirement established in paragraph 10a, hives may be put on areas of land lying fallow for melliferous plants (pollen- and nectar-rich species).

By way of derogation from Article 4(1)(h) of Regulation (EU) No 1307/2013, land lying fallow and land lying fallow for melliferous plants (pollen- and nectar-rich species) for the purpose of fulfilling the ecological focus area for more than five years shall remain arable land.]

<sup>F9</sup>3. ....

[<sup>F10</sup>4. Landscape features shall be at the disposal of the farmer and may be those that are protected under GAEC 7, SMR 2 or SMR 3 as referred to in Annex II to Regulation (EU) No 1306/2013 and/or one or more of the following features:

- (a) hedges, wooded strips or trees in line;
- (b) isolated trees;
- (c) field copses including trees, bushes or stones;

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- (d) ponds. Reservoirs made of concrete or plastic shall not be considered ecological focus areas;
- (e) ditches, including open watercourses for the purpose of irrigation or drainage. Channels with walls of concrete shall not be considered ecological focus areas.
- (f) traditional stone walls.

[<sup>F11</sup>Where the legislation applying in the constituent nation so provides,] the selection of landscape features [<sup>F12</sup>shall be limited] to those under GAEC 7, SMR 2 or SMR 3 as referred to in Annex II to Regulation (EU) No 1306/2013 and/or to one or more of points (a) to (f) of the first subparagraph.

For the hedges, wooded strips and trees in line as well as ditches referred to in points (a) and (e) of the first subparagraph, respectively, the area to be qualified as ecological focus area shall be calculated up to a maximum width of 10 metres.

For the field copses and ponds referred to in points (c) and (d) of the first subparagraph, respectively, the area to be qualified as ecological focus area shall be calculated up to a maximum size of 0,3 hectare.

For the purposes of point (d) of the first subparagraph, [<sup>F13</sup>the] minimum size for ponds [<sup>F14</sup>is as set by the relevant authority prior to exit day]. Where there is a strip with riparian vegetation along the water the corresponding area shall be included for the purpose of calculating the ecological focus area. [<sup>F15</sup>The relevant authority] may establish criteria to ensure that ponds are of natural value, taking into account the role that natural ponds play for the conservation of habitats and species.

For the purposes of point (f) of the first subparagraph, [<sup>F16</sup>the] minimum criteria based on national or regional specificities, including limits to the dimensions of height and width [<sup>F17</sup>is as established by the relevant authority prior to exit day].

5. Buffer strips and field margins may be any buffer strips and field margins including those buffer strips along water courses required under GAEC 1, SMR 1 or SMR 10 as referred to in Annex II to Regulation (EU) No 1306/2013 or field margins protected under GAEC 7, SMR 2 or SMR 3 as referred to in that Annex.

[<sup>F18</sup>The relevant authority] shall not limit the selection of buffer strips and field margins to those required under the cross compliance rules referred to in the first subparagraph.

[<sup>F19</sup>Nothing in this Article shall prevent the relevant authority from establishing, using any power the relevant authority has, the minimum width of buffer strips and field margins.] Along water courses, riparian vegetation shall be included for the purpose of calculating the ecological focus area. There shall be no agricultural production on buffer strips and field margins.

For buffer strips and field margins other than those required or protected under GAEC 1, GAEC 7, SMR 1, SMR 2, SMR 3 or SMR 10 as referred to in Annex II to Regulation (EU) No 1306/2013, the area to be qualified as ecological focus area shall be calculated up to a maximum width of 20 metres.]

[<sup>F20</sup>5a. For the purposes of the second sentence of the second subparagraph of Article 46(2) of Regulation (EU) No 1307/2013, areas referred to in paragraphs 4 and 5 of this Article shall be considered as adjacent areas or features where they are adjacent to an ecological focus area directly adjacent to the arable land of the holding.]

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6. Hectares of agro-forestry shall be arable land eligible for the basic payment scheme <sup>F21</sup>... referred to in Chapter 1 of Title III of Regulation (EU) No 1307/2013 and fulfilling the conditions for which support under Article 44 of Regulation (EC) No 1698/2005 or Article 23 of Regulation (EU) No 1305/2013 was or is granted.

<sup>F10</sup>7. <sup>F22</sup>...

The area to be qualified as ecological focus area shall be calculated up to a maximum width of 10 metres where <sup>F23</sup>the relevant authority decides] to allow agricultural production and 20 metres where <sup>F23</sup>the relevant authority decides] not to allow agricultural production.

8. <sup>F24</sup>The species that may be used for areas with short rotation coppice with no use of mineral fertiliser or plant protection products or both, are those species which have been selected by the relevant authority prior to exit day, from the list established pursuant to Article 4(2)(c) of Regulation (EU) No 1307/2013, as being the most suitable from an ecological perspective. <sup>F25</sup>The relevant authority must also apply any requirements established by them prior to exit day] as regards the use of mineral fertilisers and/or plant protection products in case <sup>F26</sup>the relevant authority authorises] their use, keeping in mind the objective of ecological focus areas in particular to safeguard and improve biodiversity.

<sup>F27</sup>8a. On areas with *Miscanthus* and *Silphium perfoliatum* <sup>F28</sup>the relevant authority] shall ban the use of plant protection products except in the first year in which the two species are established by a farmer. <sup>F29</sup>The relevant authority] shall ban or establish requirements as regards the use of mineral fertilisers on these areas, taking into account the objective of the ecological focus areas in particular to safeguard and improve biodiversity.]

9. Areas under catch crops or green cover shall include such areas established pursuant to the requirements under SMR 1 as referred to in Annex II to Regulation (EU) No 1306/2013 as well as other areas under catch crops or green cover, on the condition that they were established by sowing a mixture of crop species or by under-sowing grass or leguminous crops in the main crop.

<sup>F30</sup>... the list of mixtures of crop species to be used and <sup>F31</sup>... the period at national, regional, sub-regional or farm level during which areas under catch crops or green cover when established by sowing a mixture of crop species have to be in place <sup>F32</sup>is as fixed by the relevant authority prior to exit day]. This period shall not be less than 8 weeks. <sup>F33</sup>Nothing in this Article prevents the relevant authority from establishing, using any power the relevant authority has,] additional conditions notably with regard to production methods.

Areas under catch crops or green cover shall not include areas under winter crops which are sown in autumn normally for harvesting or for grazing. They shall also not include the areas covered with equivalent practices mentioned in points I.3 and 4 of Annex IX to Regulation (EU) No 1307/2013.

10. On areas with nitrogen-fixing crops, farmers shall grow those nitrogen-fixing crops which are included in a list established by the <sup>F34</sup>relevant authority prior to exit day]. That list shall contain the nitrogen-fixing crops that the <sup>F35</sup>relevant authority] considers as contributing to the objective of improving biodiversity and may include mixtures of nitrogen-fixing crops with other crops provided that nitrogen-fixing crop species are predominant. Those crops shall be present during the growing season. <sup>F36</sup>Nothing in this Article prevents the relevant authority from establishing, using any power the relevant authority has,] additional conditions notably with regard to production method, in particular with a view to taking into account the need to

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meet the objectives of Directive 91/676/EEC and Directive 2000/60/EC, given the potential of nitrogen-fixing crops to increase the risk of nitrogen leaching in the autumn.

Areas with nitrogen-fixing crops shall not include the areas covered with equivalent practices mentioned in points I.3 and 4 of Annex IX to Regulation (EU) No 1307/2013.]

[<sup>F20</sup>10a. For the purposes of paragraphs 2, 5 and 7, ‘no agricultural production’ means no agricultural activity as defined in Article 4(1)(c)(i) of Regulation (EU) No 1307/2013, without prejudice to the requirements defined under GAEC 4 as referred to in Annex II to Regulation (EU) No 1306/2013. Actions aiming at establishing a green soil cover for biodiversity purposes, including sowing mixtures of wild flower seeds, shall be allowed.

[<sup>F37</sup>Nothing in this Article prevents the relevant authority, using any power the relevant authority has, from allowing] cutting or grazing on buffer strips and field margins as well as on strips of eligible hectares along forest edges without production, provided that the strip remains distinguishable from adjacent agricultural land.

10b. The use of plant protection products shall be prohibited on all areas referred to in paragraphs 2, 9 and 10 as well as on areas with agricultural production referred to in paragraph 7.

10c. On areas referred to in paragraph 9 established by under-sowing grass or leguminous crops in the main crop, this prohibition shall apply from the moment of the harvesting of the main crop for at least 8 weeks or until the sowing of the next main crop.]

11. A farmer can declare the same area or landscape feature only once in one claim year for the purpose of complying with the ecological focus area requirement.

[<sup>F38</sup>12 The relevant authority shall specify the species that are to be used for afforested areas. Afforested areas shall be arable land eligible for the basic payment scheme referred to in Chapter 1 of Title III of Regulation (EU) No 1307/2013 and fulfilling the conditions under the small or farm woodland creation option of the forestry grant scheme applied to the species specified by the relevant authority. The forestry grant scheme agreement referred to in Article 46(2)(h) of Regulation (EU) No 1307/2013 must have been issued after 1 January 2015.]

#### Textual Amendments

- F3** Word in Art. 45(1) substituted (S.) (10.11.2022) by [The Rural Support \(Simplification and Improvement\) \(Scotland\) \(No. 2\) Regulations 2022 \(S.S.I. 2022/279\)](#), regs. 1, **3(2)(a)**
- F4** Substituted by [Commission Delegated Regulation \(EU\) 2018/1784 of 9 July 2018 amending Delegated Regulation \(EU\) No 639/2014 as regards certain provisions on the greening practices established by Regulation \(EU\) No 1307/2013 of the European Parliament and of the Council](#).
- F5** Words in Art. 45(2) inserted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(7)(a)(i)**
- F6** Words in Art. 45(2) omitted (31.1.2020) by virtue of [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(7)(a)(ii)**
- F7** Words in Art. 45(2) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(7)(a)(iii)**
- F8** Words in Art. 45(2) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(7)(a)(iv)**
- F9** Art. 45(3) omitted (31.1.2020) by virtue of [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(7)(b)**
- F10** Substituted by [Commission Delegated Regulation \(EU\) 2017/1155 of 15 February 2017 amending Delegated Regulation \(EU\) No 639/2014 as regards the control measures relating to the cultivation of hemp, certain provisions on the greening payment, the payment for young farmers in control of a legal person, the calculation of the per unit amount in the framework of voluntary coupled support,](#)

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- the fractions of payment entitlements and certain notification requirements relating to the single area payment scheme and the voluntary coupled support, and amending Annex X to Regulation (EU) No 1307/2013 of the European Parliament and of the Council.
- F11** Words in Art. 45(4) substituted (31.1.2020) by The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(c)(i)(aa)**
- F12** Words in Art. 45(4) inserted (31.1.2020) by The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(c)(i)(bb)**
- F13** Word in Art. 45(4) substituted (31.1.2020) by The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(c)(ii)(aa)**
- F14** Words in Art. 45(4) inserted (31.1.2020) by The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(c)(ii)(bb)**
- F15** Words in Art. 45(4) substituted (31.1.2020) by The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(c)(ii)(cc)**
- F16** Word in Art. 45(4) substituted (31.1.2020) by The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(c)(iii)(aa)**
- F17** Words in Art. 45(4) inserted (31.1.2020) by The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(c)(iii)(bb)**
- F18** Words in Art. 45(5) substituted (31.1.2020) by The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(d)(i)**
- F19** Words in Art. 45(5) substituted (31.1.2020) by The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(d)(ii)**
- F20** Inserted by Commission Delegated Regulation (EU) 2017/1155 of 15 February 2017 amending Delegated Regulation (EU) No 639/2014 as regards the control measures relating to the cultivation of hemp, certain provisions on the greening payment, the payment for young farmers in control of a legal person, the calculation of the per unit amount in the framework of voluntary coupled support, the fractions of payment entitlements and certain notification requirements relating to the single area payment scheme and the voluntary coupled support, and amending Annex X to Regulation (EU) No 1307/2013 of the European Parliament and of the Council.
- F21** Words in Art. 45(6) omitted (31.1.2020) by virtue of The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(e)**
- F22** Words in Art. 45(7) omitted (31.1.2020) by virtue of The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(f)(i)**
- F23** Words in Art. 45(7) substituted (31.1.2020) by The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(f)(ii)**
- F24** Words in Art. 45(8) substituted (31.1.2020) by The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(g)(i)**
- F25** Words in Art. 45(8) substituted (31.1.2020) by The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(g)(ii)**
- F26** Words in Art. 45(8) substituted (31.1.2020) by The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(g)(iii)**
- F27** Inserted by Commission Delegated Regulation (EU) 2018/1784 of 9 July 2018 amending Delegated Regulation (EU) No 639/2014 as regards certain provisions on the greening practices established by Regulation (EU) No 1307/2013 of the European Parliament and of the Council.
- F28** Words in Art. 45(8a) substituted (31.1.2020) by The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(h)(i)**
- F29** Words in Art. 45(8a) substituted (31.1.2020) by The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(h)(ii)**
- F30** Words in Art. 45(9) omitted (31.1.2020) by virtue of The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(i)(i)**
- F31** Word in Art. 45(9) omitted (31.1.2020) by virtue of The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(i)(ii)**
- F32** Words in Art. 45(9) inserted (31.1.2020) by The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/91), regs. 1(2), **12(7)(i)(iii)**

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- F33** Words in Art. 45(9) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(7)(i)(iv)**
- F34** Words in Art. 45(10) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(7)(j)(i)**
- F35** Words in Art. 45(10) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(7)(j)(ii)**
- F36** Words in Art. 45(10) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(7)(j)(iii)**
- F37** Words in Art. 45(10a) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(7)(k)**
- F38** Art. 45(12) inserted (S.) (10.11.2022) by [The Rural Support \(Simplification and Improvement\) \(Scotland\) \(No. 2\) Regulations 2022 \(S.S.I. 2022/279\)](#), regs. 1, **3(2)(b)**

## Article 46

### Rules for the regional implementation of ecological focus areas

1. <sup>F39</sup>Where the relevant authority opts] for the regional implementation provided for in Article 46(5) of Regulation (EU) No 1307/2013 [<sup>F40</sup>the relevant authority] shall define regions for the purposes of that Article. The regions to be defined shall consist of single and homogenous geographical areas with similar agricultural and environmental conditions. For this purpose, homogeneity shall refer to soil type, elevation, as well as to the presence of natural and semi-natural areas.
2. Within the defined regions, [<sup>F41</sup>the relevant authority] shall designate the areas where up to half of the percentage points of the ecological focus area requirement has to be implemented.
3. In respect to the defined areas [<sup>F42</sup>the relevant authority] shall provide for specific obligations for the participating farmers or groups of farmers. Those obligations shall ensure contiguous structures of adjacent ecological focus areas. The obligations for the participating farmers or groups of farmers shall include a requirement that each participating farmer is to have at least 50 % of the area subject to the obligation laid down in Article 46(1) of Regulation (EU) No 1307/2013 located on the land of their holdings within the region and in accordance with the second subparagraph of Article 46(2) of that Regulation.
4. The obligations for the participating farmers or groups of farmers shall ensure that the contiguous ecological focus areas referred to in paragraph 3 consist of one or more of the areas referred to in points (a), (c) [<sup>F43</sup>and (d)] of the first subparagraph of Article 46(2) of Regulation (EU) No 1307/2013.
5. When designating areas and providing for obligations as referred to in paragraphs 2 and 3 respectively, [<sup>F44</sup>the relevant authority] shall take account, if applicable, of existing national or regional biodiversity and/or climate change mitigation and adaptation strategies, river basin management plans or needs identified with a view to ensure the ecological coherence of the Natura 2000 network referred to in Article 10 of Directive 92/43/EEC or to contribute to the implementation of the Green Infrastructure Strategy.
6. Prior to providing for obligations for farmers, [<sup>F45</sup>the relevant authority] shall consult the farmers or groups of farmers concerned and other relevant stakeholders. Following such consultation, [<sup>F45</sup>the relevant authority] shall establish a finalised detailed plan for the regional implementation and shall inform the stakeholders who participated in the consultation and the farmers or groups of farmers concerned of that plan, including the designation of areas

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and the obligations for the participating farmers or groups of farmers and, in particular, the precise percentage that each individual farmer has to implement on his own holding. [F46The relevant authority] shall transmit that information to the farmer at the latest by 30 June of the year preceding the year in which the regional implementation will apply or for the first year of application of this Regulation in due time to allow the farmer to make his application accordingly.

Without prejudice to payments to farmers referred to in Article 43(9) of Regulation (EU) No 1307/2013, [F45the relevant authority] shall ensure that arrangements are laid down with regard to financial compensations between farmers and as regards the administrative penalties in case of non-compliance on the contiguous ecological focus areas.

#### Textual Amendments

- F39** Words in Art. 46(1) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(8)(a)(i)**
- F40** Words in Art. 46(1) inserted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(8)(a)(ii)**
- F41** Words in Art. 46(2) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(8)(b)**
- F42** Words in Art. 46(3) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(8)(b)**
- F43** Words in Art. 46(4) substituted (S.) (10.11.2022) by [The Rural Support \(Simplification and Improvement\) \(Scotland\) \(No. 2\) Regulations 2022 \(S.S.I. 2022/279\)](#), regs. 1, **3(3)**
- F44** Words in Art. 46(5) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(8)(b)**
- F45** Words in Art. 46(6) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(8)(c)(i)**
- F46** Words in Art. 46(6) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(8)(c)(ii)**

#### Article 47

##### **Rules for the collective implementation and the criteria to be met by holdings to be considered to be in close proximity**

1. [F47Where the relevant authority decides] to allow a collective implementation as provided for in Article 46(6) of Regulation (EU) No 1307/2013, [F48the relevant authority] shall define the criteria to be met by holdings considered to be in close proximity using any of the following:

- (a) farmers of whom 80 % of the holding are in the same municipality;
- (b) farmers of whom 80 % of the holding are in an area with a radius of a number of kilometres to be set by [F49the relevant authority] with a maximum of 15 kilometres.

2. [F50Where the relevant authority opts] for designating the areas on which collective implementation is possible and [F51opts] for imposing obligations upon participating farmers or groups of farmers, [F52the relevant authority] shall take account of existing national or regional biodiversity and/or climate change mitigation and adaptation strategies, river basin management plans or needs identified with a view to ensure the ecological coherence of the Natura 2000

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network referred to in Article 10 of Directive 92/43/EEC or to contribute to the enhancement of green infrastructure.

3. The obligations for the participating farmers or groups of farmers referred to in paragraph 2 shall include the condition that the contiguous ecological focus areas will consist of one or more of the areas referred to in points (a), (c) [<sup>F53</sup>and (d)] of the second subparagraph of Article 46(2) of Regulation (EU) No 1307/2013.

4. Farmers participating in the collective implementation shall conclude a written agreement that includes details on the internal arrangements of financial compensation and as regards the administrative penalties in case of non-compliance on the common ecological focus area.]

#### Textual Amendments

- F47** Words in Art. 47(1) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(9)(a)(i)**
- F48** Words in Art. 47(1) inserted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(9)(a)(ii)**
- F49** Words in Art. 47(1) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(9)(a)(iii)**
- F50** Words in Art. 47(2) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(9)(b)(i)**
- F51** Word in Art. 47(2) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(9)(b)(ii)**
- F52** Words in Art. 47(2) inserted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(9)(b)(iii)**
- F53** Words in Art. 47(3) substituted (S.) (10.11.2022) by [The Rural Support \(Simplification and Improvement\) \(Scotland\) \(No. 2\) Regulations 2022 \(S.S.I. 2022/279\)](#), regs. 1, **3(4)**

#### <sup>F54</sup>Article 48

#### Determination of the ratio of forest to agricultural land

.....]

#### Textual Amendments

- F54** Art. 48 omitted (31.1.2020) by virtue of [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **12(10)**

#### Textual Amendments

- F1** Regulation revoked (E.) (1.1.2024) by [The Agriculture \(Delinked Payments and Consequential Provisions\) \(England\) Regulations 2023 \(S.I. 2023/1430\)](#), reg. 1(2)(a), **Sch. 3 para. 1** Table 1 (with Sch. 3 Pt. 2)
- F2** Ch. 3 omitted (W.) (31.12.2020) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **8(8)**; and Ch. 3 omitted (E.) (1.1.2021 in relation to an application for direct payments made in 2021 or in any subsequent year) by virtue of [The Direct Payments to Farmers and Cross-Compliance \(Simplifications\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/1387\)](#), regs. 1(1), **6(3)**



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**Status:** Point in time view as at 01/01/2024.

**Changes to legislation:** There are currently no known outstanding effects for the Commission Delegated Regulation (EU) No 639/2014, SECTION 4. (See end of Document for details)

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(with reg. 1(2)); and Ch. 3 omitted (N.I.) (25.2.2021) by virtue of [The Direct Payments to Farmers \(Simplifications\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/42\)](#), regs. 1(1), **5(3)**

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**Status:** Point in time view as at 01/01/2024.

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- (1) [<sup>F4</sup>Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species (OJ L 317, 4.11.2014, p. 35).]

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**Textual Amendments**

- F4** Substituted by Commission Delegated Regulation (EU) 2018/1784 of 9 July 2018 amending Delegated Regulation (EU) No 639/2014 as regards certain provisions on the greening practices established by Regulation (EU) No 1307/2013 of the European Parliament and of the Council.

**Status:**

Point in time view as at 01/01/2024.

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Delegated Regulation (EU) No 639/2014, SECTION 4.