

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

CHAPTER 5

COUPLED SUPPORT

SECTION 1

Voluntary coupled support

Article 51

Definitions

For the purposes of this Section, ‘coupled support measures’ means measures implementing the voluntary coupled support referred to in Article 52(1) of Regulation (EU) No 1307/2013.

Article 52

General principles

1. The regions referred to in Article 52(3) of Regulation (EU) No 1307/2013 [^{F1}are the regions defined by the relevant authority prior to exit day,] in accordance with objective and non-discriminatory criteria such as the agronomic and socioeconomic characteristics and the regional agricultural potential, or the institutional or administrative structure. Such regions may differ from regions established under other support schemes provided for in Regulation (EU) No 1307/2013.

2. When defining the specific types of farming or specific agricultural sectors referred to in Article 52(3) of Regulation (EU) No 1307/2013, [^{F2}the relevant authority] shall take into account in particular the relevant production structures and conditions of the region or sector concerned.

^{F3}.

Textual Amendments

F1 Words in Art. 52(1) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(1)(a)**

F2 Words in Art. 52(2) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(1)(b)**

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are currently no known outstanding effects for the Commission Delegated Regulation (EU) No 639/2014, SECTION 1. (See end of Document for details)

F3 Deleted by Commission Delegated Regulation (EU) 2018/707 of 28 February 2018 amending Delegated Regulation (EU) No 639/2014 as regards the eligibility criteria for support for hemp under the basic payment scheme and certain requirements in respect of voluntary coupled support.

Article 53

Conditions for granting the support

1. [F4The eligibility criteria for coupled support measures means the criteria defined by the relevant authority] with the framework set out in Regulation (EU) No 1307/2013 and the conditions laid down in this Regulation.

2. Areas and yields and number of animals referred to in Article 52(6) of Regulation (EU) No 1307/2013 shall be [F5jointly agreed by the relevant authorities for each constituent nation] at regional or sector level. They shall reflect the maximum yields, area cultivated or number of animals reached in the targeted region or sector in at least one year in the period of five years preceding the year of the decision referred to in Article 53(1) of that Regulation.

[F6The annual payment shall be expressed as the per unit amount of support. It may be either one of the following amounts, or, when the area or the number of animals eligible for the support does not exceed the area or the number of animals fixed as referred to in the first subparagraph of this paragraph, an amount between them:

- (a) the ratio between the amount fixed for the financing of the measure as notified according to point (3)(i) of Annex I to this Regulation and the area or the number of animals eligible for the support in the year in question;
- (b) the ratio between the amount fixed for the financing of the measure as notified according to point (3)(i) of Annex I to this Regulation and the area or the number of animals fixed as referred to in the first subparagraph of this paragraph.]

[F7Without prejudice to Article 52(6) of Regulation (EU) No 1307/2013, for the per unit amount of support referred to in the second subparagraph of this paragraph, [F8the relevant authority may decide, prior to exit day,] to apply modulated per unit amounts in respect of certain categories of farmers or at farm level in order to take into account economies of scale resulting from the size of the production structures in the targeted specific type of farming or specific agricultural sector, or, if the measure targets a region or an entire sector, in the region or sector concerned. F9 ...]

F103.

4. Where the coupled support measure concerns bovine animals and/or sheep and goats, F11... the requirements to identify and register animals provided for in Regulation (EC) No 1760/2000 of the European Parliament and of the Council⁽¹⁾ or Council Regulation (EC) No 21/2004⁽²⁾ respectively [F12shall apply].

F13 ...

[F14By 15 September 2015, Member States shall notify the Commission of the dates referred to in the second subparagraph.]

5. [F15The relevant authority] may not grant area-related coupled support for areas that are not eligible areas within the meaning of Article 32(2), (3) and (4) of Regulation (EU) No 1307/2013. F16 ...

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Changes to legislation: There are currently no known outstanding effects for the Commission Delegated Regulation (EU) No 639/2014, SECTION 1. (See end of Document for details)

Textual Amendments

- F4** Words in Art. 53(1) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(2)(a)**
- F5** Words in Art. 53(2) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(2)(b)(i)**
- F6** 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, 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.](#)
- F7** Substituted by [Commission Delegated Regulation \(EU\) 2018/707 of 28 February 2018 amending Delegated Regulation \(EU\) No 639/2014 as regards the eligibility criteria for support for hemp under the basic payment scheme and certain requirements in respect of voluntary coupled support.](#)
- F8** Words in Art. 53(2) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(2)(b)(ii)(aa)**
- F9** Words in Art. 53(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), **14(2)(b)(ii)(bb)**
- F10** Art. 53(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), **14(2)(c)**
- F11** Words in Art. 53(4) omitted (31.1.2020) by virtue of [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(2)(d)(i)(aa)**
- F12** Words in Art. 53(4) inserted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(2)(d)(i)(bb)**
- F13** Words in Art. 53(4) omitted (31.1.2020) by virtue of [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(2)(d)(ii)**
- F14** Inserted by [Commission Delegated Regulation \(EU\) 2015/1383 of 28 May 2015 amending Delegated Regulation \(EU\) No 639/2014 as regards the eligibility conditions in relation to the identification and registration requirements for animals for coupled support under Regulation \(EU\) No 1307/2013 of the European Parliament and of the Council.](#)
- F15** Words in Art. 53(5) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(2)(e)(i)**
- F16** Words in Art. 53(5) omitted (31.1.2020) by virtue of [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(2)(e)(ii)**

^{F17}Article 53a

Transfer of funds between measures

1. Without prejudice to the requirements set out in Chapter I of Title IV of Regulation (EU) No 1307/2013, [^{F18}the relevant authority may decide, if jointly agreed by the relevant authorities for each constituent nation, to use the amounts fixed in accordance with Article 53 of Regulation (EU) No 1307/2013] for the purpose of financing one or several other support measures under Chapter I of Title IV of [^{F19}that Regulation] in respect of the same claim year.

A transfer of funds between support measures shall not result in a support measure notified to the Commission [^{F20}before exit day] pursuant to Article 54 of Regulation (EU) No 1307/2013 [^{F21}as it existed immediately before exit day] and Article 67(1) and (2) of this Regulation [^{F22}as it existed immediately before exit day] becoming void.

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[^{F72} Where the area or the number of animals eligible for support under a voluntary coupled support measure in the claim year concerned equals to or exceeds the area or the number of animals referred to in Article 52(6) of Regulation (EU) No 1307/2013 as notified in accordance with point (3)(j) of Annex I to this Regulation, the support measure shall not benefit from a transfer of funds from any other support measure(s).

3. Where the area or the number of animals eligible for support under a voluntary coupled support measure in the claim year concerned is lower compared to the area or the number of animals referred to in Article 52(6) of Regulation (EU) No 1307/2013 as notified in accordance with point (3)(j) of Annex I to this Regulation, a transfer of funds shall not result in the per unit amount becoming lower than the ratio between the amount fixed for the financing as notified in accordance with point (3)(i) of that Annex and the area or the number of animals referred to in Article 52(6) of Regulation (EU) No 1307/2013.]

4. Where [^{F23}the relevant authority grants] coupled support for protein crops while using the possibility provided for in Article 53(3) of Regulation (EU) No 1307/2013, a transfer of funds shall not result in the support available for protein crops to be less than 2 % of the annual national ceiling set out in Annex II to that Regulation.

5. A decision to transfer funds between support measures shall be taken before the date of the first payment or payment of advances to farmers in respect of the voluntary coupled support. However, in respect of transfers from and to measures for which no payment has been made yet, such decision may be taken after that date, but no later than:

- (a) the last day of the month in which the first payment or payment of advances to farmers in respect of the voluntary coupled support is made;
- (b) 30 November where such first payment or payment of advances is made in the period from 16 to 31 October.

6. The [^{F24}relevant authority] intending to take a decision to transfer funds between support measures shall inform farmers of a possible transfer before the date of opening of the application period.]

Textual Amendments

- F7** Substituted by [Commission Delegated Regulation \(EU\) 2018/707 of 28 February 2018 amending Delegated Regulation \(EU\) No 639/2014 as regards the eligibility criteria for support for hemp under the basic payment scheme and certain requirements in respect of voluntary coupled support.](#)
- F17** Inserted by [Commission Delegated Regulation \(EU\) 2016/141 of 30 November 2015 amending Delegated Regulation \(EU\) No 639/2014 as regards certain provisions on the payment for young farmers and on voluntary coupled support and derogating from Article 53\(6\) of Regulation \(EU\) No 1307/2013 of the European Parliament and of the Council.](#)
- F18** Words in Art. 53a(1) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(3)(a)(i)**
- F19** Words in Art. 53a(1) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(3)(a)(ii)**
- F20** Words in Art. 53a(1) inserted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(3)(b)(i)**
- F21** Words in Art. 53a(1) inserted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(3)(b)(ii)**
- F22** Words in Art. 53a(1) inserted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(3)(b)(iii)**
- F23** Words in Art. 53a(4) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(3)(c)**

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F24 Words in Art. 53a(6) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(3)(d)**

Article 54

Consistency and cumulation of support

1. For the purposes of Article 52(8) of Regulation (EU) No 1307/2013, measures provided for in Regulation (EU) No 1305/2013 and Regulation (EU) No 1308/2013 of the European Parliament and of the Council⁽³⁾ shall be considered as ‘other’^{F25} ... measures and policies’.

2. [^{F26}The relevant authority] shall ensure consistency between:

- (a) coupled support measures and measures implemented under other^{F27} ... measures and policies;
- (b) different coupled support measures;
- (c) coupled support measures and measures funded by state aids.

[^{F26}The relevant authority] shall ensure that coupled support measures do not interfere with the proper functioning of other measures mentioned in the first subparagraph.

[^{F28}3. Where support under a certain coupled support measure may also be granted under another coupled support measure, or under a measure implemented under other^{F29} ... measures and policies, [^{F30}the relevant authority] shall ensure that the farmer concerned may receive support aiming at the objective referred to in Article 52(5) of Regulation (EU) No 1307/2013 under only one such measure per sector, region, specific type of farming or specific agricultural sector that is targeted in accordance with Article 52(3) of that Regulation.]

Textual Amendments

- F25** Word in Art. 54(1) omitted (31.1.2020) by virtue of [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(4)(a)**
- F26** Words in Art. 54(2) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(4)(b)(i)**
- F27** Word in Art. 54(2)(a) omitted (31.1.2020) by virtue of [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(4)(b)(ii)**
- F28** Substituted by [Commission Delegated Regulation \(EU\) 2016/141 of 30 November 2015 amending Delegated Regulation \(EU\) No 639/2014 as regards certain provisions on the payment for young farmers and on voluntary coupled support and derogating from Article 53\(6\) of Regulation \(EU\) No 1307/2013 of the European Parliament and of the Council.](#)
- F29** Word in Art. 54(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), **14(4)(c)(i)**
- F30** Words in Art. 54(3) substituted (31.1.2020) by [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(4)(c)(ii)**

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Changes to legislation: *There are currently no known outstanding effects for the Commission Delegated Regulation (EU) No 639/2014, SECTION 1. (See end of Document for details)*

^{F31} Article 55

Criteria for approval by the Commission

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Textual Amendments

F31 Arts. 55-61 omitted (31.1.2020) by virtue of [The Rules for Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/91\)](#), regs. 1(2), **14(5)**

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are currently no known outstanding effects for the Commission Delegated Regulation (EU) No 639/2014, SECTION 1. (See end of Document for details)

- (1) Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97 (OJ L 204, 11.8.2000, p. 1).
- (2) Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC (OJ L 5, 9.1.2004, p. 8).
- (3) Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/01 and (EC) No 1234/2007 (OJ L 347, p. 671).

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There are currently no known outstanding effects for the Commission Delegated Regulation (EU) No 639/2014, SECTION 1.