

Commission Implementing Regulation (EU) No 809/2014 of 17 July 2014 laying down rules for the application of Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the integrated administration and control system, rural development measures and cross compliance

TITLE III

CHECKS

CHAPTER I

Common provisions

Article 26

Timing of on-the-spot checks

1. Where appropriate, on-the-spot checks provided for in this Regulation shall be carried out at the same time as any other checks provided for in [F1Union law][F1the law applying in the constituent nation].

2. For the purpose of rural development measures in the scope of the integrated system, the on-the-spot checks shall be spread over the year on the basis of an analysis of the risks presented by the different commitments under each measure.

[F2The on-the-spot checks on commitments notified in accordance with Article 14a(5) shall be carried out within the time limits that ensure an effective verification of the commitment notified.]

3. On-the-spot checks shall verify compliance with all eligibility criteria, commitments and other obligations of those aid schemes or support measures for which a beneficiary has been selected in accordance with Article 34.

The duration of on-the-spot checks shall be strictly limited to the minimum time period necessary.

4. Where certain eligibility criteria, commitments and other obligations can only be checked during a specific time period, the on-the-spot checks may require additional visits at a later date. In such a case, the on-the-spot checks shall be coordinated in such a way to limit the number and the duration of such visits to one beneficiary to the minimum required. Where appropriate, such visits may also be carried out by way of remote sensing in accordance with Article 40.

Where additional visits relating to land laying fallow, field margins, buffer strips, strips of eligible hectares along forest edges, catch crops and/or green cover declared as ecological focus area are required, the number of those additional visits shall for 50 % of the cases concern the same beneficiary, selected on a risk based basis, and for the remaining 50 % of the cases different additionally selected beneficiaries. The different additional beneficiaries shall be selected randomly from all beneficiaries having land laying fallow, field margins, buffer strips, strips of eligible hectares along forest edges,

Status: Point in time view as at 30/09/2020. This version of this provision has been superseded.

Changes to legislation: There are outstanding changes not yet made to Commission Implementing Regulation (EU) No 809/2014. 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)

catch crops and/or green cover declared as ecological focus area and such visits may be limited to the areas declared as land laying fallow, field margins, buffer strips, strips of eligible hectares along forest edges, catch crops and/or green cover.

Where additional visits are required, Article 25 shall apply to each additional visit.

[^{F3}In respect of claim year 2020, checks under this paragraph may be carried out by the use of new technologies, including geo-tagged photos, or other relevant evidence, as well as remote sensing.][^{F4}In respect of claim year 2020, the requirement for additional visits under this paragraph may be met by the use of new technologies or other relevant evidence.]

Textual Amendments

- F1** Words in Art. 26(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **14(24)**
- F2** Inserted by Commission Implementing Regulation (EU) 2015/2333 of 14 December 2015 amending Implementing Regulation (EU) No 809/2014 laying down rules for the application of Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the integrated administration and control system, rural development measures and cross compliance.
- F3** Words in Art. 26(4) inserted (E.) (30.6.2020) by The Direct Payments to Farmers (Inspections) (Coronavirus) (England) Regulations 2020 (S.I. 2020/575), regs. 1(1), **2(3)**; and words in Art. 26(4) inserted (N.I.) (20.7.2020) by The Direct Payments to Farmers (Controls and Checks) (Amendment) (Coronavirus) Regulations (Northern Ireland) 2020 (S.R. 2020/105), regs. 1(1), **2(3)**
- F4** Words in Art. 26(4) inserted (S.) (30.9.2020) by The Direct Payments to Farmers (Controls) (Coronavirus) (Scotland) Regulations 2020 (S.S.I. 2020/244), regs. 1(1), **2(3)**

Modifications etc. (not altering text)

- C1** Art. 26(4) modified (W.) (14.6.2020) by The Payments to Farmers (Controls and Checks) (Wales) (Coronavirus) Regulations 2020 (S.I. 2020/531), regs. 1(2), **2(b)**

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