

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 II

Administrative checks within the integrated system

Article 29

Cross-checks

1. Where appropriate, the administrative checks shall include cross-checks:
 - (a) on declared payment entitlements and on declared agricultural parcels, respectively, in order to avoid multiple granting of the same aid or support in respect of the same calendar or claim year and to prevent any undue accumulation of aid granted under area-related aid schemes listed in Annex I to Regulation (EU) No 1307/2013 [F1 and Annex VI to Council Regulation (EC) No 73/2009⁽¹⁾], and area-related support measures as defined in point (21) of the second subparagraph of Article 2 of Delegated Regulation (EU) No 640/2014;
 - (b) [F2 on the payment entitlements to verify their existence and the eligibility for aid;]
 - (c) between the agricultural parcels as declared in the single application and/or payment claim and the information as contained in the identification system for agricultural parcels per reference parcel in accordance with Article 5(2) of Delegated Regulation (EU) No 640/2014 to verify the eligibility for [F3 direct payment scheme and/or] rural development measure of the areas as such;
 - (d) [F4 between the payment entitlements and the area determined in order to verify that the entitlements are accompanied by at least an equal number of eligible hectares as defined in Article 32(2) to [F5(6)][F5(4)] of Regulation (EU) No 1307/2013;]
 - (e) [F6 by means of the system for the identification and registration of animals, to verify eligibility for the [F7 aid and/or] support and to avoid undue multiple granting of the same [F7 aid and/or] support in respect of the same calendar or claim year;]
 - (f) F8
 - (g) F8

For the purposes of point (c) of the first subparagraph, where the integrated system provides for geo-spatial aid application forms, the cross-checks shall be carried out as spatial intersection of the digitised area declared with the identification system of

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agricultural parcels. In addition, cross-checks shall be carried out to prevent double claiming of the same area.

[^{F9}Data from applications or concerning applicants found not to be admissible or not eligible for payment as referred to in Article 34(1) shall be used for the purposes of points [^{F10}(a), (c) and (e)][^{F10}(a) and (c)] of the first subparagraph of this paragraph.]

2. Indications of non-compliance resulting from cross-checks shall be followed-up by any other appropriate administrative procedure, and where necessary, by an on-the-spot check.

3. Where a reference parcel is subject to [^{F11}an][^{F11}a][^{F12}aid application and/or] payment claim by two or more beneficiaries [^{F13}under the same aid scheme or] under the same support measure and where the agricultural parcels declared are spatially overlapping or where the overall area declared exceeds the maximum eligible area determined in accordance with points (a) and (b) of Article 5(2) of Delegated Regulation (EU) No 640/2014, and the difference falls within the measurement tolerance defined in accordance with Article 38 of this Regulation in respect of that reference parcel, [^{F14}a relevant authority] may provide for a proportional reduction of the areas concerned, unless a beneficiary demonstrates that any of the other beneficiaries concerned over-declared his areas to the detriment of the former.

Textual Amendments

- F1** Words in Art. 29(1)(a) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring Supplementary Provisions\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/765\)](#), regs. 1, **5(26)(a)(i)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 8(22)); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Art. 29(1)(b) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring Supplementary Provisions\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/765\)](#), regs. 1, **5(26)(a)(ii)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 8(22)); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 29(1)(c) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring Supplementary Provisions\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/765\)](#), regs. 1, **5(26)(a)(iii)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 8(22)); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Art. 29(1)(d) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring Supplementary Provisions\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/765\)](#), regs. 1, **5(26)(a)(iv)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 8(22)); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Word in Art. 29(1)(d) substituted (W.) (31.12.2020 in so far as it relates to direct payments) by [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **4(12)**
- F6** Art. 29(1)(e) omitted (E.) (1.1.2021 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/1513\)](#), regs. 1(2), **7(11)(a)**
- F7** Words in Art. 29(1)(e) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring Supplementary Provisions\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/765\)](#), regs. 1, **5(26)(a)(v)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 8(22)); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Art. 29(1)(f)(g) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments](#)

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- to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **14(27)(a)**; and Art. 29(1)(f)(g) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring Supplementary Provisions) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/765), regs. 1, **5(26)(a)(vi)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 8(22)); 2020 c. 1, Sch. 5 para. 1(1)
- F9** Inserted by Commission Implementing Regulation (EU) 2018/746 of 18 May 2018 amending Implementing Regulation (EU) No 809/2014 as regards modification of single applications and payment claims and checks.
- F10** Words in Art. 29(1) substituted (E.) (1.1.2021 in so far as it relates to direct payments) by The Direct Payments to Farmers (England) (Amendment) Regulations 2020 (S.I. 2020/1513), regs. 1(2), **7(11)(b)**
- F11** Word in Art. 29(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring Supplementary Provisions) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/765), regs. 1, **5(26)(b)(i)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 8(22)); 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in Art. 29(3) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring Supplementary Provisions) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/765), regs. 1, **5(26)(b)(ii)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 8(22)); 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in Art. 29(3) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring Supplementary Provisions) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/765), regs. 1, **5(26)(b)(ii)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 8(22)); 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in Art. 29(3) 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(27)(b)**; and words in Art. 29(3) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring Supplementary Provisions) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/765), regs. 1, **5(26)(b)(iii)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 8(22)); 2020 c. 1, Sch. 5 para. 1(1)

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- (1) Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 ([OJ L 30, 31.1.2009, p. 16](#)).

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