

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 III

On-the-spot checks within the integrated system

Section 2

*On-the-spot checks with regard to aid applications for area-related
aid schemes and payment claims for area-related support measures*

Article 40

Checks with remote sensing

Where a [^{F1}relevant authority] carries out on-the-spot checks by remote sensing, the competent authority shall:

- (a) perform photo interpretation of ortho-images (satellite or aerial) of all agricultural parcels per [^{F2}aid application and/or] payment claim to be checked with a view to recognising the land cover types, and where appropriate the crop type, and measuring the area;
- (b) [^{F3}carry out physical inspections in the field of all agricultural parcels for which photo interpretation or other relevant evidence requested by the competent authority does not make it possible to verify the accuracy of the declaration of areas to the satisfaction of the competent authority;]
- (c) carry out all checks required to verify the compliance with the eligibility criteria, commitments and other obligations of the agricultural parcels;
- (d) take alternative action to cover the area measurement in accordance with Article 38(1) of any parcels not covered by imagery.

Textual Amendments

- F1** Words in [Art. 40](#) 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\(34\)](#); and words in [Art. 40](#) 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](#)

Status: Point in time view as at 01/01/2021.

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)

- Supplementary Provisions) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/765), regs. 1, **5(35)(a)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 8(26)); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 40(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(35)(b)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 8(26)); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Substituted 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.

Status:

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