

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](#)

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) [View outstanding changes](#)

- 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.

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.

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Changes and effects yet to be applied to :

- Regulation applied with mods. by [S.R. 2021/181 reg. 2](#)
- Art. 40 words substituted by [S.I. 2019/765 reg. 5\(35\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(34)-(36) substituted immediately before IP completion day by [S.I. 2020/1445, reg. 8\(26\)](#))

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Title 5 revoked by [S.I. 2023/816 Sch. Pt. 1 para. 1 Table 1](#)
- Art. 1(m) words substituted by [S.I. 2019/765 reg. 5\(2\)\(a\)\(iv\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(2)(a)(iv) substituted immediately before IP completion day by [S.I. 2020/1445, reg. 8\(3\)\(c\)](#))
- Art. 1(r)(s) revoked by [S.I. 2023/816 Sch. Pt. 1 para. 1 Table 2](#)
- Art. 6(2)(c) words substituted by [S.I. 2021/400 reg. 4\(3\)](#)
- Art. 6(2)(f)(iii)(iv) omitted by [S.I. 2019/765 reg. 5\(6\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(6) substituted immediately before IP completion day by [S.I. 2020/1445, reg. 8\(8\)](#))
- art. 6(3)(b) omitted by [S.R. 2021/40 reg. 6\(2\)\(a\)](#)
- Art. 6(3)(c) omitted by [S.I. 2019/765 reg. 5\(6\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(6) substituted immediately before IP completion day by [S.I. 2020/1445, reg. 8\(8\)](#))
- Art. 6(5) inserted by [S.I. 2021/407 reg. 5\(2\)\(c\)](#)
- Art. 14(1)(f) omitted by [S.I. 2022/765 reg. 11\(2\)](#)
- art. 14(1)(h) omitted by [S.R. 2021/40 reg. 6\(3\)](#)
- Art. 14(1a) inserted for specified purposes by [S.I. 2022/1225 reg. 8\(1\)reg. 8\(2\)\(b\)](#)
- Art. 17(7)(c) words substituted by [S.I. 2019/765 reg. 5\(16\)\(c\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(16)(b)-(d) substituted immediately before IP completion day by [S.I. 2020/1445, reg. 8\(13\)](#))
- Art. 21(1)(d) words substituted by [S.I. 2019/765 reg. 5\(19\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(19)(a)(b) substituted immediately before IP completion day by [S.I. 2020/1445, reg. 8\(18\)\(i\)](#))
- Art. 24(1)(c) revoked by [S.I. 2023/816 Sch. Pt. 1 para. 1 Table 2](#)
- Art. 29(1)(a) word omitted by [S.I. 2023/1430 Sch. 4 para. 7\(6\)\(b\)](#)
- Art. 29(1)(a) words omitted by [S.I. 2023/1430 Sch. 4 para. 7\(6\)\(a\)](#)
- Art. 29(1)(a) words omitted by [S.I. 2023/1430 Sch. 4 para. 7\(6\)\(c\)](#)
- Art. 29(1)(f) omitted by [S.I. 2019/765 reg. 5\(26\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(26)-(28) substituted immediately before IP completion day by [S.I. 2020/1445, reg. 8\(22\)](#))
- Art. 29(1)(g) omitted by [S.I. 2019/765 reg. 5\(26\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(26)-(28) substituted immediately before IP completion day by [S.I. 2020/1445, reg. 8\(22\)](#))
- Art. 30(f) omitted by [S.I. 2019/765 reg. 5\(27\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(26)-(28) substituted immediately before IP completion day by [S.I. 2020/1445, reg. 8\(22\)](#))
- Art. 30(h) omitted by [S.I. 2019/765 reg. 5\(27\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(26)-(28) substituted immediately before IP completion day by [S.I. 2020/1445, reg. 8\(22\)](#))

- Art. 31(b)(ii) words omitted by [S.I. 2019/765 reg. 5\(28\)\(a\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(26)-(28) substituted immediately before IP completion day by S.I. 2020/1445, reg. 8(22))
- Art. 31(1)(c) words omitted by [S.I. 2019/765 reg. 5\(28\)\(a\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(26)-(28) substituted immediately before IP completion day by S.I. 2020/1445, reg. 8(22))
- Art. 31(1)(d) words omitted by [S.I. 2019/765 reg. 5\(28\)\(a\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(26)-(28) substituted immediately before IP completion day by S.I. 2020/1445, reg. 8(22))
- Art. 32a inserted by [S.I. 2021/400 reg. 4\(10\)](#)
- Art. 34(5)(c) words substituted by [S.I. 2019/765 reg. 5\(30\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(30)-(32) substituted immediately before IP completion day by S.I. 2020/1445, reg. 8(24))
- Art. 34(5)(d) word inserted by [S.I. 2021/400 reg. 4\(11\)\(c\)\(ii\)](#)
- Art. 37(3)(c) words substituted by [S.I. 2019/765 reg. 5\(32\)\(a\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(30)-(32) substituted immediately before IP completion day by S.I. 2020/1445, reg. 8(24))
- Art. 40a(2)(b) words substituted by [S.I. 2019/765 reg. 5\(36\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(34)-(36) substituted immediately before IP completion day by S.I. 2020/1445, reg. 8(26))
- Art. 41(1)(h) words revoked by [S.I. 2023/816 Sch. Pt. 1 para. 1 Table 2](#)
- Art. 48(2)(e) sum substituted by [S.I. 2021/400 reg. 4\(22\)\(a\)\(ii\)\(aa\)](#)
- Art. 48(2)(e) words omitted by [S.I. 2021/400 reg. 4\(22\)\(a\)\(ii\)\(bb\)](#)
- Art. 48(5)(a) omitted by [S.I. 2021/400 reg. 4\(22\)\(b\)\(ii\)](#)
- Art. 64(a) word omitted by [S.I. 2019/765 reg. 5\(51\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(51) substituted immediately before IP completion day by S.I. 2020/1445, reg. 8(31))