

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 41

Control report

1. Every on-the-spot check under this Section shall be the subject of a control report which makes it possible to review the details of the checks carried out and to draw conclusions on the compliance with the eligibility criteria, commitments and other obligations. The report shall indicate in particular:

- (a) the aid schemes or support measures, the aid applications or payment claims checked;
- (b) the persons present;
- (c) the agricultural parcels checked, the agricultural parcels measured including, where applicable, the result of the measurements per measured agricultural parcel and the measuring methods used;
- (d) where applicable, the results of the measurement of non-agricultural land for which support under rural development measures is being claimed and the measuring methods used;
- (e) whether notice of the check was given to the beneficiary and, if so, the period of prior notice;
- (f) indications of any specific control measures to be carried out in the context of individual aid schemes or support schemes;
- (g) indication of any further control measures carried out;
- (h) indication of any non-compliance found that could require cross-notification in view of other aid schemes, support measures and/or cross-compliance;

Status: Point in time view as at 01/01/2016. This version of this provision has been superseded.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)

(i) indication of any non-compliance found that could require follow-up during the following years.

2. The beneficiary shall be given the opportunity to sign the report during the check to attest his presence at the check and to add observations. Where Member States make use of a control report established by electronic means during the check, the competent authority shall provide for the possibility of an electronic signature by the beneficiary or the control report shall be sent without delay to the beneficiary giving him the opportunity to sign the report and to add any observations. Where any non-compliance is found the beneficiary shall receive a copy of the control report.

[^{F1}By way of derogation from the first subparagraph, where the Member State uses the option to introduce collective claims, the Member State may decide not to give the collective the opportunity to sign the control report if no non-compliance is revealed during the check. If any non-compliance is revealed as a consequence of such checks, the opportunity to sign the report shall be given before the competent authority draws its conclusions from the findings with regard to any resulting reductions, refusals, withdrawals or penalties.]

Where the on-the-spot check is carried out by means of remote sensing in accordance with Article 40, the Member States may decide not to give the beneficiary the opportunity to sign the control report if no non-compliance is revealed during the check by remote-sensing. If any non-compliance is revealed as a consequence of such checks the opportunity to sign the report shall be given before the competent authority draws its conclusions from the findings with regard to any resulting reductions, refusals, withdrawals or penalties.

Textual Amendments

- F1** 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.](#)

Status:

Point in time view as at 01/01/2016. 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.