

Commission Implementing Regulation (EU) 2015/1831 of 7 October 2015 laying down rules for application of Regulation (EU) No 1144/2014 of the European Parliament and of the Council on information provision and promotion measures concerning agricultural products implemented in the internal market and in the third countries

CHAPTER III

MANAGEMENT OF SIMPLE PROGRAMMES

SECTION 2

Control of the implementation of the programmes and notifications by Member States

Article 18

Checks on the selection procedure of the implementing bodies

Before signing the contract referred to in Article 10, Member States shall check that the implementing bodies have been selected in accordance with the competitive procedure provided for in Article 2 of Delegated Regulation (EU) 2015/1829.

Article 19

Administrative checks of simple programmes

1 During administrative checks Member States shall systematically verify the payment applications, in particular the reports accompanying the applications and the eligibility of the costs pursuant to Article 4 of Delegated Regulation (EU) 2015/1829.

2 Member States shall request any additional information deemed necessary and, if appropriate, carry out further checks, in particular when:

- a the requested reports have not been submitted or are not complete;
- b the administrative review of the certificate on the financial statements does not provide adequate evidence on the eligibility of the costs pursuant to Article 4 of Delegated Regulation (EU) 2015/1829 and on compliance with the obligations referred to in Article 12(2) of this Regulation; or
- c there is a doubt about the eligibility of the costs declared in the financial statements.

Article 20

On-the-spot checks of simple programmes

1 Member States shall select the payment applications to be checked on the basis of a risk analysis.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are outstanding changes not yet made to Commission Implementing Regulation (EU) 2015/1831. 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)

The selection shall be made in such a way as to ensure that each simple programme is subjected to on-the-spot checks at least once during its implementation between the first interim payment and the payment of the balance.

2 On-the-spot checks shall consist of technical and accounting checks at the premises of the proposing organisation and, if appropriate, of the implementing body. Member States shall verify that:

- a the information and the documents submitted are accurate;
- b the costs have been declared in accordance with Article 4 of Delegated Regulation (EU) 2015/1829 and with Article 12(2) of this Regulation;
- c all the obligations laid down in the contract referred to in Article 10 have been fulfilled;
- d Articles 10 and 15 of Regulation (EU) No 1144/2014 have been complied with.

Without prejudice to Commission Regulation (EC) No 1848/2006⁽¹⁾, Member States shall inform the Commission at the earliest opportunity of any irregularities detected during the checks.

On-the-spot checks may be limited to a sample covering at least 30 % of the eligible costs. Such sample shall be reliable and representative.

Where any non-compliance is detected, the Member State shall check all the documents relating to the costs declared or the results of the sample shall be extrapolated.

3 Member States shall draw up a report covering each on-the-spot-check. That report shall clearly specify the scope and results of the checks carried out.

Article 21

Notifications to the Commission concerning simple programmes

1 With respect to all payments made for simple programmes, by 15 July of each year, Member States shall notify the Commission of the following data covering the previous calendar year relating to:

- a the financial execution and the output indicators as referred to in Article 22;
- b the impact of the programmes assessed using the system of indicators referred to in Article 22;
- c the results of administrative and on-the-spot checks carried out in accordance with Articles 19 and 20.

2 Such notification shall be made by electronic means using the technical specifications for the transfer of data made available by the Commission.

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- (1) Commission Regulation (EC) No 1848/2006 of 14 December 2006 concerning irregularities and the recovery of sums wrongly paid in connection with the financing of the common agricultural policy and the organisation of an information system in this field and repealing Council Regulation (EEC) No 595/91 (OJ L 355, 15.12.2006, p. 56).

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