

Commission Implementing Regulation (EU) 2017/892 of 13 March 2017 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors

CHAPTER III

NATIONAL FINANCIAL ASSISTANCE

Article 18

Authorisation to pay national financial assistance

1 Member States shall submit a request to the Commission for authorisation to grant national financial assistance pursuant to Article 35(1) of Regulation (EU) No 1308/2013 for operational programmes to be implemented in any given calendar year by 31 January of that year.

The request shall be accompanied by evidence showing:

- a that the degree of organisation of producers in the region concerned is particularly low, in accordance with Article 52 of Delegated Regulation (EU) 2017/891;
- b that only products of the fruit and vegetables sector produced in that region benefit from the assistance; and
- c details of the producer organisations and the amount of assistance concerned and the proportion of financial contributions being made pursuant to Article 32(1) of Regulation (EU) No 1308/2013.

2 The Commission shall approve or refuse the request by way of a decision within three months. That period shall begin on the day following the day on which the Commission received a completed request from the Member State. If the Commission does not request additional information within the three-month period, the request shall be deemed to be complete.

Article 19

Application for and payment of the national financial assistance

1 Articles 9 and 10 shall apply *mutatis mutandis* to applications for and the payment of the national financial assistance.

2 Member States may adopt additional rules on the payment of the national financial assistance, including the possibility of advance and partial payments.

Article 20

Union reimbursement of the national financial assistance

1 Before 1 January of the second year following the year of implementation of the programme Member States may request Union reimbursement of the approved national financial assistance actually paid to producer organisations.

The request shall be accompanied by evidence showing that the conditions set out in Article 35(2) of Regulation (EU) No 1308/2013 have been fulfilled in three of the previous four years.

For the purpose of the calculation of the degree of organisation of producers in the fruit and vegetables sector, the value of fruit and vegetables production from producer groups formed pursuant to Article 125e of Regulation (EC) No 1234/2007 shall also be taken into account.

The request for Union reimbursement of the national financial assistance shall also contain:

- a details of the producer organisations concerned;
- b the amount of assistance paid, limited for each producer organisation to the amount initially authorised; and
- c a description of the operational fund showing the total amount, the Union financial assistance, the national financial assistance and the contributions of the producer organisations and of the members.

2 The Commission shall approve or refuse the request.

The request shall be refused where the rules on the authorisation and reimbursement of national financial assistance have not been complied with or where the rules on producer organisations, the operational fund and operational programmes laid down in or pursuant to Regulation (EU) No 1308/2013 have not been respected.

3 Where Union reimbursement of the assistance has been approved, the eligible expenditure shall be declared to the Commission in accordance with the procedure set out in Article 11 of Commission Implementing Regulation (EU) No 908/2014⁽¹⁾.

4 The proportion of Union reimbursement of national financial assistance shall not exceed 60 % of the national financial assistance granted to the producer organisation. The amount reimbursed shall not exceed 48 % of the Union financial assistance referred to in Article 32(1)(b) of Regulation (EU) No 1308/2013.

- (1) Commission Implementing Regulation (EU) No 908/2014 of 6 August 2014 laying down rules for the application of Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to paying agencies and other bodies, financial management, clearance of accounts, rules on checks, securities and transparency (OJ L 255, 28.8.2014, p. 59).