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DRAFT STATUTORY INSTRUMENTS

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**2019 No.**

**The European Structural and Investment Funds Common Provisions (Amendment) (EU Exit) Regulations 2019**

**PART 3**

Amendments to retained direct EU legislation

**Amendment of Annex 1**

**18.**—(1) Annex 1 is amended as follows.

(2) For “the ESI Funds”, in each place it occurs (including in the heading of paragraph 3), substitute “support for rural development and support under Regulation (EU) No 508/2014”.

(3) For “ESI Funds” (in the headings of paragraphs 2 and 4) substitute “support for rural development and support under Regulation (EU) No 508/2014”.

(4) For paragraph 1 substitute—

“In order to promote the harmonious, balanced and sustainable development of the constituent nations and to maximise the contribution of support for rural development and support under Regulation (EU) No 508/2014, including to economic, social and territorial cohesion, it is necessary to ensure that policy commitments are underpinned by investment. The Common Strategic Framework (CSF) shall therefore, in accordance with Article 10 and in compliance with the priorities and objectives laid down in the Fund-specific Regulations, provide strategic guiding principles in order to achieve an integrated development approach, in line with policy objectives, and, where appropriate, the flagship initiatives, while taking into account the key territorial challenges and specific national, regional and local contexts.”.

(5) In paragraph 2—

- (a) for the heading substitute “Coherence with Economic Governance”;
- (b) omit “Partnership Agreements and”;
- (c) omit “the Union strategy for smart, sustainable and inclusive growth”, in both place it occurs;
- (d) for “Member States”—
  - (i) in the first and third place it occurs, substitute “the relevant authority”;
  - (ii) in the second place it occurs, substitute “The relevant authority”;
- (e) omit point 3.

(6) In paragraph 3—

- (a) in section 3.1—
  - (i) in point 1—
    - (aa) omit the first sentence;
    - (bb) for “Member States”, in both places, substitute “The relevant authority”;

- (cc) omit “Union”;
- (ii) omit point 2;
- (b) in section 3.2, in point 1—
  - (i) for the introductory wording substitute—
 

“(1) The relevant authority and the Managing Authority responsible for each programme must work closely together in the preparation, implementation, monitoring and evaluation of the programme. In particular they shall ensure that the following actions are carried out.”;
  - (ii) omit points (b) and (f);
- (c) in section 3.3—
  - (i) in point 1—
    - (aa) for “Member States” substitute “The relevant authority”;
    - (bb) omit “Partnership Agreement and”;
    - (cc) omit “ITIs.”;
  - (ii) omit point 2;
  - (iii) in point 3, omit from “from the ERDF” to “thematic objective”;
  - (iv) for point 4 substitute—
 

“(4) The relevant authority must promote, in accordance with their institutional and legal framework and with Article 32 the development of local and sub-regional approaches. Community-led local development must be implemented in the context of a strategic approach to ensure that the “bottom-up” definition of local needs takes account of priorities set at a higher level. The relevant authority must therefore define the approach to community-led local development in its rural development programme and, where appropriate, in its programme for support under Regulation (EU) No 508/2014.”.
- (7) In paragraph 4—
  - (a) in the first section—
    - (i) for “Member States” substitute “the relevant authority”;
    - (ii) for “Member State” substitute “relevant authority”;
    - (iii) for “other Union instruments” substitute “retained direct EU legislation”;
    - (iv) in the last sentence, omit “Union”;
  - (b) in section 4.1—
    - (i) in point 1—
      - (aa) for the words from “Member States to “respective responsibilities,” substitute “The relevant authority must”;
      - (bb) omit “Union”, in each place it occurs;
      - (cc) in the last sentence, for “Member States” substitute “The relevant authority”;
    - (ii) in point 2—
    - (iii) for the words from “Member States” to “respective responsibilities,” substitute “The relevant authority must”;
    - (iv) for “Union instruments at Union and Member State level” substitute “the law as it operates in the constituent nation, including retained direct EU legislation”;

- (v) omit “Union”, in the third and fifth places it occurs;
  - (vi) for “different Union instruments” substitute “retained direct EU legislation”;
  - (vii) for “at Union and national level”, in both places it occurs, substitute “in the constituent nation”;
  - (c) in section 4.2—
    - (i) in point 1—
      - (aa) for the first sentence substitute—

“Support for rural development complements the measures for direct payment support and CMO support to farmers and to support market measures.”;
      - (bb) for “Member States” substitute “The relevant authority”;
      - (cc) for “Union support” substitute “support for rural development”;
    - (ii) omit point 2;
  - (d) omit section 4.3 to 4.9.
- (8) In paragraph 5—
- (a) in section 5.1—
    - (i) in point 1—
      - (aa) for “Member States” substitute “the relevant authority”;
      - (bb) omit “and delivery of the Union’s priorities of smart, sustainable and inclusive growth”;
      - (cc) omit “Partnership Agreement and”;
    - (ii) in point 2 for “Member States” substitute “The relevant authority”;
  - (b) in section 5.2—
    - (i) in point 1—
      - (aa) omit “as laid down in Article 3(3) TEU”;
      - (bb) omit “pursuant to Article 11 TFEU”;
      - (cc) omit “as set out in Article 191(2) TFEU”;
    - (ii) in point 2 for “Member States” substitute “The relevant authority”;
  - (c) in section 5.3—
    - (i) in point 1—
      - (aa) for “Member States and the Commission” substitute “the relevant authority”;
      - (bb) in the second sentence, for “Member States” substitute “the relevant authority”;
      - (cc) in the last sentence, for “Member States” substitute “The relevant authority”;
    - (ii) in points 2 and 4, for “Member States” substitute “The relevant authority”;
  - (d) in point 1 of section 5.4, for “Member States and the Commission” substitute “The relevant authority”;
  - (e) in section 5.5—
    - (i) in point 1, for “Member States” substitute “The relevant authority”;

- (ii) in point 2—
  - (aa) for “Member States” substitute “The relevant authority”;
  - (bb) omit “Union”;
  - (cc) omit “of the Union’s”;
  - (iii) in point 3, for “Member States” substitute “the relevant authority”;
- (f) in section 5.6, omit “Partnership Agreements and”.
- (9) In paragraph 6—
  - (a) in section 6.1, for “Member States” substitute “The relevant authority”;
  - (b) in section 6.2—
    - (i) for “Union priorities” substitute “priorities for rural development and priorities for sustainable fisheries”;
    - (ii) for “Member State” substitute “constituent nation”;
  - (c) in section 6.3—
    - (i) omit “Partnership Agreements and”;
    - (ii) for “Member States” substitute “the relevant authority”
    - (iii) for “the Union” substitute “the United Kingdom”;
  - (d) in section 6.4—
    - (i) in the first paragraph—
      - (aa) for “Member States”, in both places it occurs, substitute “the relevant authority”;
      - (bb) omit “European”;
      - (cc) omit “and regions”
      - (dd) omit “Partnership Agreements and”;
    - (ii) omit point (a);
    - (iii) in point (b), for “Member State” substitute “constituent nation”;
    - (iv) in point (d)—
      - (aa) for “Member States” substitute “constituent nations”;
      - (bb) omit “the Union strategy for smart, sustainable and inclusive growth”;
  - (e) in section 6.5, for “Member States” substitute “constituent nations”.
- (10) In paragraph 7—
  - (a) in section 7.1—
    - (i) in point 1 for “Member States” substitute “The relevant authority”;
    - (ii) for point 2 substitute—
      - “(ii) The relevant authority must ensure that cooperation activities are organised in support of wider policy goals. To achieve this the relevant authority must ensure complementarity and coordination with other programmes.”;
    - (iii) omit points 3 to 5;
    - (iv) in point 6—
      - (aa) for “Member States” substitute “Constituent nations”;
      - (bb) omit from “while contributing” to “inclusive growth”;

- (cc) omit from “In this context,” to “Article 349 TFEU.”;
- (b) omit section 7.2 to 7.4.