
STATUTORY INSTRUMENTS

2019 No. 785

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

PART 3

Amendments to retained direct EU legislation

Amendment of Title 1 of Part Two

5.—(1) For the heading to Part Two substitute “Common Provisions applicable to support for rural development and support under Regulation (EU) No 508/2014”.

(2) For the heading to Title I substitute “Principles of support for rural development and support under Regulation (EU) No 508/2014”.

(3) In Article 4 —

(a) for paragraph 1 substitute—

“**1.** Support for rural development and support under Regulation (EU) No 508/2014 must be provided through multi-annual programmes that complement national, regional and local intervention, as well as the Fund-specific missions, including economic, social and territorial cohesion.”;

(b) for paragraph 2 substitute—

“**2.** The relevant authority must ensure, taking account of the specific context of each constituent nation, that support for rural development and support under Regulation (EU) No 508/2014 is consistent with the horizontal principles referred to in Articles 5, 7 and 8 and that it is complementary to CMO support and direct payment support and support under other retained direct EU legislation.”

(c) omit paragraph 3;

(d) for paragraph 4 substitute—

“(4) for the words from “Member States” to “by them” substitute “The relevant authority, in accordance with its institutional, legal and financial framework, and the bodies designated by it”;

(e) in paragraph 5, for “the ESI Funds” substitute “support for rural development and support under Regulation (EU) No 508/2014”;

(f) omit paragraphs 6, 7 and 8;

(g) in paragraphs 9 and 10—

(i) for “The Commission and Member States” substitute “The relevant authority and Managing Authority”;

(ii) for “the ESI Funds” substitute “support for rural development and support under Regulation (EU) No 508/2014”.

(4) In Article 5 —

- (a) in paragraph 1, for the words from the beginning to “Member State” substitute “The relevant authority”;
- (b) in point (a), omit “urban and other”;
- (c) in paragraph 2—
 - (i) for “Member States” substitute “the relevant authority”;
 - (ii) omit “Partnership Agreements and”;
- (d) omit paragraphs 5 and 6.
- (5) For Article 6 substitute—

“Compliance with the law as it applies in the constituent nation

Operations receiving support for rural development and support under Regulation (EU) No 508/2014 must comply with the law as it applies in the constituent nation relating to its application (“the law as it applies in the constituent nation”).”

(6) In Article 7, for “Member States and the Commission” in each place it occurs, substitute “relevant authority”.

(7) In Article 8 —

- (a) in the first paragraph—
 - (i) for “ESI Funds”, substitute “support for rural development and support under Regulation (EU) No 508/2014”;
 - (ii) omit “Union’s promotion of the”;
- (b) for the second paragraph substitute—

“2. The relevant authority must ensure that environmental protection requirements, resource efficiency, climate change mitigation and adaptation, biodiversity, disaster resilience, and risk prevention and management are promoted in the preparation and implementation of programmes. The relevant authority must provide information on the support for climate change objectives using a methodology based on the categories of intervention, focus areas or measures, as appropriate, for support for rural development and support under Regulation (EU) No 508/2014. That methodology must consist of assigning a specific weighting to the support provided at a level which reflects the extent to which such support makes a contribution to climate change mitigation and adaptation goals. The specific weighting assigned must be differentiated on the basis of whether the support makes a significant or a moderate contribution towards climate change objectives. Where the support does not contribute towards those objectives of the contribution is insignificant, a weighting of zero shall be assigned. In the case of support for rural development weightings shall be attached to focus areas set out in Regulation (EU) No 1305/2013 and in the case of support under Regulation (EU) No 508/2014 to measures set out in that Regulation.”