
STATUTORY INSTRUMENTS

2020 No. 90

The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020

[^{F1}PART 3

Amendment of Delegated and Implementing Acts

[^{F1}Amendment of Commission Implementing Regulation (EU) 908/2014

13.—(1) Commission Implementing Regulation 908/2014 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, in so far as it relates to the CAP direct payment schemes, is amended as follows.

(2) Omit Articles 1 to 3.

(3) In Article 4—

(a) in the heading, for “Coordinating body” substitute “ Relevant authorities acting jointly ”;

(b) for paragraph 1 substitute—

“**1.** In accordance with Article 7(4) of Regulation (EU) No 1306/2013 the relevant authorities will act jointly on the following:

(i) operating a monthly early warning and monitoring system;

(ii) publishing beneficiary data on a single website;

(iii) meeting international commitments;

(iv) all of the information set out in Article 7 of Regulation (EU) No 1306/2013.”;

(c) omit paragraph 2;

(d) in paragraph 3—

(i) for “its tasks” substitute “ their tasks ”;

(ii) for “coordinating body” substitute “ relevant authorities acting jointly ”;

(iii) for “national procedures,” substitute “ the procedures applying in the constituent nation, ”;

(e) omit paragraphs 4 and 5.

(4) Omit Articles 5 to 7.

(5) In Chapter 2, in the title, omit “of the funds”.

(6) Omit Articles 8 to 10.

(7) In Article 11—

- (a) in paragraph 1—
 - (i) for “assigned revenue declared” substitute “ declared revenue ”;
 - (ii) in the second subparagraph, for “EAGF budget” substitute “ direct payment support ”;
 - (iii) omit the third subparagraph;
 - (b) in paragraph 2, for “assigned revenue” substitute “ declared revenue ”;
 - (c) in paragraph 3, omit the first subparagraph;
 - (d) in paragraph 5, for “the EAGF” substitute “ direct payment support ”;
 - (e) omit paragraph 6.
- (8) Omit Articles 13 and 14.
- (9) Omit Articles 24 to 26.
- (10) In Article 27, in paragraph 1, for “Member States” substitute “ A relevant authority ”.
- (11) In Article 28—
- (a) for “national law”, substitute “ the law applying in the constituent nation ”;
 - (b) for “Member States” substitute “ the relevant authority ”;
 - (c) after “payments to be made” insert “ under direct payment support and support under the European Agricultural Guarantee Fund and European Agricultural Fund for Rural Development ”.
- (12) Omit Articles 29 to 40.
- (13) In Article 41—
- (a) for paragraph 1 substitute—

“1. The relevant authorities may decide to reduce the minimum level of on-the-spot checks in accordance with Article 59(5) of Regulation (EU) No 1306/2013. For the reduced control rate to apply:

 - (i) the relevant constituent nation shall conduct an applicable audit that is appropriate in order to deliver an opinion (on the completeness, accuracy and veracity of the annual accounts);
 - (ii) the opinion must validate both that the internal control system is functioning properly and that the error rate for the population concerned was below the materiality threshold of 2.0%;
 - (iii) the opinion must cover at least the two consecutive financial years preceding the year in which the reduced rate is intended to apply.”;
 - (b) omit paragraph 2;
 - (c) in paragraph 3—
 - (i) omit “or any additional condition provided for in sector-specific legislation”;
 - (ii) for “Member States” substitute “ the relevant authority ”.
- (14) In Article 57—
- (a) in paragraph 1, in point (b), for “Funds” substitute “ direct payment support ”;
 - (b) in paragraph 2, for the words from “expressed” to the end substitute “ to be expressed in Sterling. ”
 - (c) in paragraph 3, for “Member States” substitute “ A relevant authority ”.

- (15) In Article 58, for “Member State” substitute “ relevant authority ”.
- (16) In Article 59, in paragraph 1, omit the words from “That information shall be provided” to the end.
- (17) In Article 60—
 - (a) in the first paragraph, for “the Funds” substitute “ direct payment support ”;
 - ^{F2}(b)
- (18) Omit Article 61.
- (19) In Article 62—
 - (a) in the heading, for “Cooperation between the Commission and Member States” substitute “ The Single Website ”;
 - (b) omit paragraphs 1 and 2;
 - (c) for paragraph 3, substitute—
 - “3. The body nominated by the relevant authorities in charge of setting up and maintaining the single website referred to in Article 59(1), shall keep records of the name and address details of that body.”;
 - (d) Omit Article 64 and the sentence which follows it.
- (20) Omit Annexes 1 to 4.]

Textual Amendments

- F1** Regulations revoked (E.) (1.1.2024) by [The Agriculture \(Delinked Payments and Consequential Provisions\) \(England\) Regulations 2023 \(S.I. 2023/1430\)](#), reg. 1(2)(a), **Sch. 3 para. 1 Table 2** (with Sch. 3 Pt. 2)
- F2** Reg. 13(17)(b) omitted (8.6.2020) by virtue of [The Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/576\)](#), regs. 1, **7(3)**

Commencement Information

- I1** Reg. 13 comes into force on "exit day", see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020, Section 13.