Commission Implementing Regulation (EU) 2020/1009 of 10 July 2020 amending Implementing Regulations (EU) No 808/2014 and (EU) No 809/2014 as regards certain measures to address the crisis caused by the COVID-19 outbreak

COMMISSION IMPLEMENTING REGULATION (EU) 2020/1009

of 10 July 2020

amending Implementing Regulations (EU) No 808/2014 and (EU) No 809/2014 as regards certain measures to address the crisis caused by the COVID-19 outbreak

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005[(1)], and in particular Article 8(3), Article 12, Article 67 and Article 75(5) thereof,

Having regard to Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008[(2)], and in particular Article 62(2) thereof,

Whereas:

(1) Article 4(2) of Commission Implementing Regulation (EU) No 808/2014[(3)] sets the maximum number of amendments to rural development programmes that Member States may submit to the Commission. In order to increase the flexibility for Member States to use rural development programmes in response to the crisis caused by the COVID-19 outbreak ('the COVID-19 crisis'), the maximum number of amendments referred to in that Article should not apply to proposals to amend rural development programmes made in response to the COVID-19 crisis that also include elements not linked to the crisis, provided that these proposals are submitted to the Commission by 30 June 2021.

(2) Using EAFRD support for operations mitigating the impact of the COVID-19 crisis and recovery actions could mean that other objectives and targets of rural development programmes may not be achieved as planned. Such support should therefore be monitored at Union level in order to be able to explain and justify the use of EAFRD funding for those purposes.

(3) Implementing Regulation (EU) No 808/2014 lays down rules for the application of Regulation (EU) No 1305/2013. Regulation (EU) 2020/872 of the European Parliament and of the Council[(4)] has amended Regulation (EU) No 1305/2013 by introducing a measure for exceptional temporary support to farmers and SMEs particularly affected by the COVID-19 crisis in a new Article 39b. Therefore, the rules for the

implementation of Regulation (EU) No 1305/2013 should be amended to provide for a measure code and the appropriate output indicator for the new measure.

(4) Commission Implementing Regulation (EU) No 809/2014[(5)] laying down rules for the application of Regulation (EU) No 1306/2013 with regard to the integrated administration and control system, rural development measures and cross compliance, should also be amended to include the new measure for exceptional temporary support to farmers and SMEs particularly affected by the COVID-19 crisis under the relevant provisions of Title IV that apply to the non-area-related and non-animal-related rural development measures.

(5) Implementing Regulations (EU) No 808/2014 and (EU) No 809/2014 should therefore be amended accordingly.

(6) Given the urgency related to the COVID-19 crisis, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union.*

(7) The measures provided for in this Regulation are in accordance with the opinion of the Rural Development Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Implementing Regulation (EU) No 808/2014

Implementing Regulation (EU) No 808/2014 is amended as follows:

(1) point (a) of the third subparagraph of Article 4(2) is replaced by the following:

(a) in case emergency measures due to natural disasters, catastrophic events or adverse climatic events formally recognised by the competent national public authority, or due to a significant and sudden change in the socioeconomic conditions of the Member State or region, including significant and sudden demographic changes resulting from migration or reception of refugees, need to be taken. Where an amendment of the rural development programme in response to the COVID-19 crisis is combined with amendments not linked to the crisis, this subparagraph shall apply to all combined amendments, provided that the proposal to amend the rural development programme is submitted to the Commission by 30 June 2021;;

(2) in Article 14, paragraph 4 is replaced by the following:

4. For types of operations where a potential contribution to focus areas referred to in Article 5, first paragraph, point (2)(a), Article 5, first paragraph, points (5)(a) to (d), and Article 5, first paragraph, point(6)(a) of Regulation (EU) No 1305/2013 is identified, for types of operations where a potential contribution to the integration of third-country nationals is identified, or for types of operations supporting mitigation of the impact of the COVID-19 crisis and recovery actions, the electronic record of the operations referred to in Article 70 of Regulation (EU) No 1305/2013 shall include flag(s) to identify those cases where the operation has a component contributing to one or more of those focus areas or goals.;

(3) Annex I is amended as set out in Annex I to this Regulation;

(4) Annex IV is amended as set out in Annex II to this Regulation;

(5) Annex VII is amended as set out in Annex III to this Regulation.

Article 2

Amendment to Implementing Regulation (EU) No 809/2014

Article 46 of Implementing Regulation (EU) No 809/2014 is replaced by the following:

Article 46

Scope

This Title shall apply to expenditure incurred under the measures provided for in Articles 14 to 20, Article 21(1) with the exception of the annual premium under points (a) and (b), Article 27, Article 28(9), Articles 35 and 36, Article 39b and Article 51(2) of Regulation (EU) No 1305/2013, in Article 35(1) of Regulation (EU) No 1303/2013 and in Article 20, Article 36(a)(vi), (b)(ii), (vi) and (vii), Article 36(b)(i) and (iii) as far as the establishment cost is concerned, and Articles 52 and 63 of Regulation (EC) No 1698/2005.

Article 3

Entry into force

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 10 July 2020.

For the Commission

The President

Ursula VON DER LEYEN