Commission Implementing Regulation (EU) 2016/669 of 28 April 2016 amending Implementing Regulation (EU) No 808/2014 as regards the amendment and the content of rural development programmes, the publicity for these programmes, and the conversion rates to livestock units

COMMISSION IMPLEMENTING REGULATION (EU) 2016/669

of 28 April 2016

amending Implementing Regulation (EU) No 808/2014 as regards the amendment and the content of rural development programmes, the publicity for these programmes, and the conversion rates to livestock units

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), Articles 12 and 41 and Article 66(5) thereof,

Whereas:

(1) Article 4(2) of Commission Implementing Regulation (EU) No 808/2014[(2)] sets the maximum number of amendments to rural development programmes that Member States may submit to the Commission. Specific rules should apply where support has the form of a financial instrument, in order to give Member States the flexibility which is needed in the implementation of the financial instrument. Therefore the maximum number of programme amendments should not apply to the amendments related to programming of financial instruments.

(2) Article 9 of Implementing Regulation (EU) No 808/2014 establishes rules for conversion of units, including provisions on the conversion rates of various categories of animals to livestock units. It should be clarified that such conversion rates apply not only to commitments for the rearing of local breeds in danger of being lost to farming but to all livestock-related commitments under Articles 28, 29 and 34 of Regulation (EU) No 1305/2013.

(3) Point 8(2) of Part 1 and point 5(2) of Part 2 of Annex I to Implementing Regulation (EU) No 808/2014 lay down certain rules on the description of the measures in rural development programmes and in national frameworks. Specific rules should apply where support has the form of a financial instrument, in order to give Member States the flexibility which is needed in the implementation of the financial instrument.

(4) Annex II to Implementing Regulation (EU) No 808/2014 defines the conversion rates of animals to livestock units referred to in Article 9 and provides that those conversion rates may be increased for all categories included in the table and decreased for other poultry, taking into account scientific evidence to be explained and duly justified in

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/669. (See end of Document for details)*

the rural development programmes. Member States should be given the possibility to decrease those conversion rates not only for 'other poultry' but for all categories included in the table where it is justified and based on scientific evidence.

(5) Point 2.2 of Part 1 of Annex III to Implementing Regulation (EU) No 808/2014 establishes minimum requirements for information and publicity actions by the beneficiaries during the implementation of an operation. Point 2.2(b) provides for different requirements according to the total public support. In the interest of ensuring proportionate and harmonised requirements, a single threshold should be set at EUR 50 000. In addition, taking into account the particular nature of the area and animal related measures and of other measures which do not concern investments, Member States should be allowed to decide if these measures should be concerned by the information obligations.

(6) Implementing Regulation (EU) No 808/2014 should therefore be amended accordingly.

(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

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

(1) in the third subparagraph of Article 4(2), the following point (e) is added:

(e) in case of amendments related to financial instruments referred to in Article 37 of Regulation (EU) No 1303/2013.;

(2) Article 9 is replaced by the following:

Article 9

1 Where commitments made under Articles 28, 29 and 34 of Regulation (EU) No 1305/2013 refer to livestock units, the conversion rates of the various categories of animals to livestock units as set out in Annex II apply.

2 Where commitments under Articles 28, 29 and 34 of Regulation (EU) No 1305/2013 are expressed in units other than those set out in Annex II to that Regulation, Member States may calculate payments on the basis of those other units. In such case, the Member States shall ensure that the maximum amounts per year eligible for EAFRD support set out in that Annex are complied with.

3 Except for payments for commitments for the rearing of local breeds in danger of being lost to farming referred to in Article 28(10)(b) of Regulation (EU) No 1305/2013, payments under Articles 28, 29 and 34 of that Regulation cannot be granted per livestock unit.;

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

(4) Annex II is replaced by the text in Annex II to this Regulation;

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

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/669. (See end of Document for details)*

Article 2

This Regulation shall enter into force on the seventh day following that 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, 28 April 2016.

For the Commission

The President

Jean-Claude JUNCKER