Commission Implementing Regulation (EU) 2016/257 of 24 February 2016 amending Implementing Regulation (EU) No 367/2014 setting the net balance available for EAGF expenditure

COMMISSION IMPLEMENTING REGULATION (EU) 2016/257

of 24 February 2016

amending Implementing Regulation (EU) No 367/2014 setting the net balance available for EAGF expenditure

THE EUROPEAN COMMISSION,

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

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[(1)], and in particular Article 16(2) thereof,

Whereas:

(1) Commission Implementing Regulation (EU) No 367/2014[(2)] sets the net balance available for European Agricultural Guarantee Fund (EAGF) expenditure, as well as the amounts available for the budget years 2014 to 2020 for the European Agricultural Fund for Rural Development (EAFRD), pursuant to Article 10c(2) and Articles 136, 136a and 136b of Council Regulation (EC) No 73/2009[(3)] and to Article 14 and Article 66(1) of Regulation (EU) No 1307/2013 of the European Parliament and of the Council[(4)].

(2) In accordance with Article 7(2) of Regulation (EU) No 1307/2013, the estimated product of the reduction of payments notified by Member States by 1 August 2014 and referred to in Article 11(6) of that Regulation is to be made available as Union support for measures under rural development programming financed under the EAFRD as specified in Regulation (EU) No 1305/2013 of the European Parliament and of the Council[(5)]. The relevant national ceilings were adapted through Commission Delegated Regulation (EU) No 1378/2014[(6)].

(3) In the United Kingdom, the legislation implementing the Union rules on direct payments in Wales has been quashed by a national court order. As a consequence, new decisions were taken by the United Kingdom for the implementation of direct payments in Wales and notified to the Commission. As those new decisions affect the estimated product of the reduction of payments for the United Kingdom referred to in Article 11(6) of Regulation (EU) No 1307/2013, Annex I to Regulation (EU) No 1305/2013 and Annex III to Regulation (EU) No 1307/2013 were adapted through Commission Delegated Regulation (EU) 2016/142[(7)].

(4) In accordance with Article 3(1) of Council Regulation (EU, Euratom) No 1311/2013[(8)], the sub-ceiling for market related expenditure and direct payments of the multiannual

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/257. (See end of Document for details)*

financial framework set out in Annex I to that Regulation is to be adjusted under the technical adjustment provided for in Article 6(1) of that Regulation following the transfers between the EAFRD and direct payments.

(5) As a result of those changes, it is necessary to adjust the net balance available for the EAGF as set by Implementing Regulation (EU) No 367/2014. For the sake of clarity, the amounts to be made available to the EAFRD should also be published.

(6) Implementing Regulation (EU) No 367/2014 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) No 367/2014 is replaced by the text in the Annex to this Regulation.

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, 24 February 2016.

For the Commission

The President

Jean-Claude JUNCKER