Commission Implementing Regulation (EU) No 367/2014 of 10 April 2014 setting the net balance available for EAGF expenditure

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of 10 April 2014

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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) In accordance with Article 16(1) of Regulation (EU) No 1306/2013 the annual ceiling for the European Agricultural Guarantee Fund (EAGF) expenditure shall be constituted by the maximum amounts set for it under Council Regulation (EU, Euratom) No 1311/2013[(2)], Annex I, sub-ceiling for Market related expenditure and direct payments.

(2) Article 10c(2) of Council Regulation (EC) No 73/2009[(3)] provides that the amounts resulting from voluntary adjustment referred to in Article 10b(5) of that Regulation and from the application of Article 136 of that Regulation are to be made available to the European Agricultural Fund for Rural Development (EAFRD) for financial year 2014.

(3) Commission Implementing Decision 2013/146/EU[(4)] fixes the amount resulting from the application of voluntary adjustment in the United Kingdom for the calendar year 2013. This amount should be made available for the EAFRD in the year 2014.

(4) Article 136 of Regulation (EC) No 73/2009 provides that Member States were allowed to decide, by 1 August 2009, to transfer, from the financial year 2011, an amount calculated in accordance with Article 69(7) of that Regulation to Union support under rural development programming and financing under the EAFRD instead of having recourse to Article 69(6)(a) of that Regulation. The amounts available for transfer have been calculated and fixed in Annex III to Commission Regulation (EC) No 1120/2009[(5)].

(5) Article 136b of Regulation (EC) No 73/2009, as inserted by Regulation (EU) No 1310/2013 of the European Parliament and of the Council[(6)], provides that Member States that, in accordance with Article 136 of Regulation (EC) No 73/2009, have decided to make an amount available from the financial year 2011 for Union support under rural development programming and financing under the EAFRD, are to continue to make the amounts of Annex VIIIa to that Regulation, as inserted by Regulation (EU)

Changes to legislation: *Commission Implementing Regulation (EU) No 367/2014 is up to date with all changes known to be in force on or before 28 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

No 1310/2013, available for rural development programming and financing under the EAFRD for financial year 2015.

(6) Therefore, the amounts set out in Annex VIIIa to Regulation (EC) No 73/2009 for Germany and Sweden shall be made available for rural development programming and financing under the EAFRD for financial year 2015.

(7) Article 66(1) of Regulation (EU) No 1307/2013 of the European Parliament and of the Council[7] provides that, for Member States having applied the first subparagraph of Article 4(1) of Council Regulation (EC) No 637/2008[8], the relevant annual budget available pursuant to Article 5(1) of that Regulation is to be transferred with effect from 1 January 2014 to the EAFRD. Greece has applied the first subparagraph of Article 4(1) of Regulation (EC) No 637/2008.

(8) It is therefore appropriate to fix the net balance to be made available for EAGF expenditure for the budget years 2014 to 2020. For the sake of clarity, the amounts to be made available to EAFRD should also be published,

HAS ADOPTED THIS REGULATION:

[F1 Article 1

The net balance available for European Agricultural Guarantee Fund (EAGF) expenditure, pursuant to Articles 10c(2), 136, 136a and 136b of Regulation (EC) No 73/2009 and to Articles 7(2), 14 and 66(1) of Regulation (EU) No 1307/2013, is set out in the Annex to this Regulation.]

Textual Amendments

F1 Substituted by Commission Implementing Regulation (EU) 2015/141 of 29 January 2015 amending Implementing Regulation (EU) No 367/2014 setting the net balance available for EAGF expenditure.

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.