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From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	9634/18 + ADD1+ COR1
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013 - Four-column document

With a view to the meeting of the Special Committee on Agriculture on 23 July 2021, delegations will find attached the 4-column document of the Horizontal Regulation, reflecting the final agreement reached with the European Parliament.

**Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the
financing, management and monitoring of the common agricultural policy and repealing Regulation (EU)
No 1306/2013
2018/0217(COD)**

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
1	2018/0217 (COD)	2018/0217 (COD)		2018/0217 (COD) Text Origin: Commission Proposal
Proposal Title				
2	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013		Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013 Text Origin: Commission Proposal
Formula				
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	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,		THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Text Origin: Commission Proposal
Citation 1				
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,		Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 43(2) and 322 thereof, Text Origin: Commission Proposal
Citation 2				
5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,		Having regard to the proposal from the European Commission, Text Origin: Commission Proposal
Citation 3				
6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,		After transmission of the draft legislative act to the national parliaments, Text Origin: Commission Proposal

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Citation 4				
7	Having regard to the opinion of the Court of Auditors,	Having regard to the opinion of the Court of Auditors,		Having regard to the opinion of the Court of Auditors, Text Origin: Commission Proposal
Citation 5				
8	Having regard to the opinion of the European Economic and Social Committee ¹ , 1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee ¹ , 1. OJ C , , p. .		Having regard to the opinion of the European Economic and Social Committee ¹ , 1. OJ C , , p. . Text Origin: Commission Proposal
Citation 6				
9	Having regard to the opinion of the Committee of the Regions ¹ , 1. OJ C , , p. .	Having regard to the opinion of the Committee of the Regions ¹ , 1. OJ C , , p. .		Having regard to the opinion of the Committee of the Regions ¹ , 1. OJ C , , p. . Text Origin: Commission Proposal
Citation 7				
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	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,		Acting in accordance with the ordinary legislative procedure, Text Origin: Commission Proposal
	Formula			
11	Whereas:	Whereas:		Whereas: Text Origin: Commission Proposal
	Recital 1			
12	(1) The Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions entitled 'The Future of Food and Farming' of 29 November 2017 concludes that the Common Agricultural Policy (hereinafter 'CAP') should continue to step up its response to future challenges and opportunities, by boosting employment, growth and investment, fighting and adapting to climate change and bringing research and innovation out of the laboratories and onto fields and	(1) The Communication from the Commission to the European Parliament, ~~the~~ Council, the European Economic and Social Committee and the Committee of the Regions entitled 'The Future of Food and Farming' of 29 November 2017 concludes ~~that~~ the Common Agricultural Policy (hereinafter 'CAP') should continue to step up its response to future challenges and opportunities, by boosting employment <u>and investment, raising labour standards,</u> ~~growth and investment,~~ fighting and adapting to climate change, <u>adapting and transferring</u> ~~and~~		(1) The Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions entitled 'The Future of Food and Farming' of 29 November 2017 concludes that the Common Agricultural Policy (hereinafter 'CAP') should continue to step up its response to future challenges and opportunities, by boosting employment, growth and investment, fighting and adapting to climate change and bringing research and innovation out of the laboratories and onto fields and

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	markets. The CAP should furthermore address citizens' concerns regarding sustainable agriculture production.	~~bringing~~ research and innovation ~~out-of~~ <u>from</u> the laboratories ~~and onto~~ <u>to</u> fields and markets. The CAP should furthermore address citizens' concerns regarding sustainable agriculture production <u>and rural development</u> .		markets. The CAP should furthermore address citizens' concerns regarding sustainable agriculture production. Text Origin: Commission Proposal
Recital 1a				
12a		<u>(1a) It is necessary that the agricultural sector does not suffer the financial consequences of political decisions, such as the withdrawal of the United Kingdom from the European Union, or the funding of new Union policies. Account should be taken of the European Parliament resolution of 30 May 2018 on the 2021-2027 multiannual financial framework and own resources (2018/2714(RSP)) which deplored the fact that the Commission proposal of 2 May 2018 on the MFF for 2021-2027 led to a 15 % reduction in the level of the CAP, and stated that the European Parliament was particularly opposed to any radical cuts that would adversely impact on the very nature and objectives of the CAP. It also questioned, in that</u>		(1a) [EP AM withdrawn]

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		<u><i>context, the proposal to reduce the European Agricultural Fund for Rural Development by more than 25 %.</i></u>		
Recital 1b				
12b		<u><i>(1b) The CAP has a fundamental role in the Union with direct payments and second-pillar funds to farmers contributing significantly not only to food security, but also to investment and employment in rural areas. The severe cuts envisaged for the CAP are not acceptable. For that reason, the CAP should focus on its core activities and the funding allocated to the CAP 2021-2027 for the EU-27 should be maintained at least at the level of the 2014-2020 budget while budgeting the initial amount for the agricultural crisis reserve.</i></u>		(1b) [EP AM withdrawn]
Recital 1c				
12c		<u><i>(1c) In accordance with Article 208 of the Treaty on the Functioning of the European Union (TFEU), the implementation of the CAP should</i></u>		(1c) In accordance with Article 208 of the Treaty on the Functioning of the European Union (TFEU), the implementation of the CAP should take account of the

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		<u>take account of the objectives of development cooperation including, inter alia, the 2030 Agenda for Sustainable Development and the achievement of the Union's climate change mitigation obligations under the Paris Agreement.</u>		objectives of the 2030 Agenda for Sustainable Development, including the Union's obligations on climate change mitigation and development cooperation. Text Origin: EP Mandate
	Recital 2			
Y	13	(2) [Place holder relevant resolutions of the Council and EP]	(2) [Place holder relevant resolutions of the Council and EP]	(2) [No text needed here]
	Recital 3			
G	14	(3) The CAP's compliance-driven delivery model should be adjusted to ensure a greater focus on results and performance. Accordingly the Union should set the basic policy objectives, types of intervention and basic Union requirements while greater responsibility and accountability for meeting those objectives should be borne by the Member States. As a consequence, there is a need to ensure greater subsidiarity in order to take better account of the local conditions and needs. Accordingly, under the new delivery model, Member States	(3) The CAP's compliance-driven delivery model should be adjusted to ensure a greater focus on results and performance. Accordingly ~~the~~ the Union should set the basic policy objectives, types of intervention and basic Union requirements while greater responsibility and accountability for meeting those objectives should be borne by the Member States. As a consequence, there is a need to ensure greater subsidiarity <u>and flexibility</u> in order to take better account of the local conditions and needs. Accordingly, under the new	(3) The CAP's compliance-driven delivery model should be adjusted to ensure a greater focus on results and performance. Accordingly the Union should set the basic policy objectives, types of intervention and basic Union requirements while greater responsibility and accountability for meeting those objectives should be borne by the Member States. As a consequence, there is a need to ensure greater subsidiarity and flexibility in order to take better account of the local conditions and needs. Accordingly, under the new delivery model,

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	should be responsible for tailoring their CAP interventions in line with basic Union requirements in order to maximize their contribution to Union CAP objectives and to establish and design the compliance and control framework for beneficiaries.	delivery model, Member States should be responsible for tailoring their CAP interventions in line with <u>their specific needs and</u> basic Union requirements in order to maximize their contribution to Union CAP objectives. <u>Member States should also</u> ~~and to~~ establish and ~~design the~~ <u>control framework for beneficiaries to continue to ensure</u> compliance <u>of the CAP strategic plans interventions with applicable Union law. Basic Union requirements, including good agricultural and environmental conditions (GAEC) and statutory management requirements (SMRs), ensure a common approach and a level playing field between Member States</u> ~~and control framework for beneficiaries.~~		Member States should be responsible for tailoring their CAP interventions in line with their specific needs and basic Union requirements in order to maximize their contribution to Union CAP objectives. Member States should also establish and design the compliance and control framework for beneficiaries, including with good agricultural and environmental conditions (GAEC) and statutory management requirements (SMRs), to continue to ensure a common approach and a level playing field between Member States.
	Recital 4			
15	(4) The CAP encompasses various interventions and measures, many of which are covered by the CAP Strategic Plans referred to in Title III of Regulation (EU) .../... of the European Parliament and of the Council ¹ [the CAP Strategic Plan	(4) The CAP encompasses various interventions and measures, many of which are covered by the CAP Strategic Plans referred to in Title III of Regulation (EU) .../... of the European Parliament and of the Council ¹ [the CAP Strategic Plan		(4) The CAP encompasses various interventions and measures, many of which are covered by the CAP Strategic Plans referred to in Title III of Regulation (EU) .../... of the European Parliament and of the Council ¹ [the CAP Strategic Plan

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	Regulation]. Others still follow the traditional compliance logic. It is important to provide financing for all interventions and measures in order to contribute to the achievement of the objectives of the CAP. Those interventions and measures have certain elements in common, therefore their financing should be dealt with in the same set of provisions. However, where necessary those provisions should allow for different treatment. Regulation (EU) No 1306/2013 of the European Parliament and of the Council² governed two European agricultural Funds, namely the European Agricultural Guarantee Fund ('EAGF') and the European Agricultural Fund for Rural Development ('EAFRD') (hereinafter the "Funds"). Those Funds should be maintained in this Regulation. In view of the scope of the reform, it is appropriate to replace Regulation (EU) No 1306/2013. 1. Regulation (EU) .../... of the European Parliament and of the Council of [...] [...] (OJ L [...], [...], p. [...]). 2. 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	Regulation]. Others still follow the traditional compliance logic. It is important to provide financing for all interventions and measures in order to contribute to the achievement of the objectives of the CAP. Those interventions and measures have certain elements in common, therefore their financing should be dealt with in the same set of provisions. However, where necessary those provisions should allow for different treatment. Regulation (EU) No 1306/2013 of the European Parliament and of the Council² governed two European agricultural Funds, namely the European Agricultural Guarantee Fund ('EAGF') and the European Agricultural Fund for Rural Development ('EAFRD') (hereinafter the "Funds"). Those Funds should be maintained in this Regulation. In view of the scope of the reform, it is appropriate to replace Regulation (EU) No 1306/2013. 1. Regulation (EU) .../... of the European Parliament and of the Council of [...] [...] (OJ L [...], [...], p. [...]). 2. 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		Regulation]. Others still follow the traditional compliance logic. It is important to provide financing for all interventions and measures in order to contribute to the achievement of the objectives of the CAP. Those interventions and measures have certain elements in common, therefore their financing should be dealt with in the same set of provisions. However, where necessary those provisions should allow for different treatment. Regulation (EU) No 1306/2013 of the European Parliament and of the Council² governed two European agricultural Funds, namely the European Agricultural Guarantee Fund ('EAGF') and the European Agricultural Fund for Rural Development ('EAFRD') (hereinafter the "Funds"). Those Funds should be maintained in this Regulation. In view of the scope of the reform, it is appropriate to replace Regulation (EU) No 1306/2013. 1. Regulation (EU) .../... of the European Parliament and of the Council of [...] [...] (OJ L [...], [...], p. [...]). 2. 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

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	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 (OJ L 347, 20.12.2013, p. 549).	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 (OJ L 347, 20.12.2013, p. 549).		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 (OJ L 347, 20.12.2013, p. 549). Text Origin: Commission Proposal
Recital 5				
16	(5) The provisions of Regulation (EU, Euratom) .../... of the European Parliament and of the Council [New Financial Regulation]¹, in particular those governing shared management with Member States, the function of accredited bodies and the budgetary principles, should apply to the interventions and measures set out in this Regulation. 1. Regulation (EU, Euratom) No [New Financial Regulation].	(5) The provisions of Regulation (EU, Euratom) ~~.../...~~ <u>2018/1046</u> of the European Parliament and of the Council [New Financial Regulation]¹, in particular those governing shared management with Member States, the function of accredited bodies and the budgetary principles, should apply to the interventions and measures set out in this Regulation. 1. Regulation (EU, Euratom) ~~No~~ <u>2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012. (OJ L 193, 30.7.2018, p. 1).</u>		(5) The provisions of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council [New Financial Regulation]¹, in particular those governing shared management with Member States, the function of accredited bodies and the budgetary principles, should apply to the interventions and measures set out in this Regulation. 1. Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012. (OJ L 193, 30.7.2018, p. 1).

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				Text Origin: EP Mandate
	Recital 5a			
16a		<u>(5a) Part of the provisions of Regulation (EU) .../... [CPR Regulation¹] should apply to this Regulation.</u> <u>1. CPR Regulation</u>		(5a) [withdrawn by EP]
	Recital 5b			
16b		<u>(5b) Member States should refrain from adding rules that complicate the use of the EAGF and the EAFRD for the beneficiary.</u>		(5b) [withdrawn by EP]
	Recital 6			
17	(6) In order to harmonise practices amongst Member States in the application of the force majeure clause, this Regulation should make provision, where appropriate, for exemptions from the CAP rules in cases of force majeure and exceptional circumstances, as well as provide for a non-exhaustive list of possible cases of force majeure	(6) In order to harmonise practices amongst Member States in the application of the force majeure clause, this Regulation should make provision, where appropriate, for exemptions from the CAP rules in cases of force majeure and exceptional circumstances, as well as provide for a non-exhaustive list of possible cases of force majeure		(6) In order to harmonise practices amongst Member States in the application of the force majeure clause, this Regulation should make provision, where appropriate, for exemptions from the CAP rules in cases of force majeure and exceptional circumstances, as well as provide for a non-exhaustive list of possible cases of force majeure

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	and exceptional circumstances to be recognised by the national competent authorities. National competent authorities should take decisions on force majeure or exceptional circumstances on a case by case basis, on the basis of relevant evidence.	and exceptional circumstances to be recognised by the national competent authorities. National competent authorities should take decisions on force majeure or exceptional circumstances on a case by case basis, on the basis of relevant evidence.		and exceptional circumstances to be recognised by the national competent authorities. National competent authorities should take decisions on force majeure or exceptional circumstances on a case by case basis, on the basis of relevant evidence. Text Origin: Commission Proposal
Recital 6a				
17a				(6a) Furthermore, this Regulation should provide, where appropriate, for exemptions from the CAP rules in cases of force majeure and exceptional circumstances in cases of meteorological event only when such event can cause such severe damages to the beneficiary's holding that it can be comparable to a natural disaster.
Recital 7				
18	(7) The general budget of the Union (the Union's budget) should finance the CAP expenditure, including expenditure on the CAP Strategic Plan interventions under	(7) The general budget of the Union (the Union's budget) should finance the CAP expenditure, including expenditure on the CAP Strategic Plan interventions under		(7) The general budget of the Union (the Union's budget) should finance the CAP expenditure, including expenditure on the CAP Strategic Plan interventions under

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	Title III of Regulation (EU) .../...[CAP Strategic Plan Regulation], either directly through the Funds or in the context of shared management with the Member States. The types of expenditure that can be financed using the Funds should be specified.	Title III of Regulation (EU) .../...[CAP Strategic Plan Regulation], either directly through the Funds or in the context of shared management with the Member States. The types of expenditure that can be financed using the Funds should be specified.		Title III of Regulation (EU) .../...[CAP Strategic Plan Regulation], either directly through the Funds or in the context of shared management with the Member States. The types of expenditure that can be financed using the Funds should be specified. Text Origin: Commission Proposal
Recital 7a				
18a				
Recital 8				
19	(8) In order to achieve the objectives of the CAP laid down in Article 39 of the Treaty on the Functioning of the European Union (the ‘Treaty’), and to comply with the principle of shared management, as provided for in Article 59 of Regulation (EU, Euratom) No 966/2012, Member States should ensure that the necessary governance systems are in place. Provision should therefore be made for designating the competent authority, paying	(8) In order to achieve the objectives of the CAP laid down in Article 39 of the Treaty on the Functioning of the European Union (the ‘Treaty’), and to comply with the principle of shared management, as provided for in Article 59 of Regulation (EU, Euratom) No 966/2012, Member States should ensure that the necessary governance systems are in place. Provision should therefore be made for designating the competent authority, paying		(8) In order to achieve the objectives of the CAP laid down in Article 39 of the Treaty on the Functioning of the European Union (the ‘Treaty’), and to comply with the principle of shared management, as provided for in Article 59 of Regulation (EU, Euratom) No 966/2012, Member States should ensure that the necessary governance systems are in place. Provision should therefore be made for designating the competent authority, paying

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	agency, coordinating body and certification body.	agency, coordinating body and certification body.		agency, coordinating body and certification body. Text Origin: Commission Proposal
Recital 9				
20	(9) It is necessary to provide for the accreditation of paying agencies and coordinating bodies by Member States and for the establishment of the procedures for obtaining management declarations and annual performance reports, and for obtaining the certification of management and monitoring systems, of reporting systems and the certification of annual accounts by independent bodies. Moreover, in order to ensure the transparency of the system of checks to be carried out at national level, in particular as regards procedures for authorisation, validation and payment and to reduce the administrative and audit burden for the Commission and for the Member States where accreditation of each individual paying agency is required, the number of authorities and bodies to which those responsibilities are delegated	(9) It is necessary to provide for the accreditation of paying agencies and coordinating bodies by Member States and for the establishment of the procedures for obtaining management declarations, <u>annual clearance report and</u> ~~and annual~~ performance reports, and for obtaining the certification of management and monitoring systems, of reporting systems and the certification of annual accounts by independent bodies. Moreover, in order to ensure the transparency of the system of checks to be carried out at national level, in particular as regards procedures for authorisation, validation and payment and to reduce the administrative and audit burden for the Commission and for the Member States where accreditation of each individual paying agency is required, the number of authorities		(9) It is necessary to provide for the accreditation of paying agencies and coordinating bodies by Member States and for the establishment of the procedures for obtaining management declarations, the annual clearance report, an annual summary of the final audit reports, and performance reports, and for obtaining the certification of management and monitoring systems, of reporting systems and the certification of annual accounts by independent bodies. Moreover, in order to ensure the transparency of the system of checks to be carried out at national level, in particular as regards procedures for authorisation, validation and payment and to reduce the administrative and audit burden for the Commission and for the Member States where accreditation of each individual paying agency is

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	should be restricted while respecting the constitutional provisions of each Member State.	and bodies to which those responsibilities are delegated should be restricted while respecting the constitutional provisions of each Member State. <u><i>Paying agencies should develop their role as advisors to farmers and make efforts towards the simplification of procedures for beneficiaries while ensuring compliance with standards at Union level.</i></u>		required, the number of authorities and bodies to which those responsibilities are delegated should be restricted while respecting the constitutional provisions of each Member State. Similarly, when the constitutional framework provides for regions, the Member States should also have the possibility to have regional paying agencies, under certain conditions.
Recital 10				
21	(10) Where a Member State accredits more than one paying agency, it should designate a single public coordinating body in order to ensure consistency in the management of Funds, to provide for a liaison between the Commission and the various accredited paying agencies, and to ensure that the information requested by the Commission concerning the operations of several paying agencies is provided promptly. The coordinating body should also take and coordinate actions with a view to resolving any deficiencies of a common nature encountered at national level	(10) Where a Member State accredits more than one paying agency, it should designate a single public coordinating body in order to ensure consistency in the management of Funds, to provide for a liaison between the Commission and the various accredited paying agencies, and to ensure that the information requested by the Commission concerning the operations of several paying agencies is provided promptly. The coordinating body should also take and coordinate actions with a view to resolving any deficiencies of a common nature encountered at national <u>or</u>		(10) Where a Member State accredits more than one paying agency, it should designate a single public coordinating body in order to ensure consistency in the management of Funds, to provide for a liaison between the Commission and the various accredited paying agencies, and to ensure that the information requested by the Commission concerning the operations of several paying agencies is provided promptly. The coordinating body should also take and coordinate actions with a view to resolving any deficiencies of a common nature encountered at national level

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	and should keep the Commission informed of any follow-up.	<u>regional</u> level and should keep the Commission informed of any follow-up.		and should keep the Commission informed of any follow-up, and should ensure harmonised application of the Union rules, taking account of any limitation or restrictions due to constitutional provisions in place.
Recital 11				
22	(11) Involving paying agencies that have been accredited by the Member States is a crucial prerequisite under the new delivery model for having reasonable assurance that the objectives and targets set out in the relevant CAP Strategic Plans will be reached by the interventions financed by the Union's budget. It should, therefore, be explicitly provided in this Regulation that only expenditure effected by accredited paying agencies can be reimbursed from the Union's budget. In addition, the expenditure financed by the Union for the interventions referred to in the CAP Strategic Plan Regulation should have a corresponding output regarding and should comply with the basic Union requirements and the governance systems.	(11) Involving paying agencies that have been accredited by the Member States is a crucial prerequisite under the new delivery model for having reasonable assurance that the objectives and targets set out in the relevant CAP Strategic Plans will be reached by the interventions financed by the Union's budget. It should, therefore, be explicitly provided in this Regulation that only expenditure effected by accredited paying agencies can be reimbursed from the Union's budget. In addition, the expenditure financed by the Union for the interventions referred to in the CAP Strategic Plan Regulation should <u>comply with the applicable Union requirements and governance systems, including Member States' obligations with regard to the</u>		(11) [EP mandate withdrawn]

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		<u>effective protection of the financial interests of the Union and to the performance reporting</u> ~~have a corresponding output regarding and should comply with the basic Union requirements and the governance systems.~~		
Recital 11a				
22a				(11a) In order to have an overview of public and private Certification Bodies and to have up-to-date information on the active Certification Bodies, the Commission should receive information from the Member States and keep an up-to-date registry of those bodies. The Commission should communicate annually the list of the appointed certification bodies to the Parliament. Text Origin: Auxiliary
Recital 12				
23	(12) In the context of respecting budget discipline, it is necessary to define the annual ceiling for the expenditure financed by the EAGF	(12) In the context of respecting budget discipline, it is necessary to define the annual ceiling for the expenditure financed by the EAGF		(12) In the context of respecting budget discipline, it is necessary to define the annual ceiling for the expenditure financed by the EAGF

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	by taking into account the maximum amounts laid down for that Fund under the multiannual financial framework provided for in Council Regulation (EU, Euratom)[COM(2018)322 final – MFF Regulation]¹. 1. Regulation (EU, Euratom) No [New MFF Regulation]	by taking into account the maximum amounts laid down for that Fund under the multiannual financial framework provided for in Council Regulation (EU, Euratom)[COM(2018)322 final – MFF Regulation]¹. 1. Regulation (EU, Euratom) No [New MFF Regulation]		by taking into account the maximum amounts laid down for that Fund under the multiannual financial framework provided for in Council Regulation (EU, Euratom)[COM(2018)322 final – MFF Regulation]¹. 1. Regulation (EU, Euratom) No [New MFF Regulation] Text Origin: Commission Proposal
Recital 13				
24	(13) Budget discipline also requires the annual ceiling for expenditure financed by the EAGF to be respected in all circumstances and at every stage of the budget procedure and of the execution of the budget. Consequently, it is necessary for the national ceiling for the direct payments for each Member State set out in Regulation (EU) .../... [CAP Strategic Plan Regulation] to be regarded as a financial ceiling for such direct payments for the Member State concerned and for the reimbursement of those payments to remain within this financial	(13) Budget discipline also requires the annual ceiling for expenditure financed by the EAGF to be respected in all circumstances and at every stage of the budget procedure and of the execution of the budget. Consequently, it is necessary for the national ceiling for the direct payments for each Member State set out in Regulation (EU) .../... [CAP Strategic Plan Regulation] to be regarded as a financial ceiling for such direct payments for the Member State concerned and for the reimbursement of those payments to remain within this financial		(13) Budget discipline also requires the annual ceiling for expenditure financed by the EAGF to be respected in all circumstances and at every stage of the budget procedure and of the execution of the budget. Consequently, it is necessary for the national ceiling for the direct payments for each Member State set out in Regulation (EU) .../... [CAP Strategic Plan Regulation] to be regarded as a financial ceiling for such direct payments for the Member State concerned and for the reimbursement of those payments to remain within this financial

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	ceiling.	ceiling.		ceiling. Text Origin: Commission Proposal
Recital 14				
25	(14) With a view to ensuring that the amounts for the financing of the CAP comply with the annual ceilings, the financial discipline mechanism by which the level of direct support is adjusted, should be maintained. However, the threshold of EUR 2000 should be abolished. An agricultural reserve should be maintained to support the agricultural sector in the event of market developments or major crises affecting the agricultural production or distribution. Article 12(2)(d) of Regulation (EU, Euratom) [New Financial Regulation] foresees that non-committed appropriations may be carried over to the following financial year only. In order to significantly simplify the implementation for beneficiaries and national administrations, a roll-over mechanism should be used, using any unused amounts of the reserve for crises in the agricultural	(14) With a view to ensuring that the amounts for the financing of the CAP comply with the annual ceilings, the financial discipline mechanism by which the level of direct support is adjusted, should be maintained. ~~However, the threshold of EUR 2000 should be abolished. An agricultural reserve should be maintained to support the agricultural sector in the event of market developments or major crises affecting the agricultural production or distribution. Article 12(2)(d) of Regulation (EU, Euratom) [New Financial Regulation] foresees that non-committed appropriations may be carried over to the following financial year only. In order to significantly simplify the implementation for beneficiaries and national administrations, a roll-over mechanism should be used, using any unused amounts of the reserve for crises in the~~		(14) With a view to ensuring that the amounts for the financing of the CAP comply with the annual ceilings, the financial discipline mechanism by which the level of direct support is adjusted, should be maintained. An agricultural reserve should be maintained to support the agricultural sector in the event of market developments or major crises affecting the agricultural production or distribution. Article 12(2)(d) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union foresees that non-committed appropriations may be carried over to the following financial year only. In order to significantly simplify the implementation for beneficiaries and national administrations, a roll-over mechanism should be used,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	sector established in 2020. For this purpose a derogation from Article 12(2)(d) is necessary, allowing for non-committed appropriations of the agricultural reserve to be carried over without time limitation to finance the agricultural reserve in the following financial year(s). Furthermore, as regards the financial year 2020, a second derogation is necessary as the total unused amount of the reserve available at the end of year 2020 should be carried over to the year 2021 to the corresponding line of the new agricultural reserve without being returned to the budgetary lines which cover direct payment interventions under the CAP Strategic Plan.	~~agricultural sector established in 2020. For this purpose a derogation from Article 12(2)(d) is necessary, allowing for non-committed appropriations of the agricultural reserve to be carried over without time limitation to finance the agricultural reserve in the following financial year(s). Furthermore, as regards the financial year 2020, a second derogation is necessary as the total unused amount of the reserve available at the end of year 2020 should be carried over to the year 2021 to the corresponding line of the new agricultural reserve without being returned to the budgetary lines which cover direct payment interventions under the CAP Strategic Plan.~~		using any unused amounts of the reserve for crises in the agricultural sector established in 2022. For this purpose, a derogation from Article 12(2)(d) is necessary, allowing for non-committed appropriations of the agricultural reserve to be carried over to finance the agricultural reserve in the following financial years until 2027. Furthermore, as regards the financial year 2022, a derogation is necessary as the total unused amount of the crisis reserve available at the end of year 2022 should be carried over to the year 2023 to the corresponding line of the new agricultural reserve without being fully returned to the budgetary lines which cover direct payment interventions under the CAP Strategic Plan. However, in order to maximise the amounts to be reimbursed to farmers in 2023, all other availabilities under the EAGF sub-ceiling for 2023 set in Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021 to 2027 should be used first to set up the new agricultural reserve in 2023.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Recital 14a			
G 25a		<u>(14a) The existing crisis reserve should be reviewed and strengthened to support the establishment of an EU agricultural crisis reserve, a more effective and flexible tool which should provide supplementary support for the agricultural sector in the event of market developments and enable the Union to better respond to major crises affecting agricultural production or distribution. For that purpose and to allow the development of a sound framework enabling farmers to manage risks appropriately, the EU agricultural crisis reserve appropriations should be mobilised for the financing of the market stabilisation measures and the exceptional measures referred to in Regulation (EU) No 1308/2013, as well as for measures allowing for the substitution of the income stabilisation tools put in place by the Member States under Article 70 of Regulation (EU) ... / ... [CAP Strategic Plan Regulation] and</u>		(14a) [withdrawn by EP]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>made available to farmers in the event of a sharp decline in agricultural income beyond a threshold per sector predefined by the Commission, in respect of which it should be empowered to adopt delegated acts.</i></u>		
Recital 14b				
25b		<u><i>(14b) The EU agricultural crisis reserve should be established in the budget of the CAP and its initial amount should be set up in 2021 as an addition to the EAGF and EAFRD budgets. Point (d) of Article 12(2) of Regulation (EU, Euratom) 2018/1046 provides that non-committed appropriations may be carried over to the following financial year only. For that purpose a derogation from that point is necessary, allowing for non-committed appropriations of the agricultural reserve to be carried over without time limitation to finance the agricultural reserve in the following financial year(s), allowing the accumulation of appropriations for the EU agricultural crisis reserve from one year to the next, throughout</i></u>		(14b) [withdrawn by EP]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>the programming period.</u>		
Recital 15				
26	(15) In order to avoid an excessive administrative burden for national administrations and farmers provision should be made that reimbursement of the amounts carried over from the preceding financial year in relation to financial discipline applied, should not take place either where financial discipline is applied for a second subsequent year (year N+1), or where the overall amount of non-committed appropriations represents less than 0,2% of the EAGF annual ceiling.	(15) In order to avoid an excessive administrative burden for national administrations and farmers, <u>to simplify procedures as much as possible and limit the complexity of payment forms,</u> provision should be made that reimbursement of the amounts carried over from the preceding financial year in relation to financial discipline applied, should not take place either where financial discipline is applied for a second subsequent year (year N+1), or where the overall amount of non-committed appropriations represents less than 0,2% of the EAGF annual ceiling.		(15) In order to avoid an excessive administrative burden for national administrations and farmers, to simplify procedures as much as possible and limit the complexity of aid application forms, provision should be made that reimbursement of the amounts carried over from the preceding financial year in relation to financial discipline applied should not take place either where financial discipline is applied for a second subsequent year (year N+1), or where the overall amount of non-committed appropriations represents less than 0,2% of the EAGF annual ceiling. Text Origin: EP Mandate
Recital 16				
27	(16) Taking into account the levels of direct payments to farmers in Croatia in the framework of the application of the phasing-in mechanism to all direct payments granted in that Member State, the	(16) Taking into account the levels of direct payments to farmers in Croatia in the framework of the application of the phasing-in mechanism to all direct payments granted in that Member State, the		(16) [No text needed here] Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	instrument of financial discipline should only apply in Croatia from 1 January 2022.	instrument of financial discipline should only apply in Croatia from 1 January 2022.		
Recital 16a				
27a		<u>(16a) Equalising the level of direct payments among the Member States is essential in order to ensure a level playing field in the internal market. There is an urgent need for a fair distribution of direct payments between Member States.</u>		(16a) [EP mandate withdrawn]
Recital 17				
28	(17) The measures taken to determine the financial contribution from the Funds in respect of the calculation of financial ceilings do not affect the powers of the budgetary authority designated by the Treaty. Those measures should therefore be based on the financial envelopes fixed in accordance with the Interinstitutional Agreement of [...] [COM(2018) 322 final- MFF Regulation].	(17) The measures taken to determine the financial contribution from the Funds in respect of the calculation of financial ceilings do not affect the powers of the budgetary authority designated by the Treaty. Those measures should therefore be based on the financial envelopes fixed in accordance with the Interinstitutional Agreement of [...] [COM(2018) 322 final- MFF Regulation].		(17) The measures taken to determine the financial contribution from the Funds in respect of the calculation of financial ceilings do not affect the powers of the budgetary authority designated by the Treaty. Those measures should therefore be based on the financial envelopes fixed in accordance with the Interinstitutional Agreement of [...] [COM(2018) 322 final- MFF Regulation]. Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Recital 18				
29	(18) Budget discipline also requires a continuous examination of the medium-term budget position. The Commission should propose, if necessary, appropriate measures to the legislator in order to ensure that Member States respect of the ceilings provided for in Regulation (EU, Euratom) .../... of the European Parliament and of the Council [COM(2018) 322 final MFF Regulation]. Furthermore, the Commission should make full use of its management powers at all times to ensure compliance with the annual ceiling and, if necessary, should propose appropriate measures to the European Parliament and to the Council or to the Council to redress the budget position. If, at the end of a budget year, the annual ceiling cannot be complied with as a result of the reimbursements requested by the Member States, the Commission should be empowered to take measures allowing the provisional distribution of the available budget among the	(18) Budget discipline also requires a continuous examination of the medium-term budget position. The Commission should propose, if necessary, appropriate measures to the legislator in order to ensure that Member States respect of the ceilings provided for in Regulation (EU, Euratom) .../... of the European Parliament and of the Council [COM(2018) 322 final MFF Regulation]. Furthermore, the Commission should make full use of its management powers at all times to ensure compliance with the annual ceiling and, if necessary, should propose appropriate measures to the European Parliament and to the Council or to the Council to redress the budget position. If, at the end of a budget year, the annual ceiling cannot be complied with as a result of the reimbursements requested by the Member States, the Commission should be empowered to take measures allowing the provisional distribution of the available budget among the		(18) Budget discipline also requires a continuous examination of the medium-term budget position. The Commission should propose, if necessary, appropriate measures to the legislator in order to ensure that Member States respect of the ceilings provided for in Regulation (EU, Euratom) .../... of the European Parliament and of the Council [COM(2018) 322 final MFF Regulation]. Furthermore, the Commission should make full use of its management powers at all times to ensure compliance with the annual ceiling and, if necessary, should propose appropriate measures to the European Parliament and to the Council or to the Council to redress the budget position. If, at the end of a budget year, the annual ceiling cannot be complied with as a result of the reimbursements requested by the Member States, the Commission should be empowered to take measures allowing the provisional distribution of the available budget among the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Member States in proportion to their as yet unpaid requests for reimbursement, as well as measures ensuring compliance with the ceiling fixed for the year concerned. Payments for that year should be charged to the following budget year and the total amount of Union financing per Member State should be definitively established, as should compensation between Member States in order to ensure that the established amount is complied with.	Member States in proportion to their as yet unpaid requests for reimbursement, as well as measures ensuring compliance with the ceiling fixed for the year concerned. Payments for that year should be charged to the following budget year and the total amount of Union financing per Member State should be definitively established, as should compensation between Member States in order to ensure that the established amount is complied with.		Member States in proportion to their as yet unpaid requests for reimbursement, as well as measures ensuring compliance with the ceiling fixed for the year concerned. Payments for that year should be charged to the following budget year and the total amount of Union financing per Member State should be definitively established, as should compensation between Member States in order to ensure that the established amount is complied with. Text Origin: Commission Proposal
Recital 19				
30	(19) When implementing the budget, the Commission should operate a monthly early-warning and monitoring system for agricultural expenditure so that, if there is a risk of the annual ceiling being exceeded, the Commission may at the earliest opportunity take the appropriate measures under the management powers at its disposal and propose other measures if those measures appear to be insufficient. A periodic report by	(19) When implementing the budget, the Commission should operate a monthly early-warning and monitoring system for agricultural expenditure so that, if there is a risk of the annual ceiling being exceeded, the Commission may at the earliest opportunity take the appropriate measures under the management powers at its disposal and propose other measures if those measures appear to be insufficient. A periodic report by		(19) When implementing the budget, the Commission should operate a monthly early-warning and monitoring system for agricultural expenditure so that, if there is a risk of the annual ceiling being exceeded, the Commission may at the earliest opportunity take the appropriate measures under the management powers at its disposal and propose other measures if those measures appear to be insufficient. A periodic report by

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the Commission to the European Parliament and to the Council should compare the evolution of the expenditure effected to date in relation to the profiles and should give an assessment of the foreseeable implementation for the remainder of the budget year.	the Commission to the European Parliament and to the Council should compare the evolution of the expenditure effected to date in relation to the profiles and should give an assessment of the foreseeable implementation for the remainder of the budget year.		the Commission to the European Parliament and to the Council should compare the evolution of the expenditure effected to date in relation to the profiles and should give an assessment of the foreseeable implementation for the remainder of the budget year. Text Origin: Commission Proposal
Recital 20				
31	(20) In respect of the EAGF, the financial resources required to cover the expenditure effected by the accredited paying agencies, should be provided to the Member States by the Commission in the form of reimbursements against the booking of the expenditure effected by those agencies. It is also necessary to provide that until such reimbursements have been made, in the form of monthly payments, financial resources are to be mobilised by the Member States depending on the needs of their accredited paying agencies. It should explicitly be laid down in this Regulation that the administrative and personnel costs	(20) In respect of the EAGF, the financial resources required to cover the expenditure effected by the accredited paying agencies, should be provided to the Member States by the Commission in the form of reimbursements against the booking of the expenditure effected by those agencies. It is also necessary to provide that until such reimbursements have been made, in the form of monthly payments, financial resources are to be mobilised by the Member States depending on the needs of their accredited paying agencies. It should explicitly be laid down in this Regulation that the administrative and personnel costs		(20) In respect of the EAGF, the financial resources required to cover the expenditure effected by the accredited paying agencies, should be provided to the Member States by the Commission in the form of reimbursements against the booking of the expenditure effected by those agencies. It is also necessary to provide that until such reimbursements have been made, in the form of monthly payments, financial resources are to be mobilised by the Member States depending on the needs of their accredited paying agencies. It should explicitly be laid down in this Regulation that the administrative and personnel costs

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of the Member States and the beneficiaries involved in the implementation of the CAP are to be borne by themselves.	of the Member States and the beneficiaries involved in the implementation of the CAP are to be borne by themselves.		of the Member States and the beneficiaries involved in the implementation of the CAP are to be borne by themselves. Text Origin: Commission Proposal
Recital 21				
32	(21) In order to provide the Commission with, in particular, the means to manage agricultural markets, to facilitate the monitoring of agricultural expenditure and to monitor agricultural resources in the medium and long term, the use of the agro-meteorological system and the acquisition and improvement of satellite data should be provided for.	(21) In order to provide the Commission with, in particular, the means to manage agricultural markets, to facilitate the monitoring of agricultural expenditure, <u>to assess and provide timely aid in the event of natural disasters</u> and to monitor agricultural resources <u>needed for production</u> in the medium and long term, the use of the agro-meteorological system and the acquisition and improvement of satellite data should be provided for.		(21) In order to provide the Commission with, in particular, the means to manage agricultural markets, to facilitate the monitoring of agricultural expenditure and to monitor agricultural resources in the medium and long term, including environment and climate resilience and progress toward relevant Union targets, the use of the agro-meteorological system and the acquisition and improvement of satellite data should be provided for.
Recital 21a				
32a		<u>(21a) The Commission's monitoring of agricultural markets should be extended to monitoring trade flows to and</u>		(21a) The Commission should be provided with the means to monitor markets taking account Union objectives and commitments

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>from developing countries in sectors which have been identified as sensitive by the partner countries, so as to ensure the coherence of CAP-related agro-food sector trade outcomes with the Union's commitment to Policy Coherence for Development.</u>		including Policy Coherence for Development, contributing to transparency of markets.
Recital 22				
33	(22) As regards the financial management of the EAFRD, provision should be made with regard to budget commitments, payment deadlines, decommitment and interruptions. Rural development interventions are financed from the Union's budget on the basis of commitments made in annual instalments. Member States should be able to draw on the Union Funds provided for as soon as the CAP Strategic Plans are approved. A suitably restricted prefinancing system is therefore needed, to ensure a steady flow of funds so that payments to beneficiaries under the interventions are made at the appropriate time.	(22) As regards the financial management of the EAFRD, provision should be made with regard to budget commitments, payment deadlines, decommitment and interruptions. Rural development interventions are financed from the Union's budget on the basis of commitments made in annual instalments. Member States should be able to draw on the Union Funds provided for as soon as the CAP Strategic Plans are approved. A suitably restricted prefinancing system is therefore needed, to ensure a steady flow of funds so that payments to beneficiaries under the interventions are made at the appropriate time.		(22) As regards the financial management of the EAFRD, provision should be made with regard to budget commitments, payment deadlines, decommitment and interruptions. Rural development interventions are financed from the Union's budget on the basis of commitments made in annual instalments. Member States should be able to draw on the Union Funds provided for as soon as the CAP Strategic Plans are approved. A suitably restricted prefinancing system is therefore needed, to ensure a steady flow of funds so that payments to beneficiaries under the interventions are made at the appropriate time. Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Recital 23				
34	(23) Apart from prefinancing, it is also necessary to make a distinction between interim payments and the payment of balances by the Commission to the accredited paying agencies. It is also necessary to lay down detailed rules governing those payments. The automatic decommitment rule should help speed up execution of interventions and contribute to sound financial management. The rules governing the national frameworks of Member States with regional interventions as set out in Regulation (EU) .../... of the European Parliament and of the Council¹[CAP Strategic Plan Regulation] also provide a tool for Member States to ensure execution and sound financial management. ¹. Regulation (EU) .../... of the European Parliament and of the Council of [...] [...] (OJ L [...], [...], p. [...]).	(23) Apart from prefinancing, it is also necessary to make a distinction between interim payments and the payment of balances by the Commission to the accredited paying agencies. It is also necessary to lay down detailed rules governing those payments. The automatic decommitment rule should help speed up execution of interventions and contribute to sound financial management. The rules governing the national frameworks of Member States with regional interventions as set out in Regulation (EU) .../... of the European Parliament and of the Council¹[CAP Strategic Plan Regulation] also provide a tool for Member States to ensure execution and sound financial management. ¹. Regulation (EU) .../... of the European Parliament and of the Council of [...] [...] (OJ L [...], [...], p. [...]).		(23) Apart from prefinancing, it is also necessary to make a distinction between interim payments and the payment of balances by the Commission to the accredited paying agencies. It is also necessary to lay down detailed rules governing those payments. The automatic decommitment rule should help speed up execution of interventions and contribute to sound financial management. The rules governing the national frameworks of Member States with regional interventions as set out in Regulation (EU) .../... of the European Parliament and of the Council¹[CAP Strategic Plan Regulation] also provide a tool for Member States to ensure execution and sound financial management. ¹. Regulation (EU) .../... of the European Parliament and of the Council of [...] [...] (OJ L [...], [...], p. [...]). Text Origin: Commission Proposal
Recital 24				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
35	(24) Member States should ensure that Union aid be paid to beneficiaries in good time so that they may use it efficiently. A failure by the Member States to comply with the payment deadlines laid down in Union law might create serious difficulties for the beneficiaries and could jeopardise the Union's yearly budgeting. Therefore, expenditure made without respecting deadlines for payments should be excluded from Union financing. In accordance with the principle of proportionality, the Commission should be empowered to provide for exceptions from this general rule with regard to both Funds.	(24) Member States should ensure that Union aid be paid to beneficiaries in good time so that they may use it efficiently. A failure by the Member States to comply with the payment deadlines laid down in Union law might create serious difficulties for the beneficiaries and could jeopardise the Union's yearly budgeting. Therefore, expenditure made without respecting deadlines for payments should be excluded from Union financing. In accordance with the principle of proportionality, the Commission should be empowered to provide for exceptions from this general rule with regard to both Funds.		(24) Member States should ensure that Union aid be paid to beneficiaries in good time so that they may use it efficiently. A failure by the Member States to comply with the payment deadlines laid down in Union law might create serious difficulties for the beneficiaries and could jeopardise the Union's yearly budgeting. Therefore, expenditure made without respecting deadlines for payments should be excluded from Union financing. In accordance with the principle of proportionality, the Commission should be empowered to provide for exceptions from this general rule with regard to both Funds. Text Origin: Commission Proposal
Recital 24a				
35a				(24a) The principle of proportionality, as set out in Article 5 of the Treaty on European Union, should be complied with by the Commission when exercising its responsibilities relating to the implementation of the Union

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				budget. Furthermore, it is necessary for the arrangements for the implementation and use of the Funds to respect that principle of proportionality and to take into account the overall aim of reducing the administrative burden on bodies involved in the management and control of the programmes.
	Recital 25			
36	(25) In accordance with the architecture and the key characteristics of the new CAP delivery model the eligibility of payments made by Member States for Union financing should no longer depend on the legality and regularity of payments to individual beneficiaries. Instead, as regards types of interventions referred to in Regulation (EU).../[CAP Strategic Plan Regulation], Member States' payments should be eligible if they are matched by corresponding output and in compliance with the applicable basic Union requirements.	(25) In accordance with the architecture and the key characteristics of the ~~new~~ CAP delivery model, the eligibility of payments made by Member States for Union financing should ~~no longer~~ depend on the legality and regularity of payments to individual beneficiaries. ~~Instead~~ <u>However</u> , as regards types of interventions referred to in Regulation (EU).../[CAP Strategic Plan Regulation], Member States' payments should be eligible <u>only</u> if they are <u>in compliance with the applicable Union requirements and if the rules on</u> ~~matched by corresponding output and in compliance with the applicable basic Union requirements~~ <u>governance systems</u> .		(25) In accordance with the architecture and the key characteristics of the new CAP delivery model the eligibility of payments made by Member States for Union financing should no longer depend on the legality and regularity of payments to individual beneficiaries. Instead, as regards types of interventions referred to in Regulation (EU).../[CAP Strategic Plan Regulation], and without prejudice to the specific , eligibility rules for the crop-specific payment for cotton set out in that Regulation, Member States' payments should be eligible if they are matched by corresponding output and in compliance with the applicable basic Union requirements.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>including the performance reporting obligations of the Member States, are complied with. The new focus of the CAP on a result-oriented performance model should not remove the obligations of the Member States to check the legality and regularity of expenditure in order to ensure the protection of the financial interests of the Union.</u>		Text Origin: Auxiliary
Recital 26				
37	(26) Regulation (EU) No 1306/2013 provided for reductions and suspensions of monthly or interim payments for the purpose of supporting the control of legality and regularity. With the new delivery model those tools should be used to support performance based delivery. The difference between reductions and suspensions should also be clarified.	(26) Regulation (EU) No 1306/2013 provided for reductions and suspensions of monthly or interim payments for the purpose of supporting the control of legality and regularity. With the new delivery model those tools should be used to support performance based delivery. The difference between reductions and suspensions should also be clarified.		(26) Regulation (EU) No 1306/2013 provided for reductions and suspensions of monthly or interim payments for the purpose of supporting the control of legality and regularity. With the new delivery model those tools should be used to support performance based delivery. The difference between reductions and suspensions should also be clarified. Text Origin: Commission Proposal
Recital 27				
38				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(27) The procedure for reducing EAGF payments for non-compliance with financial ceilings set by Union law should be streamlined and aligned with the one used for EAFRD payments in this context.	(27) The procedure for reducing EAGF payments for non-compliance with financial ceilings set by Union law should be streamlined and aligned with the one used for EAFRD payments in this context.		(27) The procedure for reducing EAGF payments for non-compliance with financial ceilings set by Union law should be streamlined and aligned with the one used for EAFRD payments in this context. Text Origin: Commission Proposal
Recital 28				
39	(28) Member States should send the annual accounts and an annual performance report on the implementation of the CAP Strategic Plan to the Commission by 15 February N+1. Where these documents are not sent, thus preventing the Commission from clearing the accounts for the concerned paying agency or checking the eligibility of the expenditure against reported outputs, the Commission should be empowered to suspend the monthly payments and to interrupt the quarterly reimbursement until the outstanding documents are received.	(28) Member States should send the annual accounts, <u>the audit summary and the management declaration to the Commission by 15 February every year. As regards the ~~and an annual~~ performance report on the implementation of the CAP Strategic Plan, the Member States should send their first performance report the second calendar year after the date of application of this Regulation and then every year thereafter. For the purpose of the annual performance monitoring and of the multiannual performance review, the performance report should reflect the operations carried out and the progress made</u>		(28) Member States should send the annual accounts, an annual performance report on the implementation of the CAP Strategic Plan, the annual summary of the final audit reports and the management declaration to the Commission by 15 February every year. Where these documents are not sent, thus preventing the Commission from clearing the accounts for the concerned paying agency or checking the eligibility of the expenditure against reported outputs, the Commission should be empowered to suspend the monthly payments and to interrupt the quarterly reimbursement until the outstanding documents are received.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>towards the achievement of the objectives as set out in the CAP National Strategic Plan and contain information about realised outputs and realised expenditure every year, information on realised results and distance to respective targets every two years, and, where feasible, reporting on impacts using the data referred to in Article 129 of Regulation (EU) .../... [CAP Strategic Plan Regulation]</u> ~~to the Commission by 15 February N+1.~~ Where these documents are not sent, thus preventing the Commission from clearing the accounts for the concerned paying agency or checking the eligibility of the expenditure ~~against reported outputs~~, the Commission should be empowered to suspend the monthly payments and to interrupt the quarterly reimbursement until the outstanding documents are received.		Text Origin: EP Mandate
	Recital 28a			
G 39a				(28a) [No text needed here] G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 29				
40	(29) A new form of payment suspension should be introduced for situations of abnormally low outputs. Where the outputs reported are at an abnormally low level in comparison with the declared expenditure, and where Member States cannot provide good and comprehensible reasons for this situation, the Commission should be empowered to, in addition to reducing the expenditure for the financial year N-1 suspend future expenditure related to the intervention for which the output was abnormally low. Such suspensions should be subject to confirmation in the annual performance clearance decision.	(29) ~~A new form of payment suspension~~ <u>An annual performance monitoring</u> should be introduced for situations of abnormally low outputs. Where the outputs reported are at an abnormally low level in comparison with the declared expenditure, and where Member States cannot provide good and comprehensible reasons for this situation, the Commission should be empowered to, ~~in addition to reducing the expenditure for the financial year N-1 suspend future expenditure~~ <u>request from the Member State concerned an assessment of the issues affecting the implementation of the CAP Strategic Plan and to devise and implement the additional remedial actions</u> related to the intervention for which the output was abnormally low. ~~Such suspensions should be subject to confirmation in the annual performance clearance decision~~ <u>for the following financial year.</u>		(29) A new form of payment suspension should be introduced for situations of abnormally low outputs. Where the outputs reported are at an abnormally low level in comparison with the declared expenditure, and where Member States cannot provide good and comprehensible reasons for this situation, the Commission should be empowered to, in addition to reducing the expenditure for the financial year N-1 suspend future expenditure related to the intervention for which the output was abnormally low. Such suspensions should be subject to confirmation in the annual performance clearance decision. Text Origin: Commission Proposal
Recital 30				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
41	(30) As regards the multi-annual performance monitoring the Commission should also have the power to suspend payments. Accordingly in cases of delayed or insufficient progress towards targets, set out in the national CAP Strategic Plan, the Commission should be empowered to request the Member State concerned to take the necessary remedial actions in accordance with an action plan to be established in consultation with the Commission and containing clear progress indicators, by means of an implementing act. Where the Member State fails to submit or to implement the action plan or where the action plan is manifestly insufficient to remedy the situation, the Commission should have the power to suspend the monthly or interim payments, by means of an implementing act.	(30) ~~As regards the multi-annual~~ <u>Given the necessary transition to a result-oriented performance model, the performance monitoring the Commission reporting on the realised results and the distance to respective targets</u> should ~~also have the power to suspend payments~~ <u>be submitted for the first time by 15 April of the second calendar year after the date of application of this Regulation and the multiannual performance review should be carried out by the Commission every two years</u>. Accordingly ~~in~~ <u>in</u> cases of delayed or insufficient progress towards targets, set out in the national CAP Strategic Plan, <u>and where the Member State cannot provide duly justified reasons</u>, the Commission should be empowered to request the Member State concerned to ~~take the necessary remedial actions in accordance with~~ <u>present</u> an action plan to be established in consultation with the Commission ~~and containing clear progress indicators, by means of an implementing act.~~ <u>The action plan should describe the necessary remedial actions and the expected</u>		(30) [Note: the following text requires legal scrubbing in order to clarify that the empowerment is about suspension and not for the COM to request action plans. The action plans are already laid down in the basic act.] As regards the multi-annual performance monitoring the Commission should also have the power to suspend payments. Accordingly in cases of delayed or insufficient progress towards targets, set out in the national CAP Strategic Plan and where the Member State cannot provide duly justified reasons, the Commission should be empowered to request the Member State concerned to take the necessary remedial actions in accordance with an action plan to be established in consultation with the Commission and containing clear progress indicators together with the timeframe during which the progress achieved, by means of an implementing act. Where the Member State fails to submit or to implement the action plan, where the action plan is manifestly insufficient to remedy

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>timeframe for its execution.</u> Where the Member State fails to submit or to implement the action plan or where <u>it becomes evident that</u> the action plan is manifestly insufficient to remedy the situation, the Commission should have the power to suspend the monthly or interim payments, by means of an implementing act.		the situation or if it has not been modified in accordance with the written request of the Commission, the Commission should have the power to suspend the monthly or interim payments, by means of an implementing act. The Commission should reimburse the suspended amounts when, on the basis of the performance review or on the basis of the voluntary notification made during the budget year by the Member States on the advancement of the action plan and of the corrective action taken to remedy to the shortfall, satisfactory progress towards targets is achieved. Text Origin: EP Mandate
Recital 30a				
41a		<u>(30a) Where the situation is not remedied by the end of the sixth month following the decision by the Commission to suspend the payments in the framework of the multiannual performance review, the Commission should be empowered to definitively reduce the amount suspended for the Member State concerned. The</u>		(30a) [EP mandate withdrawn] Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>amounts definitively reduced shall be reallocated to reward Member States with satisfactory performance in relation to the specific objectives referred to in Article 6(1) of Regulation (EU) .../... [CAP Strategic Plan Regulation].</i></u>		
	Recital 31			
42	(31) As had been the case under Regulation (EU) No 1306/2013, the Commission should be empowered to suspend payments when serious deficiencies exist in the governance systems, including non-compliance with Union basic requirements and unreliability of reporting. It is, however, necessary to review the conditions for suspending payments in order to make the mechanism more efficient. The financial consequences of such suspensions should be decided in an ad-hoc conformity procedure.	(31) As had been the case under Regulation (EU) No 1306/2013, the Commission should be empowered to suspend payments when serious deficiencies exist in the governance systems, including non-compliance with Union basic requirements and unreliability of reporting. It is, however, necessary to review the conditions for suspending payments in order to make the mechanism more efficient. The financial consequences of such suspensions should be decided in an ad-hoc conformity procedure.		(31) As had been the case under Regulation (EU) No 1306/2013, the Commission should be empowered to suspend payments when serious deficiencies exist in the governance systems, including non-compliance with Union basic requirements and unreliability of reporting. It is, however, necessary to review the conditions for suspending payments in order to make the mechanism more efficient. The financial consequences of such suspensions should be decided in an ad-hoc conformity procedure. <u>Text Origin: Commission Proposal</u>
	Recital 32			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
43	(32) Competent national authorities should make the CAP payments provided for by Union law to the beneficiaries in full.	(32) Competent national authorities should make the CAP payments provided for by Union law to the beneficiaries in full.		(32) Competent national authorities should make the CAP payments provided for by Union law to the beneficiaries in full. Text Origin: Commission Proposal
Recital 33				
44	(33) In order to allow reuse of certain types of CAP-related revenue for the CAP purposes, they should be qualified as assigned revenue. The list of sums contained in Article 43 of Regulation (EU) No 1306/2013 should be amended and those provisions should be harmonised and merged with the existing provisions on assigned revenue.	(33) In order to allow reuse of certain types of CAP-related revenue for the CAP purposes, they should be qualified as assigned revenue. The list of sums contained in Article 43 of Regulation (EU) No 1306/2013 should be amended and those provisions should be harmonised and merged with the existing provisions on assigned revenue.		(33) In order to allow reuse of certain types of CAP-related revenue for the CAP purposes, they should be qualified as assigned revenue. The list of sums contained in Article 43 of Regulation (EU) No 1306/2013 should be amended and those provisions should be harmonised and merged with the existing provisions on assigned revenue. Text Origin: Commission Proposal
Recital 34				
45	(34) Regulation (EU) No 1306/2013 contains a list of information measures related to the CAP and their objectives and fixes the rules on their financing and on	(34) Regulation (EU) No 1306/2013 contains a list of information measures related to the CAP and their objectives and fixes the rules on their financing and on		(34) Regulation (EU) No 1306/2013 contains a list of information measures related to the CAP and their objectives and fixes the rules on their financing and on

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the implementation of the corresponding projects. The specific provisions relating to the objectives and types of information measures to be financed should be carried over into this Regulation.	the implementation of the corresponding projects. The specific provisions relating to the objectives and types of information measures to be financed should be carried over into this Regulation.		the implementation of the corresponding projects. The specific provisions relating to the objectives and types of information measures to be financed should be carried over into this Regulation. Text Origin: Commission Proposal
Recital 35				
46	(35) The financing of measures and interventions under the CAP is largely subject to the principle of shared management. To ensure that Union Funds are soundly managed, the Commission should perform checks on how the Member State authorities responsible for making payments manage the Funds. It is appropriate to define the nature of the checks to be performed by the Commission, to specify the terms of its responsibilities for implementing the Union's budget and to clarify the Member States' cooperation obligations.	(35) The financing of measures and interventions under the CAP is largely subject to the principle of shared management. To ensure that Union Funds are soundly managed, the Commission should perform checks on how the Member State authorities responsible for making payments manage the Funds. It is appropriate to define the nature of the checks to be performed by the Commission, to specify the terms of its responsibilities for implementing the Union's budget and to clarify the Member States' cooperation obligations.		(35) The financing of measures and interventions under the CAP is largely subject to the principle of shared management. To ensure that Union Funds are soundly managed, the Commission should perform checks on how the Member State authorities responsible for making payments manage the Funds. It is appropriate to define the nature of the checks to be performed by the Commission, to specify the terms of its responsibilities for implementing the Union's budget and to clarify the Member States' cooperation obligations. Text Origin: Commission Proposal
Recital 36				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
47	(36) In order to enable the Commission to fulfil its obligation to check the existence and proper functioning of management and inspection systems for Union expenditure in the Member States, provision should be made, irrespective of the inspections carried out by Member States themselves, for checks to be carried out by persons authorised by the Commission to act on its behalf who should be able to request assistance from the Member States in their work.	(36) In order to enable the Commission to fulfil its obligation to check the existence and proper functioning of management and inspection systems for Union expenditure in the Member States, provision should be made, irrespective of the inspections carried out by Member States themselves, for checks to be carried out by persons authorised by the Commission to act on its behalf who should be able to request assistance from the Member States in their work.		(36) In order to enable the Commission to fulfil its obligation to check the existence and proper functioning of management and inspection systems for Union expenditure in the Member States, provision should be made, irrespective of the inspections carried out by Member States themselves, for checks to be carried out by persons authorised by the Commission to act on its behalf who should be able to request assistance from the Member States in their work. Text Origin: Commission Proposal
Recital 37				
48	(37) Information technology needs to be used as extensively as possible in order to produce the information to be sent to the Commission. When carrying out checks, the Commission should have full and immediate access to expenditure information recorded in both paper and electronic form.	(37) Information technology needs to be used as extensively as possible in order to produce the information to be sent to the Commission. When carrying out checks, the Commission should have full and immediate access to expenditure information recorded in both paper and electronic form.		(37) Information technology needs to be used as extensively as possible in order to produce the information to be sent to the Commission. When carrying out checks, the Commission should have full and immediate access to expenditure information recorded in both paper and electronic form. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Recital 38			
49	(38) In order to apply the requirements of the [new] Financial Regulation in relation to the cross-reliance on audits and to reduce the risk of overlap between audits by various institutions, it is necessary to set out rules concerning the single audit approach and provide for the possibility for the Commission to take assurance from the work of reliable certification bodies.	(38) In order to apply the requirements of the [new] Financial Regulation in relation to the cross-reliance on audits and to reduce the risk of overlap between audits by various institutions, it is necessary to set out rules concerning the single audit approach and provide for the possibility for the Commission to take assurance from the work of reliable certification bodies.		(38) In order to apply the requirements of the [new] Financial Regulation in relation to the cross-reliance on audits and to reduce the risk of overlap between audits by various institutions, and to minimise the cost of controls and the administrative burden on the beneficiaries and the Member States, it is necessary to set out rules concerning the single audit approach and provide for the possibility for the Commission to take assurance from the work of reliable certification bodies, taking due account of the principles of single audit and proportionality in relation to the level of risk to the budget of the Union. Text Origin: Commission Proposal
	Recital 38a			
49a				(38a) For the implementation of the single audit approach, where generally the Commission should take assurance from the work of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				the certification bodies, and taking account of its own risk assessment of the need for checks by the Commission in the Member State concerned, the Commission may carry out checks where it has informed the Member State concerned that it cannot rely on the work of the certification body. This does not exclude that the Commission, in order to perform its responsibilities under Article 317 of the Treaty, may carry out checks where serious deficiencies in the functioning of the governance systems may exist, which are not followed up by the Member State.
Recital 39				
50	(39) In order to establish the financial relationship between the accredited paying agencies and the Union's budget, the Commission should clear the accounts of the paying agencies annually, in the framework of the annual financial clearance. The decision relating to the clearance of accounts should be limited to the completeness, accuracy and veracity of the accounts and should not cover the	(39) In order to establish the financial relationship between the accredited paying agencies and the Union's budget, the Commission should clear the accounts of the paying agencies annually, in the framework of the annual <i>financial</i> clearance. The decision relating to the clearance of accounts should be limited to the completeness, accuracy and veracity of the accounts and should not cover the		(39) [EP mandate withdrawn]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	conformity of the expenditure with Union law.	conformity of the expenditure with Union law.		
Recital 40				
51	(40) In line with the new delivery model, an annual performance clearance should be established in order to check the eligibility of the expenditure in relation to the reported outputs. In order to tackle situations where the expenditure declared does not have corresponding reported outputs and the Member States cannot provide justifications for this deviation, a mechanism of reduction of payments should be put in place.	(40) ~~In line with the new delivery model, an annual performance clearance should be established in order to check the eligibility of the expenditure in relation to the reported outputs. In order to tackle situations where the expenditure declared does not have corresponding reported outputs and the Member States cannot provide justifications for this deviation, a mechanism of reduction of payments should be put in place.~~		(40) In line with the new delivery model, an annual performance clearance should be established in order to check the eligibility of the expenditure in relation to the reported outputs. In order to tackle situations where the expenditure declared does not have corresponding reported outputs and the Member States cannot provide justifications for this deviation, a mechanism of reduction of payments should be put in place. Text Origin: Commission Proposal
Recital 41				
52	(41) The Commission is responsible for the implementation of the Union's budget in cooperation with Member States in accordance with Article 317 of the Treaty. The Commission should thus be empowered to decide, by means of implementing acts,	(41) The Commission is responsible for the implementation of the Union's budget in cooperation with Member States in accordance with Article 317 of the Treaty. The Commission should thus be empowered to decide, by means of implementing acts,		(41) The Commission is responsible for the implementation of the Union's budget in cooperation with Member States in accordance with Article 317 of the Treaty. The Commission should thus be empowered to decide, by means of implementing acts,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	whether the expenditure effected by the Member States is in conformity with Union law. Member States should be afforded the right to justify their decisions to make payments and should have recourse to conciliation where there is no common agreement between them and the Commission. In order to give Member States legal and financial assurances as to expenditure effected in the past, a limitation period should be set for the Commission to decide which financial consequences should follow from the non-conformity.	whether the expenditure effected by the Member States is in conformity with Union law. Member States should be afforded the right to justify their decisions to make payments and should have recourse to conciliation where there is no common agreement between them and the Commission. In order to give Member States legal and financial assurances as to expenditure effected in the past, a limitation period should be set for the Commission to decide which financial consequences should follow from the non-conformity.		whether the expenditure effected by the Member States is in conformity with Union law. Member States should be afforded the right to justify their decisions to make payments and should have recourse to conciliation where there is no common agreement between them and the Commission. In order to give Member States legal and financial assurances as to expenditure effected in the past, a limitation period should be set for the Commission to decide which financial consequences should follow from the non-conformity. Text Origin: Commission Proposal
	Recital 41a			
52a				(41a) Member States are obliged, under Article 9 of Regulation (EU) SPR, to implement the CAP Strategic Plans, as approved by the Commission in accordance with Articles 106 and 107 of that Regulation. Since this obligation constitutes a basic Union requirement, the Commission may, where serious deficiencies in a

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Member State's implementation of its CAP Strategic plan are detected, decide to exclude the expenditure at risk, affected by such deficiencies, from EU financing
Recital 42				
53	(42) In order to to safeguard the financial interests of the Union's budget, systems should be put in place by Member States in order to satisfy themselves that interventions financed by the Funds are actually carried out and are executed correctly, while maintaining the current robust framework for sound financial management. In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 ¹ of the European Parliament and of the Council, Council Regulation (Euratom, EC) No 2988/95 ² , Council Regulation (Euratom, EC) No 2185/96 ³ and Council Regulation (EU) 2017/1939 ⁴ , the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities including fraud, the	(42) In order to ~~to~~ safeguard the financial interests of the Union's budget, systems should be put in place by Member States in order to satisfy themselves that interventions financed by the Funds are actually carried out and are executed correctly, while maintaining the current robust framework for sound financial management. In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 ¹ of the European Parliament and of the Council, Council Regulation (~~Euratom~~ , ~~EEC~~ , <u>Euratom</u>) No 2988/95 ² ; <u>and</u> Council Regulation (Euratom, EC) No 2185/96 ³ and Council Regulation (EU) 2017/1939 ⁴ , the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of		(42) In order to safeguard the financial interests of the Union's budget, systems should be put in place by Member States in order to satisfy themselves that interventions financed by the Funds are actually carried out and are executed correctly, while maintaining the current robust framework for sound financial management. The systems should include performing checks on beneficiaries by assessing their compliance with the eligibility criteria and other conditions, and obligations set out in the National Strategic Plans and applicable Union rules. In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council, Council Regulation (Euratom, EC) No 2988/95 , Council Regulation (Euratom, EC) No 2185/96 and

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	recovery of Funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. Moreover, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96 the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) may investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371⁵ of the European Parliament and of the Council. In accordance with the Financial Regulation, any person or entity receiving Union Funds is to fully cooperate in the protection of the Union's financial interests, to grant the necessary rights and access to the Commission, OLAF, the EPPO	irregularities including fraud, the recovery of Funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. Moreover, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96 the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) may investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371⁵ of the European Parliament and of the Council. In accordance with the Financial Regulation, any person or entity receiving Union Funds is to fully cooperate in the protection of the Union's financial interests, to grant the necessary rights and access to		Council Regulation (EU) 2017/1939, the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities including fraud, the recovery of Funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. Moreover, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96 the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) may investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council. In

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union Funds grant equivalent rights. Member States should have the systems in place allowing them to report to the Commission, for the purpose of enabling OLAF to exercise its powers and ensure an efficient analysis of cases of irregularity, on detected irregularities and other cases of non-compliance with the conditions established by Member States in the CAP Strategic Plan, including fraud and on their follow-up as well as on the follow-up of OLAF investigations. To ensure the effective examination of complaints concerning the Funds, Member States should have in place the necessary arrangements. 1. Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999,(OJ L248, 18.9.2013, p. 1). 2. Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p.	the Commission, OLAF, the EPPO and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union Funds grant equivalent rights. Member States should have the systems in place allowing them to report to the Commission, for the purpose of enabling OLAF to exercise its powers and ensure an efficient analysis of cases of irregularity, on detected irregularities and other cases of non-compliance with the conditions established by Member States in the CAP Strategic Plan, including fraud and on their follow-up as well as on the follow-up of OLAF investigations. To ensure the effective examination of complaints concerning the Funds, Member States should have in place the necessary arrangements. 1. Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999,(OJ L248, 18.9.2013, p. 1). 2. Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities		accordance with the Financial Regulation, any person or entity receiving Union Funds is to fully cooperate in the protection of the Union's financial interests, to grant the necessary rights and access to the Commission, OLAF, the EPPO and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union Funds grant equivalent rights. Member States should have the systems in place allowing them to report to the Commission, for the purpose of enabling OLAF to exercise its powers and ensure an efficient analysis of cases of irregularity, on detected irregularities and other cases of non-compliance with the conditions established by Member States in the CAP Strategic Plan, including fraud and on their follow-up as well as on the follow-up of OLAF investigations. To ensure the effective examination of complaints concerning the Funds, Member States should have in place the necessary arrangements. In accordance with the principle of subsidiarity, Member States should, upon request of the Commission, examine complaints

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1). 3. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L292, 15.11.96, p. 2). 4. Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L283, 31.10.2017, p. 1). 5. Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).	financial interests (OJ L 312, ~~23.12.95~~ 23.12.1995, p. 1). 3. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L292, ~~15.11.96~~ 15.11.1996, p. 2). 4. Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L283, 31.10.2017, p. 1). 5. Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).		submitted to the Commission falling within the scope of their CAP Strategic Plan and should inform the Commission of the results of these examinations. The Commission should ensure that complaints directly lodged with it are adequately followed up, in accordance with the discretionary power the Commission enjoys in deciding which cases to pursue¹. 1. See in particular: judgment of 6 December 1989 in Case C-329/88, Commission v Greece ECR 4159; judgment of 1 June 1994 in Case C-317/92, Commission v Germany ECR I 2039; judgment of 6 October 2009 in Case C-562/07, Commission v Spain ECR I-9553; judgment of 14 September 1995 in Case T-571/93; Lefebvre and others v Commission ECR II 2379; judgment of 19 May 2009 in Case C-531/06, Commission v Italy ECR I 4103 Text Origin: Commission Proposal
	Recital 42a			
G 53a				(42a) In order to assist the Member States in ensuring effective protection of the financial interests of the Union, the Commission should make available

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				to them a data-mining tool to assess risks. In order to assess the use of the single data mining tool and its interoperability with a view to its generalised use by Member States, the Commission should present a report by 2025, accompanied, if necessary, by appropriate proposals. Text Origin: Auxiliary
Recital 43				
54	(43) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 or the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as	(43) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 or the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as		(43) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 or the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective Union funding..	regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective Union funding..		regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective Union funding.. Text Origin: Commission Proposal
Recital 44				
55	(44) It is appropriate to ensure that the refusal or recovery of payments as a result of non-compliance with public procurement rules reflects the gravity of such non-compliance and respects the principle of proportionality, as expressed, for example, in the relevant guidelines established by the Commission for financial corrections to be made to expenditure financed by the Union under shared management for non-compliance with such rules. It is further appropriate to clarify that such non-compliance affects the legality and regularity of the transactions only up to the level of the part of the aid not to be paid or to be withdrawn.	(44) It is appropriate to ensure that the refusal or recovery of payments as a result of non-compliance with public procurement rules reflects the gravity of such non-compliance and respects the principle of proportionality, as expressed, for example, in the relevant guidelines established by the Commission for financial corrections to be made to expenditure financed by the Union under shared management for non-compliance with such rules. It is further appropriate to clarify that such non-compliance affects the legality and regularity of the transactions only up to the level of the part of the aid not to be paid or to be withdrawn.		(44) It is appropriate to ensure that the refusal or recovery of payments as a result of non-compliance with public procurement rules reflects the gravity of such non-compliance and respects the principle of proportionality, as expressed, for example, in the relevant guidelines established by the Commission for financial corrections to be made to expenditure financed by the Union under shared management for non-compliance with such rules. It is further appropriate to clarify that such non-compliance affects the legality and regularity of the transactions only up to the level of the part of the aid not to be paid or to be withdrawn. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 45				
56	(45) Various provisions of the sectoral agricultural legislation require that security be lodged to ensure the payment of a sum due if an obligation is not met. In order to strengthen the framework for securities, a single horizontal rule should apply to all those provisions.	(45) Various provisions of the sectoral agricultural legislation require that security be lodged to ensure the payment of a sum due if an obligation is not met. In order to strengthen the framework for securities, a single horizontal rule should apply to all those provisions.		(45) Various provisions of the sectoral agricultural legislation require that security be lodged to ensure the payment of a sum due if an obligation is not met. In order to strengthen the framework for securities, a single horizontal rule should apply to all those provisions. Text Origin: Commission Proposal
Recital 46				
57	(46) Member States should set up and operate an integrated administration and control system (the "integrated system") for certain interventions provided for in Regulation (EU) .../... [CAP Strategic Plan Regulation] and for the measures referred to in Chapter IV of Regulations (EU) No 228/2013 of the European Parliament and of the Council ¹ and in Chapter IV of Regulation (EU) No 229/2013 of the European Parliament and of the Council ²	(46) Member States should set up and operate an integrated administration and control system (the "integrated system") for certain interventions provided for in Regulation (EU) .../... [CAP Strategic Plan Regulation] and for the measures referred to in Chapter IV of Regulations (EU) No 228/2013 of the European Parliament and of the Council ¹ and in Chapter IV of Regulation (EU) No 229/2013 of the European Parliament and of the Council ²		(46) Member States should set up and operate an integrated administration and control system (the "integrated system") for certain interventions provided for in Regulation (EU) .../... [CAP Strategic Plan Regulation] and for the measures referred to in Chapter IV of Regulations (EU) No 228/2013 of the European Parliament and of the Council ¹ and in Chapter IV of Regulation (EU) No 229/2013 of the European Parliament and of the Council ²

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	respectively. In order to improve the effectiveness and monitoring of Union support, Member States should be authorised to make use of the integrated system for other Union interventions. 1. Regulation (EU) No 228/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in the outermost regions of the Union and repealing Council Regulation (EC) No 247/2006 (OJ L 78, 20.3.2013, p. 23). 2. Regulation (EU) No 229/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in favour of the smaller Aegean islands and repealing Council Regulation (EC) No 1405/2006 (OJ L 78, 20.3.2013, p. 41).	respectively. In order to improve the effectiveness and monitoring of Union support, Member States should be authorised to make use of the integrated system for other Union interventions. 1. Regulation (EU) No 228/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in the outermost regions of the Union and repealing Council Regulation (EC) No 247/2006 (OJ L 78, 20.3.2013, p. 23). 2. Regulation (EU) No 229/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in favour of the smaller Aegean islands and repealing Council Regulation (EC) No 1405/2006 (OJ L 78, 20.3.2013, p. 41).		respectively. In order to improve the effectiveness and monitoring of Union support, Member States should be authorised to make use of the integrated system for other Union interventions. 1. Regulation (EU) No 228/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in the outermost regions of the Union and repealing Council Regulation (EC) No 247/2006 (OJ L 78, 20.3.2013, p. 23). 2. Regulation (EU) No 229/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in favour of the smaller Aegean islands and repealing Council Regulation (EC) No 1405/2006 (OJ L 78, 20.3.2013, p. 41). Text Origin: Commission Proposal
Recital 46a				
57a		<u>(46a) To ensure a level playing field between beneficiaries in different Member States, certain general rules should be introduced on controls and penalties at Union level.</u>		(46a) To ensure a level playing field between beneficiaries in different Member States, certain general rules should be introduced on controls and penalties at Union level. Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 46b				
57b		<i><u>(46b) In order to ensure greater accountability and transparency concerning support from the EAFRD and EAGF, additional information on ownership structures should be collected by Member States through the Integrated Administration and Control System. To facilitate the monitoring of land concentration and of ownership structures and the investigation of potential conflicts of interest, corruption, and fraudulent behaviour, beneficiaries should, where applicable, indicate the identity of their parent undertaking or undertakings. Applicants should be facilitated to minimise administrative burden, e.g. by pre-filled application forms and access to appropriate data.</u></i>		(46b) [EP mandate withdrawn]
Recital 47				
58	(47) The existing main elements of the integrated system and, in particular, the provisions concerning a system for identifying agricultural parcels, a geo-spatial	(47) The existing main elements of the integrated system <u>including the early warning system</u> and, in particular, the provisions concerning a system for identifying		(47) The existing main elements of the integrated system and, in particular, the provisions concerning a system for identifying agricultural parcels, a geo-spatial

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and an animal-based application system, a system for identifying and registering payment entitlements, a system for recording the identity of beneficiaries and a control and penalties system should be maintained. Member States should continue to use data or information products provided by the Copernicus programme, in addition to information technologies such as GALILEO and EGNOS in order to ensure that comprehensive and comparable data is available throughout the Union for the purposes of monitoring agri-environment-climate policy and for the purposes of boosting the use of full, free and open data and information captured by Copernicus Sentinels satellites and services. To this end, the integrated system should include also an area monitoring system.	agricultural parcels, a geo-spatial and an animal-based application system, a system for identifying and registering payment entitlements, a system for recording the identity of beneficiaries and a control and penalties system should be maintained, <u>at an appropriate level, while taking due account of proportionality and the need not to impose undue administrative burdens on farmers and administrative bodies</u>. Member States should continue to use data or information products provided by the Copernicus programme, in addition to information technologies such as GALILEO and EGNOS in order to ensure that comprehensive and comparable data is available throughout the Union for the purposes of monitoring agri-environment-climate policy and for the purposes of boosting the use of full, free and open data and information captured by Copernicus Sentinels satellites and services. To this end, the integrated system should include also an area monitoring system, <u>which may limit the instances where on farm inspections are</u>		and an animal-based application system, a system for identifying and registering payment entitlements, a system for recording the identity of beneficiaries and a control and penalties system should be maintained. Member States should continue to use data or information products provided by the Copernicus programme, in addition to information technologies such as GALILEO and EGNOS in order to ensure that comprehensive and comparable data is available throughout the Union for the purposes of monitoring agri-environment-climate policy, including the CAP's impact, environmental performance, and progress towards Union targets, and for the purposes of boosting the use of full, free and open data and information captured by Copernicus Sentinels satellites and services. To this end, the integrated system should include also an area monitoring system.

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		<u>required and reduce the administrative burden on farmers.</u>		
Recital 48				
59	(48) The integrated system, as part of the governance systems which should be in place in order to implement the CAP, should ensure that the aggregate data provided in the annual performance reporting is reliable and verifiable. Given the importance of a properly functioning integrated system, it is necessary to set quality requirements. Member States should carry out an annual quality assessment of the identification system for agricultural parcels, of the geo-spatial application system and of the area monitoring system. Member States should also address any deficiencies and, if so requested by the Commission, set up an action plan.	(48) The integrated system, as part of the governance systems which should be in place in order to implement the CAP, should ensure that the aggregate data provided in the ~~annual performance~~ reporting is reliable and verifiable. Given the importance of a properly functioning integrated system, it is necessary to set quality requirements. Member States should carry out an annual quality assessment of the identification system for agricultural parcels, of the geo-spatial application system and of the area monitoring system. Member States should also address any deficiencies and, if so requested by the Commission, set up an action plan.		(48) [EP mandate withdrawn]
Recital 49				
60	(49) The Communication from the Commission on 'The future of food and farming' set out the bolstering of environmental care and climate	(49) The ~~Communication~~ <u>Communications</u> from the Commission on 'The future of food and farming', <u>the</u>		(49) The Communications from the Commission on 'The future of food and farming', the 'European Green Deal', the 'Farm to Fork

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	action and the contributing to the achievement of Union environmental and climate objectives as a strategic orientation of the future CAP. Hence, sharing Land Parcel Identification System and other Integrated Administration and Control System data has become necessary for environmental and climate purposes at national and Union level. Provision should therefore be made for sharing the data collected through the integrated system, which is relevant for environmental and climate purposes, between Member States' public authorities and with the Union institutions and bodies. In order to increase efficiency in using data available to different public authorities for the production of European statistic, it should also be provided that data from the integrated system has to be made available for statistical purposes to bodies which are part of the European Statistical System.	<u>'European Green Deal', the 'Farm to Fork Strategy – for a fair, healthy and environmentally-friendly food system' and the 'EU Biodiversity Strategy for 2030'</u> set out the bolstering of environmental care and climate action and the contributing to the achievement of Union environmental and climate objectives <u>and targets</u> as a strategic orientation of the future CAP. Hence, sharing Land Parcel Identification System and other Integrated Administration and Control System data has become necessary for environmental and climate purposes at national and Union level. Provision should therefore be made for sharing the data collected through the integrated system, which is relevant for environmental and climate purposes, between Member States' public authorities and with the Union institutions and bodies. In order to increase efficiency in using data available to different public authorities for the production of European statistic, it should also be provided that data from the integrated system has to be made available for statistical purposes to bodies which are part		Strategy – for a fair, healthy and environmentally-friendly food system' and the 'EU Biodiversity Strategy for 2030' set out the bolstering of environmental care and climate action and the contributing to the achievement of Union environmental and climate objectives and targets as a strategic orientation of the future CAP. Hence, sharing Land Parcel Identification System and other Integrated Administration and Control System data has become necessary for environmental and climate purposes at national and Union level. Provision should therefore be made for sharing the data collected through the integrated system, which is relevant for environmental and climate purposes, between Member States' public authorities and with the Union institutions and bodies. In order to increase efficiency in using data available to different public authorities for the production of European statistic, it should also be provided that data from the integrated system has to be made available for statistical purposes to bodies which are part of the European Statistical System.

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		of the European Statistical System.		Text Origin: EP Mandate
Recital 49a				
60a		<u>(49a) The Commission Communication of 20 May 2020 entitled "A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system" calls on the importance of ensuring that the key principles enshrined in the European Pillar of Social Rights (EPSR) are respected. The considerations of workers' social protection, working and housing conditions as well as protection of health and safety will play a major role in building fair, strong and sustainable food systems. The CAP should be one of the tools to pursue the objectives of the EPSR.</u>		(49a) [EP mandate withdrawn]
Recital 49b				
60b				
Recital 49c				
60c				
Recital 50				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
61	(50) The scrutiny of commercial documents of undertakings that receive or make payments can be a very effective means of surveillance of transactions forming part of the system of financing by the EAGF. That scrutiny supplements other checks already carried out by the Member States. Furthermore, national provisions relating to scrutiny may be more extensive than those provided for by Union law.	(50) The scrutiny of commercial documents of undertakings that receive or make payments can be a very effective means of surveillance of transactions forming part of the system of financing by the EAGF. That scrutiny supplements other checks already carried out by the Member States. Furthermore, national provisions relating to scrutiny may be more extensive than those provided for by Union law.		(50) The scrutiny of commercial documents of undertakings that receive or make payments can be a very effective means of surveillance of transactions forming part of the system of financing by the EAGF. That scrutiny supplements other checks already carried out by the Member States. Furthermore, national provisions relating to scrutiny may be more extensive than those provided for by Union law. Text Origin: Commission Proposal
Recital 51				
62	(51) The documents that should be used as a basis for such scrutiny should be selected in such a way as to enable a full scrutiny to be carried out. The undertakings to be scrutinised should be chosen on the basis of the nature of the transactions carried out under their responsibility and the breakdown per sector of the undertakings receiving or making payments should be selected according to their financial importance in the	(51) The documents that should be used as a basis for such scrutiny should be selected in such a way as to enable a full scrutiny to be carried out. The undertakings to be scrutinised should be chosen on the basis of the nature of the transactions carried out under their responsibility and the breakdown per sector of the undertakings receiving or making payments should be selected according to their financial importance in the		(51) The documents that should be used as a basis for such scrutiny should be selected in such a way as to enable a full scrutiny to be carried out. The undertakings to be scrutinised should be chosen on the basis of the nature of the transactions carried out under their responsibility and the breakdown per sector of the undertakings receiving or making payments should be selected according to their financial importance in the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	system of financing by the EAGF.	system of financing by the EAGF.		system of financing by the EAGF. Text Origin: Commission Proposal
	Recital 52			
63	(52) It is necessary to set out the empowerment of the officials responsible for carrying out the scrutiny and to define the obligations on undertakings to make commercial documents available to such officials for a specified period, as well as to supply any information that may be requested of them by the officials. It should also be possible for commercial documents to be seized in certain cases.	(52) It is necessary to set out the empowerment of the officials responsible for carrying out the scrutiny and to define the obligations on undertakings to make commercial documents available to such officials for a specified period, as well as to supply any information that may be requested of them by the officials. It should also be possible for commercial documents to be seized in certain cases.		(52) It is necessary to set out the empowerment of the officials responsible for carrying out the scrutiny and to define the obligations on undertakings to make commercial documents available to such officials for a specified period, as well as to supply any information that may be requested of them by the officials. It should also be possible for commercial documents to be seized in certain cases. Text Origin: Commission Proposal
	Recital 53			
64	(53) Having regard to the international structure of agricultural trade and in the interest of the proper functioning of the internal market, it is necessary to organise cooperation among the Member States. It is also necessary	(53) Having regard to the international structure of agricultural trade and in the interest of the proper functioning of the internal market <u>and respect for the Union's Policy Coherence for Development obligations</u> , it is		(53) Having regard to the international structure of agricultural trade and in the interest of the proper functioning of the internal market, it is necessary to organise cooperation among the Member States. It is also necessary

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to set up a centralised documentation system at Union level concerning undertakings established in third countries and which receive or make payments.	necessary to organise cooperation among the Member States <u>and between Member States and third countries</u> . It is also necessary to set up a centralised documentation system at Union level concerning undertakings established in third countries and which receive or make payments. <u>Such a system should also contribute to the identification of incoherencies between the implementation of the CAP and the objectives of the external policies of the Union. It would contribute to monitoring the achievement of the CAP objectives as outlined in Regulation (EU) No.../... [CAP Strategic Plan Regulation], by allowing for the evaluation of the impact of undertakings established in third countries on the 2030 Agenda for Sustainable Development, and the Union's development objectives, as provided for in Article 208 TFEU.</u>		to set up a centralised documentation system at Union level concerning undertakings established in third countries and which receive or make payments. Text Origin: Commission Proposal
	Recital 54			
65	(54) While the Member States are responsible for adopting their own scrutiny programmes, it is necessary for those programmes to	(54) While the Member States are responsible for adopting their own scrutiny programmes, it is necessary for those programmes to		(54) While the Member States are responsible for adopting their own scrutiny programmes, it is necessary for those programmes to

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	be communicated to the Commission so that it can assume its supervisory and coordinating role, ensuring that the programmes are adopted on the basis of appropriate criteria and guaranteeing that the scrutiny is concentrated on sectors or undertakings where the risk of fraud is high. It is essential that each Member State designates a department that is responsible for monitoring the scrutiny of commercial documents and for coordinating that scrutiny. Those designated departments should be independent of the departments that carry out the scrutiny prior to payment. Information collected during that scrutiny should be protected by confidentiality to protect business secrets.	be communicated to the Commission so that it can assume its supervisory and coordinating role, ensuring that the programmes are adopted on the basis of appropriate criteria and guaranteeing that the scrutiny is concentrated on sectors or undertakings where the risk of fraud is high. It is essential that each Member State designates a department that is responsible for monitoring the scrutiny of commercial documents and for coordinating that scrutiny. Those designated departments should be independent of the departments that carry out the scrutiny prior to payment. Information collected during that scrutiny should be protected by confidentiality to protect business secrets.		be communicated to the Commission so that it can assume its supervisory and coordinating role, ensuring that the programmes are adopted on the basis of appropriate criteria and guaranteeing that the scrutiny is concentrated on sectors or undertakings where the risk of fraud is high. It is essential that each Member State designates a department that is responsible for monitoring the scrutiny of commercial documents and for coordinating that scrutiny. Those designated departments should be independent of the departments that carry out the scrutiny prior to payment. Information collected during that scrutiny should be protected by confidentiality to protect business secrets. Text Origin: Commission Proposal
Recital 55				
66	(55) Conditionality is an important element of the CAP, in particular with regard to its environmental and climate elements but also concerning public health and	(55) Conditionality is an important element of the CAP, <u>which ensures that payments promote a high degree of sustainability and ensure a level playing field for</u>		(55) Conditionality is an important element of the CAP, which ensures that payments promote a high degree of sustainability and ensure a level playing field for farmers

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	animal related issues. This implies that controls should be carried out and, where necessary, penalties should be applied to ensure the effectiveness of the conditionality system. To have a level playing field between beneficiaries in different Member States, certain general rules on conditionality controls and penalties should be introduced at Union level.	<u>farmers within and between Member States</u> , in particular with regard to its <u>social</u> , environmental and climate elements but also concerning public health and animal ~~related issues~~ <u>welfare</u> . This implies that controls should be carried out and, where necessary, penalties should be applied to ensure the effectiveness of the conditionality system. To <u>ensure such</u> ~~have~~ a level playing field between beneficiaries in different Member States, certain general rules on conditionality, <u>and</u> controls and penalties <u>related to non-compliance</u> should be introduced at Union level.		within and between Member States, in particular with regard to its social, environmental and climate elements but also concerning public health and animal welfare. This implies that controls should be carried out and, where necessary, penalties should be applied to ensure the effectiveness of the conditionality system. To ensure such a level playing field between beneficiaries in different Member States, certain general rules on conditionality, and controls and penalties related to non-compliance should be introduced at Union level. Text Origin: EP Mandate
Recital 56				
67	(56) To ensure that conditionality is enforced by Member States in a harmonised way, it is necessary to provide for a minimum control rate at Union level, while the organisation of competent control bodies and controls should be at the discretion of Member States.	(56) To ensure that conditionality is enforced by Member States in a harmonised way, it is necessary to provide for a minimum control rate at Union level, while the organisation of competent control bodies and controls should be at the discretion of Member States.		(56) To ensure that conditionality is enforced by Member States in a harmonised way, it is necessary to provide for a minimum control rate at Union level, while the organisation of competent control bodies and controls should be at the discretion of Member States. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Recital 57			
68	(57) While Member States should be allowed to set out the details on penalties, those penalties should be proportionate, effective and dissuasive and should be without prejudice to other penalties laid down under Union or national law. To ensure an effective and coherent approach by Member States, it is necessary to provide for a minimum penalty rate at Union level for non-compliance occurring for the first time due to negligence, while reoccurrence should lead to a higher percentage and intentionality may result in the total exclusion from the payment. To ensure proportionality of the penalties, where the non-compliance is of a minor nature and occurs for the first time, Member States should be allowed to introduce an early warning system.	(57) While Member States should be allowed to set out the details on penalties, those penalties should be proportionate, effective and dissuasive and should be without prejudice to other penalties laid down under Union or national law. To ensure an effective and coherent approach by Member States, it is necessary to provide for ~~a~~ minimum penalty ~~rate~~ <u>rates</u> at Union level. <u>Such rates should apply to cases of</u> ~~for~~ non-compliance occurring for the first time due to negligence, while reoccurrence should lead to a higher percentage and intentionality <u>should potentially</u> ~~may~~ result in ~~the~~ total exclusion from the payment. To ensure <u>the</u> proportionality of the penalties, where the non-compliance is of a minor nature and occurs for the first time, Member States should <u>introduce an early warning system, notifying the beneficiary of the obligation to take corrective measures and allowing them to remedy the non-compliance. No administrative penalties should be</u>		(57) While Member States should be allowed to set out the details on penalties, those penalties should be proportionate, effective and dissuasive and should be without prejudice to other penalties laid down under Union or national law. To ensure the proportionality, effectiveness and dissuasive effect of the penalties, it is appropriate to lay down the rules for the application and calculation of such penalties. Taking into account the Judgement of the Court of 27 January 2021, De Ruiter, C-361/19¹, to ensure the link between the farmer's behaviour and the penalty, it should be laid down that, as a general rule, the calculation of the penalty should be done on the basis of the payments granted or to be granted in the calendar year in which the non-compliance occurred. However, when the nature of the finding does not allow for the year in which the non-compliance occurred to be established, in order to ensure the effectiveness of the penalty system, it is necessary to establish that, for

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		<u>imposed in the cases of non-compliance due to force majeure, simple negligence or due to obvious errors recognised by the competent authority or another authority</u> ~~be allowed to introduce an early warning system.~~		those cases the calculation of the penalty should be done on the basis of the payments granted or to be granted in the calendar year in which the non-compliance was found. To ensure an effective and coherent approach by Member States, it is necessary to provide for a minimum penalty rate at Union level for non-compliance occurring for the first time due to negligence, while reoccurrence should lead to a higher percentage and intentionality may result in the total exclusion from the payment. To ensure proportionality of the penalties, where the non-compliance is of a minor nature and occurs for the first time, Member States should be allowed to introduce an early warning system. 1. ECLI:EU:C:2021:7.
Recital 57a				
68a				(57a) The social conditionality mechanism should be based on the enforcement procedures that are carried out by the competent enforcement authorities or bodies responsible for controls and

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				working and employment conditions and applicable labour standards. Such enforcement procedures may take various forms depending on the national system. The outcome of the controls and the enforcement procedure should be communicated to the Paying Agencies along with a ranked assessment of the gravity of the breach of the legislation.
	Recital 57b			
68b				(57b) When applying social conditionality in the CAP Strategic Plans and in the respective agreements between the Paying Agencies and competent enforcement authorities or bodies for working and employment conditions and applicable labour standards, great care should be taken to respect the autonomy of the enforcement authorities or bodies and the specific manner in which social and employment legislation and applicable labour standards are implemented and enforced in each Member State. The mechanism should remain independent from and should not affect the functioning of the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				particular social model of each Member State, nor should it in any way affect the independence of the judiciary. To that end, a clear separation of responsibilities should be ensured between the competent enforcement authorities or bodies for employment and social legislation and applicable labour standards on the one hand and the agricultural paying agencies on the other, the role of the latter being execution of payments and application of penalties. The autonomy of social partners should be fully respected as well as their right to negotiate and conclude collective agreements. Their autonomy should also be respected when social partners are responsible to carry out controls on working conditions.
Recital 58				
69	(58) To ensure a level playing field between Member States and the effectiveness and dissuasive effect of the penalty system for conditionality, the Commission should be empowered to adopt delegated acts on the application	(58) To ensure a level playing field between Member States and the effectiveness and dissuasive effect of the penalty system for conditionality, the Commission should be empowered to adopt delegated acts on the application		(58) To ensure a level playing field between Member States and the effectiveness and dissuasive effect of the penalty system for conditionality, the Commission should be empowered to adopt delegated acts on the application

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and calculation of such penalties.	and calculation of such penalties.		and calculation of such penalties. Text Origin: Commission Proposal
Recital 59				
70	(59) To ensure harmonious cooperation between the Commission and the Member States regarding the financing of CAP expenditure and, more particularly, to allow the Commission to monitor the financial management by the Member States and to clear the accounts of the accredited paying agencies, it is necessary for the Member States to retain specific information and to communicate it to the Commission.	(59) To ensure harmonious cooperation between the Commission and the Member States regarding the financing of CAP expenditure and, more particularly, to allow the Commission to monitor the financial management by the Member States and to clear the accounts of the accredited paying agencies, it is necessary for the Member States to retain specific information and to communicate it to the Commission.		(59) To ensure harmonious cooperation between the Commission and the Member States regarding the financing of CAP expenditure and, more particularly, to allow the Commission to monitor the financial management by the Member States and to clear the accounts of the accredited paying agencies, it is necessary for the Member States to retain specific information and to communicate it to the Commission. Text Origin: Commission Proposal
Recital 60				
71	(60) For the purposes of compiling the data to be sent to the Commission, and to enable the Commission to have full immediate access to expenditure data in both paper and electronic	(60) For the purposes of compiling the data to be sent to the Commission, and to enable the Commission to have full immediate access to expenditure data in both paper and electronic		(60) For the purposes of compiling the data to be sent to the Commission, and to enable the Commission to have full immediate access to expenditure data in both paper and electronic

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	form, suitable rules on the presentation and transmission of data, including rules on time limits, need to be laid down.	form, suitable rules on the presentation and transmission of data, including rules on time limits, need to be laid down.		form, suitable rules on the presentation and transmission of data, including rules on time limits, need to be laid down. Text Origin: Commission Proposal
Recital 61				
72	(61) As personal data or business secrets might be affected by the application of the national control systems and the conformity clearance, Member States and the Commission should guarantee the confidentiality of the information received in that context.	(61) As personal data or business secrets might be affected by the application of the national control systems and the conformity clearance, Member States and the Commission should guarantee the confidentiality of the information received in that context.		(61) As personal data or business secrets might be affected by the application of the national control systems and the conformity clearance, Member States and the Commission should guarantee the confidentiality of the information received in that context. Text Origin: Commission Proposal
Recital 62				
73	(62) In the interests of sound financial management of the Union's budget and impartiality of treatment at both Member State and beneficiary level, rules on the use of the euro should be laid down.	(62) In the interests of sound financial management of the Union's budget and impartiality of treatment at both Member State and beneficiary level, rules on the use of the euro should be laid down.		(62) In the interests of sound financial management of the Union's budget and impartiality of treatment at both Member State and beneficiary level, rules on the use of the euro should be laid down. Text Origin: Commission

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				Proposal
Recital 63				
74	(63) The rate of exchange of the euro into national currencies may vary in the course of the period during which an operation is carried out. Therefore, the rate applicable to the amounts concerned should be determined taking into account the event through which the economic objective of the operation is achieved. The rate of exchange applied should be that applicable for the date on which that event occurs. It is necessary to specify this operative event or to waive its application, whilst complying with certain criteria and in particular those concerning the rapidity with which currency movements are passed on. Special rules should be laid down for dealing with exceptional monetary situations arising either within the Union or on the world market and requiring immediate action to ensure that the arrangements established under the CAP operate effectively.	(63) The rate of exchange of the euro into national currencies may vary in the course of the period during which an operation is carried out. Therefore, the rate applicable to the amounts concerned should be determined taking into account the event through which the economic objective of the operation is achieved. The rate of exchange applied should be that applicable for the date on which that event occurs. It is necessary to specify this operative event or to waive its application, whilst complying with certain criteria and in particular those concerning the rapidity with which currency movements are passed on. Special rules should be laid down for dealing with exceptional monetary situations arising either within the Union or on the world market and requiring immediate action to ensure that the arrangements established under the CAP operate effectively.		(63) The rate of exchange of the euro into national currencies may vary in the course of the period during which an operation is carried out. Therefore, the rate applicable to the amounts concerned should be determined taking into account the event through which the economic objective of the operation is achieved. The rate of exchange applied should be that applicable for the date on which that event occurs. It is necessary to specify this operative event or to waive its application, whilst complying with certain criteria and in particular those concerning the rapidity with which currency movements are passed on. Special rules should be laid down for dealing with exceptional monetary situations arising either within the Union or on the world market and requiring immediate action to ensure that the arrangements established under the CAP operate effectively. Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Recital 64				
75	(64) Member States that have not adopted the euro should have the option of making payments for expenditure resulting from the CAP legislation in euro rather than in national currency. Specific rules are needed to ensure that this option does not lead to any unjustified advantage for parties making or receiving payment.	(64) Member States that have not adopted the euro should have the option of making payments for expenditure resulting from the CAP legislation in euro rather than in national currency. Specific rules are needed to ensure that this option does not lead to any unjustified advantage for parties making or receiving payment.		(64) Member States that have not adopted the euro should have the option of making payments for expenditure resulting from the CAP legislation in euro rather than in national currency. Specific rules are needed to ensure that this option does not lead to any unjustified advantage for parties making or receiving payment. Text Origin: Commission Proposal
Recital 65				
76	(65) Union law concerning the protection of individuals with regard to the processing of personal data and on the free movement of such data, in particular Regulations (EC) No 45/2001 ¹ and (EU) 2016/679 of the European Parliament and of the Council ² , should be applicable to the collection of personal data by the Member States and the Commission for the purposes of	(65) Union law concerning the protection of individuals with regard to the processing of personal data and on the free movement of such data, in particular Regulations (EC) No 45/2001 ¹ and (EU) 2016/679 of the European Parliament and of the Council ² , should be applicable to the collection of personal data by the Member States and the Commission for the purposes of		(65) Union law concerning the protection of individuals with regard to the processing of personal data and on the free movement of such data, in particular Regulations (EC) No 45/2001 ¹ and (EU) 2016/679 of the European Parliament and of the Council ² , should be applicable to the collection of personal data by the Member States and the Commission for the purposes of

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	carrying out their respective management, control, audit and monitoring and evaluation obligations under this Regulation. 1. Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1). 2. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).	carrying out their respective management, control, audit and monitoring and evaluation obligations under this Regulation. 1. Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1). 2. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).		carrying out their respective management, control, audit and monitoring and evaluation obligations under this Regulation. 1. Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1). 2. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1). <i>Text Origin: Commission Proposal</i>
Recital 66				
77	(66) The publication of the name of the beneficiaries of the Funds provides a means of reinforcing the public control of the use of the Funds and is necessary to ensure an adequate level of protection of the Union's financial interest. That is achieved partly by the preventive and deterrent effect of such	(66) The publication of the name of the beneficiaries of the Funds provides a means of reinforcing the public control of the use of the Funds and is necessary to ensure an adequate level of protection of the Union's financial interest. That is achieved partly by the preventive and deterrent effect of such		(66) The publication of the name of the beneficiaries of the Funds provides a means of reinforcing the public control of the use of the Funds and is necessary to ensure an adequate level of protection of the Union's financial interest. That is achieved partly by the preventive and deterrent effect of such

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	publication, partly by discouraging individual beneficiaries from irregular behaviour and also partly by reinforcing the personal accountability of the farmers for use of public funds received. The publication of the relevant information is consistent with recent case-law of the Court of Justice of the European Union and also with the approach as set out in Regulation (EU, Euratom) No 966/2012.	publication, partly by discouraging individual beneficiaries from irregular behaviour and also partly by reinforcing the personal accountability of the farmers for use of public funds received. The publication of the relevant information is consistent with recent case-law of the Court of Justice of the European Union and also with the approach as set out in Regulation (EU, Euratom) No 966/2012.		publication, partly by discouraging individual beneficiaries from irregular behaviour and also partly by reinforcing the personal accountability of the farmers for use of public funds received. The publication of the relevant information is consistent with recent case-law of the Court of Justice of the European Union and also with the approach as set out in Regulation (EU, Euratom) No 966/2012. Text Origin: Commission Proposal
Recital 66a				
77a		<u>(66a) Following demands by the European Parliament¹ for greater transparency on distribution of farmland and land concentration which impacts an access to land for farmers, and opinions of the European Ombudsman² and Court of Auditors on the need to shed more light on ownership structures linked to CAP beneficiaries in the context of possible fraud and misuse of Union funds, and given that the statistics available³ provide a</u>		(66a) Considering the need for greater transparency regarding distribution of EAGF and EAFRD CAP funds, including on ownership structures linked to CAP beneficiaries, the list of beneficiaries of CAP funds, published ex-post by Member State, should also allow for the identification of groups of undertakings. This would significantly contribute to the monitoring of ownership structures and facilitate the investigation of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>limited picture of the ownership and control of farms, and in order to facilitate monitoring by public authorities of land-grabbing and land concentration and to ensure greater accountability and transparency concerning support from the EAFRD and EAGF, information on ownership structures should therefore also be made available to the public. The list of beneficiaries of CAP funds, published ex-post by Member State, should, where applicable, also allow for the identification of parent undertakings. This would significantly contribute to the monitoring of ownership structures and facilitate the investigation of potential conflicts of interest, corruption, and fraudulent behaviour.</u> <u>1. European Parliament resolution of 30 March 2017 on the state of play of farmland concentration in the EU: how to facilitate the access to land for farmers (Texts adopted, P8 TA(2017)0197).</u> <u>2. European Ombudsman's decision in case 1782/2019/EWM.</u> <u>3. Regulation (EU) 2018/1091 of the European Parliament and of the Council of 18 July 2018 on integrated farm statistics and repealing Regulations (EC) No 1166/2008 and (EU) No 1337/2011 (OJ L 200, 7.8.2018, p. 1).</u>		potential misuse of Union funds, conflicts of interest and corruption.

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	Recital 67			
78	(67) In this context the role played by civil society, including by the media and non-governmental organisations and their contribution to reinforcing the administrations' control framework against fraud and any misuse of public funds, should be properly recognised.	(67) In this context the role played by civil society, including by the media and non-governmental organisations and their contribution to reinforcing the administrations' control framework against fraud and any misuse of public funds, should be properly recognised.		(67) In this context the role played by civil society, including by the media and non-governmental organisations and their contribution to reinforcing the administrations' control framework against fraud and any misuse of public funds, should be properly recognised. Text Origin: Commission Proposal
	Recital 68			
79	(68) Regulation (EU) .../[CPR Regulation ¹] lays down rules providing for transparency in implementing the European Structural and Investment Funds and in the communication of programmes under the Funds. To ensure coherence, it should be provided that those rules apply also to beneficiaries of EAFRD and EAGF interventions, where relevant. ¹ Regulation (EU) No.../...	(68) Regulation (EU) .../[CPR Regulation ¹] lays down rules providing for transparency in implementing the European Structural and Investment Funds and in the communication of programmes under the Funds. To ensure coherence, it should be provided that those rules apply also to beneficiaries of EAFRD and EAGF interventions, where relevant. ¹ Regulation (EU) No.../...		(68) Regulation (EU) .../[CPR Regulation ¹] lays down rules providing for transparency in implementing the European Structural and Investment Funds and in the communication of programmes under the Funds. To ensure coherence, it should be provided that those rules apply also to beneficiaries of EAFRD and EAGF interventions, where relevant. ¹ Regulation (EU) No.../... Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Recital 69				
80	(69) If the objective of the public control of the use of the money from the Funds is to be achieved, a certain level of information about beneficiaries needs to be brought to the attention of the public. That information should include data on the identity of the beneficiary, the amount awarded and the fund from which it comes, and the purpose and nature of the type of intervention or measure concerned. The publication of that information should be made in such a way as to cause less interference with the beneficiaries' right to respect for their private life, and to their right to protection of their personal data, both rights which are recognised in Articles 7 and 8 of the Charter of Fundamental Rights of the European Union.	(69) If the objective of the public control of the use of the money from the Funds is to be achieved, a certain level of information about beneficiaries needs to be brought to the attention of the public. That information should include data on the identity of the beneficiary, the amount awarded and the fund from which it comes, and the purpose and nature of the type of intervention or measure concerned. The publication of that information should be made in such a way as to cause less interference with the beneficiaries' right to respect for their private life, and to their right to protection of their personal data, both rights which are recognised in Articles 7 and 8 of the Charter of Fundamental Rights of the European Union.		(69) If the objective of the public control of the use of the money from the Funds is to be achieved, a certain level of information about beneficiaries needs to be brought to the attention of the public. That information should include data on the identity of the beneficiary, the amount awarded and the fund from which it comes, and the purpose and nature of the type of intervention or measure concerned. The publication of that information should be made in such a way as to cause less interference with the beneficiaries' right to respect for their private life, and to their right to protection of their personal data, both rights which are recognised in Articles 7 and 8 of the Charter of Fundamental Rights of the European Union. Text Origin: Commission Proposal
Recital 70				
81				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(70) Publishing details about the measure or the intervention entitling the farmer to receive aid and about the nature and the purpose of the aid provides the public with concrete information on the subsidised activity and the purpose for which the aid was granted. Providing such oversight to the public would have a preventive and deterrent effect and would help to protect the financial interest of the Union.	(70) Publishing details about the measure or the intervention entitling the farmer to receive aid and about the nature and the purpose of the aid provides the public with concrete information on the subsidised activity and the purpose for which the aid was granted. Providing such oversight to the public would have a preventive and deterrent effect and would help to protect the financial interest of the Union.		(70) Publishing details about the measure or the intervention entitling the farmer to receive aid and about the nature and the purpose of the aid provides the public with concrete information on the subsidised activity and the purpose for which the aid was granted. Providing such oversight to the public would have a preventive and deterrent effect and would help to protect the financial interest of the Union. Text Origin: Commission Proposal
Recital 71				
82	(71) Publishing such information together with the general information provided for in this Regulation, enhances transparency regarding the use of Union Funds in the CAP, thus contributing to the visibility and better understanding of that policy. It enables citizens to participate more closely in the decision-making process and guarantees that the administration enjoys greater legitimacy, and is more effective and is more accountable to the citizen. It also	(71) Publishing such information together with the general information provided for in this Regulation, enhances transparency regarding the use of Union Funds in the CAP, thus contributing to the visibility and better understanding of that policy. It enables citizens to participate more closely in the decision-making process and guarantees that the administration enjoys greater legitimacy, and is more effective and is more accountable to the citizen. It also		(71) Publishing such information together with the general information provided for in this Regulation, enhances transparency regarding the use of Union Funds in the CAP, thus contributing to the visibility and better understanding of that policy. It enables citizens to participate more closely in the decision-making process and guarantees that the administration enjoys greater legitimacy, and is more effective and is more accountable to the citizen. It also

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	brings concrete examples of the provision of "public goods" by farming to the attention of citizens, thereby underpinning the legitimacy of state support for the agricultural sector.	brings concrete examples of the provision of "public goods" by farming to the attention of citizens, thereby underpinning the legitimacy of <u>Union and</u> state support for the agricultural sector.		brings concrete examples of the provision of "public goods" by farming to the attention of citizens, thereby underpinning the legitimacy of state support for the agricultural sector. Text Origin: Commission Proposal
Recital 72				
83	(72) It follows, therefore, that providing for the general publication of the relevant information does not go beyond what is necessary in a democratic society in view of the need to protect the Union's financial interests as well as the overriding objective of the public oversight of the use of the money from the Funds.	(72) It follows, therefore, that providing for the general publication of the relevant information does not go beyond what is necessary in a democratic society in view of the need to protect the Union's financial interests as well as the overriding objective of the public oversight of the use of the money from the Funds.		(72) It follows, therefore, that providing for the general publication of the relevant information does not go beyond what is necessary in a democratic society in view of the need to protect the Union's financial interests as well as the overriding objective of the public oversight of the use of the money from the Funds. Text Origin: Commission Proposal
Recital 73				
84	(73) In order to comply with data protection requirements, beneficiaries of the Funds should be informed of the publication of	(73) In order to comply with data protection requirements, beneficiaries of the Funds should be informed of the publication of		(73) In order to comply with data protection requirements, beneficiaries of the Funds should be informed of the publication of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	their data before that publication takes place. They should also be informed that that data may be processed by auditing and investigating bodies of the Union and Member States for the purposes of safeguarding the Union's financial interests. Furthermore, the beneficiaries should be informed about their rights under Regulation (EU) 2016/679 and the procedures applicable for exercising these rights.	their data before that publication takes place. They should also be informed that that data may be processed by auditing and investigating bodies of the Union and Member States for the purposes of safeguarding the Union's financial interests. Furthermore, the beneficiaries should be informed about their rights under Regulation (EU) 2016/679 and the procedures applicable for exercising these rights.		their data before that publication takes place. They should also be informed that that data may be processed by auditing and investigating bodies of the Union and Member States for the purposes of safeguarding the Union's financial interests. Furthermore, the beneficiaries should be informed about their rights under Regulation (EU) 2016/679 and the procedures applicable for exercising these rights. Text Origin: Commission Proposal
Recital 74				
85	(74) In order to supplement or amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid	(74) In order to supplement or amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid		(74) In order to supplement or amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. Text Origin: Commission Proposal
Recital 75, introductory part				
86	(75) In order to supplement certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission. That empowerment should be in respect of the accreditation of the paying agencies and coordinating bodies, the obligations of the paying agencies as regards public intervention, the rules on the content of the management and control responsibilities of the	(75) In order to supplement certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission. That empowerment should be in respect of the accreditation of the paying agencies and coordinating bodies, the obligations of the paying agencies as regards public intervention, the rules on the content of the management and control responsibilities of the		(75) [Note for Lines 86 - 91: in order to ensure consistency between the Articles and recitals, further specification of the "objectives" in Arts. 15(6), 21(2)(a)&(b), 21(3), 38(2), 39(2) will need to be done at the level of the lawyers/linguists.] In order to supplement certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	paying agencies, the rules for the calculation of financial discipline to be applied by Member States to farmers, the types of measures to be financed by the Union's budget under public intervention and the reimbursement conditions, the eligibility conditions and calculation methods based on the information actually observed by the paying agencies or based on flat-rates determined by the Commission, or based on flat-rate or non-flat-rate amounts provided for by the sectoral agricultural legislation, the valuation of the operations in connection with public intervention and the measures to be taken in the case of loss or deterioration of products under the public intervention, and on the determination of the amounts to be financed. That empowerment should also cover derogations from the ineligibility of payments made by the paying agencies to the beneficiaries before the earliest or the latest possible date of payment. In addition, that empowerment should cover the rate of suspension of payments in relation to the annual clearances, the rate and duration of suspension	paying agencies, the rules for the calculation of financial discipline to be applied by Member States to farmers, the types of measures to be financed by the Union's budget under public intervention and the reimbursement conditions, the eligibility conditions and calculation methods based on the information actually observed by the paying agencies or based on flat-rates determined by the Commission, or based on flat-rate or non-flat-rate amounts provided for by the sectoral agricultural legislation, the valuation of the operations in connection with public intervention and the measures to be taken in the case of loss or deterioration of products under the public intervention, and on the determination of the amounts to be financed. That empowerment should also cover derogations from the ineligibility of payments made by the paying agencies to the beneficiaries before the earliest or the latest possible date of payment. In addition, that empowerment should cover the rate of suspension of payments in relation to the annual clearances, the rate and duration of suspension		the Commission. With a view to ensure the sound operation of the paying agencies and coordinating bodies, the funding by the EAGF of the public intervention expenditure and the proper management of the appropriations entered in the Union's budget for the EAGF, that empowerment should be in respect of the accreditation of the paying agencies and coordinating bodies, the obligations of the paying agencies as regards public intervention, the rules on the content of the management and control responsibilities of the paying agencies. Furthermore that empowerment should also cover the rules for the calculation of financial discipline to be applied by Member States to farmers, the types of measures to be financed by the Union's budget under public intervention and the reimbursement conditions, the eligibility conditions and calculation methods based on the information actually observed by the paying agencies or based on flat-rates determined by the Commission, or based on flat-rate or non-flat-rate amounts provided for by the sectoral

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of payments and the condition for reimbursing or reducing those amounts with regard to the multi-annual performance monitoring. That empowerment should also cover the interventions or measures for which the Member States may pay advances and the conditions under which certain types of expenditure and revenue under the Funds are to be compensated. Moreover, that empowerment should cover the methods applicable to the commitments and the payment of the amounts if the Union's budget has not been adopted by the beginning of the financial year or if the total amount of the commitments scheduled exceeds the threshold laid down in Article 170(3) of the Financial Regulation.	of payments and the condition for reimbursing or reducing those amounts with regard to the multi-annual performance monitoring. That empowerment should also cover the interventions or measures for which the Member States may pay advances and the conditions under which certain types of expenditure and revenue under the Funds are to be compensated. Moreover, that empowerment should cover the methods applicable to the commitments and the payment of the amounts if the Union's budget has not been adopted by the beginning of the financial year or if the total amount of the commitments scheduled exceeds the threshold laid down in Article 170(3) of the Financial Regulation.		agricultural legislation, the valuation of the operations in connection with public intervention and the measures to be taken in the case of loss or deterioration of products under the public intervention, and on the determination of the amounts to be financed. In order to enable the Commission to make expenditure effected before the earliest possible date of payment or after the latest possible date of payment eligible for Union financing, while limiting the financial impact of doing that empowerment should also cover derogations from the ineligibility of payments made by the paying agencies to the beneficiaries before the earliest or the latest possible date of payment. In addition, that empowerment should cover the rate of suspension of payments in relation to the annual clearances, the rate and duration of suspension of payments and the condition for reimbursing or reducing those amounts with regard to the multi-annual performance monitoring. That empowerment should also cover the interventions or measures for which the Member States may pay advances, with the aim to

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				ensure continuity with the rules set in Regulation (EU) No 1306/2016 and the relevant implementing and delegated rules, while at the same time respecting the financial limits of point b) of Article 11 (2) of Regulation (EU, Euratom) 2018/1046. . _To take account of revenue collected by paying agencies for the Union's budget when making payments on the basis of the expenditure declarations submitted by Member States that empowerment should also cover the conditions under which certain types of expenditure and revenue under the Funds are to be compensated. Moreover, and with a view to enable the equitable distribution of the appropriations available between the Member States that empowerment should cover the methods applicable to the commitments and the payment of the amounts if the Union's budget has not been adopted by the beginning of the financial year or if the total amount of the commitments scheduled exceeds the threshold laid down in Article 170(3) of the Financial Regulation.
Recital 75, point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
87	(a) Furthermore, that empowerment should cover the specific obligations to be complied with by Member States with regard to checks and access to documents and information, the criteria for justifications from the Member States and the methodology and criteria for applying reductions in relation to the annual performance clearance, and the criteria and methodology for applying financial corrections in the context of the conformity clearance procedure.	(a) Furthermore, that empowerment should cover the specific obligations to be complied with by Member States with regard to checks and access to documents and information, the criteria for justifications from the Member States and the methodology and criteria for applying reductions in relation to the annual performance clearance, and the criteria and methodology for applying financial corrections in the context of the conformity clearance procedure.		(a) Framing of empowerments (a) Furthermore, that empowerment should in order to ensure the correct and efficient application of the provisions relating to on-the-spot checks and access to documents and information, cover the specific obligations to be complied with by Member States with regard to checks and access to documents and information, the criteria for justifications from the Member States and the methodology and criteria for applying reductions in relation to the annual performance clearance, and the criteria and methodology for applying financial corrections in the context of the conformity clearance procedure.
Recital 75, point (b)				
88	(b) Moreover, that empowerment should cover, where the proper management of the system so requires, rules on additional requirements with respect to customs procedures, and in particular to those laid down in Regulation (EU) No 952/2013 of the European Parliament and of the	(b) Moreover, that empowerment should cover, where the proper management of the system so requires, rules on additional requirements with respect to customs procedures, and in particular to those laid down in Regulation (EU) No 952/2013 of the European Parliament and of the		(b) Moreover, in order to ensure that the checks are carried out correctly and efficiently and that the eligibility conditions are verified in an efficient, coherent and non-discriminatory manner which protects the financial interest of the Union that empowerment should cover, where the proper

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Council¹, rules on securities, ensuring a non- discriminatory treatment, specifying the responsible party in the event that an obligation is not met, laying down the specific situations in which the competent authority may waive the requirement of a security, the conditions applying to the security to be lodged and the guarantor, the conditions for lodging and releasing that security, the specific conditions related to the security lodged in connection with advance payments, and on the setting out of the consequences of breaching the obligations for which a security has been lodged. 1. Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).	Council¹, rules on securities, ensuring a non- discriminatory treatment, specifying the responsible party in the event that an obligation is not met, laying down the specific situations in which the competent authority may waive the requirement of a security, the conditions applying to the security to be lodged and the guarantor, the conditions for lodging and releasing that security, the specific conditions related to the security lodged in connection with advance payments, and on the setting out of the consequences of breaching the obligations for which a security has been lodged. 1. Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).		management of the system so requires, rules on additional requirements with respect to customs procedures, and in particular to those laid down in Regulation (EU) No 952/2013 of the European Parliament and of the Council¹, rules on securities, ensuring a non- discriminatory treatment, specifying the responsible party in the event that an obligation is not met, laying down the specific situations in which the competent authority may waive the requirement of a security, the conditions applying to the security to be lodged and the guarantor, the conditions for lodging and releasing that security, the specific conditions related to the security lodged in connection with advance payments, and on the setting out of the consequences of breaching the obligations for which a security has been lodged.
	Recital 75, point (c)			
89	(c) In addition, regarding the integrated system, that empowerment should cover rules on the quality assessment of the identification system for	(c) In addition, regarding the integrated system, that empowerment should cover rules on the quality assessment of the identification system for		(c) In addition, regarding the integrated system, that empowerment should cover rules on the quality assessment of the identification system for

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	agricultural parcels, of the geo-spatial application system and of the area monitoring system, and definitions, basic features and rules on the identification system for agricultural parcels, on the system for the identification of beneficiaries and on the system for the identification and registration of payment entitlements.	agricultural parcels, of the geo-spatial application system and of the area monitoring system, and definitions, basic features and rules on the identification system for agricultural parcels, on the system for the identification of beneficiaries and on the system for the identification and registration of payment entitlements.		agricultural parcels, of the geo-spatial application system and of the area monitoring system and definitions, basic features and rules on the identification system for agricultural parcels, on the system for the identification of beneficiaries and on the system for the identification and registration of payment entitlements. Text Origin: Commission Proposal
Recital 75, point (d)				
90	(d) Furthermore, that empowerment should cover, rules on the interventions excluded from the scrutiny of transactions, on the operative event and the exchange rate to be used by the Member States not using the euro, and on the exchange rate applicable when declarations of expenditure are drawn up and when public storage operations are recorded in the accounts of the paying agency, on measures to safeguard the application of Union law if exceptional monetary practices related to national currency are likely to jeopardise it.	(d) Furthermore, that empowerment should cover, rules on the interventions excluded from the scrutiny of transactions, on the operative event and the exchange rate to be used by the Member States not using the euro, and on the exchange rate applicable when declarations of expenditure are drawn up and when public storage operations are recorded in the accounts of the paying agency, on measures to safeguard the application of Union law if exceptional monetary practices related to national currency are likely to jeopardise it.		(d) Furthermore, , in order to respond to changes in sectoral agricultural legislation and to ensure the efficiency of the system of ex-post controls, that empowerment should cover rules on the interventions excluded from the scrutiny of transactions, Moreover, in order to specify the operative event or to fix it for reasons peculiar to the market organisation or the amount in question and to avoid the application by the Member States which have not adopted the euro of different exchange rates in accounts of revenue received or aid

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				paid to beneficiaries in a currency other than the euro, on the one hand, and in the establishment of the declaration of expenditure drawn up by the paying agency, on the other, that empowerment should cover rules on the operative event and the exchange rate to be used by the Member States not using the euro, and on the exchange rate applicable when declarations of expenditure are drawn up and when public storage operations are recorded in the accounts of the paying agency, on measures to safeguard the application of Union law if exceptional monetary practices related to national currency are likely to jeopardise it.
Recital 75, point (e)				
91	(e) In order to amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the threshold under which undertakings should be scrutinized only for specific reasons.	(e) In order to amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the threshold under which undertakings should be scrutinized only for specific reasons.		(e) In order to amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the threshold under which undertakings should be scrutinized only for specific reasons.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
	Recital 75, point (ea)			
G 91a				(ea) The empowerment should enable the Commission to ensure smooth transition from the arrangements provided for in Regulation (EU) No 1306/2013.
	Recital 76			
G 92	(76) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council ¹ . Those powers should relate to the rules: on the procedures for the issuing, withdrawing and reviewing accreditation of paying agencies and coordinating bodies as well as for the supervision of the accreditation of paying agencies; on the work and checks underlying the management declaration of the paying agencies; the functioning of	(76) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council ¹ . Those powers should relate to the rules: on the procedures for the issuing, withdrawing and reviewing accreditation of paying agencies and coordinating bodies as well as for the supervision of the accreditation of paying agencies; on the work and checks underlying the management declaration of the paying agencies; the functioning of		(76) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council ¹ . Those powers should relate to the rules: on the procedures for the issuing, withdrawing and reviewing accreditation of paying agencies and coordinating bodies as well as for the supervision of the accreditation of paying agencies; on the work and checks underlying the management declaration of the paying agencies; the functioning of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the coordinating body and the notification of information to the Commission by that coordinating body, on the tasks of the certification bodies, including the checks to be carried out and bodies subject to those checks, and on the certificates and the reports, together with the documents accompanying them, to be drawn up by those bodies. 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).	the coordinating body and the notification of information to the Commission by that coordinating body, on the tasks of the certification bodies, including the checks to be carried out and bodies subject to those checks, and on the certificates and the reports, together with the documents accompanying them, to be drawn up by those bodies. 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).		the coordinating body and the notification of information to the Commission by that coordinating body, on the tasks of the certification bodies, including the checks to be carried out and bodies subject to those checks, and on the certificates and the reports, together with the documents accompanying them, to be drawn up by those bodies. 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13). Text Origin: Commission Proposal
Recital 77				
93	(77) The implementing powers of the Commission should also cover: the audit principles on which the opinions of the certification bodies are based, including an assessment of the risks, internal controls and the level of audit evidence required, the audit methods to be used by the certification bodies,	(77) The implementing powers of the Commission should also cover: the audit principles on which the opinions of the certification bodies are based, including an assessment of the risks, internal controls and the level of audit evidence required, the audit methods to be used by the certification bodies,		(77) The implementing powers of the Commission should also cover: the audit principles on which the opinions of the certification bodies are based, including an assessment of the risks, internal controls and the level of audit evidence required, the audit methods to be used by the certification bodies,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	having regard to international standards on auditing to deliver their opinions.	having regard to international standards on auditing to deliver their opinions.		having regard to international standards on auditing to deliver their opinions. Text Origin: Commission Proposal
Recital 78				
94	(78) The implementing powers of the Commission should also cover: the setting of the amounts for the financing of public intervention measures, rules relating to the financing of the acquisition by the Commission of the satellite data required for the area monitoring system and the measures taken by the Commission through remote-sensing applications used for the area monitoring system, the procedure for the carrying out of the acquisition by the Commission of those satellite data and the area monitoring system, the framework governing the acquisition, enhancing and utilisation of satellite images and meteorological data, and the applicable deadlines.	(78) The implementing powers of the Commission should also cover: the setting of the amounts for the financing of public intervention measures, rules relating to the financing of the acquisition by the Commission of the satellite data required for the area monitoring system and the measures taken by the Commission through remote-sensing applications used for the area monitoring system, the procedure for the carrying out of the acquisition by the Commission of those satellite data and the area monitoring system, the framework governing the acquisition, enhancing and utilisation of satellite images and meteorological data, and the applicable deadlines.		(78) The implementing powers of the Commission should also cover: the setting of the amounts for the financing of public intervention measures, rules relating to the financing of the acquisition by the Commission of the satellite data required for the area monitoring system and the measures taken by the Commission through remote-sensing applications used for the area monitoring system, the procedure for the carrying out of the acquisition by the Commission of those satellite data and the area monitoring system, the framework governing the acquisition, enhancing and utilisation of satellite images and meteorological data, and the applicable deadlines. Text Origin: Commission Proposal
Recital 79				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
95	(79) The implementing powers of the Commission should also cover: in the context of the financial discipline procedure, the fixing of the adjustment rate for the direct payments interventions and its adaptation as well as the terms and conditions applicable to appropriations carried over in accordance with Article 12(2)(d) of Regulation (EU, Euratom) No [New Financial Regulation] in order to finance the direct payments interventions; in the context of the budget discipline procedure, the provisional setting of the amount of the payments and the provisional distribution of the available budget among the Member States and the determining of the monthly payments which the Commission makes on the basis of a declaration of expenditure.	(79) The implementing powers of the Commission should also cover: in the context of the financial discipline procedure, the fixing of the adjustment rate for the direct payments interventions and its adaptation as well as the terms and conditions applicable to appropriations carried over in accordance with Article 12(2)(d) of Regulation (EU, Euratom) No [New Financial Regulation] in order to finance the direct payments interventions; in the context of the budget discipline procedure, the provisional setting of the amount of the payments and the provisional distribution of the available budget among the Member States and the determining of the monthly payments which the Commission makes on the basis of a declaration of expenditure.		(79) The implementing powers of the Commission should also cover: in the context of the financial discipline procedure, the fixing of the adjustment rate for the direct payments interventions and its adaptation as well as the terms and conditions applicable to appropriations carried over in accordance with Article 12(2)(d) of Regulation (EU, Euratom) No [New Financial Regulation] in order to finance the direct payments interventions; in the context of the budget discipline procedure, the provisional setting of the amount of the payments and the provisional distribution of the available budget among the Member States and the determining of the monthly payments which the Commission makes on the basis of a declaration of expenditure. Text Origin: Commission Proposal
Recital 80				
96	(80) Furthermore, the implementing powers of the Commission should cover: the	(80) Furthermore, the implementing powers of the Commission should cover: the		(80) Furthermore, the implementing powers of the Commission should cover: the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	setting of the period within which the accredited paying agencies are to establish and forward, to the Commission, intermediate declarations of expenditure relating to rural development interventions as well as rules on the procedure and other practical arrangements concerning the proper functioning of the payment deadlines mechanism; the reduction and suspension of the monthly or interim payments to Member States as well as rules on the elements of actions plans and the procedure for setting them up. They should also cover rules which are necessary and justifiable in an emergency in order to resolve specific problems in relation to payment periods and the payment of advances, details on the keeping of separate accounts by the paying agencies; specific conditions applying to the information to be booked in the accounts kept by the paying agencies; rules on the financing and accounting of intervention measures in the form of public storage, and other expenditure financed by the Funds, the terms and conditions governing the implementation of the	setting of the period within which the accredited paying agencies are to establish and forward, to the Commission, intermediate declarations of expenditure relating to rural development interventions as well as rules on the procedure and other practical arrangements concerning the proper functioning of the payment deadlines mechanism; the reduction and suspension of the monthly or interim payments to Member States as well as rules on the elements of actions plans and the procedure for setting them up. They should also cover rules which are necessary and justifiable in an emergency in order to resolve specific problems in relation to payment periods and the payment of advances, details on the keeping of separate accounts by the paying agencies; specific conditions applying to the information to be booked in the accounts kept by the paying agencies; rules on the financing and accounting of intervention measures in the form of public storage, and other expenditure financed by the Funds, the terms and conditions governing the implementation of the		setting of the period within which the accredited paying agencies are to establish and forward, to the Commission, intermediate declarations of expenditure relating to rural development interventions as well as rules on the procedure and other practical arrangements concerning the proper functioning of the payment deadlines mechanism; the reduction and suspension of the monthly or interim payments to Member States as well as rules on the elements of actions plans and the procedure for setting them up. They should also cover rules which are necessary and justifiable in an emergency in order to resolve specific problems in relation to payment periods and the payment of advances, details on the keeping of separate accounts by the paying agencies; specific conditions applying to the information to be booked in the accounts kept by the paying agencies; rules on the financing and accounting of intervention measures in the form of public storage, and other expenditure financed by the Funds, the terms and conditions governing the implementation of the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	automatic decommitment procedure.	automatic decommitment procedure.		automatic decommitment procedure. Text Origin: Commission Proposal
Recital 81				
97	(81) Moreover, the implementing powers of the Commission should cover: the procedures relating to the cooperation obligations to be complied with by the Member States as regards the checks carried out by the Commission and access to information; the conditions under which the supporting documents relating to payments made are to be kept, the annual financial clearance, including the measures to be taken in connection with the adoption and implementation of those implementing acts, the annual performance clearance, including the measures to be taken in connection with the adoption and implementation of those implementing acts, and the information exchange between the Commission and the Member States, the procedures and the deadlines to be respected, the	(81) Moreover, the implementing powers of the Commission should cover: the procedures relating to the cooperation obligations to be complied with by the Member States as regards the checks carried out by the Commission and access to information; the conditions under which the supporting documents relating to payments made are to be kept, the annual financial clearance, including the measures to be taken in connection with the adoption and implementation of those implementing acts, the annual performance clearance, including the measures to be taken in connection with the adoption and implementation of those implementing acts, and the information exchange between the Commission and the Member States, the procedures and the deadlines to be respected, the		(81) Moreover, the implementing powers of the Commission should cover: the procedures relating to the cooperation obligations to be complied with by the Member States as regards the checks carried out by the Commission and access to information; the conditions under which the supporting documents relating to payments made are to be kept, the annual financial clearance, including the measures to be taken in connection with the adoption and implementation of those implementing acts, the annual performance clearance, including the measures to be taken in connection with the adoption and implementation of those implementing acts, and the information exchange between the Commission and the Member States, the procedures and the deadlines to be respected, the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	conformity clearance procedure, including the measures to be taken in connection with the adoption and implementation of those implementing acts, the information exchange between the Commission and the Member States, the deadlines to be respected and the rules regarding the conciliation procedure, the exclusion from Union financing of amounts charged to the Union's budget and the forms of notification and communication to be made by the Member States to the Commission in relation to recoveries for non-compliance.	conformity clearance procedure, including the measures to be taken in connection with the adoption and implementation of those implementing acts, the information exchange between the Commission and the Member States, the deadlines to be respected and the rules regarding the conciliation procedure, the exclusion from Union financing of amounts charged to the Union's budget and the forms of notification and communication to be made by the Member States to the Commission in relation to recoveries for non-compliance.		conformity clearance procedure, including the measures to be taken in connection with the adoption and implementation of those implementing acts, the information exchange between the Commission and the Member States, the deadlines to be respected and the rules regarding the conciliation procedure, the exclusion from Union financing of amounts charged to the Union's budget and the forms of notification and communication to be made by the Member States to the Commission in relation to recoveries for non-compliance. Text Origin: Commission Proposal
Recital 82				
98	(82) The implementing powers of the Commission should also cover: rules aiming at reaching a uniform application of Member States' obligations regarding the protection of the financial interests of the Union and the necessary rules aiming at reaching a uniform application of checks in the Union.	(82) The implementing powers of the Commission should also cover: rules aiming at reaching a uniform application of Member States' obligations regarding the protection of the financial interests of the Union and the necessary rules aiming at reaching a uniform application of checks in the Union.		(82) The implementing powers of the Commission should also cover: rules aiming at reaching a uniform application of Member States' obligations regarding the protection of the financial interests of the Union and the necessary rules aiming at reaching a uniform application of checks in the Union.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Recital 83				
99	(83) Furthermore, the implementing powers of the Commission should cover: the form of the securities to be lodged and the procedure for lodging the securities, for accepting them, and for replacing the original securities; the procedures for the release of securities and the notification to be made by Member States or by the Commission in the context of securities.	(83) Furthermore, the implementing powers of the Commission should cover: the form of the securities to be lodged and the procedure for lodging the securities, for accepting them, and for replacing the original securities; the procedures for the release of securities and the notification to be made by Member States or by the Commission in the context of securities.		(83) Furthermore, the implementing powers of the Commission should cover: the form of the securities to be lodged and the procedure for lodging the securities, for accepting them, and for replacing the original securities; the procedures for the release of securities and the notification to be made by Member States or by the Commission in the context of securities. Text Origin: Commission Proposal
Recital 84				
100	(84) The implementing powers of the Commission should also cover: rules on the form, content and arrangements for transmitting or making available to the Commission the assessment reports on the quality of the identification system for agricultural parcels, of the geo-spatial application system and of the area monitoring system,	(84) The implementing powers of the Commission should also cover: rules on the form, content and arrangements for transmitting or making available to the Commission the assessment reports on the quality of the identification system for agricultural parcels, of the geo-spatial application system and of the area monitoring system,		(84) The implementing powers of the Commission should also cover: rules on the form, content and arrangements for transmitting or making available to the Commission the assessment reports on the quality of the identification system for agricultural parcels, of the geo-spatial application system and of the area monitoring system,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and on the remedial actions to be implemented by the Member States with regard to deficiencies revealed in those systems. and basic features and rules on the geo-spatial application system and the area monitoring system.	and on the remedial actions to be implemented by the Member States with regard to deficiencies revealed in those systems. and basic features and rules on the geo-spatial application system and the area monitoring system.		and on the remedial actions to be implemented by the Member States with regard to deficiencies revealed in those systems, and basic features and rules on the aid application system and the area monitoring system, including its phasing-in.
Recital 85				
101	(85) The implementing powers of the Commission should also cover rules aiming at ensuring a uniform application of the rules on the scrutiny of commercial documents. They should also cover rules pertaining to communication of information by Member States to the Commission and measures to safeguard the application of Union law if exceptional monetary practices related to national currency are likely to jeopardise it.	(85) The implementing powers of the Commission should also cover rules aiming at ensuring a uniform application of the rules on the scrutiny of commercial documents. They should also cover rules pertaining to communication of information by Member States to the Commission and measures to safeguard the application of Union law if exceptional monetary practices related to national currency are likely to jeopardise it.		(85) The implementing powers of the Commission should also cover rules aiming at ensuring a uniform application of the rules on the scrutiny of commercial documents. They should also cover rules pertaining to communication of information by Member States to the Commission and measures to safeguard the application of Union law if exceptional monetary practices related to national currency are likely to jeopardise it. Text Origin: Commission Proposal
Recital 86				
102	(86) Furthermore, the implementing powers of the Commission should cover rules on	(86) Furthermore, the implementing powers of the Commission should cover rules on		(86) Furthermore, the implementing powers of the Commission should cover rules on

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the form and the timescale of the publication of the beneficiaries of the Funds, the uniform application of the obligation to inform the beneficiaries that their data will be made public and the cooperation between the Commission and Member States in the context of the publication of the beneficiaries of the Funds.	the form and the timescale of the publication of the beneficiaries of the Funds, the uniform application of the obligation to inform the beneficiaries that their data will be made public and the cooperation between the Commission and Member States in the context of the publication of the beneficiaries of the Funds.		the form and the timescale of the publication of the beneficiaries of the Funds, the uniform application of the obligation to inform the beneficiaries that their data will be made public and the cooperation between the Commission and Member States in the context of the publication of the beneficiaries of the Funds. Text Origin: Commission Proposal
Recital 87				
103	(87) The advisory procedure should be used for the adoption of certain implementing acts. With regard to implementing acts involving the calculation of amounts by the Commission the advisory procedure enables the Commission to fully assume its responsibility of managing the budget and aims to increase efficiency, predictability and rapidity, when complying with the time limits and the budgetary procedures. With regard to implementing acts related to payments made to the Member States and the operation of the	(87) The advisory procedure should be used for the adoption of certain implementing acts. With regard to implementing acts involving the calculation of amounts by the Commission the advisory procedure enables the Commission to fully assume its responsibility of managing the budget and aims to increase efficiency, predictability and rapidity, when complying with the time limits and the budgetary procedures. With regard to implementing acts related to payments made to the Member States and the operation of the		(87) The advisory procedure should be used for the adoption of certain implementing acts. With regard to implementing acts involving the calculation of amounts by the Commission the advisory procedure enables the Commission to fully assume its responsibility of managing the budget and aims to increase efficiency, predictability and rapidity, when complying with the time limits and the budgetary procedures. With regard to implementing acts related to payments made to the Member States and the operation of the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	clearance of accounts procedure and annual performance clearance, the advisory procedure enables the Commission to fully assume its responsibility of managing the budget and verifying the annual accounts of the national paying agencies with a view to accepting such accounts or, in the case of expenditure not effected in compliance with Union rules, to excluding such expenditure from Union financing. The examination procedure should be used for the adoption of the other implementing acts.	clearance of accounts procedure and annual performance clearance, the advisory procedure enables the Commission to fully assume its responsibility of managing the budget and verifying the annual accounts of the national paying agencies with a view to accepting such accounts or, in the case of expenditure not effected in compliance with Union rules, to excluding such expenditure from Union financing. The examination procedure should be used for the adoption of the other implementing acts.		clearance of accounts procedure and annual performance clearance, the advisory procedure enables the Commission to fully assume its responsibility of managing the budget and verifying the annual accounts of the national paying agencies with a view to accepting such accounts or, in the case of expenditure not effected in compliance with Union rules, to excluding such expenditure from Union financing. The examination procedure should be used for the adoption of the other implementing acts. Text Origin: Commission Proposal
Recital 88				
104	(88) The Commission should be empowered to adopt implementing acts without applying Regulation (EU) No 182/2011 concerning the setting of the net balance available for EAGF expenditure, the determination of monthly payments it should make on the basis of the declaration of expenditure from the Member States and the supplementary	(88) The Commission should be empowered to adopt implementing acts without applying Regulation (EU) No 182/2011 concerning the setting of the net balance available for EAGF expenditure, the determination of monthly payments it should make on the basis of the declaration of expenditure from the Member States and the supplementary		(88) The Commission should be empowered to adopt implementing acts without applying Regulation (EU) No 182/2011 concerning the setting of the net balance available for EAGF expenditure, the determination of monthly payments it should make on the basis of the declaration of expenditure from the Member States and the supplementary

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	payments or deductions in the context of the procedure for monthly payments.	payments or deductions in the context of the procedure for monthly payments.		payments or deductions in the context of the procedure for monthly payments. Text Origin: Commission Proposal
Recital 89				
105	(89) Regulation (EU) No 1306/2013 should therefore be repealed.	(89) Regulation (EU) No 1306/2013 should therefore be repealed.		(89) Regulation (EU) No 1306/2013 should therefore be repealed. Text Origin: Commission Proposal
Recital 90				
106	(90) To enable a smooth transition between the rules laid down by Regulation (EU) No 1306/2013 and those laid down by this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of laying down transitional provisions.	(90) To enable a smooth transition between the rules laid down by Regulation (EU) No 1306/2013 and those laid down by this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of laying down transitional provisions.		(90) To enable a smooth transition between the rules laid down by Regulation (EU) No 1306/2013 and those laid down by this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of laying down transitional provisions. Text Origin: Commission Proposal
Recital 91				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
107	(91) The European Data Protection Supervisor was consulted and adopted an opinion.¹ 1. OJ C , , p.[...].	(91) The European Data Protection Supervisor was consulted and adopted an opinion.¹ 1. OJ C , , p.[...].		(91) The European Data Protection Supervisor was consulted and adopted an opinion¹. 1. OJ C , , p.[...]. Text Origin: Commission Proposal
Recital 92				
108	(92) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States given the links between it and the other instruments of the CAP and the limits on the financial resources of the Member States, but can rather, by reason of the multiannual guarantee of Union finance and by concentrating on its priorities, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives,	(92) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States given the links between it and the other instruments of the CAP and the limits on the financial resources of the Member States, but can rather, by reason of the multiannual guarantee of Union finance and by concentrating on its priorities, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives,		(92) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States given the links between it and the other instruments of the CAP and the limits on the financial resources of the Member States, but can rather, by reason of the multiannual guarantee of Union finance and by concentrating on its priorities, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives, Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
	Formula			
109	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:		HAVE ADOPTED THIS REGULATION: Text Origin: Commission Proposal
	Title I			
110	Title I Scope and definitions	Title I Scope and definitions		Title I Scope and definitions Text Origin: Commission Proposal
	Article 1			
111	Article 1 Scope	Article 1 Scope Others		Article 1 Scope Text Origin: Commission Proposal
	Article 1, first paragraph, introductory part			
112	This Regulation lays down rules, in particular, on:	This Regulation lays down rules, in particular, on: Others	This Regulation lays down rules, in particular, on:	This Regulation lays down rules, in particular, on: Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Article 1, first paragraph, point(a)				
113	(a) the financing of expenditure under the Common Agricultural Policy (CAP), including expenditure on rural development;	(a) the financing of expenditure under the Common Agricultural Policy (CAP), including expenditure on rural development; Others	(a) the financing of expenditure under the Common Agricultural Policy (CAP), including expenditure on rural development;	(a) the financing of expenditure under the Common Agricultural Policy (CAP);
Article 1, first paragraph, point (b)				
114	(b) the management and control systems to be put in place by the Member States;	(b) the management and control systems to be put in place by the Member States; Others		(b) the management and control systems to be put in place by the Member States; Text Origin: Commission Proposal
Article 1, first paragraph, point (c)				
115	(c) clearance and conformity procedures.	(c) clearance and conformity procedures. Others		(c) clearance and conformity procedures. Text Origin: Commission Proposal
Article 2				
116	Article 2	Article 2		Article 2

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Definitions	Definitions Performance Others		Definitions Text Origin: EP Mandate
Article 2, first paragraph, introductory part				
117	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply: Performance Others		For the purposes of this Regulation, the following definitions apply: Text Origin: Commission Proposal
Article 2, first paragraph, point (a)				
118	(a) "irregularity" means an irregularity within the meaning of Article 1(2) of Regulation (EC, Euratom) No 2988/95;	(a) "irregularity" means an irregularity within the meaning of Article 1(2) of Regulation (EC, Euratom) No 2988/95; Performance Others		(a) "irregularity" means an irregularity within the meaning of Article 1(2) of Regulation (EC, Euratom) No 2988/95; Text Origin: Commission Proposal
Article 2, first paragraph, point (b)				
119	(b) "governance systems" means the governance bodies referred to in Chapter II of Title II of this Regulation and the basic Union requirements laid down in this Regulation and Regulation (EU) .../... [CAP Strategic Plan	(b) "governance systems" means the governance bodies referred to in Chapter II of Title II of this Regulation and the basic Union requirements laid down in this Regulation and Regulation (EU) .../... [CAP Strategic Plan		(b) "governance systems" means the governance bodies referred to in Chapter II of Title II of this Regulation and the basic Union requirements laid down in this Regulation and Regulation (EU) .../... [CAP Strategic Plan

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation], including the reporting system put in place for the purposes of the annual performance report referred to in Article 121 of Regulation (EU) .../... [CAP Strategic Plan Regulation];	Regulation], including <u>Member States' obligations with regard to the effective protection of the financial interests of the Union referred to in Article 57 of this Regulation and</u> the reporting system put in place for the purposes of the annual performance <u>monitoring referred to in Article 38a of this Regulation and the multiannual performance review-report</u> referred to in Article 121 of Regulation (EU) .../... [CAP Strategic Plan Regulation]; Performance Others		Regulation], including Member States' obligations with regard to the effective protection of the financial interests of the Union referred to in Article 57 of this Regulation, the implementation of their CAP Strategic Plan as approved by the Commission referred to in Article 9 of Regulation (EU) .../... [CAP Strategic Plan Regulation] and the reporting system put in place for the purposes of the annual performance report referred to in Article 121 of Regulation (EU) .../... [CAP Strategic Plan Regulation]; Text Origin: EP Mandate
Article 2, first paragraph, point(c)				
120	(c) "basic Union requirements" means the requirements laid down in Regulation (EU) .../... [CAP Strategic Plan Regulation] and in this Regulation.	(c) "basic Union requirements" means the requirements laid down in Regulation (EU) .../... [CAP Strategic Plan Regulation] and in this Regulation-; <u>in Regulation (EU) 2018/1046 (Financial Regulation) and in Directive 2014/24/EU (Public Procurement Directive)</u> ; Performance Others	(c) "basic Union requirements" means the requirements laid down in Regulation (EU) .../... [CAP Strategic Plan Regulation] and in this Regulation-;	(c) "basic Union requirements" means the requirements laid down in Regulation (EU) .../... [CAP Strategic Plan Regulation] and in this Regulation, in Regulation (EU) 2018/1046 (Financial Regulation) and in Directive 2014/24/EU (Public Procurement Directive); Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 2, first paragraph, point(d)			
G 120a		Performance Governance Others	(d) "serious deficiencies in the functioning of the governance systems" means the existence of a systemic weakness, taking into account its recurrence, gravity and compromising effect on the correct declaration expenditure, the report of outputs and results, or the respect of the Union law.	(ca) (d) "serious deficiencies in the proper functioning of the governance systems" means the existence of a systemic weakness, taking into account its recurrence, gravity and compromising effect on the correct declaration of expenditure, the reporting on performance, or the respect of Union law;
	Article 2, first paragraph, point (cb)			
G 120b		<u>(cb) "Union requirements" means the basic Union requirements and the eligibility rules stemming from Regulation (EU) .../... [CAP Strategic Plan Regulation] contained in the CAP strategic plan of the Member State;</u> Performance Others		(cb) [EP AM withdrawn]
	Article 2, first paragraph, point (cc)			
G 120c		<u>(cc) "output indicator" means output indicator as defined in</u>		(cc) "output indicator" means output indicator as referred to in

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>point 12 of Article 2 of Regulation (EU) .../... [CPR Regulation];</u> Performance Others		paragraph 1 of Article 7 of Regulation (EU) .../... [Strategic Plans Regulation];
	Article 2, first paragraph, point (cd)			
G	120d	<u>(cd) "result indicator" means result indicator as defined in point 13 of Article 2 of Regulation (EU) .../... [CPR Regulation];</u> Performance Others		(cd) "result indicator" means result indicator as referred to in paragraph 1 of Article 7 of Regulation (EU) .../... [Strategic Plans Regulation];
	Article 2, first paragraph, point (ce)			
G	120e	<u>(ce) "serious deficiency" means serious deficiency as defined in point 30 of Article 2 of Regulation (EU) .../... [CPR Regulation];</u> Performance Others		(ce) [EP AM withdrawn]
	Article 2, first paragraph, point (cf)			
G	120f	<u>(cf) "intermediate body" means intermediate body as defined in point 7 of Article 2 of Regulation (EU) .../... [CPR Regulation];</u> Performance Others		(cf) "intermediate body" means intermediate body as defined in point g of Article 3 of Regulation (EU) .../... [Strategic Plans Regulation];

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 2, first paragraph, point (cg)			
120g		<u>(cg) "action plan" means action plan as referred to in Article 39(1) and Article 40(1) of this Regulation.</u> Performance Others		(cg) “action plan” means, for the purposes of Articles 39 and 40 of this Regulation, a plan established by a Member State, on the request of, and in consultation with, the Commission, in the event that serious deficiencies are identified in the functioning of the Member State’s governance systems or in the circumstances referred to in Article 121a [CAP Strategic Plan Regulation], containing the necessary remedial actions and the relevant timetable for its implementation, as further provided for in Articles 39 and 40 of this Regulation.
	Article 3			
121	Article 3 Exemptions in cases of force majeure and exceptional circumstances	Article 3 Exemptions in cases of force majeure and exceptional circumstances Others		Article 3 Exemptions in cases of force majeure and exceptional circumstances Text Origin: Commission Proposal
	Article 3, first paragraph, introductory part			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
122	For the purposes of the financing, management and monitoring of the CAP, "force majeure" and "exceptional circumstances" may, in particular, be recognised in the following cases:	For the purposes of the financing, management and monitoring of the CAP, "force majeure" and "exceptional circumstances" may, in particular, be recognised in the following cases: Others		For the purposes of the financing, management and monitoring of the CAP, "force majeure" and "exceptional circumstances" may, in particular, be recognised in the following cases: Text Origin: Commission Proposal
Article 3, first paragraph, point (-a)				
122a		<u>(-a) the death of the beneficiary;</u> Others		(-a) [See Line 126a] Text Origin: EP Mandate
Article 3, first paragraph, point (a)				
123	(a) a severe natural disaster gravely affecting the holding;	(a) a <u>natural disaster or meteorological event</u> ~~severe natural disaster~~ gravely affecting the holding; Others		(a) [combines Lines 123 and 126c] a severe natural disaster or severe meteorological event gravely affecting the holding; where such a severe natural disaster or severe meteorological event gravely affects a well-determined area, the Member State concerned may consider that whole area as gravely affected by that disaster or event.
Article 3, first paragraph, point (aa)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G 123a		<u>(aa) the long-term professional incapacity of beneficiary;</u> Others		(aa) [See Line 126b] Text Origin: EP Mandate
Article 3, first paragraph, point (ab)				
G 123b		<u>(ab) market circumstances gravely affecting the holding;</u> Others		(ab) [EP AM withdrawn]
Article 3, first paragraph, point (b)				
G 124	(b) the accidental destruction of livestock buildings on the holding;	(b) the ~~accidental~~ destruction of livestock buildings on the holding; Others		(b) the accidental destruction of livestock buildings on the holding; Text Origin: Commission Proposal
Article 3, first paragraph, point (c)				
G 125	(c) an epizootic or a plant disease affecting part or all of the beneficiary's livestock or crops respectively;	(c) an epizootic, <u>a plant disease</u> or a plant ~~disease~~ <u>pest outbreak</u> affecting part or all of the beneficiary's livestock or crops respectively; Others		(c) an epizootic, a plant disease outbreak or the presence of a plant pest affecting part or all of the beneficiary's livestock or crops respectively;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 3, first paragraph, point(d)				
126	(d) expropriation of all or a large part of the holding if that expropriation could not have been anticipated on the day of lodging the application.	(d) expropriation of all or a large part of the holding if that expropriation could not have been anticipated on the day of lodging the application. Others	(d) expropriation of all or a large part of the holding if that expropriation could not have been anticipated on the day of lodging the application-;	(d) expropriation of all or a large part of the holding if that expropriation could not have been anticipated on the day of lodging the application; Text Origin: Commission Proposal
Article 3, first paragraph, point(e)				
126a		Others	(e) the death of the beneficiary;	(e) the death of the beneficiary; Text Origin: Council Mandate
Article 3, first paragraph, point(f)				
126b		Others	(f) long-term professional incapacity of the beneficiary.	(f) long-term professional incapacity of the beneficiary. Text Origin: Council Mandate
Article 3, first paragraph a				
126c		<u>Member States may apply point (a) of the first paragraph to a group of agricultural holdings affected by the same natural disaster or meteorological event.</u>		[merged into Line 123]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Others		
Title II				
G	127	Title II General provisions on agricultural Funds	Title II General provisions on agricultural Funds	Title II General provisions on agricultural Funds Text Origin: Commission Proposal
CHAPTER I				
G	128	CHAPTER I Agricultural Funds	CHAPTER I Agricultural Funds	CHAPTER I Agricultural Funds Text Origin: Commission Proposal
Article 4				
G	129	Article 4 Funds financing agricultural expenditure	Article 4 Funds financing agricultural expenditure	Article 4 Funds financing agricultural expenditure Financial management Text Origin: Commission Proposal
Article 4, first paragraph, introductory part				
G	130			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The financing of the various interventions and measures falling under the CAP from the general budget of the Union (the Union's budget) shall be made by:	The financing of the various interventions and measures falling under the CAP from the general budget of the Union (the Union's budget) shall be made by:		The financing of the various interventions and measures falling under the CAP from the general budget of the Union (the Union's budget) shall be made by: Text Origin: Commission Proposal
Article 4, first paragraph, point (a)				
131	(a) the European Agricultural Guarantee Fund ('EAGF');	(a) the European Agricultural Guarantee Fund ('EAGF');		(a) the European Agricultural Guarantee Fund ('EAGF'); Text Origin: Commission Proposal
Article 4, first paragraph, point (b)				
132	(b) the European Agricultural Fund for Rural Development ('EAFRD').	(b) the European Agricultural Fund for Rural Development ('EAFRD').		(b) the European Agricultural Fund for Rural Development ('EAFRD'). Text Origin: Commission Proposal
Article 5				
133	Article 5 EAGF expenditure	Article 5 EAGF expenditure		Article 5 EAGF expenditure Financial management

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 5(1)				
134	1. The EAGF shall be implemented either through shared management between the Member States and the Union or directly, as laid down in paragraphs 2 and 3.	1. The EAGF shall be implemented either through shared management between the Member States and the Union or directly, as laid down in paragraphs 2 and 3.		1. The EAGF shall be implemented either through shared management between the Member States and the Union or directly, as laid down in paragraphs 2 and 3. Text Origin: Commission Proposal
Article 5(2), introductory part				
135	2. In the context of shared management, the EAGF shall finance the following expenditure:	2. In the context of shared management, the EAGF shall finance the following expenditure:		2. In the context of shared management, the EAGF shall finance the following expenditure: Text Origin: Commission Proposal
Article 5(2), point (a)				
136	(a) measures regulating or supporting agricultural markets, as laid down in Regulation (EU) No 1308/2013 ¹ ; ¹ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common	(a) measures regulating or supporting agricultural markets, as laid down in Regulation (EU) No 1308/2013 ¹ ; ¹ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common		(a) measures regulating or supporting agricultural markets, as laid down in Regulation (EU) No 1308/2013 ¹ ; ¹ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).	organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).		organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671). Text Origin: Commission Proposal
	Article 5(2), point (b)			
137	(b) sectoral interventions as referred to in Chapter 3 of Title III of Regulation (EU).../[CAP Strategic Plan Regulation];	(b) sectoral interventions as referred to in Chapter 3 of Title III of Regulation (EU).../[CAP Strategic Plan Regulation];		(b) the Union's financial contribution to the sectoral interventions as referred to in Chapter 3 of Title III of Regulation (EU).../[CAP Strategic Plan Regulation];
	Article 5(2), point (c)			
138	(c) direct payments interventions to farmers under the CAP Strategic Plan referred to under Article 14 of Regulation (EU).../[CAP Strategic Plan Regulation];	(c) direct payments interventions to farmers under the CAP Strategic Plan referred to under Article 14 of Regulation (EU).../[CAP Strategic Plan Regulation];		(c) direct payments interventions to farmers under the CAP Strategic Plan referred to under Article 14 of Regulation (EU).../[CAP Strategic Plan Regulation]; Text Origin: Commission Proposal
	Article 5(2), point (d)			
139	(d) the Union's financial contribution to information and	(d) the Union's financial contribution to information and		(d) the Union's financial contribution to information and

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	promotion measures for agricultural products on the internal market of the Union and in third countries, undertaken by Member States, and which are selected by the Commission;	promotion measures for agricultural products on the internal market of the Union and in third countries, undertaken by Member States, and which are selected by the Commission;		promotion measures for agricultural products on the internal market of the Union and in third countries, undertaken by Member States, and which are selected by the Commission; Text Origin: Commission Proposal
Article 5(2), point (e)				
140	(e) the Union's financial contribution to the specific measures for agriculture in the outermost regions of the Union as referred to in Regulation (EU) No 228/2013 and to the specific measures for agriculture in favour of the smaller Aegean islands as referred to in Regulation (EU) No 229/2013.	(e) the Union's financial contribution to the specific measures for agriculture in the outermost regions of the Union as referred to in Regulation (EU) No 228/2013 and to the specific measures for agriculture in favour of the smaller Aegean islands as referred to in Regulation (EU) No 229/2013.		(e) the Union's financial contribution to the specific measures for agriculture in the outermost regions of the Union as referred to in Regulation (EU) No 228/2013 and to the specific measures for agriculture in favour of the smaller Aegean islands as referred to in Regulation (EU) No 229/2013. Text Origin: Commission Proposal
Article 5(3), introductory part				
141	3. The EAGF shall finance the following expenditure in direct management:	3. The EAGF shall finance the following expenditure in direct management:		3. The EAGF shall finance the following expenditure in direct management: Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Article 5(3), point (a)				
G 142	(a) the promotion of agricultural products, either directly by the Commission or through international organisations;	(a) the promotion of agricultural products, either directly by the Commission or through international organisations;		(a) the promotion of agricultural products, either directly by the Commission or through international organisations; Text Origin: Commission Proposal
Article 5(3), point (b)				
G 143	(b) measures taken in accordance with Union law to ensure the conservation, characterisation, collection and utilisation of genetic resources in agriculture;	(b) measures taken in accordance with Union law to ensure the conservation, characterisation, collection and utilisation of genetic resources in agriculture;		(b) measures taken in accordance with Union law to ensure the conservation, characterisation, collection and utilisation of genetic resources in agriculture; Text Origin: Commission Proposal
Article 5(3), point (c)				
G 144	(c) the establishment and maintenance of agricultural accounting information systems;	(c) the establishment and maintenance of agricultural accounting information systems;		(c) the establishment and maintenance of agricultural accounting information systems; Text Origin: Commission Proposal
Article 5(3), point (d)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
145	(d) agricultural survey systems, including surveys on the structure of agricultural holdings.	(d) agricultural survey systems, including surveys on the structure of agricultural holdings.		(d) agricultural survey systems, including surveys on the structure of agricultural holdings. Text Origin: Commission Proposal
Article 6				
146	Article 6 EAFRD expenditure	Article 6 EAFRD expenditure		Article 6 EAFRD expenditure Financial management Text Origin: Commission Proposal
Article 6, first paragraph				
147	The EAFRD shall be implemented in shared management between the Member States and the Union. It shall finance the Union's financial contribution to the CAP Strategic Plan rural development interventions referred to in Chapter 4 of Title III of Regulation (EU) .../[CAP Strategic Plan Regulation].	The EAFRD shall be implemented in shared management between the Member States and the Union. It shall finance the Union's financial contribution to the CAP Strategic Plan rural development interventions referred to in Chapter 4 of Title III of Regulation (EU) .../[CAP Strategic Plan Regulation] <u>and actions under Article 112 of that Regulation.</u>	The EAFRD shall be implemented in shared management between the Member States and the Union. It shall finance the Union's financial contribution to the CAP Strategic Plan rural development interventions referred to in Chapter 4 of Title III of Regulation (EU) .../[CAP Strategic Plan Regulation] and technical assistance at the initiative of the Member States referred to in Article 112 of that Regulation.	The EAFRD shall be implemented in shared management between the Member States and the Union. It shall finance the Union's financial contribution to the CAP Strategic Plan rural development interventions referred to in Chapter 4 of Title III of Regulation (EU) .../[CAP Strategic Plan Regulation] and actions referred to in Article 112 of that Regulation. Financial management

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 7				
148	Article 7 Other expenditure, including technical assistance	Article 7 Other expenditure, including technical assistance		Article 7 Other expenditure, including technical assistance Financial management Governance Text Origin: Commission Proposal
Article 7, first paragraph, introductory part				
149	The Funds may, either on the initiative of the Commission or on its behalf, each directly finance the preparatory, monitoring, administrative and technical support activities, and the evaluation, audit and inspection, required to implement the CAP. In particular, they shall include:	The Funds may, either on the initiative of the Commission or on its behalf, each directly finance the <u>increased</u> preparatory, monitoring, administrative and technical support activities, and the evaluation, audit and inspection, required to implement the CAP. <u>The EAFRD contribution referred to in Article 86(3) of Regulation (EU) .../... [CAP Strategic Plan Regulation] shall take into account the increase in administrative capacity building as regards the new governance and control systems in the Member States.</u> In particular, they shall include:		The Funds may, either on the initiative of the Commission or on its behalf, each directly finance the preparatory, monitoring, administrative and technical support activities, and the evaluation, audit and inspection, required to implement the CAP. In particular, they shall include:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Financial management Performance		
Article 7, first paragraph, point (a)				
150	(a) measures required for the analysis, management, monitoring, information exchange and implementation of the CAP, as well as measures relating to the implementation of control systems and technical and administrative assistance;	(a) measures required for the analysis, management, monitoring, information exchange and implementation of the CAP, as well as measures relating to the implementation of control systems and technical and administrative assistance;		(a) measures required for the analysis, management, monitoring, information exchange and implementation of the CAP, including assessing its impacts, environmental performance and progress towards Union targets, as well as measures relating to the implementation of control systems and technical and administrative assistance;
Article 7, first paragraph, point (b)				
151	(b) the acquisition by the Commission of satellite data required for the area monitoring system in accordance with Article 22;	(b) the acquisition by the Commission of satellite data required for the area monitoring system in accordance with Article 22;		(b) the acquisition by the Commission of satellite data required for the area monitoring system in accordance with Article 22; Text Origin: EP Mandate
Article 7, first paragraph, point (c)				
152	(c) the actions taken by the Commission through remote-	(c) the actions taken by the Commission through remote-		(c) the actions taken by the Commission through remote-

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	sensing applications used for the monitoring of agricultural resources in accordance with Article 23;	sensing applications used for the monitoring of agricultural resources in accordance with Article 23;		sensing applications used for the monitoring of agricultural resources in accordance with Article 23; Text Origin: EP Mandate
Article 7, first paragraph, point (d)				
153	(d) measures required to maintain and develop methods and technical means for information, interconnection, monitoring and control of the financial management of the Funds used to finance the CAP;	(d) measures required to maintain and develop methods and technical means for information, interconnection, monitoring and control of the financial management of the Funds used to finance the CAP;		(d) measures required to maintain and develop methods and technical means for information, interconnection, monitoring and control of the financial management of the Funds used to finance the CAP; Text Origin: EP Mandate
Article 7, first paragraph, point (e)				
154	(e) provision of information on the CAP in accordance with Article 44;	(e) provision of information on the CAP in accordance with Article 44;		(e) provision of information on the CAP in accordance with Article 44; Text Origin: Commission Proposal
Article 7, first paragraph, point (f)				
155	(f) studies on the CAP and evaluations of measures financed	(f) studies on the CAP and evaluations of measures financed		(f) studies on the CAP and evaluations of measures financed

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	by the Funds, including improvement of evaluation methods and exchange of information on practices under the CAP, as well as studies carried out with the European Investment Bank (EIB);	by the Funds, including <u>the</u> improvement of evaluation methods and <u>the</u> exchange of information on <u>best</u> practices under the CAP <u>and consultations with the relevant stakeholders</u> , as well as studies carried out with the European Investment Bank (EIB); Financial management		by the Funds, including the improvement of evaluation methods and the exchange of information on best practices under the CAP and consultations with the relevant stakeholders, as well as studies carried out with the European Investment Bank (EIB); Text Origin: EP Mandate
Article 7, first paragraph, point (g)				
156	(g) where relevant, contribution to executive agencies that are set up in accordance with Council Regulation (EC) No 58/2003 ¹ acting in connection with the CAP; 1. Council Regulation (EC).No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes (OJ L11, 16.1.2003, p. 1).	(g) where relevant, contribution to executive agencies that are set up in accordance with Council Regulation (EC) No 58/2003 ¹ acting in connection with the CAP; 1. Council Regulation (EC).No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes (OJ L11, 16.1.2003, p. 1).		(g) where relevant, contribution to executive agencies that are set up in accordance with Council Regulation (EC) No 58/2003 ¹ acting in connection with the CAP; 1. Council Regulation (EC).No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes (OJ L11, 16.1.2003, p. 1). Text Origin: Commission Proposal
Article 7, first paragraph, point (h)				
157	(h) contribution to measures relating to the dissemination of	(h) contribution to measures relating to the dissemination of		(h) contribution to measures relating to the dissemination of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	information, raising awareness, promoting cooperation and exchanging experiences at Union level, and taken in the context of rural development interventions, including the networking of the parties concerned;	information, raising awareness, promoting cooperation and exchanging experiences <u>with the relevant stakeholders</u> at Union level, and taken in the context of rural development interventions, including the networking of the parties concerned; Financial management		information, raising awareness, promoting cooperation and exchanging experiences with the relevant stakeholders at Union level, and taken in the context of rural development interventions, including the networking of the parties concerned; Text Origin: EP Mandate
	Article 7, first paragraph, point (i)			
158	(i) information technology networks focusing on information processing and exchange, including corporate information technology systems needed in connection with the management of the CAP;	(i) information technology networks focusing on information processing and exchange, including corporate information technology systems needed in connection with the management of the CAP;		(i) information technology networks focusing on information processing and exchange, including corporate information technology systems needed in connection with the management of the CAP; Text Origin: Commission Proposal
	Article 7, first paragraph, point (j)			
159	(j) measures required for the development, registration and protection of logos within the framework of the Union quality policies as laid down in Article 44(2) of Regulation (EU) No 1151/2012 of the European	(j) measures required for the development, registration and protection of logos within the framework of the Union quality policies as laid down in Article 44(2) of Regulation (EU) No 1151/2012 of the European		(j) measures required for the development, registration and protection of logos within the framework of the Union quality policies as laid down in Article 44(2) of Regulation (EU) No 1151/2012 of the European

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Parliament and of the Council¹ and for the protection of intellectual property rights linked to it, and the necessary information technology (IT) developments. 1. Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).	Parliament and of the Council¹ and for the protection of intellectual property rights linked to it, and the necessary information technology (IT) developments. 1. Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).		Parliament and of the Council¹ and for the protection of intellectual property rights linked to it, and the necessary information technology (IT) developments. 1. Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1). Text Origin: Commission Proposal
CHAPTER II				
160	CHAPTER II Governance bodies	CHAPTER II Governance bodies Governance		CHAPTER II Governance bodies Text Origin: Commission Proposal
Article 7a				
160a		Article 7a Competent authority Governance		Article 7a Competent authority Text Origin: EP Mandate
Article 7a(1), introductory part				
160b		1. <u>Member States shall designate</u>		1. Member States shall designate a

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>an authority at ministerial level responsible for:</i></u> Governance		competent authority at ministerial level responsible for:
	Article 7a(1), point (a)			
G	160c	<u><i>(a) the issuing, reviewing and withdrawing of accreditation of paying agencies referred to in Article 9(2);</i></u> Governance		(a) the issuing, reviewing and withdrawing of accreditation of paying agencies referred to in Article [8(2)];
	Article 7a(1), point (b)			
G	160d	<u><i>(b) the issuing, reviewing and withdrawing of the accreditation of the coordinating body referred to in Article 10;</i></u> Governance		(b) (b) the issuing, reviewing and withdrawing of the accreditation of the coordinating body referred to in Article [10a];
	Article 7a(1), point (c)			
G	160e	<u><i>(c) the appointment, and revocation thereof, of the certification body referred to in Article 11;</i></u> Governance		(c) appointing and withdrawing the appointment of a certification body referred to in Article 11, while ensuring the continuous appointment of such a body;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 7a(1), point (d)			
160f		<u>(d) carrying out the tasks assigned to the competent authority under this Chapter taking into account the principle of proportionality.</u> Governance		(d) carrying out the tasks assigned to the competent authority under this Chapter.
	Article 7a(2), introductory part			
160g		<u>2. On the basis of an examination of the criteria to be adopted by the Commission in accordance with Article 12(1), the competent authority shall, by way of a formal act, decide:</u> Governance		2. On the basis of an examination of the criteria to be adopted by the Commission in accordance with Article 12(1), the competent authority shall, by way of a formal act, decide: Text Origin: EP Mandate
	Article 7a(2), point (a)			
160h		<u>(a) on the issuing or, following a review, the withdrawal of the accreditation of the paying agency and the coordinating body;</u> Governance		(a) on the issuing or, following a review, the withdrawal of the accreditation of the paying agency and the coordinating body; Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 7a(2), point (b)				
G	160i	<u>(b) on the appointment, and revocation thereof, of the certification body.</u> Governance		(b) on the appointment and withdrawal thereof, of the certification body, while ensuring continuous appointment of such a body;
Article 7a(3)				
G	160j	<u>The competent authority shall inform the Commission without delay of accreditation or appointment of the paying agencies, coordinating body and certification body, and of the withdrawal or revocation thereof.</u> Governance		3. the competent authority shall inform the Commission without delay of all accreditations and withdrawals of accreditation of the paying agency and the coordinating body, as well as of the appointment and withdrawal thereof, of the certification body.
Article 7a(4)				
G	160k	<u>The Commission shall promote the exchange of best practices for the operation of governance systems between Member States.</u> Governance		[the text below will be put in a new Article before the Article on Commission powers] The Commission shall promote the exchange of best practice between the Member States, in particular as regards the work of the governance bodies under this Chapter.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: EP Mandate
Article 8				
161	Article 8 Paying agencies and coordinating bodies	Article 8 Paying agencies ~~and coordinating bodies~~ Governance		Article 8 Paying agencies Text Origin: EP Mandate
Article 8(1), first subparagraph				
162	1. Paying agencies shall be departments or bodies of the Member States responsible for the management and control of expenditure referred in Article 5(2) and Article 6.	1. Paying agencies shall be departments or bodies of the Member States <u>and, if applicable, of regions</u> responsible for the management and control of expenditure referred in Article 5(2) and Article 6. Governance		1. Paying agencies shall be departments or bodies of the Member States and, if applicable, of regions responsible for the management and control of expenditure referred in Article 5(2) and Article 6. Text Origin: EP Mandate
Article 8(1), second subparagraph				
163	With the exception of making payment, the carrying out of those tasks may be delegated.	With the exception of making payment, the carrying out of those tasks may be delegated. Governance		With the exception of making payment, the carrying out of those tasks may be delegated.
Article 8(2), first subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
164	2. Member States shall accredit, as paying agencies, departments or bodies which have an administrative organisation and a system of internal control which provide sufficient guarantees that payments are legal, regular and properly accounted for. To this end, paying agencies shall comply with minimum conditions for the accreditation with regard to the internal environment, control activities, information and communication and monitoring laid down by the Commission pursuant to point (a) of Article 10(1).	2. Member States shall accredit, as paying agencies, departments or bodies which have an administrative organisation and a system of internal control which provide sufficient guarantees that payments are legal, regular and properly accounted for. To this end, paying agencies shall comply with minimum conditions for the accreditation with regard to the internal environment, control activities, information and communication and monitoring laid down by the Commission pursuant to point (a) of Article ~~10(1)~~ <u>12a(1)</u> . Governance		2. Member States shall accredit, as paying agencies, departments or bodies which have an administrative organisation and a system of internal control which provide sufficient guarantees that payments are legal, regular and properly accounted for. To this end, paying agencies shall comply with minimum conditions for the accreditation with regard to the internal environment, control activities, information and communication and monitoring laid down by the Commission pursuant to point (a) of Article 10(1).
Article 8(2), second subparagraph, introductory part				
165	Each Member State shall restrict the number of its accredited paying agencies as follows:	Each Member State shall, <u>taking into account its constitutional provisions</u> , restrict the number of its accredited paying agencies as follows: Governance	Each Member State shall, taking into account its constitutional provisions , restrict the number of its accredited paying agencies as follows:	Each Member State shall, taking into account its constitutional provisions restrict the number of its accredited paying agencies as follows:
Article 8(2), second subparagraph, point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
166	(a) to a single agency at national level or, where applicable, one per region; and	(a) to a single agency at national level or, where applicable, one per region; and Governance		(a) to a single agency at national level or, where applicable, one per region; and
Article 8(2), second subparagraph, point(b)				
167	(b) to a single agency for the management of both EAGF and EAFRD expenditure.	(b) to a single agency for the management of both EAGF and EAFRD expenditure, <u>where only an agency at national level exists</u> . Governance	(b) to a single agency for the management of both EAGF and EAFRD expenditure-, where only national paying agencies exist.	(b) to a single agency for the management of both EAGF and EAFRD expenditure where paying agencies exist only at national level.
Article 8(2), second subparagraph a				
167a		Governance	By way of derogation from the second subparagraph, Member States may maintain the paying agencies which have been accredited before 15 October 2020.	By way of derogation from the second subparagraph, Member States may maintain the paying agencies which have been accredited before 15 October 2020, provided they are in compliance with the accreditation criteria to be confirmed by the competent authority through the decision referred to in Art. 7a(2).
Article 8(2), third subparagraph				
168				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	However, where paying agencies are established at regional level, Member States shall, in addition, either accredit a paying agency at national level for aid schemes which, by their nature, have to be managed at national level or Member States shall confer the management of these schemes on their regional paying agencies.	However, where paying agencies are established at regional level, Member States shall, in addition, either accredit a paying agency at national level for aid schemes which, by their nature, have to be managed at national level or Member States shall confer the management of these schemes on their regional paying agencies. Governance		However, where paying agencies are established at regional level, Member States shall, in addition, either accredit a paying agency at national level for aid schemes which, by their nature, have to be managed at national level or Member States shall confer the management of these schemes on their regional paying agencies.
	Article 8(2), third subparagraph a			
168a		<u><i>The accreditation of paying agencies for the period 2014-2020 shall be carried over to the programming period 2021-2027, provided that they have informed the competent authority that they are in compliance with the accreditation criteria, and unless a review carried out pursuant to point (a) of Article 7a(2) shows that this is not the case.</i></u> Governance		[EP mandate withdrawn]
	Article 8(2), fourth subparagraph			
169	Paying agencies which did not	Paying agencies which did not		Paying agencies which did not

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	manage EAGF or EAFRD expenditure for at least three years shall have their accreditation withdrawn.	manage EAGF or EAFRD expenditure for at least three years shall have their accreditation withdrawn. Governance		manage EAGF or EAFRD expenditure for at least three years shall have their accreditation withdrawn.
Article 8(2), fifth subparagraph				
170	Member States shall not appoint any new additional paying agency after the date of entry into force of this Regulation.	Member States ~~shall not~~ <u>may</u> appoint any ~~new~~ additional paying <u>agencies after ...</u> ~~agency after~~ the date of entry into force of this Regulation ~~-, provided that:~~ Governance	Member States shall not appoint any new additional paying agency after the date of entry into force of this Regulation, except for cases referred to in point (a) of the second subparagraph where constitutional provisions would require regional paying agencies.	Member States shall not appoint any new additional paying agency after the date of entry into force of this Regulation, except for cases referred to in point (a) of the second subparagraph where, taking into account the constitutional provisions, additional regional paying agencies may be necessary.
Article 8(2), fifth subparagraph, point (a)				
170a		<u>(a) the number of accredited paying agencies does not increase in relation to the situation on 31 December 2019; or</u> Governance		(a) [covered by Line 170]
Article 8(2), fifth subparagraph, point (b)				
170b		<u>(b) the new paying agencies are</u>		[covered by Line 170]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>appointed pursuant to an administrative reorganisation in the Member State concerned.</u> Governance		
Article 8(3), first subparagraph, introductory part				
171	3. For the purposes of Article 63(5) and (6) of Regulation (EU, Euratom) 2018/... [the new Financial Regulation] ('the Financial Regulation'), the person in charge of the accredited paying agency shall, by 15 February of the year following the financial year concerned, draw up and provide the Commission with the following:	3. For the purposes of Article 63(5) and (6) of Regulation (EU, Euratom) ~~2018/...~~ <i>[the new Financial Regulation]</i> <u>2018/1046</u> ('the Financial Regulation'), the person in charge of the accredited paying agency shall, by 15 February of the year following the financial year concerned, draw up and provide the Commission with the following: Performance		3. For the purposes of Article 63(5) and (6) of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation'), the person in charge of the accredited paying agency shall, by 15 February of the year following the financial year concerned, draw up and provide the Commission with the following:
Article 8(3), first subparagraph, point (a)				
172	(a) the annual accounts for the expenditure incurred in carrying out the tasks entrusted to their accredited paying agency, as provided for in point (a) of Article 63(5) of the Financial Regulation, accompanied by the requisite information for their clearance in	(a) the annual accounts for the expenditure incurred in carrying out the tasks entrusted to their accredited paying agency, as provided for in point (a) of Article 63(5) of the Financial Regulation, accompanied by the requisite information for their clearance in		(a) the annual accounts for the expenditure incurred in carrying out the tasks entrusted to their accredited paying agency, as provided for in point (a) of Article 63(5) of the Financial Regulation, accompanied by the requisite information for their clearance in

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	accordance with Article 51;	accordance with Article 51; Performance		accordance with Article 51;
Article 8(3), first subparagraph, point(b)				
173	(b) the annual performance report referred to in Article 52(1) showing that the expenditure was made in accordance with Article 35;	(b) ~~the~~ <u>an</u> annual <u>summary of the final audit reports and of controls carried out, including their outcome and an analysis of the nature and extent of errors and weaknesses identified in systems by audit and controls, as well as corrective action taken or planned, as provided for in point (b) of performance report referred to in Article 52(1) showing that the expenditure was made in accordance with Article <u>63(5) of the Financial Regulation</u> ~~35~~; Performance</u>	(b) the annual performance report, also referred to in Article 52(1) of this Regulation and Article 121 of Regulation (EU) .../...[CAP Strategic Plan Regulation] showing that the expenditure was made in accordance with Article 35;	(b) the annual performance report, referred to in Article 52(1) of this Regulation and Article 121 of Regulation (EU) .../...[CAP Strategic Plan Regulation] showing that the expenditure was made in accordance with Article 35;
Article 8(3), first subparagraph, point (ba)				
173a				(ba) an annual summary of the final audit reports and of controls carried out, an analysis of the nature and extent of errors and weaknesses identified in systems, as well as corrective action taken or planned, as provided for in point

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				(b) of Article 63(5) of the Financial Regulation;
	Article 8(3), first subparagraph, point (c), introductory part			
174	(c) a management declaration as provided for in Article 63(6) of the Financial Regulation, as to:	(c) a management declaration as provided for in Article 63(6) of the Financial Regulation, as to: Performance		(c) a management declaration as provided for in Article 63(6) of the Financial Regulation, as to: Text Origin: Commission Proposal
	Article 8(3), first subparagraph, point (c)(i)			
175	(i) the fact that the information is properly presented, complete and accurate, as provided for in point (a) of Article 63(6) of the Financial Regulation,	(i) the fact that the information is properly presented, complete and accurate, as provided for in point (a) of Article 63(6) of the Financial Regulation, Performance		(i) the fact that the information is properly presented, complete and accurate, as provided for in point (a) of Article 63(6) of the Financial Regulation, Text Origin: Commission Proposal
	Article 8(3), first subparagraph, point (c)(ii)			
176	(ii) the proper functioning of the governance systems put in place, which give the necessary guarantees concerning the outputs reported in the annual performance report, as provided for in points (b) and (c) of Article 63(6) of the	(ii) the proper functioning of the <u>internal control</u> ~~governance~~ systems put in place, ~~which give the necessary guarantees concerning the outputs reported in the annual performance report~~ <u>in line with the basic Union</u>		(ii) the proper functioning of the governance systems put in place, with the exception of the Competent Authority as referred to in Article 7a, the Certification Body as referred to in Article 11 and the Coordinating Body as

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Financial Regulation,	<u>requirements, which give</u> , as provided for in points (b) and (c) of Article 63(6) of the Financial Regulation, <u>the necessary guarantees that the expenditure was made in accordance with Article 35 of this Regulation.</u> Performance		referred to in Article 10a of this Regulation, ensure that the expenditure was made in accordance with Article 35 of this Regulation, as provided for in points (b) and (c) of Article 63(6) of the Financial Regulation,
Article 8(3), first subparagraph, point (c)(iii)				
177	(iii) an analysis of the nature and extent of errors and weaknesses identified in systems by audit and controls, as well as corrective action taken or planned, as provided for in point (b) of Article 63(5) of the Financial Regulation.	(iii) ~~an analysis of the nature and extent of errors and weaknesses identified in systems by audit and controls, as well as corrective action taken or planned, as provided for in point (b) of Article 63(5) of the Financial Regulation.~~ Performance		(iii) [deleted/no text needed here]
Article 8(3), second subparagraph				
178	The deadline of 15 February referred to in the first subparagraph may be exceptionally extended by the Commission to 1 March, upon request by the Member State concerned, as provided for in the second subparagraph Article 63(7) of the Financial Regulation.	The deadline of 15 February referred to in the first subparagraph may be exceptionally extended by the Commission to 1 March, upon request by the Member State concerned, as provided for in the second subparagraph Article 63(7) of the Financial Regulation.		The deadline of 15 February referred to in the first subparagraph may be exceptionally extended by the Commission to 1 March, upon request by the Member State concerned, as provided for in the second subparagraph Article 63(7) of the Financial Regulation.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Performance		Text Origin: Commission Proposal
	Article 8(3a), introductory part			
178a		<u>3a. For the purpose of the annual performance monitoring referred to in Article 38a and the multiannual performance review referred to in Article 121 of Regulation (EU) .../... [CAP Strategic Plan Regulation], the person in charge of the accredited paying agency shall, by 15 February of the year following the financial year concerned, draw up and provide the Commission with the performance report.</u> Performance		3a. [EP amendment withdrawn]
	Article 8(3a), a			
178b		<u>The report shall reflect the operations carried out and the progress made towards the achievement of the objectives as set out in the CAP National Strategic Plan and contain information about realised outputs and realised expenditure</u>		1 [EP amendment withdrawn]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>every year, information on realised results and distance to respective targets every two years, and, where feasible, reporting on impacts using the data referred to in Article 129 of Regulation (EU) .../... [CAP Strategic Plan Regulation].</u> Performance		
	Article 8(3a), b			
178c		<u>The performance report shall be submitted to the Commission for the first time by ... [two years after the date of application of this Regulation] and then each subsequent year until and including 2030. The first performance report shall cover the first two financial years after ... [year of the date of application of this Regulation]. Of those direct payments referred to in Chapter II of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation], the performance report shall cover only the financial year ... [year following that of the date of application of this Regulation].</u>		[EP amendment withdrawn]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Performance		
	Article 8(4), first subparagraph, introductory part			
179	4. Where more than one paying agency is accredited, Member States shall appoint a public coordinating body, to which it shall assign the following tasks:	4. ~~Where more than one paying agency is accredited, Member States shall appoint a public coordinating body, to which it shall assign the following tasks:~~ Governance Performance		4. [moved to Line 204b]
	Article 8(4), first subparagraph, point (a)			
180	(a) to collect the information to be provided to the Commission and to send that information to the Commission;	(a) ~~to collect the information to be provided to the Commission and to send that information to the Commission;~~ Governance Performance		(a) [moved to Line 204c]
	Article 8(4), first subparagraph, point(b)			
181	(b) to furnish the annual performance report referred to in Article 52(1);	(b) ~~to furnish the annual performance report referred to in Article 52(1);~~ Governance Performance	(b) to ~~furnish~~ supply the annual performance report referred to in Article 52(1) of this Regulation and Article 121 of Regulation (EU) .../... [CAP Strategic Plan Regulation];	(b) [moved to Line 204d]
	Article 8(4), first subparagraph, point (c)			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
182	(c) to take or coordinate actions with a view to resolving any deficiencies of a common nature and to keep the Commission informed of any follow-up;	(c) ~~to take or coordinate actions with a view to resolving any deficiencies of a common nature and to keep the Commission informed of any follow-up;~~ Governance		(c) [moved to Line 204e]
Article 8(4), first subparagraph, point(d)				
183	(d) to promote and ensure harmonised application of Union rules.	(d) ~~to promote and ensure harmonised application of Union rules.~~ Governance	(d) to promote and, where possible , ensure harmonised application of Union rules.	(d) [moved to Line 204f]
Article 8(4), second subparagraph				
184	As regards the processing of the financial information referred to in point (a) of the first subparagraph, the coordinating body shall be subject to specific accreditation by the Member States.	~~As regards the processing of the financial information referred to in point (a) of the first subparagraph, the coordinating body shall be subject to specific accreditation by the Member States.~~ Governance		[Moved to Line 184] Text Origin: Commission Proposal
Article 8(4), third subparagraph				
185	The annual performance report	~~The annual performance report~~	The annual performance report	[Council mandate agreed and text

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	provided by the coordinating body shall be covered by the scope of the opinion referred to in Article 11(1) and its transmission shall be accompanied by a management declaration covering the entirety of that report.	~~provided by the coordinating body shall be covered by the scope of the opinion referred to in Article 11(1) and its transmission shall be accompanied by a management declaration covering the entirety of that report.~~ Performance Governance	provided by the coordinating body shall be covered by the scope of the opinion referred to in Article 11(1) and its transmission shall be accompanied by a management declaration covering the entirety of that compilation of the entire report.	moved to 204h]
Article 8(5)				
186	5. Where an accredited paying agency does not meet or no longer meets one or more of the accreditation criteria referred to in paragraph 2, the Member State, acting on its own initiative or at the request of the Commission, shall withdraw that accreditation unless the paying agency makes the necessary changes within a period to be determined by the competent authority depending on the severity of the problem.	5. Where an accredited paying agency does not meet or no longer meets one or more of the accreditation criteria referred to in paragraph 2, the Member State, acting on its own initiative or at the request of the Commission, shall withdraw that accreditation unless the paying agency makes the necessary changes within a period to be determined by the competent authority depending on the severity of the problem. Governance		5. Where an accredited paying agency does not meet or no longer meets one or more of the accreditation criteria referred to in paragraph 2, the Member State, acting on its own initiative or at the request of the Commission, shall withdraw that accreditation unless the paying agency makes the necessary changes within a period to be determined by the competent authority depending on the severity of the problem.
Article 8(6), first subparagraph				
187	6. The paying agencies shall manage and ensure the control of	6. The paying agencies shall manage and ensure the control of		6. The paying agencies shall manage and ensure the control of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the operations linked to public intervention for which they are responsible and they shall retain overall responsibility in that field.	the operations linked to public intervention for which they are responsible and they shall retain overall responsibility in that field. Governance		the operations linked to public intervention for which they are responsible and they shall retain overall responsibility in that field.
Article 8(6), second subparagraph				
188	Where support is provided through a financial instrument which is implemented by the EIB or another international financial institution in which a Member State is a shareholder, the paying agency shall rely on the control report supporting the payment applications submitted by the EIB or another international institution.	Where support is provided through a financial instrument which is implemented by the EIB or another international financial institution in which a Member State is a shareholder, the paying agency shall rely on the control report supporting the payment applications submitted by the EIB or another international institution. Governance	Where support is provided through a financial instrument which is implemented by the EIB or another international financial institution in which a Member State is a shareholder, the paying agency shall rely on the control report, which the EIB or other international institution shall provide supporting the payment applications submitted by the EIB or another international institution.	Where support is provided through a financial instrument which is implemented by the EIB or another international financial institution in which a Member State is a shareholder, the paying agency shall rely on a control report, which the EIB or other international institution shall provide supporting the payment applications submitted. Text Origin: Council Mandate
Article 8(7)				
188a		Performance	7. For the purpose of Article 31, for EAFRD expenditure, an additional performance report shall be provided, by 30 of June 2030, in accordance with paragraphs 3 and 4, covering the	-a For the purpose of Article 31, for EAFRD expenditure, an additional performance report shall be provided, by 30 of June 2030, in accordance with paragraphs 3 and 4, covering the period until 31

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			period until 31 December 2029. ¹ 1. The text of this newly introduced paragraph 7 has been taken, for legal reasons, from Article 121 CAP SPR.	December 2029.
	Article 9			
189	Article 9 Competent authority	Article 9 ~~Competent authority~~ Governance		Article 9 [Lines 189-195 have been moved to Art. 7a, Lines 160a-160k]
	Article 9(1), introductory part			
190	1. Member States shall designate an authority at ministerial level responsible for:	1. ~~Member States shall designate an authority at ministerial level responsible for:~~ Governance		1. [moved to Line 160b]
	Article 9(1), point (a)			
191	(a) the issuing, reviewing and withdrawing of accreditation of paying agencies referred to in Article 8(2);	(a) ~~the issuing, reviewing and withdrawing of accreditation of paying agencies referred to in Article 8(2);~~ Governance		(a) [moved to Line 160c]
	Article 9(1), point (b)			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
192	(b) the accreditation of the coordinating body referred to in Article 8(4);	(b) ~~the accreditation of the coordinating body referred to in Article 8(4);~~ Governance		(b) [moved to Line 160d]
Article 9(1), point (c)				
193	(c) the appointing of the certification body referred to in Article 11;	(c) ~~the appointing of the certification body referred to in Article 11;~~ Governance		(c) [moved to Line 160e]
Article 9(1), point (d)				
194	(d) carrying out the tasks assigned to the competent authority under this Chapter.	(d) ~~carrying out the tasks assigned to the competent authority under this Chapter.~~ Governance		(d) [moved to Line 160f]
Article 9(2)				
195	2. The competent authority shall, by way of a formal act, decide on the issuing or, following a review, the withdrawal of the accreditation of the paying agency and the coordinating body on the basis of	2. ~~The competent authority shall, by way of a formal act, decide on the issuing or, following a review, the withdrawal of the accreditation of the paying agency and the coordinating body on the basis of~~		2. [moved to Line 160g-k]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	an examination of the accreditation criteria to be adopted by the Commission in accordance with point (a) of Article 10(1). The competent authority shall inform the Commission of accreditations and withdrawals of accreditations without delay.	~~an examination of the accreditation criteria to be adopted by the Commission in accordance with point (a) of Article 10(1). The competent authority shall inform the Commission of accreditations and withdrawals of accreditations without delay.~~ Governance		
	Article 10			
196	Article 10 Commission powers	Article 10 Commission powers Governance		Article 10 Commission powers [Note: the order of Articles 10 and 10a will be switched at the level of the lawyers/linguists] Text Origin: Commission Proposal
	Article 10(1), introductory part			
197	1. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on:	1. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on: Governance	1. The Commission is empowered to adopt delegated acts in accordance with Article 100 to ensure the sound operation of the system provided for in Article 8 , supplementing this Regulation with rules on:	1. The Commission is empowered to adopt delegated acts in accordance with Article 100 to ensure the sound operation of the system provided for in Article 8 and Article 10a, supplementing this Regulation with rules on: Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Article 10(1), point (a)				
198	(a) the minimum conditions for the accreditation of the paying agencies referred to in Article 8(2) and of the coordinating bodies referred to in Article 8(4);	(a) the minimum conditions for the accreditation of the paying agencies referred to in Article 8(2) and of the coordinating bodies referred to in Article 8(4); Governance		(a) the minimum conditions for the accreditation of the paying agencies referred to in Article 8(2) and of the coordinating bodies referred to in Article 10(a); Text Origin: Commission Proposal
Article 10(1), point(b)				
199	(b) the obligations of the paying agencies as regards public intervention and the rules concerning the content of their management and control responsibilities.	(b) the obligations of the paying agencies as regards public intervention and the rules concerning the content of their management and control responsibilities. Governance	(b) the obligations of the paying agencies as regards public intervention, as well as and the rules ~~concerning~~ on the content of their management and control responsibilities.	(b) the obligations of the paying agencies as regards public intervention, as well as the rules on the content of their management and control responsibilities. Text Origin: Council Mandate
Article 10(2), first subparagraph, introductory part				
200	2. The Commission shall adopt implementing acts laying down rules on:	2. The Commission shall adopt implementing acts laying down rules on: Governance		2. The Commission shall adopt implementing acts laying down rules on: Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 10(2), first subparagraph, point (a)			
201	(a) the procedures for issuing, withdrawing and reviewing accreditation of paying agencies and coordinating bodies, as well as the procedures for the supervision of the accreditation of paying agencies;	(a) the procedures for issuing, withdrawing and reviewing accreditation of paying agencies and coordinating bodies, as well as the procedures for the supervision of the accreditation of paying agencies; Governance		(a) the procedures for issuing, withdrawing and reviewing accreditation of paying agencies and coordinating bodies, as well as the procedures for the supervision of the accreditation of paying agencies; Text Origin: Commission Proposal
	Article 10(2), first subparagraph, point (b)			
202	(b) the work and checks underlying the management declaration of the paying agencies, referred to in point (c) of Article 8(3);	(b) the work and checks underlying the management declaration of the paying agencies, referred to in point (c) of Article 8(3); Governance		(b) the working arrangements and procedures for the checks underlying the management declaration of the paying agencies, referred to in point (c) of Article 8(3), as well as its structure and format; Text Origin: Commission Proposal
	Article 10(2), first subparagraph, point (c)			
203	(c) the functioning of the coordinating body and the notification of information to the	(c) the functioning of the coordinating body and the notification of information to the		(c) the functioning of the coordinating body and the notification of information to the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Commission as referred to in Article 8(4).	Commission as referred to in Article 8(4). Governance		Commission as referred to in Article 8(4). Text Origin: Commission Proposal
Article 10(2), second subparagraph				
G 204	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Governance		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). G
Article 10a				
G 204a		<u>Article 10a</u> <u>Coordinating bodies</u> Governance		Article 10a Coordinating bodies Text Origin: EP Mandate G
Article 10a(1), first subparagraph, introductory part				
G 204b		<u>Where more than one paying agency is accredited in a Member State, that Member State shall appoint a public coordinating body, to which it shall assign the following tasks:</u>		1. Where more than one paying agency is accredited in a Member State, that Member State shall appoint a public coordinating body, to which it shall assign the following tasks: G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Governance		
	Article 10a(1), first subparagraph, point (a)			
G	204c	<u>(a) to collate the documents, data and information to be provided to the Commission and to send that information to the Commission;</u> Performance		(a) to collect the information to be provided to the Commission and to send that information to the Commission;
	Article 10a(1), first subparagraph, point (b)			
G	204d			(b) to supply the annual performance report referred to in [Article 52(1) of this Regulation and] Article 121 of Regulation (EU) .../... [CAP Strategic Plan Regulation];
	Article 10a(1), first subparagraph, point (b)			
G	204e	<u>to take or coordinate actions with a view to resolving any deficiencies of a common nature and to keep the Commission informed thereof as well as of any follow-up;</u> Governance Performance		to take or coordinate actions with a view to resolving any deficiencies of a common nature and to inform the Commission of any follow-up; Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 10a(1), point (c)			
204f		<u>(c) to ensure the harmonised application of Union rules.</u> Governance		(d) to promote and, where possible, ensure the harmonised application of Union rules.
	Article 10a(2), second subparagraph			
204g		<u>As regards the processing of the information of a financial character referred to in point (a) of the first subparagraph, the coordinating body shall be subject to specific accreditation by the Member State.</u> Governance		As regards the processing of the information of a financial character referred to in point (a) of the first subparagraph, the coordinating body shall be subject to specific accreditation by the Member State. Text Origin: EP Mandate
	Article 10a(2), third subparagraph			
204h		<u>The documents, data and information referred to in Article 8(3) and (3a) submitted by the paying agencies and to be provided by the coordinating body shall be covered by the scope of the certification body's opinion referred to in Article 11(1) and transmitted together with a management declaration covering the entirety of those documents.</u>		The annual performance report provided by the coordinating body shall be covered by the scope of the opinion referred to in Article 11(1) and its transmission shall be accompanied by a management declaration covering the compilation of the entire report. Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Performance		
Article 11				
205	Article 11 Certification bodies	Article 11 Certification bodies Governance		Article 11 Certification bodies Text Origin: Commission Proposal
Article 11(1), first subparagraph				
206	1. The certification body shall be a public or private audit body designated by the Member State for a minimum three year period, without prejudice to national law. Where it is a private audit body, and where the applicable Union or national law so requires, it shall be selected by the Member State by means of a public tendering procedure.	1. The certification body shall be a public or private audit body designated by the Member State for a minimum three year period, without prejudice to national law. Where it is a private audit body, and where the applicable Union or national law so requires, it shall be selected by the Member State by means of a public tendering procedure. Governance		1. The certification body shall be a public or private audit body designated by the Member State for a minimum three year period, without prejudice to national law. Where it is a private audit body, and where the applicable Union or national law so requires, it shall be selected by the Member State by means of a public tendering procedure. Text Origin: EP Mandate
Article 11(1), first subparagraph a				
206a		<u>However, a Member State that designates more than one</u>		1. However, a Member State that designates more than one

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>certification body shall also appoint a public certification body at the national level to be responsible for coordination.</u> Governance		certification body may also appoint a public certification body at the national level to be responsible for coordination.
Article 11(1), second subparagraph, introductory part				
207	For the purposes of the first subparagraph of Article 63(7) of the Financial Regulation, the certification body shall provide an opinion, drawn up in accordance with internationally accepted audit standards, which shall establish whether:	For the purposes of the first subparagraph of Article 63(7) of the Financial Regulation, the certification body shall provide an opinion, drawn up in accordance with internationally accepted audit standards, which shall establish whether: Governance		For the purposes of the first subparagraph of Article 63(7) of the Financial Regulation, the certification body shall provide an opinion, drawn up in accordance with internationally accepted audit standards, which shall establish whether: Text Origin: Commission Proposal
Article 11(1), second subparagraph, point (a)				
208	(a) the accounts give a true and fair view;	(a) the accounts give a true and fair view; Governance		(a) the accounts give a true and fair view; Text Origin: Commission Proposal
Article 11(1), second subparagraph, point (b)				
209	(b) the Member States' governance	(b) the Member States' governance		(b) the Member States' governance

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	systems put in place function properly;	systems put in place function properly; Governance		systems put in place function properly, in particular:
Article 11(1), second subparagraph, point (b)(i)				
G 209a				i (i) the governance bodies referred to in Articles, 8, 10a of this Regulation and Article 110 of Regulation (EU) .../... [CAP Strategic Plan Regulation].
Article 11(1), second subparagraph, point (b)(ii)				
G 209b				ii (ii) the basic Union requirements laid down in this Regulation, in Regulation (EU) .../... [CAP Strategic Plan Regulation, Regulation (EU) 2018/1046 (Financial Regulation) and in Directive 2014/24/EU (Public Procurement Directive);
Article 11(1), second subparagraph, point (b)(iii)				
G 209c				iii (iii) the reporting system put in place for the purposes of the annual performance report referred to in Article 121 of Regulation (EU) .../... [CAP Strategic Plan

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Regulation];
Article 11(1), second subparagraph, point (c)				
210	(c) the performance reporting on output indicators for the purposes of the annual performance clearance referred to in Article 52 and the performance reporting on result indicators for the multiannual performance monitoring referred to in Article 115 of Regulation (EU) .../... [CAP Strategic Plan Regulation], demonstrating that Article 35 of this Regulation is complied with, is correct	(c) the performance reporting ~~on output indicators~~ for the ~~purposes~~ <u>purpose</u> of the annual performance ~~clearance~~ <u>monitoring</u> referred to in Article ~~52~~ <u>38a</u> and the ~~performance reporting on result indicators for the~~ multiannual performance ~~monitoring~~ <u>review</u> referred to in Article ~~115~~ <u>121</u> of Regulation (EU) .../... [CAP Strategic Plan Regulation], <u>reflecting the operations carried out and the progress made towards the achievement of the objectives, as set out in the CAP National Strategic Plan</u> ~~demonstrating that Article 35 of this Regulation is complied with,~~ is correct; Performance		(c) the performance reporting on output indicators for the purposes of the annual performance clearance referred to in Article 52 and the performance reporting on result indicators for the multiannual performance monitoring referred to in Article 115 of Regulation (EU) .../... [CAP Strategic Plan Regulation], demonstrating that Article 35 of this Regulation is complied with, is correct; Text Origin: Commission Proposal
Article 11(1), second subparagraph, point(d)				
211	(d) the expenditure for the measures laid down in Regulation (EU) No 1308/2013 for which reimbursement has been requested	(d) the expenditure for the measures laid down in <u>Regulations (EU) .../... /CAP Strategic Plan Regulation</u> , (EU) No 1308/2013,	(d) the expenditure for the measures laid down in Regulation (EU) No 1308/2013, Regulation (EU) No 228/2013, Regulation	(d) the expenditure for the measures laid down in Regulation (EU) No 1308/2013, Regulation (EU) No 228/2013, Regulation

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	from the Commission is legal and regular. ;	<u>(EU) No 228/2013, (EU) No 229/2013 and (EU) No 1144/2014</u> for which reimbursement has been requested from the Commission is legal and regular. ~~;~~ <u>and demonstrates that Article 35 of this Regulation is complied with.</u> Performance	(EU) No 229/2013 and Regulation (EU) 1144/2014 for which reimbursement has been requested from the Commission is legal and regular.;	(EU) No 229/2013 and Regulation (EU) 1144/2014 for which reimbursement has been requested from the Commission is legal and regular. Text Origin: Council Mandate
	Article 11(1), third subparagraph			
212	That opinion shall also state whether the examination calls into question the assertions made in the management declaration referred to in point(c) of Article 8(3).	That opinion shall also state whether the examination calls into question the assertions made in the management declaration referred to in point(c) of Article 8(3). Governance		That opinion shall also state whether the examination calls into question the assertions made in the management declaration referred to in point(c) of Article 8(3). The examination shall also cover the analysis of the nature and extent of errors and weaknesses identified in systems by audit and controls, as well as corrective action taken or planned by the Paying Agency as referred to in Article 8(3), point (ba) Text Origin: EP Mandate
	Article 11(1), fourth subparagraph			
213	Where support is provided through a financial instrument which is	Where support is provided through a financial instrument which is	Where support is provided through a financial instrument which is	Where support is provided through a financial instrument which is

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	implemented by the EIB or another international financial institution in which a Member State is a shareholder, the certification body shall rely on the annual audit report drawn up by the external auditors of those institutions.	implemented by the EIB or another international financial institution in which a Member State is a shareholder, the certification body shall rely on the annual audit report drawn up by the external auditors of those institutions. Governance	implemented by the EIB or another international financial institution in which a Member State is a shareholder, the certification body shall rely on the annual audit report drawn up by the external auditors of those institutions. Those institutions shall provide the annual audit report to the Member States.	implemented by the EIB or another international financial institution in which a Member State is a shareholder, the certification body shall rely on the annual audit report drawn up by the external auditors of those institutions. Those institutions shall provide the annual audit report to the Member States. Text Origin: Council Mandate
Article 11(2)				
214	2. The certification body shall have the necessary technical expertise. It shall be operationally independent from the paying agency and the coordinating body concerned as well as from the authority which has accredited that agency and the bodies responsible for the implementation and the monitoring of the CAP.	2. The certification body shall have the necessary technical expertise, <u>in terms of both financial management and also related to assessing the achievement of the intended aims of the interventions. All data and information used to enable certifying bodies to provide assurance that targets are being met, as well as those underlying the assumptions made, shall be made available transparently.</u> It shall be operationally independent from the paying agency and the coordinating body concerned as well as from the authority which has accredited that agency and the bodies responsible for the		2. The certification body shall have the necessary technical expertise, as well as knowledge of the CAP. It shall be operationally independent from the paying agency and the coordinating body concerned as well as from the authority which has accredited that agency and the bodies responsible for the implementation and the monitoring of the CAP. Performance

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		implementation and the monitoring of the CAP. Governance Performance		
Article 11(3), first subparagraph				
215	3. The Commission shall adopt implementing acts laying down rules on the tasks of the certification bodies, including the checks to be carried out and the bodies subject to those checks, and on the certificates and the reports, together with the documents accompanying them, to be drawn up by those bodies.	~~3. The Commission shall adopt implementing acts laying down rules on the tasks of the certification bodies, including the checks to be carried out and the bodies subject to those checks, and on the certificates and the reports, together with the documents accompanying them, to be drawn up by those bodies.~~ Governance		3. [IA agreed] The Commission shall adopt implementing acts laying down rules on the functioning of the certification bodies, including the checks to be carried out and the bodies subject to those checks, and on the certificates and the reports, together with the documents accompanying them, to be drawn up by those bodies.
Article 11(3), second subparagraph, introductory part				
216	The implementing acts shall also set out:	~~The implementing acts shall also set out:~~ Governance		[IA agreed] The implementing acts shall also set out: Text Origin: Commission Proposal
Article 11(3), second subparagraph, point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
217	(a) the audit principles on which the opinions of the certification bodies are based, including an assessment of the risks, internal controls and the level of audit evidence required;	(a) ~~the audit principles on which the opinions of the certification bodies are based, including an assessment of the risks, internal controls and the level of audit evidence required;~~ Governance		(a) [IA agreed] the audit principles on which the opinions of the certification bodies are based, including an assessment of the risks, internal controls and the level of audit evidence required; Text Origin: Commission Proposal
Article 11(3), second subparagraph, point (b)				
218	(b) the audit methods to be used, by the certification bodies, having regard to international standards on auditing, to deliver their opinions.	(b) ~~the audit methods to be used, by the certification bodies, having regard to international standards on auditing, to deliver their opinions;~~ Governance		(b) [IA agreed][moved from Line 218] the audit methods to be used, by the certification bodies, having regard to international standards on auditing, to deliver their opinions. Text Origin: Commission Proposal
Article 11(3), third subparagraph				
219	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	~~Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).~~		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Governance		Text Origin: Commission Proposal
	Article 11(3a)			
219a		<u>3a. Once Member States' competent authorities have appointed the certification bodies referred to in this Article and have informed the Commission thereof, the Commission shall present a comprehensive list of all such bodies to the European Parliament, no later than one year after ... [the date of application of this Regulation] and a second time no later than four years thereafter.</u> Governance		3a. [see new recital (11a) + COM statement]
	TITLE III			
220	TITLE III Financial management of the Funds	TITLE III Financial management of the Funds		TITLE III Financial management of the Funds Text Origin: Commission Proposal
	CHAPTER I			
221				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	CHAPTER I EAGF	CHAPTER I EAGF		CHAPTER I EAGF Text Origin: Commission Proposal
Section 1				
222	Section 1 Budget discipline	Section 1 Budget discipline		Section 1 Budget discipline Text Origin: Commission Proposal
Article 12				
223	Article 12 Budget ceiling	Article 12 Budget ceiling Financial management		Article 12 Budget ceiling Text Origin: Commission Proposal
Article 12(1)				
224	1. The annual ceiling for EAGF expenditure shall be constituted by the maximum amounts set for it under Regulation (EU, Euratom)[COM(2018) 322 final].	1. The annual ceiling for EAGF expenditure shall be constituted by the maximum amounts set for it under Regulation (EU, Euratom) [COM(2018) 322 final] <u>that set individual limits for the Member States.</u> Financial management		1. The annual ceiling for EAGF expenditure shall be constituted by the maximum amounts set for it under Regulation (EU, Euratom)[COM(2018) 322 final]. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 12(2)			
225	2. In the event that Union law provides for sums to be deducted from or added to the amounts referred to in paragraph 1, the Commission shall adopt implementing acts without applying the procedure referred to in Article 101, setting the net balance available for EAGF expenditure on the basis of the data referred to in Union law.	2. In the event that Union law provides for sums to be deducted from or added to the amounts referred to in paragraph 1, the Commission shall adopt implementing acts without applying the procedure referred to in Article 101, setting the net balance available for EAGF expenditure on the basis of the data referred to in Union law.		2. In the event that Union law provides for sums to be deducted from or added to the amounts referred to in paragraph 1, the Commission shall adopt implementing acts without applying the procedure referred to in Article 101, setting the net balance available for EAGF expenditure on the basis of the data referred to in Union law. Text Origin: Commission Proposal
	Article 12a			
225a		<u>Article 12a</u> <u>Commission powers</u> Governance		Article 12a Commission powers [Note: text of the EP amendment for a new Article 12a is covered by Article 10. There will thus be no Article 12a] Text Origin: EP Mandate
	Article 12a(1), introductory part			
225b				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>1. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on:</u> Governance		1. [See Line 225a]
	Article 12a(1), point (a)			
g	225c	<u>(a) the minimum conditions for the accreditation of the paying agencies referred to in Article 9(2) and of the coordinating bodies referred to in Article 10(4);</u> Governance		(a) [See Line 225a] Text Origin: EP Mandate
	Article 12a(1), point (b)			
g	225d	<u>(b) the obligations of the paying agencies as regards public intervention and the rules concerning the content of their management and control responsibilities;</u> Governance		(b) [See Line 225a] Text Origin: EP Mandate
	Article 12a(1), point (c)			
g	225e			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>(c) the procedures for issuing, withdrawing and reviewing accreditation of paying agencies and coordinating bodies and for the appointment, and revocation thereof, of certification bodies, as well as the procedures for the supervision of the accreditation of paying agencies, taking into account the principle of proportionality;</u> Governance		(c) [See Line 225a]
Article 12a(1), point (d)				
225f		<u>(d) the work and checks underlying the management declaration of the paying agencies, referred to in point (c) of Article 9(3);</u> Governance		(d) [See Line 225a]
Article 12a(1), point (e)				
225g		<u>(e) the functioning of the coordinating body and the notification of information to the Commission under Article 10(4).</u> Governance		(e) [See Line 225a]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 12a(2), first subparagraph			
G 225h		<u>2. The Commission shall adopt delegated acts in accordance with Article 100 supplementing this Regulation by laying down rules on the tasks of the certification bodies, including the checks to be carried out and the bodies subject to those checks, and on the certificates and the reports, together with the documents accompanying them, to be drawn up by those bodies.</u> Governance		2. [EP AM withdrawn] [See Line 225a]
	Article 12a(3), introductory part			
G 225i		<u>Those delegated acts shall also set out:</u> Governance		3. [EP AM withdrawn] [See Line 225a]
	Article 12a(3), point (a)			
G 225j		<u>(a) the audit principles on which the opinions of the certification bodies are based, including an assessment of the risks, internal</u>		(a) [EP AM withdrawn] [See Line 225a]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>controls and the level of audit evidence required; and</u> Governance		
Article 12a(3), point (b)				
225k		<u>(b) the audit methods to be used, by the certification bodies, having regard to international standards on auditing, to deliver their opinions, which may include the possibility of monitoring paying agencies' on-the-spot checks.</u> Performance		(b) [See Line 225a] [Note: text EP amendment moved to Line 218]
Article 13				
226	Article 13 Compliance with the ceiling	Article 13 Compliance with the ceiling Financial management		Article 13 Compliance with the ceiling Text Origin: Commission Proposal
Article 13(1)				
227	1. Where Union law provides for a financial ceiling in euro for agricultural expenditure in respect of a Member State, such	1. Where Union law provides for a financial ceiling in euro for agricultural expenditure in respect of a Member State, such		1. Where Union law provides for a financial ceiling in euro for agricultural expenditure in respect of a Member State, such

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	expenditure shall be reimbursed subject to that limit set in euro, and, where Articles 37 to 40 apply, with any necessary adjustments.	expenditure shall be reimbursed subject to that limit set in euro, and, where Articles 37 to 40 apply, with any necessary adjustments. Financial management		expenditure shall be reimbursed subject to that limit set in euro, and, where Articles 37 to 40 apply, with any necessary adjustments. Text Origin: Commission Proposal
Article 13(2)				
228	2. Member States' allocations for direct payments interventions referred to in Article 81 of Regulation (EU).../...[CAP Strategic Plan Regulation], corrected by the adjustments laid down in Article 15 of this Regulation, shall be deemed to be financial ceilings in euro.	2. Member States' allocations for direct payments interventions referred to in Article 81 of Regulation (EU).../...[CAP Strategic Plan Regulation], corrected by the adjustments laid down in Article 15 of this Regulation, shall be deemed to be financial ceilings in euro. Financial management		2. Member States' allocations for direct payments interventions referred to in Article 81 of Regulation (EU).../...[CAP Strategic Plan Regulation], corrected by the adjustments laid down in Article 15 of this Regulation, shall be deemed to be financial ceilings in euro. Text Origin: Commission Proposal
Article 14				
229	Article 14 Agricultural reserve	Article 14 Agricultural reserve Crisis	Article 14 Agricultural reserve ¹ 1. Following CLS comments in the Ad-hoc WP on the MFF, a reference to Art 322 of TFEU will be added as a legal basis for this Article.	Article 14 A reference to Art 322 of TFEU will be added as a legal basis for this Article. Corresponding recital in line 25 Text of this Article is set out in

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				PRES compromise WK 8096/2021
	Article 14(1), first subparagraph			
230	1. A reserve intended to provide additional support for the agricultural sector for the purpose of market management or stabilisation or in the case of crises affecting the agricultural production or distribution (“the agricultural reserve”) shall be established at the beginning of each year in the EAGF.	1. ~~An EU agricultural crisis reserve~~ (<i>‘the reserve’</i>) <u>shall be established in the budget of the CAP</u> ~~intended~~ to provide additional support for the agricultural sector for the purpose of market management or stabilisation <u>and to respond promptly</u> ~~or~~ in the case of crises affecting the agricultural production or distribution ~~(“the agricultural reserve”) shall be established at the beginning of each year in the EAGF.~~ Crisis		1. An EU agricultural reserve (‘the reserve’) shall be established at the beginning of each year in the EAGF to provide additional support for the agricultural sector for the purpose of market management or stabilisation and to respond promptly in the case of crises affecting the agricultural production or distribution.
	Article 14(1), second subparagraph			
231	Appropriations for the agricultural reserve shall be entered directly in the Union's budget.	<u>The</u> appropriations for the ~~agricultural~~ reserve shall be entered directly in the Union's budget ~~and deployed, in the financial year or years for which additional support is required, in order to fund the following measures:~~ Crisis		The appropriations for the reserve shall be entered directly in the Union's budget. Funds from the reserve shall be made available, in the financial year or years for which additional support is required, for the following measures:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 14(1), second subparagraph, point (a)				
G	231a	<u>(a) measures to stabilise agricultural markets under Articles 8 to 21 of Regulation (EU) No 1308/2013;</u> Crisis		(a) measures to stabilise agricultural markets under Articles 8 to 21 of Regulation (EU) No 1308/2013;
Article 14(1), second subparagraph, point (b)				
G	231b	<u>(b) exceptional measures under Chapter I, Part V of Regulation (EU) No 1308/2013;</u> Crisis		(b) exceptional measures under Articles 219, 220, and 221 of Regulation (EU) No 1308/2013.
Article 14(1), second subparagraph, point (c)				
G	231c	<u>(c) measures to complement the income stabilisation tools referred to in Article 70 of Regulation (EU) .../... [CAP Strategic Plans Regulation] in the event of market crises occurring with a frequency higher than a predefined sector-specific threshold.</u> Crisis		(c) EP to withdraw its AM

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 14(1), third subparagraph			
232	Funds from the agricultural reserve shall be made available for measures under Articles 8 to 21 and 219, 220, and 221 of Regulation (EU) No 1308/2013 for the year or years for which the additional support is required.	~~Funds from the agricultural reserve shall be made available for measures under Articles 8 to 21 and 219, 220, and 221 of Regulation (EU) No 1308/2013 for the year or years for which the additional support is required~~ <u>The Commission is empowered to adopt delegated acts in accordance with Article 100 in order to supplement this Article by defining the sector-specific thresholds required to trigger the measures to complement the income stabilisation tools as referred to in point (c) of the second subparagraph of this paragraph.</u> Crisis		[No text needed here]
	Article 14(2), first subparagraph			
233	2. The amount of the agricultural reserve shall be at least EUR 400 million in current prices at the beginning of each year of the period 2021-2027. The Commission may adjust the amount of the agricultural reserve	2. ~~The~~ <u>An initial</u> amount of ~~the agricultural reserve~~ <u>EUR 400 million in current prices</u> shall be ~~at least EUR 400 million in current prices~~ <u>set up in 2021 in addition to the EAGF and EAFRD budgets.</u>	2. The amount of the agricultural reserve shall be ~~at least EUR 400~~ EUR 450 million in current prices at the beginning of each year of the period ~~2021~~ 2023 -2027. The Commission may adjust the amount of the agricultural reserve	2. The amount of the agricultural reserve shall be EUR 450 million in current prices at the beginning of each year of the period 2023-2027, without prejudice to a higher amount being set in the Union's budget. The Commission may

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	during the year when appropriate in view of market developments or perspectives in the current or following year and taking into account available appropriations under the EAGF.	At the beginning of each year of the period 2021-2027: ~~The Commission may adjust the~~, <u>the amount of the EU agricultural crisis reserve shall be at least equal to the initial</u> amount <u>allocated in 2021, with the potential for increases over that period up to a ceiling of EUR 1 500 000 000 in current prices, without prejudice to the relevant decisions taken by the budgetary authority.</u> <u>The amount of the EU</u> ~~of the~~ agricultural <u>crisis</u> reserve <u>shall be adjusted through the annual budgetary procedure or</u> during the year when appropriate in view of ~~market~~ <u>crisis</u> developments or perspectives ~~in~~ <u>concerning</u> the current or following ~~year~~ <u>years</u> and taking into account available <u>revenues assigned to the EAGF or margins available</u> ~~appropriations~~ under the EAGF <u>sub-ceiling</u>. Crisis	during the year when appropriate in view of market developments or perspectives in the current or following year and taking into account available appropriations under the EAGF.	adjust the amount of the agricultural reserve during the year when appropriate in view of market developments or perspectives in the current or following year and taking into account available appropriations under the EAGF sub-ceiling.
	Article 14(2), first subparagraph a			
G 233a		<u>In the event that such available appropriations are not sufficient,</u>		In the event that such available appropriations are not sufficient,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>financial discipline may be used to fund the reserve up to the initial amount referred to in the first subparagraph.</i></u> Crisis		financial discipline may be used in accordance with Article 15 of this regulation, as a last resort, to fund the reserve up to the initial amount referred to in the first subparagraph.
Article 14(2), second subparagraph				
234	By way of derogation from point (d) of Article 12(2) of the Financial Regulation, non-committed appropriations of the agricultural reserve shall be carried over without time limitation to finance the agricultural reserve in the following financial years.	By way of derogation from point (d) of Article 12(2) of the Financial Regulation, non-committed appropriations of the ~~agricultural~~ reserve shall be carried over without time limitation to finance the ~~agricultural~~ reserve in the following financial years. Crisis	By way of derogation from point (d) of Article 12(2) of the Financial Regulation, non-committed appropriations of the agricultural reserve shall be carried over ~~without time limitation~~ to finance the agricultural reserve in the following financial years until 2027 .	By way of derogation from Article 12(2), 3rd subparagraph of the Financial Regulation, non-committed appropriations of the reserve shall be carried over to finance the reserve in the following financial years until 2027.
Article 14(2), third subparagraph				
235	Moreover, by derogation from point (d) of Article 12(2) of the Financial Regulation, the total unused amount of the crisis reserve available at the end of year 2020 shall be carried over to the year 2021 without being returned to the budgetary lines which cover the actions referred to in point (c) of Article 5(2) and made available for	~~Moreover, by derogation from point (d) of Article 12(2) of the Financial Regulation, the total unused amount of the crisis reserve available at the end of year 2020 shall be carried over to the year 2021 without being returned to the budgetary lines which cover the actions referred to in point (c) of Article 5(2) and made available for~~	Moreover, by derogation from point (d) of Article 12(2) of the Financial Regulation, the total unused amount of the crisis reserve available at the end of year 2020 shall be carried over to the year ~~2021~~ 2023 without being returned to the budgetary lines which cover the actions referred to in point (c) of Article 5(2) and	Moreover, by derogation from Article 12(2), 3rd subparagraph of the Financial Regulation, the total unused amount of the crisis reserve available at the end of year 2022 shall be carried over to the year 2023 without being fully returned to the budgetary lines which cover the actions referred to in point (c) of Article 5(2) and made available

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the financing of the agricultural reserve.	~~the financing of the agricultural reserve.~~ Crisis	made available for the financing of the agricultural reserve.	to the extent necessary for the financing of the agricultural reserve after taking into account appropriations available under the EAGF sub-ceiling. Should appropriations of the crisis reserve remain available after financing the agricultural reserve, these shall be returned to the budgetary lines which cover the actions referred to in point (c) of Article 5(2)."
Article 14(2), third subparagraph a				
235a		Crisis	In case the agricultural reserve is used, it will be refilled using existing revenue assigned to the EAGF, margins available under the EAGF sub-ceiling or, as a last resort, by the financial discipline mechanism.	Included in 233a - no text here Text Origin: Council Mandate
Article 15				
236	Article 15 Financial discipline	Article 15 Financial discipline Financial management		Article 15 Financial discipline Text Origin: Commission Proposal
Article 15(1), first subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
237	1. An adjustment rate for direct payments interventions referred to in point (c) of Article 5(2) of this Regulation and Union financial contribution to the specific measures referred to in point (f) of Article 5(2) of this Regulation and granted under Chapter IV of Regulation (EU) No 228/2013 and Chapter IV of Regulation (EU) No 229/2013, ("the adjustment rate") shall be determined by the Commission when the forecasts for the financing of the interventions and measures financed under that sub-ceiling for a given financial year indicate that the applicable annual ceilings will be exceeded.	1. An adjustment rate for direct payments interventions referred to in point (c) of Article 5(2) of this Regulation <i>and Union financial contribution to the specific measures referred to in point (f) of Article 5(2) of this Regulation and granted under Chapter IV of Regulation (EU) No 228/2013 and Chapter IV of Regulation (EU) No 229/2013</i>, ("the adjustment rate") shall be determined by the Commission when the forecasts for the financing of the interventions and measures financed under that sub-ceiling for a given financial year indicate that the applicable annual ceilings will be exceeded. Financial management	1. An adjustment rate for direct payments interventions referred to in point (c) of Article 5(2) of this Regulation and Union financial contribution to the specific measures referred to in point ~~(f)~~(e) of Article 5(2) of this Regulation and granted under Chapter IV of Regulation (EU) No 228/2013 and Chapter IV of Regulation (EU) No 229/2013, ("the adjustment rate") shall be determined by the Commission when the forecasts for the financing of the interventions and measures financed under that sub-ceiling for a given financial year indicate that the applicable annual ceilings will be exceeded.	1. EP to withdraw AM Financial management
Article 15(1), first subparagraph a				
237a			The adjustment rate shall apply to payments to be granted to farmers for the interventions and specific measures referred to in the first subparagraph exceeding EUR 2 000 for the corresponding calendar year. For the purpose of this subparagraph, Article 15(2a) of Regulation (EU) No.../...	The adjustment rate shall apply to payments to be granted to farmers for the interventions and specific measures referred to in the first subparagraph exceeding EUR 2 000 for the corresponding calendar year. For the purpose of this subparagraph, Article 15(2a) of Regulation (EU) No.../... [CAP

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			[CAP Strategic Plan Regulation] shall apply mutatis mutandis.	Strategic Plan Regulation] shall apply mutatis mutandis. Financial management Text Origin: Council Mandate
Article 15(1), first subparagraph b				
237b		<u>The adjustment rate determined in accordance with this Article shall only apply to direct payments in excess of EUR 2 000 to be granted to beneficiaries in the corresponding calendar year.</u> Financial management		1. [covered by Line 237a]
Article 15(1), second subparagraph				
238	The Commission shall, by 30 June of the calendar year in respect of which the adjustment rate applies, adopt implementing acts fixing the adjustment rate. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).	The Commission shall, by 30 June of the calendar year in respect of which the adjustment rate applies, adopt implementing acts fixing the adjustment rate. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).		The Commission shall, by 30 June of the calendar year in respect of which the adjustment rate applies, adopt implementing acts fixing the adjustment rate. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2). Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 15(2)				
239	2. Until 1 December of the calendar year in respect of which the adjustment rate applies, the Commission may, on the basis of new information, adopt implementing acts adapting the adjustment rate set in accordance with paragraph 1. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).	2. Until 1 December of the calendar year in respect of which the adjustment rate applies, the Commission may, on the basis of new information, adopt implementing acts adapting the adjustment rate set in accordance with paragraph 1. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).		2. Until 1 December of the calendar year in respect of which the adjustment rate applies, the Commission may, on the basis of new information, adopt implementing acts adapting the adjustment rate set in accordance with paragraph 1. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2). Text Origin: Commission Proposal
Article 15(3), first subparagraph				
240	3. Where financial discipline has been applied, the appropriations carried over in accordance with point (d) of Article 12(2) of the Financial Regulation shall be used to finance expenditure under point (c) of Article 5(2) of this Regulation, to the extent necessary to avoid the repeated application of financial discipline.	3. Where financial discipline has been applied, the appropriations carried over in accordance with point (d) of Article 12(2) of the Financial Regulation shall be used to finance expenditure under point (c) of Article 5(2) of this Regulation, to the extent necessary to avoid the repeated application of financial discipline.		3. Where financial discipline has been applied, the appropriations carried over in accordance with point (d) of Article 12(2) of the Financial Regulation shall be used to finance expenditure under point (c) of Article 5(2) of this Regulation, to the extent necessary to avoid the repeated application of financial discipline. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 15(3), second subparagraph				
241	Where appropriations to be carried-over as referred to in the first subparagraph remain available, the Commission may, adopt implementing acts setting out per Member State the amounts of non-committed appropriations to be reimbursed to final beneficiaries unless the overall amount of non-committed appropriations available for reimbursement represents less than 0,2% of the annual ceiling for EAGF expenditure.	Where appropriations to be carried-over as referred to in the first subparagraph remain available, the Commission may, adopt implementing acts setting out per Member State the amounts of non-committed appropriations to be reimbursed to final beneficiaries unless the overall amount of non-committed appropriations available for reimbursement represents less than 0,2% of the annual ceiling for EAGF expenditure.		Where appropriations to be carried-over as referred to in the first subparagraph remain available, the Commission may, adopt implementing acts setting out per Member State the amounts of non-committed appropriations to be reimbursed to final beneficiaries unless the overall amount of non-committed appropriations available for reimbursement represents less than 0,2% of the annual ceiling for EAGF expenditure. Text Origin: Commission Proposal
Article 15(3), third subparagraph				
242	Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).	Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).		Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2). Text Origin: Commission Proposal
Article 15(4), first subparagraph				
243	4. The amounts set by the Commission in accordance with	4. The amounts set by the Commission in accordance with		4. The amounts set by the Commission in accordance with

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the second subparagraph of paragraph 3 shall be reimbursed to final beneficiaries by Member States in accordance with objective and non-discriminatory criteria. Member States may apply a minimum threshold of amounts of reimbursement per final beneficiary.	the second subparagraph of paragraph 3 shall be reimbursed to final beneficiaries by Member States in accordance with objective and non-discriminatory criteria. Member States may apply a minimum threshold of amounts of reimbursement per final beneficiary.		the second subparagraph of paragraph 3 shall be reimbursed to final beneficiaries by Member States in accordance with objective and non-discriminatory criteria. Member States may apply a minimum threshold of amounts of reimbursement per final beneficiary. Text Origin: Commission Proposal
Article 15(4), second subparagraph				
244	The reimbursement referred to in the first subparagraph shall only apply to final beneficiaries in those Member States where financial discipline applied in the preceding financial year.	The reimbursement referred to in the first subparagraph shall only apply to final beneficiaries in those Member States where financial discipline applied in the preceding financial year.		The reimbursement referred to in the first subparagraph shall only apply to final beneficiaries in those Member States where financial discipline applied in the preceding financial year. Text Origin: Commission Proposal
Article 15(5)				
245	5. As a result of the gradual introduction of direct payments interventions provided for in Article 140(2) of Regulation.../... [phasing in CAP Strategic Plan], financial discipline shall apply to	5. As a result of the gradual introduction of direct payments interventions provided for in Article 140(2) of Regulation.../... [phasing in CAP Strategic Plan], financial discipline shall apply to	5. As a result of the gradual introduction of direct payments interventions provided for in Article 140(2)17 of Regulation.../... [phasing in CAP Strategic Plan] (EU) No 1307/2013	5. [No text needed here] Financial management

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Croatia from 1 January 2022.	Croatia from 1 January 2022.	, financial discipline shall apply to Croatia from 1 January 2022:-	
Article 15(6)				
246	6. The Commission is empowered to adopt delegated acts in accordance with Article 100, supplementing this Regulation with rules for calculating the financial discipline to be applied by Member States to farmers.	6. The Commission is empowered to adopt delegated acts in accordance with Article 100, supplementing this Regulation with rules for calculating the financial discipline to be applied by Member States to farmers.	6. The Commission is empowered to adopt delegated acts in accordance with Article 100, which are necessary in order to ensure a coherent application of the financial discipline in the Member States , supplementing this Regulation with rules for calculating the financial discipline to be applied by Member States to farmers.	6. [DA agreed] [Framing of the empowerment will be done in the Recitals] The Commission is empowered to adopt delegated acts in accordance with Article 100, which are necessary in order to ensure a coherent application of the financial discipline in the Member States, supplementing this Regulation with rules for calculating the financial discipline to be applied by Member States to farmers. Financial management Text Origin: Council Mandate
Article 16				
247	Article 16 Budget discipline procedure	Article 16 Budget discipline procedure		Article 16 Budget discipline procedure Financial management

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 16(1)				
248	1. Where, on drawing up the draft budget for financial year N, there appears to be a risk that the amount referred to in Article 12 for financial year N will be exceeded, the Commission shall propose to the European Parliament and to the Council or to the Council, the measures necessary to ensure compliance with that amount.	1. Where, on drawing up the draft budget for financial year N, there appears to be a risk that the amount referred to in Article 12 for financial year N will be exceeded, the Commission shall propose to the European Parliament and to the Council or to the Council, the measures necessary to ensure compliance with that amount.		1. Where, on drawing up the draft budget for financial year N, there appears to be a risk that the amount referred to in Article 12 for financial year N will be exceeded, the Commission shall propose to the European Parliament and to the Council or to the Council, the measures necessary to ensure compliance with that amount. Text Origin: Commission Proposal
Article 16(2)				
249	2. If at any time the Commission considers that there is a risk that the amount referred to in Article 12 will be exceeded and that it cannot take adequate measures to remedy the situation, it shall propose other measures to ensure compliance with that amount. Those measures are adopted by the Council where the legal basis of the relevant measure is Article 43(3) of the	2. If at any time the Commission considers that there is a risk that the amount referred to in Article 12 will be exceeded and that it cannot take adequate measures to remedy the situation, it shall propose other measures to ensure compliance with that amount. Those measures are adopted by the Council where the legal basis of the relevant measure is Article 43(3) of the		2. If at any time the Commission considers that there is a risk that the amount referred to in Article 12 will be exceeded and that it cannot take adequate measures to remedy the situation, it shall propose other measures to ensure compliance with that amount. Those measures are adopted by the Council where the legal basis of the relevant measure is Article 43(3) of the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Treaty or by the European Parliament and the Council where the legal basis of the relevant measure is Article 43(2) of the Treaty.	Treaty or by the European Parliament and the Council where the legal basis of the relevant measure is Article 43(2) of the Treaty.		Treaty or by the European Parliament and the Council where the legal basis of the relevant measure is Article 43(2) of the Treaty. Text Origin: Commission Proposal
Article 16(3), first subparagraph, introductory part				
250	3. Where, at the end of financial year N, reimbursement requests from the Member States exceed or are likely to exceed the amount referred to in Article 12, the Commission shall:	3. Where, at the end of financial year N, reimbursement requests from the Member States exceed or are likely to exceed the amount referred to in Article 12, the Commission shall:		3. Where, at the end of financial year N, reimbursement requests from the Member States exceed or are likely to exceed the amount referred to in Article 12, the Commission shall: Text Origin: Commission Proposal
Article 16(3), first subparagraph, point (a)				
251	(a) consider the requests presented by Member States pro rata subject to the budget available, and adopt implementing acts setting provisionally the amount of the payments for the month concerned;	(a) consider the requests presented by Member States pro rata subject to the budget available, and adopt implementing acts setting provisionally the amount of the payments for the month concerned;		(a) consider the requests presented by Member States pro rata subject to the budget available, and adopt implementing acts setting provisionally the amount of the payments for the month concerned; Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 16(3), first subparagraph, point (b)				
252	(b) determine, for all Member States, on or before 28 February of financial year N + 1, their situation with regard to Union financing for the financial year N;	(b) determine, for all Member States, on or before 28 February of financial year N + 1, their situation with regard to Union financing for the financial year N;		(b) determine, for all Member States, on or before 28 February of financial year N + 1, their situation with regard to Union financing for the financial year N; Text Origin: Commission Proposal
Article 16(3), first subparagraph, point (c)				
253	(c) adopt implementing acts setting the total amount of Union financing broken down by Member State, on the basis of a single rate of Union financing, subject to the budget which was available for the monthly payments;	(c) adopt implementing acts setting the total amount of Union financing broken down by Member State, on the basis of a single rate of Union financing, subject to the budget which was available for the monthly payments;		(c) adopt implementing acts setting the total amount of Union financing broken down by Member State, on the basis of a single rate of Union financing, subject to the budget which was available for the monthly payments; Text Origin: Commission Proposal
Article 16(3), first subparagraph, point (d)				
254	(d) effect, at the latest when the monthly payments are made for March of year N+1, any compensation to be carried out with respect to Member States.	(d) effect, at the latest when the monthly payments are made for March of year N+1, any compensation to be carried out with respect to Member States.		(d) effect, at the latest when the monthly payments are made for March of year N+1, any compensation to be carried out with respect to Member States. Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Article 16(3), second subparagraph				
G 255	The implementing acts provided for in points (a) and (c) of the first subparagraph shall be adopted in accordance with the advisory procedure referred to in Article 101(2).	The implementing acts provided for in points (a) and (c) of the first subparagraph shall be adopted in accordance with the advisory procedure referred to in Article 101(2).		The implementing acts provided for in points (a) and (c) of the first subparagraph shall be adopted in accordance with the advisory procedure referred to in Article 101(2). Text Origin: Commission Proposal
Article 17				
G 256	Article 17 Early-warning and monitoring system	Article 17 Early-warning and monitoring system		Article 17 Early-warning and monitoring system Financial management Text Origin: Commission Proposal
Article 17, first paragraph				
G 257	In order to ensure that the budget ceiling referred to in Article 12 is not exceeded, the Commission shall implement a monthly early-warning and monitoring system in	In order to ensure that the budget ceiling referred to in Article 12 is not exceeded, the Commission shall implement a monthly early-warning and monitoring system in		In order to ensure that the budget ceiling referred to in Article 12 is not exceeded, the Commission shall implement a monthly early-warning and monitoring system in

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	respect of EAGF expenditure.	respect of EAGF expenditure.		respect of EAGF expenditure. Text Origin: Commission Proposal
Article 17, second paragraph				
258	To that end, at the beginning of each financial year, the Commission shall determine monthly expenditure profiles based, where appropriate, on average monthly expenditure during the previous three years.	To that end, at the beginning of each financial year, the Commission shall determine monthly expenditure profiles based, where appropriate, on average monthly expenditure during the previous three years.		To that end, at the beginning of each financial year, the Commission shall determine monthly expenditure profiles based, where appropriate, on average monthly expenditure during the previous three years. Text Origin: Commission Proposal
Article 17, third paragraph				
259	The Commission shall periodically present a report to the European Parliament and to the Council in which the development of expenditure effected in relation to the profiles is examined and which contains an assessment of the forecasted implementation for the current financial year.	The Commission shall periodically present a report to the European Parliament and to the Council in which the development of expenditure effected in relation to the profiles is examined and which contains an assessment of the forecasted implementation for the current financial year.		The Commission shall periodically present a report to the European Parliament and to the Council in which the development of expenditure effected in relation to the profiles is examined and which contains an assessment of the forecasted implementation for the current financial year. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Section 2				
260	Section 2 Financing of expenditure	Section 2 Financing of expenditure		Section 2 Financing of expenditure Text Origin: Commission Proposal
Article 18				
261	Article 18 Monthly payments	Article 18 Monthly payments		Article 18 Monthly payments Financial management Text Origin: Commission Proposal
Article 18(1)				
262	1. The appropriations necessary to finance the expenditure referred to in Article 5(2) shall be made available to Member States by the Commission in the form of monthly payments, on the basis of the expenditure effected by the accredited paying agencies during a reference period.	1. The appropriations necessary to finance the expenditure referred to in Article 5(2) shall be made available to Member States by the Commission in the form of monthly payments, on the basis of the expenditure effected by the accredited paying agencies during a reference period.		1. The appropriations necessary to finance the expenditure referred to in Article 5(2) shall be made available to Member States by the Commission in the form of monthly payments, on the basis of the expenditure effected by the accredited paying agencies during a reference period. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 18(2)				
263	2. Until the Commission transfers the monthly payments, the resources required to undertake expenditure shall be mobilised by the Member States according to the needs of their accredited paying agencies.	2. Until the Commission transfers the monthly payments, the resources required to undertake expenditure shall be mobilised by the Member States according to the needs of their accredited paying agencies.		2. Until the Commission transfers the monthly payments, the resources required to undertake expenditure shall be mobilised by the Member States according to the needs of their accredited paying agencies. Text Origin: Commission Proposal
Article 19				
264	Article 19 Procedure for monthly payments	Article 19 Procedure for monthly payments Financial management		Article 19 Procedure for monthly payments Financial management Text Origin: Commission Proposal
Article 19(1)				
265	1. Without prejudice to Articles 51, 52 and 53, monthly payments shall be made by the Commission for expenditure effected by accredited paying agencies during the reference month.	1. Without prejudice to Articles 51, 52 and 53, monthly payments shall be made by the Commission for expenditure effected by accredited paying agencies during the reference month.		1. Without prejudice to Articles 51, 52 and 53, monthly payments shall be made by the Commission for expenditure effected by accredited paying agencies during the reference month. Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Article 19(2)				
266	2. Monthly payments shall be made to each Member State on or before the third working day of the second month following that in which the expenditure is effected, taking account of the reductions or suspensions applied under Articles 37 to 40 or any other corrections. Expenditure effected by Member States between 1 and 15 October shall count as having been made in the month of October. Expenditure effected between 16 and 31 October shall count as having been made in the month of November.	2. Monthly payments shall be made to each Member State on or before the third working day of the second month following that in which the expenditure is effected, taking account of the reductions or suspensions applied under Articles 37 to 40 or any other corrections. Expenditure effected by Member States between 1 and 15 October shall count as having been made in the month of October. Expenditure effected between 16 and 31 October shall count as having been made in the month of November.		2. Monthly payments shall be made to each Member State on or before the third working day of the second month following that in which the expenditure is effected, taking account of the reductions or suspensions applied under Articles 37 to 40 or any other corrections. Expenditure effected by Member States between 1 and 15 October shall count as having been made in the month of October. Expenditure effected between 16 and 31 October shall count as having been made in the month of November. Text Origin: Commission Proposal
Article 19(3)				
267	3. The Commission shall adopt implementing acts determining the monthly payments which it makes on the basis of a declaration of expenditure from the Member States and the information supplied in accordance with Article 88(1).	3. The Commission shall adopt implementing acts determining the monthly payments which it makes on the basis of a declaration of expenditure from the Member States and the information supplied in accordance with Article 88(1).		3. The Commission shall adopt implementing acts determining the monthly payments which it makes on the basis of a declaration of expenditure from the Member States and the information supplied in accordance with Article 88(1).

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 19(4)				
268	4. The Commission shall inform the Member State forthwith of any overrun of financial ceilings by the Member State.	4. The Commission shall inform the Member State forthwith of any overrun of financial ceilings by the Member State.		4. The Commission shall inform the Member State forthwith of any overrun of financial ceilings by the Member State. Text Origin: Commission Proposal
Article 19(5)				
269	5. The Commission shall adopt the implementing acts determining the monthly payments referred to in paragraph 3 without applying the procedure referred to in Article 101.	5. The Commission shall adopt the implementing acts determining the monthly payments referred to in paragraph 3 without applying the procedure referred to in Article 101.		5. The Commission shall adopt the implementing acts determining the monthly payments referred to in paragraph 3 without applying the procedure referred to in Article 101. Text Origin: Commission Proposal
Article 19(6)				
270	6. The Commission may adopt implementing acts determining supplementary payments or deductions adjusting the payments made in accordance with paragraph	6. The Commission may adopt implementing acts determining supplementary payments or deductions adjusting the payments made in accordance with paragraph		6. The Commission may adopt implementing acts determining supplementary payments or deductions adjusting the payments made in accordance with paragraph

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	3, without applying the procedure referred to in Article 101.	3, ~~without~~ applying the procedure referred to in Article 101. Financial management		3, without applying the procedure referred to in Article 101. Text Origin: Commission Proposal
Article 20				
271	Article 20 Administrative and personnel costs	Article 20 Administrative and personnel costs		Article 20 Administrative and personnel costs Financial management Text Origin: Commission Proposal
Article 20, first paragraph				
272	Expenditure relating to administrative and personnel costs effected by Member States and by beneficiaries of aid from the EAGF shall not be borne by the Fund.	Expenditure relating to administrative and personnel costs effected by Member States and by beneficiaries of aid from the EAGF shall not be borne by the Fund.		Expenditure relating to administrative and personnel costs effected by Member States and by beneficiaries of aid from the EAGF shall not be borne by the Fund. Text Origin: Commission Proposal
Article 21				
273	Article 21 Public intervention expenditure	Article 21 Public intervention expenditure		Article 21 Public intervention expenditure

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Financial management Text Origin: Commission Proposal
Article 21(1)				
274	1. Where, within the framework of the common organisation of the markets, a sum per unit is not determined in respect of a public intervention, the EAGF shall finance the measure concerned on the basis of uniform standard amounts, in particular as regards funds originating in the Member States used for buying-in products, for material operations arising from storage and, where appropriate, for the processing of products eligible for intervention, as referred to in Article 11 of Regulation (EU) No 1308/2013.	1. Where, within the framework of the common organisation of the markets, a sum per unit is not determined in respect of a public intervention, the EAGF shall finance the measure concerned on the basis of uniform standard amounts, in particular as regards funds originating in the Member States used for buying-in products, for material operations arising from storage and, where appropriate, for the processing of products eligible for intervention, as referred to in Article 11 of Regulation (EU) No 1308/2013.		1. Where, within the framework of the common organisation of the markets, a sum per unit is not determined in respect of a public intervention, the EAGF shall finance the measure concerned on the basis of uniform standard amounts, in particular as regards funds originating in the Member States used for buying-in products, for material operations arising from storage and, where appropriate, for the processing of products eligible for intervention, as referred to in Article 11 of Regulation (EU) No 1308/2013. Text Origin: Commission Proposal
Article 21(2), introductory part				
275	2. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with	2. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with	2. The Commission is empowered to adopt delegated acts in accordance with Article 100 to ensure the funding by the EAGF	2. [DA agreed] [Framing of the empowerment will be done in the Recitals]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	rules on:	rules on:	of the public intervention expenditure , supplementing this Regulation with rules on:	The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on: Financial management Text Origin: Commission Proposal
Article 21(2), point (a)				
276	(a) the type of measures eligible for Union financing and the reimbursement conditions;	(a) the type of measures eligible for Union financing and the reimbursement conditions;		(a) the type of measures eligible for Union financing and the reimbursement conditions; Text Origin: Commission Proposal
Article 21(2), point (b)				
277	(b) the eligibility conditions and calculation methods based on the information actually observed by the paying agencies or based on flat-rates determined by the Commission, or based on flat-rate or non-flat-rate amounts provided for by the sectoral agricultural legislation.	(b) the eligibility conditions and calculation methods based on the information actually observed by the paying agencies or based on flat-rates determined by the Commission, or based on flat-rate or non-flat-rate amounts provided for by the sectoral agricultural legislation.		(b) the eligibility conditions and calculation methods based on the information actually observed by the paying agencies or based on flat-rates determined by the Commission, or based on flat-rate or non-flat-rate amounts provided for by the sectoral agricultural legislation. Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Article 21(3)				
278	3. The Commission is empowered to adopt delegated acts in accordance with Article 100, supplementing this Regulation with rules on the valuation of operations in connection with public intervention, the measures to be taken in the case of loss or deterioration of products under the public intervention, and the determination of the amounts to be financed.	3. The Commission is empowered to adopt delegated acts in accordance with Article 100, supplementing this Regulation with rules on the valuation of operations in connection with public intervention, the measures to be taken in the case of loss or deterioration of products under the public intervention, and the determination of the amounts to be financed.	3. The Commission is empowered to adopt delegated acts in accordance with Article 100, which are necessary to ensure the proper management of the appropriations entered in the Union's budget for the EAGF , supplementing this Regulation with rules on the valuation of operations in connection with public intervention, the measures to be taken in the case of loss or deterioration of products under the public intervention, and– the determination of the amounts to be financed.	3. [Framing of the empowerment will be done in the Recitals] The Commission is empowered to adopt delegated acts in accordance with Article 100, supplementing this Regulation with rules on the valuation of operations in connection with public intervention, the measures to be taken in the case of loss or deterioration of products under the public intervention, and the determination of the amounts to be financed. Financial management Text Origin: Commission Proposal
Article 21(4)				
279	4. The Commission shall adopt implementing acts, fixing the amounts referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the	4. The Commission shall adopt implementing acts, fixing the amounts referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the		4. The Commission shall adopt implementing acts, fixing the amounts referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	advisory procedure referred to in Article 101(2).	advisory procedure referred to in Article 101(2).		advisory procedure referred to in Article 101(2). Text Origin: Commission Proposal
Article 22				
280	Article 22 Acquisition of satellite data	Article 22 Acquisition of satellite data Financial management		Article 22 Acquisition of satellite data Text Origin: Commission Proposal
Article 22, first paragraph				
281	The list of satellite data required for the area monitoring system referred to in point (c) of Article 64(1) shall be agreed by the Commission and the Member States in accordance with the specification prepared by each Member State.	The list of satellite data required for the area monitoring system referred to in point (c) of Article 64(1) shall be agreed by the Commission and the Member States in accordance with the specification prepared by each Member State.		The list of satellite data required for the area monitoring system referred to in point (c) of Article 64(1) shall be agreed by the Commission and the Member States in accordance with the specification prepared by each Member State. Text Origin: Commission Proposal
Article 22, second paragraph				
282	In accordance with point (b) of Article 7, the Commission shall	In accordance with point (b) of Article 7, the Commission shall		In accordance with point (b) of Article 7, the Commission shall

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	supply that satellite data free of charge to the authorities competent for the area monitoring system or to suppliers of services authorised by those bodies to represent them.	supply that satellite data free of charge to the authorities competent for the area monitoring <u>and control</u> system or to suppliers of services authorised by those bodies to represent them. Financial management		supply that satellite data free of charge to the authorities competent for the area monitoring system or to suppliers of services authorised by those bodies to represent them. Text Origin: Commission Proposal
Article 22, third paragraph				
283	The Commission shall remain the owner of the satellite data and shall recover it on completion of the work.	The Commission shall remain the owner of the satellite data and shall recover it on completion of the work. Financial management	The Commission shall remain the owner of the satellite data and shall ~~recover it on completion of the work.~~	The Commission shall remain the owner of the satellite data. Text Origin: Council Mandate
Article 22, fourth paragraph				
284	The Commission may entrust specialised entities to carry out tasks relating to techniques or working methods in connection with the area monitoring system referred to in point (c) of Article 64(1).	The Commission may entrust specialised entities to carry out tasks relating to techniques or working methods in connection with the area monitoring <u>and control</u> system referred to in point (c) of Article 64(1). Financial management		The Commission may entrust specialised entities to carry out tasks relating to techniques or working methods in connection with the area monitoring system referred to in point (c) of Article 64(1). Text Origin: Commission Proposal
Article 23				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
285	Article 23 Monitoring of agricultural resources	Article 23 Monitoring of agricultural resources Financial management		Article 23 Monitoring of agricultural resources Text Origin: Commission Proposal
Article 23, first paragraph, introductory part				
286	The actions financed pursuant to point (c) of Article 7 shall aim to give the Commission the means to:	The actions financed pursuant to point (c) of Article 7 shall aim to give the Commission the means to:		The actions financed pursuant to point (c) of Article 7 shall aim to give the Commission the means to: Financial management
Article 23, first paragraph, point (a)				
287	(a) manage Union agricultural markets in a global context;	(a) manage Union agricultural markets in a global context;		(a) manage Union agricultural markets in a global context; Text Origin: EP Mandate
Article 23, first paragraph, point (b)				
288	(b) ensure agri-economic and agri-environmental-climate monitoring of agricultural land use and agricultural land use change, including agro-forestry, and monitoring of the condition of crops so as to enable estimates to	(b) ensure agri-economic and agri-environmental-climate monitoring of agricultural land use and agricultural land use change, including agro-forestry, and monitoring of the condition of <u>soil</u> , <u>water</u> , crops <u>and other vegetation</u>		(b) ensure agri-economic and agri-environmental-climate monitoring of agricultural land use and agricultural land use change, including agro-forestry, and monitoring of the condition of soil, crops and agricultural

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	be made, in particular as regards yields and agricultural production and agricultural impacts associated with exceptional circumstances;	so as to enable estimates to be made, in particular as regards yields and agricultural production and agricultural impacts associated with exceptional circumstances, <u>and assessment of the resilience of agricultural systems against climate change and progress towards the relevant Sustainable Development Goals</u> ; Financial management		landscapes/land so as to enable estimates to be made, in particular as regards yields and agricultural production and agricultural impacts associated with exceptional circumstances, and assessment of the resilience of agricultural systems and progress towards the relevant Sustainable Development Goals;
Article 23, first paragraph, point (c)				
289	(c) share the access to such estimates in an international context, such as the initiatives coordinated by United Nations organisations, including the constitution of greenhouse gas inventories under the UNFCCC, or other international agencies;	(c) share the access to such estimates in an international context, such as the initiatives coordinated by United Nations organisations, including the constitution of greenhouse gas inventories under the UNFCCC, or other international agencies;		(c) share the access to such estimates in an international context, such as the initiatives coordinated by United Nations organisations, including the constitution of greenhouse gas inventories under the UNFCCC, or other international agencies; Text Origin: EP Mandate
Article 23, first paragraph, point (d)				
290	(d) contribute to transparency of world markets;	(d) contribute to <u>specific measures increasing the</u> transparency of world markets <u>including market monitoring, taking account of</u>		(d) contribute to specific measures increasing the transparency of world markets , taking account of Union objectives and commitments

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>Union objectives and commitments including that to Policy Coherence for Development;</u> Financial management		
Article 23, first paragraph, point (e)				
291	(e) ensure technological follow-up of the agri-meteorological system.	(e) ensure technological follow-up of the agri-meteorological system.		(e) ensure technological follow-up of the agri-meteorological system. Text Origin: EP Mandate
Article 23, second paragraph				
292	Pursuant to point (c) of Article 7 the Commission shall finance the actions concerning the collection or purchase of data needed to implement and monitor the CAP, including satellite data, geo-spatial data and meteorological data, the creation of a spatial data infrastructure and a website, the carrying out of specific studies on climatic conditions, remote sensing used to assist in the monitoring of agricultural land use change and soil health and the updating of agri-meteorological and econometric models. Where necessary, those	Pursuant to ~~point (e)~~ of Article 7 the Commission shall finance the actions concerning the collection or purchase of data needed to implement and monitor the CAP <u>and its effects</u> , including satellite data, geo-spatial data and meteorological data, the creation of a spatial data infrastructure and a website, the carrying out of specific studies on climatic conditions, remote sensing used to assist in the monitoring of agricultural land use change and soil health and the updating of agri-meteorological and econometric		Pursuant to point (c) of Article 7 the Commission shall finance the actions concerning the collection or purchase of data needed to implement and monitor the CAP, including satellite data, geo-spatial data and meteorological data, the creation of a spatial data infrastructure and a website, the carrying out of specific studies on climatic conditions, remote sensing used to assist in the monitoring of agricultural land use change and soil health and the updating of agri-meteorological and econometric models. Where necessary, those

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	actions shall be carried out in collaboration with EEA, JRC, national laboratories and bodies or with the involvement of the private sector.	models. Where necessary, those actions shall be carried out in collaboration with EEA, JRC, <u>Eurostat</u> , national laboratories and bodies or with the involvement of the private sector, <u>while ensuring impartiality, transparency and the free availability of information to the greatest possible extent.</u> Financial management		actions shall be carried out in collaboration with EEA, JRC, national laboratories and bodies or with the involvement of the private sector.
	Article 24			
293	Article 24 Implementing powers	Article 24 Implementing powers		Article 24 Implementing powers Financial management Text Origin: Commission Proposal
	Article 24, first paragraph, introductory part			
294	The Commission may adopt implementing acts laying down:	The Commission may adopt implementing acts laying down:		The Commission may adopt implementing acts laying down: Text Origin: Commission Proposal
	Article 24, first paragraph, point (a)			
295				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(a) rules relating to the financing pursuant to points (b) and (c) of Article 7;	(a) rules relating to the financing pursuant to points (b) and (c) of Article 7;		(a) rules relating to the financing pursuant to points (b) and (c) of Article 7; Text Origin: Commission Proposal
Article 24, first paragraph, point (b)				
296	(b) the procedure under which the measures referred to in Articles 22 and 23 shall be carried out in order to meet the objectives assigned;	(b) the procedure under which the measures referred to in Articles 22 and 23 shall be carried out in order to meet the objectives assigned;		(b) the procedure under which the measures referred to in Articles 22 and 23 shall be carried out in order to meet the objectives assigned; Text Origin: Commission Proposal
Article 24, first paragraph, point (c)				
297	(c) the framework governing the acquisition, enhancing and utilisation of satellite data and meteorological data, and the applicable deadlines.	(c) the framework governing the acquisition, enhancing and utilisation of satellite data and meteorological data, and the applicable deadlines.		(c) the framework governing the acquisition, enhancing and utilisation of satellite data and meteorological data, and the applicable deadlines. Text Origin: Commission Proposal
Article 24, second paragraph				
298	Those implementing acts shall be adopted in accordance with the	Those implementing acts shall be adopted in accordance with the		Those implementing acts shall be adopted in accordance with the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	examination procedure referred to in Article 101(3).	examination procedure referred to in Article 101(3).		examination procedure referred to in Article 101(3). Text Origin: Commission Proposal
Chapter II				
299	Chapter II EAFRD	Chapter II EAFRD		Chapter II EAFRD Text Origin: Commission Proposal
Section 1				
300	Section 1 General provisions for EAFRD	Section 1 General provisions for EAFRD		Section 1 General provisions for EAFRD Text Origin: Commission Proposal
Article 25				
301	Article 25 Provisions applying to all payments	Article 25 Provisions applying to all payments		Article 25 Provisions applying to all payments Financial management Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 25(1), first subparagraph				
302	1. Payments by the Commission of the EAFRD contribution referred to in Article 6 shall not exceed the budget commitments.	1. Payments by the Commission of the EAFRD contribution referred to in Article 6 shall not exceed the budget commitments.		1. Payments by the Commission of the EAFRD contribution referred to in Article 6 shall not exceed the budget commitments. Text Origin: Commission Proposal
Article 25(1), second subparagraph				
303	Without prejudice to Article 32(1), those payments shall be assigned to the earliest open budget commitment.	Without prejudice to Article 32(1), those payments shall be assigned to the earliest open budget commitment.		Without prejudice to Article 32(1), those payments shall be assigned to the earliest open budget commitment. Text Origin: Commission Proposal
Article 25(2)				
304	2. Article 110 of the Financial Regulation shall apply.	2. Article 110 of the Financial Regulation shall apply.		2. Article 110 of the Financial Regulation shall apply. Text Origin: Commission Proposal
Section 2				
305	Section 2 EAFRD financing under the CAP Strategic Plan	Section 2 EAFRD financing under the CAP Strategic Plan		Section 2 EAFRD financing under the CAP Strategic Plan

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
Article 26				
306	Article 26 Financial contribution from the EAFRD	Article 26 Financial contribution from the EAFRD		Article 26 Financial contribution from the EAFRD Financial management Text Origin: Commission Proposal
Article 26, first paragraph				
307	The financial contribution from the EAFRD towards expenditure under CAP Strategic Plans shall be determined for each CAP Strategic Plan, within the ceilings established by Union law concerning support for CAP Strategic Plan interventions by the EAFRD.	The financial contribution from the EAFRD towards expenditure under CAP Strategic Plans shall be determined for each CAP Strategic Plan, within the ceilings established by Union law concerning support for CAP Strategic Plan interventions by the EAFRD.		The financial contribution from the EAFRD towards expenditure under CAP Strategic Plans shall be determined for each CAP Strategic Plan, within the ceilings established by Union law concerning support for CAP Strategic Plan interventions by the EAFRD. Text Origin: Commission Proposal
Article 27				
308	Article 27 Budget commitments	Article 27 Budget commitments		Article 27 Budget commitments

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Financial management Text Origin: Commission Proposal
Article 27(1)				
309	1. The Commission decision adopting a CAP Strategic Plan shall constitute a financing decision within the meaning of Article 110(1) of the Financial Regulation and, once notified to the Member State concerned, a legal commitment within the meaning of that Regulation. This decision shall specify the contribution per year.	1. The Commission decision adopting a CAP Strategic Plan shall constitute a financing decision within the meaning of Article 110(1) of the Financial Regulation and, once notified to the Member State concerned, a legal commitment within the meaning of that Regulation. This decision shall specify the contribution per year.		1. The Commission decision adopting a CAP Strategic Plan shall constitute a financing decision within the meaning of Article 110(1) of the Financial Regulation and, once notified to the Member State concerned, a legal commitment within the meaning of that Regulation. This decision shall specify the contribution per year. Text Origin: Commission Proposal
Article 27(2), first subparagraph				
310	2. The Union's budget commitments in respect of each CAP Strategic Plan shall be made in annual instalments between 1 January 2021 and 31 December 2027.	2. The Union's budget commitments in respect of each CAP Strategic Plan shall be made in annual instalments between 1 January 2021 and 31 December 2027.		2. The Union's budget commitments in respect of each CAP Strategic Plan shall be made in annual instalments between 1 January 2023 and 31 December 2027. By way of derogation from Article 111(2) of the Financial Regulation, for each CAP Strategic

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Plan, the budget commitments for the first instalment shall follow the adoption of the CAP Strategic Plan by the Commission and its subsequent notification to the Member State. The budget commitments for subsequent instalments shall be made by the Commission before 1 May of each year, on the basis of the decision referred to in the first paragraph of this Article, except where Article 16 of the Financial Regulation applies. Financial management
Article 27(2), second subparagraph				
311	For each CAP Strategic Plan, the budget commitments for the first instalment shall follow the adoption of the CAP Strategic Plan by the Commission.	For each CAP Strategic Plan, the budget commitments for the first instalment shall follow the adoption of the CAP Strategic Plan by the Commission.		For each CAP Strategic Plan, the budget commitments for the first instalment shall follow the adoption of the CAP Strategic Plan by the Commission. Text Origin: Commission Proposal
Article 27(2), third subparagraph				
312	The budget commitments for subsequent instalments shall be	The budget commitments for subsequent instalments shall be		The budget commitments for subsequent instalments shall be

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	made by the Commission before 1 May of each year, on the basis of the decision referred to in the first paragraph of this Article, except where Article 16 of the Financial Regulation applies.	made by the Commission before 1 May of each year, on the basis of the decision referred to in the first paragraph of this Article, except where Article 16 of the Financial Regulation applies.		made by the Commission before 1 May of each year, on the basis of the decision referred to in the first paragraph of this Article, except where Article 16 of the Financial Regulation applies. Text Origin: Commission Proposal
Section 3				
313	Section 3 Financial contribution to Rural Development interventions	Section 3 Financial contribution to Rural Development interventions		Section 3 Financial contribution to Rural Development interventions Text Origin: Commission Proposal
Article 28				
314	Article 28 Provisions applying to payments for rural development interventions	Article 28 Provisions applying to payments for rural development interventions		Article 28 Provisions applying to payments for rural development interventions Financial management Text Origin: Commission Proposal
Article 28(1)				
315	1. The appropriations necessary to	1. The appropriations necessary to		1. The appropriations necessary to

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	finance the expenditure referred to in Article 6 shall be made available to Member States in the form of prefinancing, interim payments and the payment of a balance, as described in this Section.	finance the expenditure referred to in Article 6 shall be made available to Member States in the form of prefinancing, interim payments and the payment of a balance, as described in this Section.		finance the expenditure referred to in Article 6 shall be made available to Member States in the form of prefinancing, interim payments and the payment of a balance, as described in this Section. Text Origin: Commission Proposal
Article 28(2), first subparagraph				
316	2. The combined total of prefinancing and interim payments shall not exceed 95 % of the EAFRD's contribution to each CAP Strategic Plan.	2. The combined total of prefinancing and interim payments shall not exceed 95 % of the EAFRD's contribution to each CAP Strategic Plan.		2. The combined total of prefinancing and interim payments shall not exceed 95 % of the EAFRD's contribution to each CAP Strategic Plan. Text Origin: Commission Proposal
Article 28(2), second subparagraph				
317	When the ceiling of 95 % is reached, the Member States shall continue transmitting requests for payments to the Commission.	When the ceiling of 95 % is reached, the Member States shall continue transmitting requests for payments to the Commission.		When the ceiling of 95 % is reached, the Member States shall continue transmitting requests for payments to the Commission. Text Origin: Commission Proposal
Article 29				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
318	Article 29 Prefinancing arrangements	Article 29 Prefinancing arrangements Financial management		Article 29 Prefinancing arrangements Text Origin: Commission Proposal
Article 29(1), first subparagraph, introductory part				
319	1. Following its decision to approve the CAP Strategic Plan, the Commission shall pay an initial prefinancing amount to the Member State for the entire duration of the CAP Strategic Plan. This initial pre-financing amount shall be paid in instalments as follows:	1. Following its decision to approve the CAP Strategic Plan, the Commission shall pay an initial prefinancing amount to the Member State for the entire duration of the CAP Strategic Plan. This initial pre-financing amount shall be paid in instalments as follows:		1. Following its decision to approve the CAP Strategic Plan, the Commission shall pay an initial prefinancing amount to the Member State for the entire duration of the CAP Strategic Plan. This initial pre-financing amount shall be paid in instalments as follows: Financial management
Article 29(1), first subparagraph, point(a)				
320	(a) in 2021: 1 % of the amount of support from the EAFRD for the entire duration of the CAP Strategic Plan;	(a) in 2021: ~~1~~ ⁵ % of the amount of support from the EAFRD for the entire duration of the CAP Strategic Plan; Financial management	(a) in ~~2021~~ ²⁰²³ : 1 % of the amount of support from the EAFRD for the entire duration of the CAP Strategic Plan;	(a) in 2023: 1 % of the amount of support from the EAFRD for the entire duration of the CAP Strategic Plan; Text Origin: Council Mandate
Article 29(1), first subparagraph, point(b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
321	(b) in 2022: 1 % of the amount of support from the EAFRD for the entire duration of the CAP Strategic Plan;	(b) in 2022: ~~1~~ ^{1.5} % of the amount of support from the EAFRD for the entire duration of the CAP Strategic Plan; Financial management	(b) in ~~2022~~ 2024 : 1 % of the amount of support from the EAFRD for the entire duration of the CAP Strategic Plan;	(b) in 2024: 1 % of the amount of support from the EAFRD for the entire duration of the CAP Strategic Plan; Text Origin: Council Mandate
Article 29(1), first subparagraph, point(c)				
322	(c) in 2023: 1 % of the amount of support from the EAFRD for the entire duration of the CAP Strategic Plan.	(c) in 2023: 1 % of the amount of support from the EAFRD for the entire duration of the CAP Strategic Plan.	(c) in ~~2023~~ 2025 : 1 % of the amount of support from the EAFRD for the entire duration of the CAP Strategic Plan.	(c) in 2025: 1 % of the amount of support from the EAFRD for the entire duration of the CAP Strategic Plan. Financial management Text Origin: Council Mandate
Article 29(1), second subparagraph				
323	If a CAP Strategic Plan is adopted in 2022 or later, the earlier instalments shall be paid without delay following such adoption.	If a CAP Strategic Plan is adopted in 2022 or later, the earlier instalments shall be paid without delay following such adoption.	If a CAP Strategic Plan is adopted in ~~2022~~ 2024 or later, the earlier instalments shall be paid without delay following such adoption.	If a CAP Strategic Plan is adopted in 2024 or later, the earlier instalments shall be paid without delay following such adoption.
Article 29(2)				
324	2. The total amount paid as prefinancing shall be reimbursed to the Commission if no expenditure	2. The total amount paid as prefinancing shall be reimbursed to the Commission if no expenditure		2. The total amount paid as prefinancing shall be reimbursed to the Commission if no expenditure

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	is effected and no declaration of expenditure for the CAP Strategic Plan is sent within 24 months of the date on which the Commission pays the first instalment of the prefinancing amount. This prefinancing shall be offset against the earliest expenditure declared for the CAP Strategic Plan.	is effected and no declaration of expenditure for the CAP Strategic Plan is sent within 24 months of the date on which the Commission pays the first instalment of the prefinancing amount. This prefinancing shall be offset against the earliest expenditure declared for the CAP Strategic Plan.		is effected and no declaration of expenditure for the CAP Strategic Plan is sent within 24 months of the date on which the Commission pays the first instalment of the prefinancing amount. This prefinancing shall be offset against the earliest expenditure declared for the CAP Strategic Plan. Text Origin: Commission Proposal
Article 29(3)				
325	3. No additional prefinancing shall be paid or recovered where a transfer to or from the EAFRD has taken place in accordance with Article 90 of Regulation (EU) .../... [CAP Strategic Plan Regulation].	3. ~~No~~ Additional prefinancing ~~shall~~ <u>may</u> be paid or recovered where a transfer to or from the EAFRD has taken place in accordance with Article 90 of Regulation (EU) .../... [CAP Strategic Plan Regulation]. Financial management		3. EP to withdraw AM
Article 29(4)				
326	4. Interest generated on the prefinancing shall be used for the CAP Strategic Plan concerned and deducted from the amount of public expenditure indicated on the	4. Interest generated on the prefinancing shall be used for the CAP Strategic Plan <u>or the Regional Intervention Programme</u> concerned and deducted from the		4. Interest generated on the prefinancing shall be used for the CAP Strategic Plan concerned and deducted from the amount of public expenditure indicated on the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	final declaration of expenditure.	amount of public expenditure indicated on the final declaration of expenditure. Financial management		final declaration of expenditure. Text Origin: Commission Proposal
Article 29(5)				
327	5. The total prefinancing amount shall be cleared in accordance with the procedure referred to in Article 51 before the CAP Strategic Plan is closed.	5. The total prefinancing amount shall be cleared in accordance with the procedure referred to in Article 51 before the CAP Strategic Plan is closed.		5. The total prefinancing amount shall be cleared in accordance with the procedure referred to in Article 51 before the CAP Strategic Plan is closed. Text Origin: Commission Proposal
Article 30				
328	Article 30 Interim payments	Article 30 Interim payments Financial management		Article 30 Interim payments Text Origin: Commission Proposal
Article 30(1)				
329	1. Interim payments shall be made for each CAP Strategic Plan. They shall be calculated by applying the contribution rate for each type of intervention to the public	1. Interim payments shall be made for each CAP Strategic Plan <u>or, where appropriate, for each Regional Intervention Programme</u> . They shall be		1. Interim payments shall be made for each CAP Strategic Plan. They shall be calculated by applying the contribution rate as referred to in Art. 85 of Regulation

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	expenditure effected pertaining to it as referred to in Article 85 of Regulation (EU) .../[CAP Strategic Plan Regulation].	calculated by applying the ~~contribution~~ <u>co-financing</u> rate for each type of intervention to the public expenditure effected pertaining to it as referred to in Article 85 of Regulation (EU) .../[CAP Strategic Plan Regulation]. Financial management		(EU).../[CAP Strategic Plan Regulation] to the public expenditure effected for each type of intervention excluding payments made from additional national financing as referred to in Article 103(5) of that Regulation. Text Origin: Commission Proposal
	Article 30(1) second subparagraph			
329a			Interim payments shall also include the amounts referred to in the third subparagraph of Article 86(3) of Regulation (EU) No.../[CAP Strategic Plan Regulation].	Interim payments shall also include the amounts referred to in the third subparagraph of Article 86(3) of Regulation (EU) No.../[CAP Strategic Plan Regulation]. Financial management Text Origin: Council Mandate
	Article 30(2)			
330	2. Subject to the availability of resources, the Commission shall, taking account of reductions or suspensions applied under Articles 37 to 40, make interim payments in order to reimburse the expenditure effected by accredited paying	2. Subject to the availability of resources, the Commission shall, taking account of reductions or suspensions applied under Articles 37 to 40, make interim payments in order to reimburse the expenditure effected by accredited paying		2. Subject to the availability of resources, the Commission shall, taking account of reductions or suspensions applied under Articles 37 to 40, make interim payments in order to reimburse the expenditure effected by accredited paying

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	agencies in implementing the CAP Strategic Plans.	agencies in implementing the CAP Strategic Plans.		agencies in implementing the CAP Strategic Plans. Text Origin: Commission Proposal
Article 30(3)				
331	3. Where financial instruments are implemented in accordance with Article 52 of Regulation (EU).../... [CPR], the declaration of expenditure shall include the total amounts disbursed or, in the case of guarantees, the amounts set aside as agreed in guarantee contracts, by the managing authority, to final recipients as referred to in points (a), (b) and (c) of [Article 74(5) of Regulation (EU) .../... CAP Strategic Plan – eligibility rules or financial instruments].	3. Where financial instruments are implemented in accordance with Article 52 of Regulation (EU).../... [CPR], the declaration of expenditure shall include the total amounts disbursed or, in the case of guarantees, the amounts set aside as agreed in guarantee contracts, by the managing authority, to final recipients as referred to in points (a), (b) and (c) of [Article 74(5) of Regulation (EU) .../... CAP Strategic Plan – eligibility rules or financial instruments].	3. Where financial instruments are implemented in accordance with Article ~~52~~ 53(1) of Regulation (EU).../... [CPR], the declaration of expenditure shall include the total amounts disbursed or, in the case of guarantees, the amounts set aside as agreed in guarantee contracts, by the managing authority, to final recipients as referred to in points (a), (b) and (c) of [Article 74(5) of Regulation (EU) .../... CAP Strategic Plan – eligibility rules or financial instruments].	3. Where financial instruments are implemented in accordance with Article 53(1) of Regulation (EU).../... [CPR], the declaration of expenditure shall include the total amounts disbursed or, in the case of guarantees, the amounts set aside for guarantee contracts, by the managing authority, to final recipients as referred to in points (a), (b) and (c) of [Article 74(5) of Regulation (EU) .../... CAP Strategic Plan – eligibility rules or financial instruments]. Financial management
Article 30(4), introductory part				
332	4. Where financial instruments are implemented in accordance with Article 52 of Regulation (EU).../... [CPR], declarations of expenditures that include	4. Where financial instruments are implemented in accordance with Article 52 of Regulation (EU).../... [CPR], declarations of expenditures that include	4. Where financial instruments are implemented in accordance with Article ~~52~~ 53(2) of Regulation (EU).../... [CPR], declarations of expenditures that include	4. Where financial instruments are implemented in accordance with Article 53(2) of Regulation (EU).../... [CPR], declarations of expenditures that include

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	expenditure for financial instruments shall be submitted in accordance with the following conditions:	expenditure for financial instruments shall be submitted in accordance with the following conditions:	expenditure for financial instruments shall be submitted in accordance with the following conditions:	expenditure for financial instruments shall be submitted in accordance with the following conditions: Financial management Text Origin: Council Mandate
Article 30(4), point (a)				
333	(a) the amount included in the first declaration of expenditure shall need to have been previously paid to the financial instrument and may be up to 25% of the total amount of the CAP Strategic Plan contribution committed to the financial instruments under the relevant funding agreement;	(a) the amount included in the first declaration of expenditure shall need to have been previously paid to the financial instrument and may be up to 25% of the total amount of the CAP Strategic Plan ~~contribution~~ co-financing committed to the financial instruments under the relevant funding agreement; Financial management		(a) the amount included in the first declaration of expenditure shall need to have been previously paid to the financial instrument and may be up to 30% of the total amount of the eligible public expenditure committed to the financial instruments under the relevant funding agreement;
Article 30(4), point (b)				
334	(b) the amount included in subsequent declarations of expenditures submitted during the eligibility period as defined in Article 80(3) of Regulation (EU) .../... [CAP Strategic Plan	(b) the amount included in subsequent declarations of expenditures submitted during the eligibility period as defined in Article 80(3) of Regulation (EU) .../... [CAP Strategic Plan		(b) the amount included in subsequent declarations of expenditures submitted during the eligibility period as defined in Article 80(3) of Regulation (EU) .../... [CAP Strategic Plan

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation] shall include the eligible expenditure as referred to in [Article 74(5) CAP plan – eligibility rules or financial instruments].	Regulation] shall include the eligible expenditure as referred to in [Article 74(5) CAP plan – eligibility rules or financial instruments].		Regulation] shall include the eligible expenditure as referred to in [Article 74(5) CAP plan – eligibility rules or financial instruments]. Text Origin: Commission Proposal
Article 30(5)				
335	5. The amount included in the first declaration of expenditure, referred to in point (a) of paragraph 4, shall be cleared from Commission accounts no later than in the annual accounts for the last execution year for the relevant CAP Strategic Plan.	5. The amount included in the first declaration of expenditure, referred to in point (a) of paragraph 4, shall be cleared from Commission accounts no later than in the annual accounts for the last execution year for the relevant CAP Strategic Plan. Performance Financial management	5. Amounts paid in accordance with point (a) of paragraph 4 shall be considered advances for the purpose of the last paragraph of Article 35. The amount included in the first declaration of expenditure, referred to in point (a) of paragraph 4, shall be cleared from Commission accounts no later than in the annual accounts for the last execution year for the relevant CAP Strategic Plan.	5. Amounts paid in accordance with point (a) of paragraph 4 shall be considered advances for the purpose of the last paragraph of Article 35. The amount included in the first declaration of expenditure, referred to in point (a) of paragraph 4, shall be cleared from Commission accounts no later than in the annual accounts for the last execution year for the relevant CAP Strategic Plan. Text Origin: Council Mandate
Article 30(6), introductory part				
336	6. Each interim payment shall be made by the Commission, subject to compliance with the following requirements:	6. Each interim payment shall be made by the Commission, subject to compliance with the following requirements:		6. Each interim payment shall be made by the Commission, subject to compliance with the following requirements:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Commission Proposal
	Article 30(6), point (a)			
G 337	(a) transmission to the Commission of a declaration of expenditure signed by the accredited paying agency, in accordance with Article 88(1)(c);	(a) transmission to the Commission of a declaration of expenditure signed by the accredited paying agency, in accordance with Article 88(1)(c);		(a) transmission to the Commission of a declaration of expenditure signed by the accredited paying agency, in accordance with Article 88(1)(c); Text Origin: Commission Proposal
	Article 30(6), point (b)			
G 338	(b) no overrun of the total EAFRD contribution to each type of intervention for the entire period covered by the CAP Strategic Plan concerned;	(b) no overrun of the total EAFRD contribution to each type of intervention for the entire period covered by the CAP Strategic Plan concerned;		(b) no overrun of the total EAFRD contribution to each type of intervention for the entire period covered by the CAP Strategic Plan concerned; Text Origin: Commission Proposal
	Article 30(6), point (c)			
G 339	(c) transmission to the Commission of the documents to be submitted, as referred to in Articles 8(3) and 11(1) ;	(c) transmission to the Commission of the documents to be submitted, as referred to in Articles 8(3) and 11(1) ;		(c) transmission to the Commission of the documents to be submitted, as referred to in Articles 8(3) and 11(1) ; Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Article 30(6), point (d)				
340	(d) transmission of annual accounts.	(d) transmission of annual accounts.		(d) transmission of annual accounts. Text Origin: Commission Proposal
Article 30(7)				
341	7. If one of the requirements laid down in paragraph 6 is not met, the Commission shall forthwith inform the accredited paying agency or the coordinating body, where one has been appointed. If one of the requirements laid down in point (a), (c) or (d) of paragraph 6 is not fulfilled, the declaration of expenditure shall be deemed inadmissible.	7. If one of the requirements laid down in paragraph 6 is not met, the Commission shall forthwith inform the accredited paying agency or the coordinating body, where one has been appointed. If one of the requirements laid down in point (a), (c) or (d) of paragraph 6 is not fulfilled, the declaration of expenditure shall be deemed inadmissible.		7. If one of the requirements laid down in paragraph 6 is not met, the Commission shall forthwith inform the accredited paying agency or the coordinating body, where one has been appointed. If one of the requirements laid down in point (a), (c) or (d) of paragraph 6 is not fulfilled, the declaration of expenditure shall be deemed inadmissible. Text Origin: Commission Proposal
Article 30(8)				
342	8. Without prejudice to Articles 51, 52 and 53, the Commission shall make interim payments	8. Without prejudice to Articles 51, 52 and 53, the Commission shall make interim payments		8. Without prejudice to Articles 51, 52 and 53, the Commission shall make interim payments

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	within 45 days of registering a declaration of expenditure which meets the requirements laid down in paragraph 6 of this Article.	within 45 days of registering a declaration of expenditure which meets the requirements laid down in paragraph 6 of this Article.		within 45 days of registering a declaration of expenditure which meets the requirements laid down in paragraph 6 of this Article. Text Origin: Commission Proposal
Article 30(9), first subparagraph				
343	9. Accredited paying agencies shall establish interim declarations of expenditure relating to CAP Strategic Plans and forward these to the Commission, either directly or via the intermediary of the coordinating body, where one has been appointed, within periods to be set by the Commission.	9. Accredited paying agencies shall establish interim declarations of expenditure relating to CAP Strategic Plans and forward these to the Commission, either directly or via the intermediary of the coordinating body, where one has been appointed, within periods to be set by the Commission.		9. Accredited paying agencies shall establish interim declarations of expenditure relating to CAP Strategic Plans and forward these to the Commission, either directly or via the intermediary of the coordinating body, where one has been appointed, within periods to be set by the Commission. Text Origin: Commission Proposal
Article 30(9), second subparagraph				
344	The Commission shall adopt implementing acts laying down the periods for accredited paying agencies to establish and forward those intermediate declarations of expenditure. Those implementing acts shall be adopted in accordance with the examination procedure	The Commission shall adopt implementing acts laying down the periods for accredited paying agencies to establish and forward those intermediate declarations of expenditure. Those implementing acts shall be adopted in accordance with the examination procedure		The Commission shall adopt implementing acts laying down the periods for accredited paying agencies to establish and forward those intermediate declarations of expenditure. Those implementing acts shall be adopted in accordance with the examination procedure

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	referred to in Article 101(3).	referred to in Article 101(3).		referred to in Article 101(3). Text Origin: Commission Proposal
Article 30(9), third subparagraph				
345	Declarations of expenditure shall cover expenditure that the paying agencies have effected during each of the periods concerned. However, in cases in which expenditure referred to in Article 107(8) of Regulation (EU) No.../... [CAP Strategic Plan Regulation] cannot be declared to the Commission in the period concerned due to pending approval by the Commission of an amendment to the CAP Strategic Plan, it may be declared in subsequent periods.	Declarations of expenditure shall cover expenditure that the paying agencies have effected during each of the periods concerned. However, in cases in which expenditure referred to in Article 107(8) of Regulation (EU) No.../... [CAP Strategic Plan Regulation] cannot be declared to the Commission in the period concerned due to pending approval by the Commission of an amendment to the CAP Strategic Plan, it may be declared in subsequent periods.	Declarations of expenditure shall cover expenditure that the paying agencies have effected during each of the periods concerned. They shall also cover the amounts referred to in the third subparagraph of Article 86(3) of Regulation (EU) No.../... [CAP Strategic Plan Regulation]. However, in cases in which expenditure referred to in Article ~~107(8)~~ 80(2) of Regulation (EU) No.../... [CAP Strategic Plan Regulation] cannot be declared to the Commission in the period concerned, due to ~~the~~ pending approval by the Commission of an amendment to the CAP Strategic Plan as referred to in Article 107(9) of Regulation (EU) No.../... [CAP Strategic Plan Regulation] , ~~this expenditure~~ it may be declared in subsequent periods.	Declarations of expenditure shall cover expenditure that the paying agencies have effected during each of the periods concerned. They shall also cover the amounts referred to in the third subparagraph of Article 86(3) of Regulation (EU) No.../... [CAP Strategic Plan Regulation]. However, in cases in which expenditure referred to in Article 80(2) of Regulation (EU) No.../... [CAP Strategic Plan Regulation] cannot be declared to the Commission in the period concerned, due to the pending approval by the Commission of an amendment to the CAP Strategic Plan as referred to in Article 107(9) of Regulation (EU) No.../... [CAP Strategic Plan Regulation], this expenditure may be declared in subsequent periods. Financial management

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 30(9), fourth subparagraph				
346	Interim declarations of expenditure in respect of expenditure effected from 16 October onwards shall be booked to the following year's budget.	Interim declarations of expenditure in respect of expenditure effected from 16 October onwards shall be booked to the following year's budget.		Interim declarations of expenditure in respect of expenditure effected from 16 October onwards shall be booked to the following year's budget. Text Origin: Commission Proposal
Article 30(10), first subparagraph				
347	10. Where the authorising officer by sub-delegation requires further verification, owing to incomplete or unclear information provided or arising from disagreement, differences of interpretation or any other inconsistency relating to a declaration of expenditure for a reference period, arising in particular from a failure to communicate the information required under Regulation (EU) .../... [CAP Strategic Plan Regulation] and Commission acts adopted under that Regulation, the Member State concerned shall, upon request by the authorising officer by sub-delegation, provide additional information within a period set in that request according	10. Where the authorising officer by sub-delegation requires further verification, owing to incomplete or unclear information provided or arising from disagreement, differences of interpretation or any other inconsistency relating to a declaration of expenditure for a reference period, arising in particular from a failure to communicate the information required under Regulation (EU) .../... [CAP Strategic Plan Regulation] and Commission acts adopted under that Regulation, the Member State concerned shall, upon request by the authorising officer by sub-delegation, provide additional information within a period set in that request according		10. Where the authorising officer by sub-delegation requires further verification, owing to incomplete or unclear information provided or arising from disagreement, differences of interpretation or any other inconsistency relating to a declaration of expenditure for a reference period, arising in particular from a failure to communicate the information required under Regulation (EU) .../... [CAP Strategic Plan Regulation] and Commission acts adopted under that Regulation, the Member State concerned shall, upon request by the authorising officer by sub-delegation, provide additional information within a period set in that request according

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to the seriousness of the problem.	to the seriousness of the problem.		to the seriousness of the problem. Text Origin: Commission Proposal
Article 30(10), second subparagraph				
348	The time limit for interim payments laid down in paragraph 8 may be interrupted for all or part of the amount for which payment is claimed, for a maximum period of six months, from the date on which the request for information is sent and until receipt of the information requested which is deemed satisfactory. The Member State may agree to extend the interruption period for a further three months.	The time limit for interim payments laid down in paragraph 8 may be interrupted for all or part of the amount for which payment is claimed, for a maximum period of six months, from the date on which the request for information is sent and until receipt of the information requested which is deemed satisfactory. The Member State may agree to extend the interruption period for a further three months.		The time limit for interim payments laid down in paragraph 8 may be interrupted for all or part of the amount for which payment is claimed, for a maximum period of six months, from the date on which the request for information is sent and until receipt of the information requested which is deemed satisfactory. The Member State may agree to extend the interruption period for a further three months. Text Origin: Commission Proposal
Article 30(10), third subparagraph				
349	Where the Member State concerned fails to respond to the request for additional information within the period set in that request or where the response is considered unsatisfactory or indicates that the applicable rules have not been	Where the Member State concerned fails to respond to the request for additional information within the period set in that request or where the response is considered unsatisfactory or indicates that the applicable rules have not been		Where the Member State concerned fails to respond to the request for additional information within the period set in that request or where the response is considered unsatisfactory or indicates that the applicable rules have not been

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	complied with or that Union Funds have been improperly used, the Commission may suspend or reduce payments in accordance with Articles 37 to 40 of this Regulation.	complied with or that Union Funds have been improperly used, the Commission may suspend or reduce payments in accordance with Articles 37 to 40 of this Regulation.		complied with or that Union Funds have been improperly used, the Commission may suspend or reduce payments in accordance with Articles 37 to 40 of this Regulation. Text Origin: Commission Proposal
Article 31				
350	Article 31 Payment of the balance and closure of the rural development interventions in the CAP Strategic Plan	Article 31 Payment of the balance and closure of the rural development interventions in the CAP Strategic Plan Financial management Performance		Article 31 Payment of the balance and closure of the rural development interventions in the CAP Strategic Plan Text Origin: Commission Proposal
Article 31(1)				
351	1. After receiving the last annual performance report on the implementation of a CAP Strategic Plan, the Commission shall pay the balance, subject to the availability of resources, on the basis of the financial plan in force at the level of the types of EAFRD interventions, the annual accounts for the last execution year for the	1. After receiving the last annual ~~performance~~ <u>clearance</u> report on the implementation of a CAP Strategic Plan, the Commission shall pay the balance, ~~subject to the availability of resources~~, on the basis of the financial plan in force at the level of the types of EAFRD interventions, the annual accounts for the last execution year for the		1. After receiving the last annual performance report on the implementation of a CAP Strategic Plan, the Commission shall pay the balance, subject to the availability of resources, on the basis of the financial plan in force at the level of the types of EAFRD interventions, the annual accounts for the last execution year for the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	relevant CAP Strategic Plan and of the corresponding clearance decisions. Those accounts shall be presented to the Commission no later than six months after the final eligibility date of expenditure provided for in Article 80(3) of Regulation (EU) No.../...[CAP Strategic Plan Regulation] and shall cover the expenditure effected by the paying agency up to the last eligibility date of expenditure.	relevant CAP Strategic Plan and of the corresponding clearance decisions. Those accounts shall be presented to the Commission no later than six months after the final eligibility date of expenditure provided for in Article 80(3) of Regulation (EU) No.../...[CAP Strategic Plan Regulation] and shall cover the expenditure effected by the paying agency up to the last eligibility date of expenditure. Performance		relevant CAP Strategic Plan and of the corresponding clearance decisions. Those accounts shall be presented to the Commission no later than six months after the final eligibility date of expenditure provided for in Article 80(3) of Regulation (EU) No.../...[CAP Strategic Plan Regulation] and shall cover the expenditure effected by the paying agency up to the last eligibility date of expenditure. Performance Text Origin: Commission Proposal
Article 31(2)				
352	2. The balance shall be paid no later than six months from the date on which the information and documents referred to in paragraph 1 are considered to be admissible by the Commission and the last annual account has been cleared. Without prejudice to Article 32(5), the amounts still committed after the balance is paid shall be decommitted by the Commission within a period of six months.	2. The balance shall be paid no later than six months from the date on which the information and documents referred to in paragraph 1 are considered to be admissible by the Commission and the last annual account has been cleared. Without prejudice to Article 32(5), the amounts still committed after the balance is paid shall be decommitted by the Commission within a period of six months.		2. The balance shall be paid no later than six months from the date on which the information and documents referred to in paragraph 1 are considered to be admissible by the Commission and the last annual account has been cleared. Without prejudice to Article 32(5), the amounts still committed after the balance is paid shall be decommitted by the Commission within a period of six months. Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Performance		Proposal
Article 31(3)				
G	353	3. If, by the time limit set out in paragraph 1, the Commission has not received the last annual performance report and the documents needed for clearance of the accounts of the last execution year of the Plan, the balance shall be automatically decommitted in accordance with Article 32.	3. If, by the time limit set out in paragraph 1, the Commission has not received the last annual ~~performance~~clearance report and the documents needed for clearance of the accounts of the last execution year of the Plan, the balance shall be automatically decommitted in accordance with Article 32. Performance	3. If, by the time limit set out in paragraph 1, the Commission has not received the last annual performance report and the documents needed for clearance of the accounts of the last execution year of the Plan, the balance shall be automatically decommitted in accordance with Article 32. Performance Text Origin: Commission Proposal
Article 32				
G	354	Article 32 Automatic decommitment for CAP Strategic Plans	Article 32 Automatic decommitment for CAP Strategic Plans	Article 32 Automatic decommitment for CAP Strategic Plans Financial management Text Origin: Commission Proposal
Article 32(1)				
G	355			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. The Commission shall automatically decommit any portion of a budget commitment for rural development interventions in a CAP Strategic Plan that has not been used for the purposes of prefinancing or for making interim payments or for which no declaration of expenditure fulfilling the requirements laid down in Article 30(3) has been presented to it in relation to expenditure effected by 31 December of the second year following that of the budget commitment.	1. The Commission shall automatically decommit any portion of a budget commitment for rural development interventions in a CAP Strategic Plan that has not been used for the purposes of prefinancing or for making interim payments or for which no declaration of expenditure fulfilling the requirements laid down in Article 30(3) has been presented to it in relation to expenditure effected by 31 December of the ~~second~~ ^{third} year following that of the budget commitment.	1. The Commission shall automatically decommit any portion of a budget commitment for rural development interventions in a CAP Strategic Plan that has not been used for the purposes of prefinancing or for making interim payments or for which no declaration of expenditure fulfilling the requirements laid down in Article ~~30(3)~~ ^{30(6)(a) and (c)} has been presented to it in relation to expenditure effected by 31 December of the second year following that of the budget commitment.	1. The Commission shall automatically decommit any portion of a budget commitment for rural development interventions in a CAP Strategic Plan that has not been used for the purposes of prefinancing or for making interim payments or for which no declaration of expenditure fulfilling the requirements laid down in Article 30(6)(a) and (c) has been presented to it in relation to expenditure effected by 31 December of the second year following that of the budget commitment. Financial management
Article 32(2)				
356	2. The part of budget commitments that is still open on the last eligibility date for expenditure as referred to in Article 80(3) of Regulation (EU) .../[CAP Strategic Plan Regulation] or which no declaration of expenditure has been made within six months of that date shall be automatically decommitted.	2. The part of budget commitments that is still open on the last eligibility date for expenditure as referred to in Article 80(3) of Regulation (EU) .../[CAP Strategic Plan Regulation] or which no declaration of expenditure has been made within six months of that date shall be automatically decommitted.	2. The part of budget commitments that is still open on the last eligibility date for expenditure as referred to in Article 80(3) of Regulation (EU) .../[CAP Strategic Plan Regulation] ~~or for~~ which no declaration of expenditure has been made within six months of that date shall be automatically decommitted.	2. The part of budget commitments that is still open on the last eligibility date for expenditure as referred to in Article 80(3) of Regulation (EU) .../[CAP Strategic Plan Regulation] for which no declaration of expenditure has been made within six months of that date shall be automatically decommitted.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Financial management Text Origin: Council Mandate
Article 32(3)				
G 357	3. In the event of legal proceedings or of an administrative appeal having suspensory effect, the period for automatic decommitment referred to in paragraph 1 or 2 shall, in respect of the amount relating to the operations concerned, be interrupted for the duration of those proceedings or that administrative appeal, provided that the Commission receives a substantiated notification from the Member State by 31 January of year N + 3.	3. In the event of legal proceedings or of an administrative appeal having suspensory effect, the period for automatic decommitment referred to in paragraph 1 or 2 shall, in respect of the amount relating to the operations concerned, be interrupted for the duration of those proceedings or that administrative appeal, provided that the Commission receives a substantiated notification from the Member State by 31 January of year N + ~~3~~ ⁴ .		3. In the event of legal proceedings or of an administrative appeal having suspensory effect, the period for automatic decommitment referred to in paragraph 1 or 2 shall, in respect of the amount relating to the operations concerned, be interrupted for the duration of those proceedings or that administrative appeal, provided that the Commission receives a substantiated notification from the Member State by 31 January of year N + 3. Financial management
Article 32(4), first subparagraph, introductory part				
G 358	4. The following shall be disregarded in calculating the automatic decommitment:	4. The following shall be disregarded in calculating the automatic decommitment:		4. The following shall be disregarded in calculating the automatic decommitment: Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 32(4), first subparagraph, point (a)			
G 359	(a) that part of the budget commitments for which a declaration of expenditure has been made but for which reimbursement has been reduced or suspended by the Commission at 31 December of year N + 2;	(a) that part of the budget commitments for which a declaration of expenditure has been made but for which reimbursement has been reduced or suspended by the Commission at 31 December of year N + ~~2~~ ³ ;		(a) that part of the budget commitments for which a declaration of expenditure has been made but for which reimbursement has been reduced or suspended by the Commission at 31 December of year N + 2; Financial management
	Article 32(4), first subparagraph, point(b)			
G 360	(b) that part of the budget commitments which a paying agency has been unable to disburse for reasons of force majeure seriously affecting the implementation of the CAP Strategic Plan. National authorities claiming force majeure shall demonstrate the direct consequences on the implementation of all or part of the CAP Strategic Plan.	(b) that part of the budget commitments which a paying agency has been unable to disburse for reasons of force majeure seriously affecting the implementation of the CAP Strategic Plan. National authorities claiming force majeure shall demonstrate the direct consequences on the implementation of all or part of the CAP Strategic Plan.	(b) that part of the budget commitments which a paying agency has been unable to disburse for reasons of force majeure seriously affecting the implementation of the CAP Strategic Plan. National authorities claiming force majeure shall demonstrate the direct consequences on the implementation of all or part of the rural development interventions in the CAP Strategic Plan.	(b) that part of the budget commitments which a paying agency has been unable to disburse for reasons of force majeure seriously affecting the implementation of the CAP Strategic Plan. National authorities claiming force majeure shall demonstrate the direct consequences on the implementation of all or part of the rural development interventions in the CAP Strategic Plan. Financial management Text Origin: Council Mandate
	Article 32(4), second subparagraph			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
361	By 31 January, the Member State shall send to the Commission information on the exceptions referred to in the first subparagraph concerning the amounts declared by the end of the preceding year.	By 31 January, the Member State shall send to the Commission information on the exceptions referred to in the first subparagraph concerning the amounts declared by the end of the preceding year.		By 31 January, the Member State shall send to the Commission information on the exceptions referred to in the first subparagraph concerning the amounts declared by the end of the preceding year. Text Origin: Commission Proposal
Article 32(5)				
362	5. The Commission shall inform Member States in good time if there is a risk of automatic decommitment. It shall inform them of the amount involved as indicated by the information in its possession. The Member States shall have two months from receiving this information to agree to the amount in question or present observations. The Commission shall carry out the automatic decommitment not later than nine months after the last time-limit resulting from the application of paragraphs 1, 2 and 3.	5. The Commission shall inform Member States in good time if there is a risk of automatic decommitment. It shall inform them of the amount involved as indicated by the information in its possession. The Member States shall have two months from receiving this information to agree to the amount in question or present observations. The Commission shall carry out the automatic decommitment not later than nine months after the last time-limit resulting from the application of paragraphs 1, 2 and 3.		5. The Commission shall inform Member States in good time if there is a risk of automatic decommitment. It shall inform them of the amount involved as indicated by the information in its possession. The Member States shall have two months from receiving this information to agree to the amount in question or present observations. The Commission shall carry out the automatic decommitment not later than nine months after the last time-limit resulting from the application of paragraphs 1, 2 and 3. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 32(6)			
363	6. In the event of automatic decommitment, the EAFRD contribution to the CAP Strategic Plan concerned shall be reduced, for the year in question, by the amount automatically decommitted. The Member State shall produce a revised financing plan splitting the reduction of the aid between the types of interventions for approval by the Commission. If it does not do so, the Commission shall reduce the amounts allocated to each type of intervention pro rata.	6. In the event of automatic decommitment, the EAFRD contribution to the CAP Strategic Plan concerned shall be reduced, for the year in question, by the amount automatically decommitted. The Member State shall produce a revised financing plan splitting the reduction of the aid between the types of interventions for approval by the Commission. If it does not do so, the Commission shall reduce the amounts allocated to each type of intervention pro rata.		6. In the event of automatic decommitment, the EAFRD contribution to the CAP Strategic Plan concerned shall be reduced, for the year in question, by the amount automatically decommitted. The Member State shall produce a revised financing plan splitting the reduction of the aid between the types of interventions for approval by the Commission. If it does not do so, the Commission shall reduce the amounts allocated to each type of intervention pro rata. Text Origin: Commission Proposal
	CHAPTER III			
364	CHAPTER III Common provisions	CHAPTER III Common provisions		CHAPTER III Common provisions Text Origin: Commission Proposal
	Article 33			
365	Article 33 Agricultural financial year	Article 33 Agricultural financial year		Article 33 Agricultural financial year

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Financial management Text Origin: Commission Proposal
Article 33, first paragraph				
366	Without prejudice to special provisions on declarations of expenditure and revenue relating to public intervention laid down by the Commission pursuant to point (a) of the first subparagraph of Article 45(3), the agricultural financial year shall cover expenditure paid and revenue received and entered in the accounts of the Funds' budget by the paying agencies in respect of financial year "N" beginning on 16 October of year "N-1" and ending on 15 October of year "N".	Without prejudice to special provisions on declarations of expenditure and revenue relating to public intervention laid down by the Commission pursuant to point (a) of the first subparagraph of Article 45(3), the agricultural financial year shall cover expenditure paid and revenue received and entered in the accounts of the Funds' budget by the paying agencies in respect of financial year "N" beginning on 16 October of year "N-1" and ending on 15 October of year "N".		Without prejudice to special provisions on declarations of expenditure and revenue relating to public intervention laid down by the Commission pursuant to point (a) of the first subparagraph of Article 45(3), the agricultural financial year shall cover expenditure paid and revenue received and entered in the accounts of the Funds' budget by the paying agencies in respect of financial year "N" beginning on 16 October of year "N-1" and ending on 15 October of year "N". Text Origin: Commission Proposal
Article 34				
367	Article 34 No double funding	Article 34 No double funding Others		Article 34 No double funding Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Article 34, first paragraph				
368	Member States shall ensure that expenditure financed under the EAGF or the EAFRD shall not be the subject of any other financing under the Union's budget.	Member States shall ensure that expenditure financed under the EAGF or the EAFRD shall not be the subject of any other financing under the Union's budget. Others		Member States shall ensure that expenditure financed under the EAGF or the EAFRD shall not be the subject of any other financing under the Union's budget. Text Origin: Commission Proposal
Article 34, second paragraph, introductory part				
369	Under EAFRD, an operation may receive different forms of support from the CAP Strategic Plan and from other European Structural and Investments Funds (ESI) Funds or Union instruments only if the total cumulated aid amount granted under the different forms of support does not exceed the highest aid intensity or aid amount applicable to that type of intervention as referred to in Title III of Regulation (EU) No.../... (CAP Strategic Plan Regulation). In such cases Member States shall not declare expenditure to the Commission for:	Under EAFRD, an operation may receive different forms of support from the CAP Strategic Plan and from other European Structural and Investments Funds (ESI) Funds or Union instruments only if the total cumulated aid amount granted under the different forms of support does not exceed the highest aid intensity or aid amount applicable to that type of intervention as referred to in Title III of Regulation (EU) No.../... (CAP Strategic Plan Regulation). In such cases ~~Member States,~~ <u>expenditure</u> shall not ~~declare expenditure to the Commission~~	Under EAFRD, an operation may receive different forms of support from the CAP Strategic Plan and from other Funds as referred to in Article 1(1) of Regulation (EU) ~~European Structural and Investments Funds (ESI) Funds~~... [CPR] or Union instruments only if the total cumulated aid amount granted under the different forms of support does not exceed the highest aid intensity or aid amount applicable to that type of intervention as referred to in Title III of Regulation (EU) No.../... (CAP Strategic Plan Regulation).	Under EAFRD, an operation may receive different forms of support from the CAP Strategic Plan and from other Funds as referred to in Article 1(1) of Regulation (EU) .../... [CPR] or Union instruments only if the total cumulated aid amount granted under the different forms of support does not exceed the highest aid intensity or aid amount applicable to that type of intervention as referred to in Title III of Regulation (EU) No.../... (CAP Strategic Plan Regulation). In such cases Member States shall not declare the same expenditure to the Commission for:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		~~for:~~ <u>be declared for either of the following:</u> Others	In such cases Member States shall not declare the same expenditure to the Commission for:	Text Origin: Council Mandate
Article 34, second paragraph, point(a)				
370	(a) support from another ESI Fund or Union instrument; or	(a) support from another ESI Fund or Union instrument; or Others	(a) support from another Fund as referred to in Article 1(1) of Regulation (EU) .../... [CPR]-ESI Fund or Union instrument; or	(a) support from another Fund as referred to in Article 1(1) of Regulation (EU) .../... [CPR] or Union instrument; or Text Origin: Council Mandate
Article 34, second paragraph, point (b)				
371	(b) support from the same CAP Strategic Plan.	(b) support from the same CAP Strategic Plan. Others		(b) support from the same CAP Strategic Plan. Text Origin: Commission Proposal
Article 34, third paragraph				
372	The amount of expenditure to be entered into a declaration of expenditure may be calculated on a pro rata basis, in accordance with the document setting out the conditions for support.	The amount of expenditure to be entered into a declaration of expenditure may be calculated on a pro rata basis, in accordance with the document setting out the conditions for support. Others		The amount of expenditure to be entered into a declaration of expenditure may be calculated on a pro rata basis, in accordance with the document setting out the conditions for support. Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Article 35				
373	Article 35 Eligibility of expenditure incurred by the paying agencies	Article 35 Eligibility of expenditure incurred by the paying agencies Performance		Article 35 Eligibility of expenditure incurred by the paying agencies Text Origin: Commission Proposal
Article 35, first paragraph, introductory part				
374	The expenditure referred to in Article 5(2) and Article 6 may be financed by the Union only if:	The expenditure <u>for the measures laid down in Regulations (EU) No 1308/2013, (EU) No 228/2013, (EU) No 229/2013 and (EU) No 1144/2014</u> ~~referred to in Article 5(2) and Article 6~~ may be financed by the Union only if: Performance	The expenditure referred to in Article 5(2) and Article 6 may be financed by the Union only if it has been effected by accredited paying agencies and:	The expenditure referred to in Article 5(2) and Article 6 may be financed by the Union only if it has been effected by accredited paying agencies and: Text Origin: Council Mandate
Article 35, first paragraph, point(a)				
375	(a) it has been effected by accredited paying agencies,	(a) it has been effected by accredited paying agencies ~~;~~ <u>and</u> Performance	<i>deleted</i>	(a) [covered by Line 374. No text needed here]
Article 35, first paragraph, point(b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
376	(b) it has been effected in accordance with the applicable Union rules, or	(b) it has been effected in accordance with the applicable Union rules, ~~or~~ Performance	~~(b)~~ (a) it has been effected in accordance with the applicable Union rules, or	(a) it has been effected in accordance with the applicable Union rules, or Text Origin: Council Mandate
Article 35, first paragraph, point(c), introductory part				
377	(c) as regards types of interventions referred to in Regulation (EU) .../... [CAP Strategic Plan Regulation],	(c) ~~as regards types of interventions referred to in Regulation (EU) .../... [CAP Strategic Plan Regulation],~~ Performance	~~(c)~~ (b) as regards types of interventions referred to in Regulation (EU) .../... [CAP Strategic Plan Regulation],	(b) as regards types of interventions referred to in Regulation (EU) .../... [CAP Strategic Plan Regulation], Text Origin: Council Mandate
Article 35, first paragraph, point(c)(i)				
378	(i) it is matched by a corresponding reported output, and	(i) ~~it is matched by a corresponding reported output, and~~ Performance		(i) it is matched by a corresponding reported output, and Text Origin: Commission Proposal
Article 35, first paragraph, point(c)(ii)				
379	(ii) it has been effected in accordance with the applicable governance systems, not extending to the eligibility conditions for individual beneficiaries laid down	(ii) ~~it has been effected in accordance with the applicable governance systems, not extending to the eligibility conditions for individual beneficiaries laid down~~		(ii) it has been effected in accordance with the applicable governance systems, not extending to the eligibility conditions for individual beneficiaries laid down

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	in the national CAP Strategic Plans.	~~in the national CAP Strategic Plans.~~ Performance		in the national CAP Strategic Plans. Text Origin: Commission Proposal
Article 35, second paragraph				
380	Point (c)(i) of the first paragraph shall not apply to advances paid to beneficiaries under types of interventions referred to in Regulation (EU) No.../[CAP Strategic Plan Regulation].	~~Point (c)(i) of the first paragraph shall not apply to advances paid to beneficiaries under types of interventions referred to~~ <u>The expenditure for the measures laid down</u> in Regulation (EU) No.../[CAP Strategic Plan Regulation] ~~may be financed by the Union only if:~~ Performance	Point ~~(c)(i)~~ (b)(i) of the first paragraph shall not apply to advances paid to beneficiaries under types of interventions referred to in Regulation (EU) No.../[CAP Strategic Plan Regulation].	Point (b)(i) of the first paragraph shall not apply to advances paid to beneficiaries under types of interventions referred to in Regulation (EU) No.../[CAP Strategic Plan Regulation]. Text Origin: Council Mandate
Article 35, second paragraph, point (a)				
380a		<u>(a) it has been effected by accredited paying agencies;</u> Performance		(a) [no text needed here]
Article 35, second paragraph, point (b)				
380b		<u>(b) it has been effected in accordance with the applicable</u>		(b) [no text needed here]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>Union requirements; and</u> Performance		
Article 35, second paragraph, point (c)				
380c		<u>(c) it has been effected in accordance with the applicable governance systems, including Member States' obligations with regard to the effective protection of the financial interests of the Union referred to in Article 57 of this Regulation and the reporting system put in place for the purposes of the performance report referred to in Article 121 of Regulation (EU) .../... [CAP Strategic Plan Regulation].</u> Performance		(c) [no text needed here]
Article 36				
381	Article 36 Compliance with payment deadlines	Article 36 Compliance with payment deadlines Others		Article 36 Compliance with payment deadlines Text Origin: Commission Proposal
Article 36, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
382	Where payment deadlines are laid down by Union law, any payment made to the beneficiaries by the paying agencies before the earliest possible date of payment and after the latest possible date of payment shall render those payments ineligible for Union financing.	Where payment deadlines are laid down by Union law, any payment made to the beneficiaries by the paying agencies before the earliest possible date of payment and after the latest possible date of payment shall render those payments ineligible for Union financing. Others		Where payment deadlines are laid down by Union law, any payment made to the beneficiaries by the paying agencies before the earliest possible date of payment and after the latest possible date of payment shall render those payments ineligible for Union financing. Text Origin: Commission Proposal
Article 36, second paragraph				
383	The Commission is empowered to adopt delegated acts in accordance with Article 100, supplementing this Regulation with rules on the circumstances and conditions in which the payments referred to in the first paragraph of this Article may be deemed eligible, taking into account the principle of proportionality.	The Commission is empowered to adopt delegated acts in accordance with Article 100, supplementing this Regulation with rules on the circumstances and conditions in which the payments referred to in the first paragraph of this Article may be deemed eligible, taking into account the principle of proportionality. Others	The Commission is empowered to adopt delegated acts in accordance with Article 100 in order to make expenditure effected before the earliest possible date of payment or after the latest possible date of payment eligible for Union financing, while limiting the financial impact of doing so , supplementing this Regulation with rules on the circumstances and conditions in which the payments referred to in the first paragraph of this Article may be deemed eligible, taking into account the principle of proportionality.	[Framing of the empowerment will be done in the Recitals] The Commission is empowered to adopt delegated acts in accordance with Article 100, supplementing this Regulation with rules on the circumstances and conditions in which the payments referred to in the first paragraph of this Article may be deemed eligible, taking into account the principle of proportionality. Text Origin: Commission Proposal
Article 37				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
384	Article 37 Reduction of monthly and interim payments	Article 37 Reduction of monthly and interim payments		Article 37 Reduction of monthly and interim payments Financial management Text Origin: Commission Proposal
Article 37(1)				
385	1. Where the Commission establishes from declarations of expenditure or the information referred to in Article 88 that financial ceilings set by Union law have been exceeded, the Commission shall reduce the monthly or interim payments to the Member State in question in the framework of the implementing acts concerning the monthly payments referred to in Article 19(3) or in the framework of the interim payments referred to in Article 30.	1. Where the Commission establishes from declarations of expenditure or the information referred to in Article 88 that financial ceilings set by Union law have been exceeded, the Commission shall reduce the monthly or interim payments to the Member State in question in the framework of the implementing acts concerning the monthly payments referred to in Article 19(3) or in the framework of the interim payments referred to in Article 30. Financial management		1. Where the Commission establishes from declarations of expenditure or the information referred to in Article 88 that financial ceilings set by Union law have been exceeded, the Commission shall reduce the monthly or interim payments to the Member State in question in the framework of the implementing acts concerning the monthly payments referred to in Article 19(3) or in the framework of the interim payments referred to in Article 30. Text Origin: Commission Proposal
Article 37(2)				
386				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2. Where the Commission establishes from declarations of expenditure or the information referred to in Article 88 that the payment deadlines referred to in Article 36 have not been complied with, the Member State shall be afforded the opportunity to submit its comments within a period which shall not be less than 30 days. Where the Member State fails to submit its comments within the said period or where the Commission considers the response to be unsatisfactory, the Commission may reduce the monthly or interim payments to the Member State concerned in the framework of the implementing acts concerning the monthly payments referred to in Article 19(3) or in the framework of the interim payments referred to in Article 30.	2. Where the Commission establishes from declarations of expenditure or the information referred to in Article 88 that the payment deadlines referred to in Article 36 have not been complied with, the Member State shall be afforded the opportunity to submit its comments within a period which shall not be less than 30 days. Where the Member State fails to submit its comments within the said period or where the Commission <u>has concluded that the comments provided are manifestly insufficient</u> ~~considers the response to be unsatisfactory~~, the Commission may reduce the monthly or interim payments to the Member State concerned in the framework of the implementing acts concerning the monthly payments referred to in Article 19(3) or in the framework of the interim payments referred to in Article 30. <u>The Commission shall ensure that any reductions do not result in additional delays or difficulties for final beneficiaries in the Member State concerned.</u>		2. Where the Commission establishes from declarations of expenditure or the information referred to in Article 88 that the payment deadlines referred to in Article 36 have not been complied with, the Member State shall be afforded the opportunity to submit its comments within a period which shall not be less than 30 days. Where the Member State fails to submit its comments within the said period or where the Commission has concluded that the response provided is manifestly insufficient, the Commission may reduce the monthly or interim payments to the Member State concerned in the framework of the implementing acts concerning the monthly payments referred to in Article 19(3) or in the framework of the interim payments referred to in Article 30. Financial management Text Origin: EP Mandate
	Article 37(3)			
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	3. Reductions under this Article shall be without prejudice to Article 51.	3. Reductions under this Article shall be <u>applied in accordance with the principle of proportionality and</u> without prejudice to Article 51.		3. Reductions under this Article shall be without prejudice to Article 51. Financial management Text Origin: Commission Proposal
Article 37(4)				
388	4. The Commission may adopt implementing acts laying down further rules on the procedure and other practical arrangements for the proper functioning of the mechanism provided for in Article 36. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	4. The Commission may adopt implementing acts laying down further rules on the procedure and other practical arrangements for the proper functioning of the mechanism provided for in Article 36. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).		4. The Commission may adopt implementing acts laying down further rules on the procedure and other practical arrangements for the proper functioning of the mechanism provided for in Article 36. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Text Origin: Commission Proposal
Article 38				
389	Article 38 Suspension of payments in relation to the annual clearance	Article 38 Suspension of payments in relation to the annual clearance NDM		Article 38 Suspension of payments in relation to the annual clearance Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 38(1), first subparagraph				
390	1. Where Member States do not submit the documents referred to in Articles 8(3) and 11(1) by the deadlines, as provided for in Article 8(3), the Commission may adopt implementing acts suspending the total amount of the monthly payments referred to in Article 19(3). The Commission shall reimburse the suspended amounts when it receives the missing documents from the Member State concerned, provided that the date of receipt is not later than six months after the deadline.	1. Where Member States do not submit the documents <u>and data</u> referred to in Articles ~~8(3)~~ <u>8</u> and 11(1) ~~by~~ <u>within</u> the deadlines, as provided for in Article <u>8, and, where applicable, in Article 129(1) of Regulation (EU) .../... [CAP Strategic Plan Regulation]</u> ~~8(3)~~, the Commission ~~may~~ <u>shall</u> adopt implementing acts suspending the total amount of the monthly payments referred to in Article 19(3). The Commission shall reimburse the suspended amounts when it receives the missing documents from the Member State concerned, provided that the date of receipt is not later than six months after the deadline. Performance NDM	1. Where Member States do not submit the documents referred to in Articles 8(3) and 11(1) by the deadlines, as provided for in Article 8(3), the Commission may adopt implementing acts suspending the total amount of the monthly payments referred to in Article 19(3). The Commission shall reimburse the suspended amounts when it receives the missing documents from the Member State concerned, provided that the date of receipt is not later than six months after the deadline. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).	1. Where Member States do not submit the documents referred to in Articles 8(3) and 11(1) by the deadlines, as provided for in Article 8(3), the Commission may adopt implementing acts suspending the total amount of the monthly payments referred to in Article 19(3). The Commission shall reimburse the suspended amounts when it receives the missing documents from the Member State concerned, provided that the date of receipt is not later than six months after the deadline. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).
Article 38(1), second subparagraph				
391	As regards the interim payments referred to in Article 30, declarations of expenditure shall be deemed inadmissible in accordance with paragraph 6 of that Article.	As regards the interim payments referred to in Article 30, declarations of expenditure shall be deemed inadmissible in accordance with paragraph 6 of that Article.		As regards the interim payments referred to in Article 30, declarations of expenditure shall be deemed inadmissible in accordance with paragraph 6 of that Article.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		NDM Performance		
Article 38(2), first subparagraph				
392	2. Where, in the framework of the annual performance clearance referred to in Article 52, the Commission establishes that the difference between the expenditure declared and the amount corresponding to the relevant reported output is more than 50% and the Member State cannot provide duly justified reasons, the Commission may adopt implementing acts suspending the monthly payments referred to in Article 19(3) or the interim payments referred to in Article 30.	2. ~~Where, in the framework of the annual performance clearance referred to in Article 52, the Commission establishes that the difference between the expenditure declared and the amount corresponding to the relevant reported output is more than 50% and the Member State cannot provide duly justified reasons, the Commission may adopt implementing acts suspending the monthly payments referred to in Article 19(3) or the interim payments referred to in Article 30.~~ Performance NDM	2. Where, in the framework of the annual performance clearance referred to in Article 52, the Commission establishes that the difference between the expenditure declared and the amount corresponding to the relevant reported output is more than 50% and the Member State cannot provide duly justified reasons, the Commission may adopt implementing acts suspending the monthly payments referred to in Article 19(3) or the interim payments referred to in Article 30. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).	2. Where, in the framework of the annual performance clearance referred to in Article 52, the Commission establishes that the difference between the expenditure declared and the amount corresponding to the relevant reported output is more than 50% and the Member State cannot provide duly justified reasons, the Commission may adopt implementing acts suspending the monthly payments referred to in Article 19(3) or the interim payments referred to in Article 30. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).
Article 38(2), second subparagraph				
393	The suspension shall be applied to the relevant expenditure in respect of the interventions which have been subject to the reduction referred to in Article 52(2) and the amount to be suspended shall not	~~The suspension shall be applied to the relevant expenditure in respect of the interventions which have been subject to the reduction referred to in Article 52(2) and the amount to be suspended shall not~~	The suspension shall be applied to the relevant expenditure in respect of the interventions which have been subject to the reduction referred to in Article 52(2) and the amount to be suspended shall not	The suspension shall be applied to the relevant expenditure in respect of the interventions which have been subject to the reduction referred to in Article 52(2) and the amount to be suspended shall not

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	exceed the percentage corresponding to the reduction applied in accordance with Article 52(2). The amounts suspended shall be reimbursed by the Commission to the Member States or permanently reduced by means of the implementing act referred to in Article 52.	~~exceed the percentage corresponding to the reduction applied in accordance with Article 52(2). The amounts suspended shall be reimbursed by the Commission to the Member States or permanently reduced by means of the implementing act referred to in Article 52.~~ Performance NDM	exceed the percentage corresponding to the reduction applied in accordance with Article 52(2). The amounts suspended shall be reimbursed by the Commission to the Member States or permanently reduced at the latest by means of the implementing act referred to in Article 52 relating to the year for which the payments were suspended. However, if Member States demonstrate that the necessary corrective actions have been taken, the Commission may lift the suspension earlier in a separate implementing act.	exceed the percentage corresponding to the reduction applied in accordance with Article 52(2). The amounts suspended shall be reimbursed by the Commission to the Member States or permanently reduced at the latest by means of the implementing act referred to in Article 52 relating to the year for which the payments were suspended. However, if Member States demonstrate that the necessary corrective actions have been taken, the Commission may lift the suspension earlier in a separate implementing act.
Article 38(2), third subparagraph				
394	The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the rate of suspension of payments.	~~The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the rate of suspension of payments.~~ Performance NDM	The Commission is ~~empowered to~~ shall adopt ~~delegated~~ implementing acts in accordance with Article 100 ~~supplementing this Regulation with~~ laying down detailed rules on the rate of suspension of payments. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the rate of suspension of payments. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 38(3), first subparagraph				
395	3. The implementing acts provided for in this Article shall be adopted in accordance with the advisory procedure referred to in Article 101(2).	3. The implementing acts provided for in this Article shall be adopted in accordance with the advisory procedure referred to in Article 101(2). NDM Performance	<i>deleted</i>	3. [Original COM text is covered in previous provisions]
Article 38(3), second subparagraph				
396	Before adopting those implementing acts, the Commission shall inform the Member State concerned of its intention and shall give the Member State the opportunity to submit its comments within a period which shall not be less than 30 days.	Before adopting those implementing acts, the Commission shall inform the Member State concerned of its intention and shall give the Member State the opportunity to submit its comments within a period which shall not be less than 30 days. NDM Performance	Before adopting ~~these~~ the implementing acts referred to in paragraph (1) and the first subparagraph of paragraph (2) , the Commission shall inform the Member State concerned of its intention and shall give the Member State the opportunity to submit its comments within a period which shall not be less than 30 days.	Before adopting the implementing acts referred to in paragraph (1) and the first subparagraph of paragraph (2), the Commission shall inform the Member State concerned of its intention and shall give the Member State the opportunity to submit its comments within a period which shall not be less than 30 days.
Article 38(3), third subparagraph				
397	The implementing acts determining the monthly payments referred to in Article 19(3) or the interim payments referred to in Article 30 shall take account of the implementing acts adopted under	The implementing acts determining the monthly payments referred to in Article 19(3) or the interim payments referred to in Article 30 shall take account of the implementing acts adopted under		The implementing acts determining the monthly payments referred to in Article 19(3) or the interim payments referred to in Article 30 shall take account of the implementing acts adopted under

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	this paragraph.	this paragraph. NDM Performance		this paragraph. Text Origin: Commission Proposal
	Article 38a			
397a		<u>Article 38a</u> <u>Annual performance monitoring</u> Performance NDM		Article 38a [EP mandate for Article 38a withdrawn] Text Origin: EP Mandate
	Article 38a(1)			
397b		<u>1. The Commission shall monitor the operations carried out under the interventions referred to in Regulation (EU) .../... [CAP Strategic Plan Regulation] and assess the correspondence between the realised output and the realised expenditure reported in the performance report from ... [two years after the date of application of this Regulation] and then every year thereafter.</u> Performance NDM		1.
	Article 38a(2)			
397c				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>2. Where, in the framework of the annual performance monitoring referred to in paragraph 1, the Commission establishes that the difference between the expenditure declared and the amount corresponding to the relevant reported output is more than 35 %, the Member State shall submit justifications before the review meeting referred to in Article 122 of that Regulation to the Commission.</u> Performance NDM		2.
	Article 38a(3)			
397d		<u>Where the Member State concerned cannot provide duly justified reasons for the difference, the Commission shall request from the Member State concerned an assessment of the issues affecting the implementation of the CAP Strategic Plan, in particular as regards potential future deviations from the relevant milestones in the future and foreseeable difficulties in meeting the relevant targets for result indicators in the framework of the multiannual</u>		3.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>performance review referred to in Article 121 of Regulation (EU) .../...[CAP Strategic Plan Regulation], and, where relevant, to describe the measures already taken and to be taken.</u> Performance NDM		
	Article 38a(4)			
G	397e	<u>The Commission may, where necessary, issue an early warning during the review meeting and ask the Member State to devise and implement the additional remedial actions for the following financial year.</u> Performance NDM		4.
	Article 38a(5)			
G	397f	<u>3. No later than 15 March ... [two years after the date of application of this Regulation] and each subsequent year, the Commission shall transmit to the European Parliament a summary report on the annual performance monitoring carried out the previous calendar year, including</u>		5.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>early warnings issued.</u> Performance NDM		
Article 39				
398	Article 39 Suspension of payments in relation to the multi-annual performance monitoring	Article 39 Suspension <u>and reductions</u> of payments in relation to the multi-annual performance ~~monitoring~~ <u>review</u> Performance NDM		Article 39 Suspension of payments in relation to the multi-annual performance monitoring Text Origin: Commission Proposal
Article 39(-1)				
398a		<u>1. The Commission shall carry out a multiannual performance review as referred in Article 121 of Regulation (EU) .../... [CAP Strategic Plan Regulation] based on the information provided in the performance reports from ... [two years after the date of application of this Regulation] and every two years thereafter.</u> Performance NDM		-1. [EP mandate withdrawn]
Article 39(1), first subparagraph				
399				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. In case of delayed or insufficient progress towards targets, as set out in the national CAP Strategic Plan and monitored in accordance with Articles 115 and 116 of Regulation (EU) .../[CAP Strategic Plan Regulation], the Commission may ask the Member State concerned to implement the necessary remedial actions in accordance with an action plan with clear progress indicators, to be established in consultation with the Commission.	~~1.~~ In <u>the</u> case of delayed or insufficient progress towards <u>milestones for result indicators, and where the reported value of one or more result indicators</u> ~~targets~~, as set out in the national CAP Strategic Plan and monitored in accordance with Articles 115 and 116 of Regulation (EU) .../[CAP Strategic Plan Regulation], <u>reveals a shortfall of more than 25 % for the reporting year concerned,</u> ~~the Commission may ask~~ the Member State concerned ~~to implement the necessary remedial actions in accordance with an action plan with clear progress indicators, to be established~~ <u>shall submit justification for that shortfall before the review meeting referred to in Article 122 of that Regulation.</u> <u>Where the Member State concerned cannot provide justification for the shortfall, the Commission may request during the review meeting the Member State concerned to devise and establish</u> in consultation with the Commission <u>an action plan and to implement such action plan.</u>	1. ~~In case of delayed or insufficient progress towards targets, as set out in the national CAP Strategic Plan and monitored~~ Where in accordance with ~~Articles 115 and 116~~ Article 121a(2) of Regulation (EU) .../[CAP Strategic Plan Regulation], the Commission ~~may ask~~ asks the Member State concerned to ~~implement the necessary remedial actions in accordance with an action plan with~~ submit an action plan, the Member State shall establish, in consultation with the Commission, the intended remedial actions, including clear progress indicators; and the timeframe during which the progress has to be established in consultation with the Commission ~~achieved.~~ That timeframe may extend beyond one financial year.	1. Where, in accordance with Article 121a(2) and (3) of Regulation (EU) .../[CAP Strategic Plan Regulation], the Commission asks the Member State concerned to submit an action plan, that Member State shall establish such action plan in consultation with the Commission, including the intended remedial actions and clear progress indicators together with the timeframe during which the progress has to be achieved. That timeframe may extend beyond one financial year.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Performance NDM		
Article 39(1), first subparagraph a				
399a		<u>The Member State concerned shall submit to the Commission, within three months following the Commission's request, the action plan referred to in the second subparagraph, including the necessary remedial actions and the expected timeframe for its execution. That action plan shall clearly identify the interventions related to the result indicators for which the shortfall has been identified.</u> Performance NDM		1. The Member State concerned shall respond within a period of two months after the Commission's request for an action plan.
Article 39(1), first subparagraph b				
399b		<u>Within a period of 30 days, the Commission shall either notify the Member State concerned in writing that it accepts the action plan or it shall send a request to the Member State concerned for its modifications. The Member State concerned shall comply with the action plan and respect the</u>		1. Within a period of two months after receipt of the action plan from the Member State concerned, the Commission shall, where appropriate, inform that Member State in writing of its objections to the submitted action plan and request its modification. The Member State concerned shall

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>expected timeframe for its execution as accepted by the Commission.</u> Performance NDM		comply with the action plan, as accepted by the Commission, and comply with the expected timeframe for its execution.
Article 39(1), second subparagraph				
400	The Commission may adopt implementing acts laying down further rules on the elements of action plans and the procedure for setting up the action plans. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	<u>For the purpose of establishing the action plans referred to in this paragraph, the Commission shall</u>~~The Commission may~~ adopt ~~implementing acts~~ <u>delegated acts in accordance with Article 100, supplementing this Regulation by</u> laying down further rules on the elements of ~~action plans and the procedure for setting up the~~ <u>those</u> action plans. ~~Those implementing acts shall be adopted in accordance with the examination,~~ <u>including, in particular, a definition of progress indicators and the</u> procedure ~~referred to in Article 101(3)~~ <u>for establishing those action plans.</u> Performance NDM	The Commission ~~may~~ shall adopt implementing acts laying down further rules on the elements of action plans and the procedure for setting up the action plans. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	[IA agreed] The Commission shall adopt implementing acts laying down further rules on the structure of the action plans and the procedure for setting up the action plans. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).
Article 39(2), first subparagraph				
401	2. Where the Member States fails	2. Where the Member <u>State</u>		2. [IA agreed]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to submit or to implement the action plan referred to in paragraph 1 or if that action plan is manifestly insufficient to remedy the situation, the Commission may adopt implementing acts suspending the monthly payments referred to in Article 19(3) or the interim payments referred to in Article 30.	<u>concerned States</u> fails to submit or ~~to~~ implement the action plan referred to in paragraph 1 or if <u>the action plan submitted by that Member State</u> ~~that action plan~~ is manifestly insufficient to remedy the situation, the Commission may, <u>after consulting the Member State concerned and granting it an opportunity to respond within a period of 30 days</u> , adopt implementing acts suspending the monthly payments referred to in Article 19(3) or the interim payments referred to in Article 30. Performance NDM		Where the Member State fails to submit or to implement the action plan referred to in paragraph 1 of this Article or if that action plan is manifestly insufficient to remedy the situation or if it has not been modified in accordance with the written request of the Commission as referred to in that paragraph, the Commission may adopt implementing acts suspending the monthly payments referred to in Article 19(3) or the interim payments referred to in Article 30.
Article 39(2), first subparagraph a				
G 401a				By way of derogation from the first subparagraph of this paragraph, the request for an action plan by the Commission for the financial year 2025, as provided for in Article 121a(3) of Regulation (EU) ...I... [CAP Strategic Plan Regulation], shall not lead to a suspension of payments before the following performance review for the financial year 2026.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 39(2), first subparagraph a				
g 401b		<u>Where the Member State concerned responded and presented its observations and the Commission considered those observations insufficient, the Commission shall, where necessary and at the latest when the implementing act is adopted, provide justification as to why the observations presented were not sufficient. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).</u> Performance NDM		2. [EP mandate withdrawn]
Article 39(2), first subparagraph c				
g 401c		<u>The Commission shall take into account the timeframe indicated for the execution of the action plan before any suspension procedure is initiated under this Article. The Commission shall also take into account cases of force majeure and serious crisis, which could have prevented the Member State from proper</u>		2. [EP mandate withdrawn]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>implementation of its action plan including the achievement of milestones concerned.</u> Performance NDM		
Article 39(2), second subparagraph				
402	The suspension shall be applied in accordance with the principle of proportionality to the relevant expenditure related to the interventions which were to be covered by that action plan. The Commission shall reimburse the suspended amounts when, on the basis of the performance review referred to in Article 121 of Regulation (EU) .../... [CAP Strategic Plan Regulation] satisfactory progress towards targets is achieved. If the situation is not remedied by the closure of the national CAP Strategic Plan, the Commission may adopt an implementing act definitively reducing the amount suspended for the Member State concerned.	The suspension shall be applied in accordance with the principle of proportionality to the relevant expenditure related to the interventions which were to be covered by that action plan. The Commission shall reimburse the suspended amounts when, on the basis of the performance review referred to in Article 121 of Regulation (EU) .../... [CAP Strategic Plan Regulation] satisfactory progress towards ~~targets~~ <u>milestones for result indicators and the reported value of result indicators</u> is achieved. If the situation is not remedied by the closure of the national CAP Strategic Plan, the Commission may adopt an implementing act definitively reducing the amount suspended for the Member State concerned. Performance NDM	The suspension shall be applied in accordance with the principle of proportionality to the relevant expenditure related to the interventions which were to be covered by that action plan. The Commission shall reimburse the suspended amounts when, on the basis of the performance review referred to in Article ~~121~~ 121a of Regulation (EU) .../... [CAP Strategic Plan Regulation] satisfactory progress towards targets is achieved. If the situation is not remedied by the closure of the national CAP Strategic Plan, the Commission may adopt an implementing act definitively reducing the amount suspended for the Member State concerned. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).	The suspension of payments referred to in the first subparagraph shall be applied in accordance with the principle of proportionality to the relevant expenditure related to the interventions, which were to be covered by that action plan.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 39(2), second subparagraph a			
G 402a				The Commission shall reimburse the suspended amounts when, on the basis of the performance review referred to in Article 121a of Regulation (EU) ...I... [CAP Strategic Plan Regulation] or on the basis of the voluntary notification made during the budget year by the Member States on the advancement of the action plan and of the corrective action taken to remedy to the shortfall, satisfactory progress towards targets is achieved.
	Article 39(2), second subparagraph a			
G 402b		<u>For the purposes of this Article, "satisfactory progress" means that the Member State concerned has implemented the action plan, and the reached milestones and the reported value of result indicators concerned constitutes a shortfall of less than 25 % for the reporting years concerned.</u> Performance NDM		[EP proposal withdrawn]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 39(2), second subparagraph b				
G	402c	<u><i>If the situation is not remedied by the end of the sixth month following the suspension , the Commission may adopt an implementing act definitively reducing the amount suspended for the Member State concerned. The amounts definitively reduced shall be reallocated to Member States to reward satisfactory performance as referred to in Article 39a.</i></u> Performance NDM		[EP proposal withdrawn]
Article 39(2), second subparagraph c				
G	402d			If the situation is not remedied by the end of the twelve month following the suspension of payments, the Commission may adopt an implementing act definitively reducing the amount suspended for the Member State concerned.
Article 39(2), second subparagraph d				
G	402e			The implementing acts provided for in this paragraph shall be

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				adopted in accordance with the advisory procedure referred to in Article 101(2).
Article 39(2), second subparagraph c				
402f		<u><i>The Member State concerned may voluntarily notify the Commission of the advancement of the action plan during the budget year in order to allow the Commission to assess the progress made in reaching the milestones. If a Member State can demonstrate that the shortfall, which led to the suspension, is reduced to less than 25 % during the budget year, the amounts suspended shall be reimbursed.</i></u> Performance NDM		Before adopting such implementing acts, the Commission shall inform the Member State concerned of its intention and shall ask it to respond within a period which shall not be less than 30 days.
Article 39(2), third subparagraph				
403	The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the rate and duration of suspension of payments and the condition for reimbursing or reducing those amounts with regard to the multi-	The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the rate and duration of suspension of payments and the condition for reimbursing or reducing those amounts with regard to the multi-	The Commission is empowered to ~~shall~~ adopt ~~delegated~~ implementing acts in accordance with Article 100 ~~supplementing this Regulation~~ with 101 laying down detailed rules on the rate and duration of suspension of payments and the	The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the rate and duration of suspension of payments and the condition for reimbursing or reducing those amounts with regard to the multi-

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	annual performance monitoring.	annual performance ~~monitoring~~ <u>review</u> . Performance NDM	~~condition~~ conditions for reimbursing or reducing those amounts with regard to the multi-annual performance monitoring. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	annual performance monitoring. Text Origin: Commission Proposal
Article 39(3), first subparagraph				
404	3. The implementing acts provided for in paragraphs 1 and 2 shall be adopted in accordance with the advisory procedure referred to in Article 101(2).	3. The implementing acts provided for in paragraphs 1 and 2 shall be adopted in accordance with the advisory procedure referred to in Article 101(2). NDM Performance	<i>deleted</i>	3. [No text needed here. See 402e]
Article 39(3), second subparagraph				
405	Before adopting those implementing acts, the Commission shall inform the Member State concerned of its intention and shall ask it to respond within a period which shall not be less than 30 days.	Before adopting those implementing acts, the Commission shall inform the Member State concerned of its intention and shall ask it to respond within a period which shall not be less than 30 days. NDM Performance	Before adopting ~~those~~ the implementing acts referred to in the first and second subparagraph of paragraph 2 , the Commission shall inform the Member State concerned of its intention and shall ask it to respond within a period which shall not be less than 30 days.	[No text needed here. See 402f]
Article 39a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G 405a		<u>Article 39a</u> <u>Redistribution of funds resulting from payment reductions in relation to the multi-annual performance review</u> Performance		Article 39a [Whole Art. 39a withdrawn by EP]
Article 39a(1)				
G 405b		<u>1. Funds resulting from reductions according to Article 39(3) of this Regulation shall be placed in a performance reserve and used to reward Member States where performance has been satisfactory in relation to the specific objectives referred to in Article 6(1) of Regulation (EU) .../... [CAP Strategic Plan Regulation] and further specified in their CAP Strategic Plan.</u> Performance		1. [Whole Art. 39a withdrawn by EP]
Article 39a(2)				
G 405c		<u>2. Such funds may be attributed to Member States at the end of the CAP Strategic Plans to reward satisfactory performance provided</u>		2. [Whole Art. 39a withdrawn by EP]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>that the Member State concerned has met the condition set out in paragraph 3 of this Article.</u> Performance		
Article 39a(3), introductory part				
405d		<u>3. Based on the last multi-annual performance review, funds shall be attributed only to the Member States, which have achieved at least 90 % of their target value in relation to the result indicators applied to the specific objectives set out in Article 6(1) of Regulation (EU) .../... [CAP Strategic Plan Regulation] and set out in their CAP Strategic Plan.</u> Performance		3. [for super trilogue 24-25 June]
Article 39a(3), a				
405e		<u>The Commission shall within two months after the receipt of the last performance report of all Member State referred to in Article 121(2) of Regulation (EU) .../... [CAP Strategic Plan Regulation] adopt an implementing act without applying the committee procedure</u>		3. [Whole Art. 39a withdrawn by EP]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>referred to in Article 101 to decide for each Member State whether the respective CAP Strategic Plans have achieved the target values referred to in paragraph 3 of this Article.</u> Performance		
	Article 39a(4)			
405f		<u>4. Where the target values referred to in paragraph 3 are achieved, an amount shall be calculated and granted by the Commission to the Member State(s) concerned and considered to be definitely allocated to financial year after the closure of the CAP Strategic Plans on the basis of the decision referred to in the same paragraph. When attributing the funds, the Commission may take into consideration the cases of force majeure and serious socio-economic crises impeding the achievement of the relevant milestones.</u> Performance		4. [Whole Art. 39a withdrawn by EP]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 40				
406	Article 40 Suspension of payments in relation to deficiencies in the governance systems	Article 40 Suspension of payments in relation to deficiencies in the governance systems Performance NDM		Article 40 Suspension of payments in relation to deficiencies in the governance systems Text Origin: Commission Proposal
Article 40(1), first subparagraph				
407	1. In case of serious deficiencies in the functioning of the governance systems, the Commission may ask the Member State concerned to implement the necessary remedial actions in accordance with an action plan with clear progress indicators, to be established in consultation with the Commission.	1. ~~In case of~~ <i>Where</i> serious deficiencies in the functioning of the governance systems <u>are detected and indicated in the management declaration of a paying agency, in the opinion of the certification body or during the Commission's checks under Article 47, the Commission shall</u> ~~may~~ ask the Member State concerned to <u>respond and provide comments on the findings within a period of two months after the request in order to assess the need for remedial actions and, where necessary, an action plan. After expiry of that period, the Commission shall, where necessary, request the Member State concerned to</u> implement the necessary remedial actions in		1. In case of serious deficiencies in the functioning of the governance systems, the Commission shall, where necessary ask the Member State concerned to submit an action plan including the necessary remedial actions and clear progress indicators. That action plan, shall be established in consultation with the Commission. The Member State concerned shall respond within a period of two months after the Commission's request in order to assess the need for an action plan.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		accordance with an action plan with clear progress indicators, <i>which shall</i>~~to~~ be established in consultation with the Commission. Performance NDM		
Article 40(1), first subparagraph a				
407a		<i><u>The Member State concerned shall, within three months following the Commission's request, submit to the Commission the action plan referred to in the first subparagraph, including the necessary remedial actions and the expected time frame for its execution. The Commission shall either notify the Member State concerned in writing that it accepts the action plan or it shall send to the Member State concerned a request for modifications. The Member State concerned shall comply with the action plan and respect the expected time frame for its execution as accepted by the Commission.</u></i> Performance NDM		1. [EP mandate withdrawn]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 40(1), second subparagraph				
408	The Commission may adopt implementing acts laying down further rules on the elements of the action plans and the procedure for setting up the action plans. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	The Commission may adopt ~~implementing acts laying down further rules on the elements of the action plans and the procedure for setting up~~ <u>delegated acts in accordance with Article 100, supplementing this Regulation by laying down further rules on the elements of</u> the action plans. ~~Those implementing acts shall be adopted in accordance with the examination~~ <u>referred to in this paragraph and the</u> procedure ~~referred to in Article 101(3) for establishing them.~~ Performance NDM	The Commission ~~may~~ shall adopt implementing acts laying down further rules on the elements of the action plans and the procedure for setting up the action plans. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	[IA agreed] The Commission shall adopt implementing acts laying down rules on the structure of the action plans and the procedure for setting up the action plans. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).
Article 40(2), first subparagraph				
409	2. Where the Member State fails to submit or to implement the action plan referred to in paragraph 1 or if that action plan is manifestly insufficient to remedy the situation, the Commission may adopt implementing acts suspending the monthly payments referred to in Article 19(3) or the interim payments referred to in Article 30.	2. Where the Member State fails to submit or to implement the action plan referred to in paragraph 1 <u>of this Article</u> or if that action plan is manifestly insufficient to remedy the situation <u>or if it has not been applied in accordance with the written request of the Commission as referred to in that paragraph</u>, the Commission may adopt		2. Where the Member State fails to submit or to implement the action plan referred to in paragraph 1 of this Article if that action plan is manifestly insufficient to remedy the situation or if it has not been implemented in accordance with the written request of the Commission as referred to in that paragraph, the Commission may

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		implementing acts suspending the monthly payments referred to in Article 19(3) or the interim payments referred to in Article 30. <u><i>Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).</i></u> Performance NDM		adopt implementing acts suspending the monthly payments referred to in Article 19(3) or the interim payments referred to in Article 30.
Article 40(2), second subparagraph				
410	The suspension shall be applied in accordance with the principle of proportionality to the relevant expenditure effected by the Member State where the deficiencies exist, for a period to be determined in the implementing acts referred to in the first subparagraph, which shall not exceed 12 months. If the conditions for the suspension continue to be met, the Commission may adopt implementing acts prolonging that period for further periods not exceeding 12 months in total. The amounts suspended shall be taken into account when adopting the implementing acts referred to in Article 53.	The suspension shall be applied in accordance with the principle of proportionality to the relevant expenditure effected by the Member State where the deficiencies exist, for a period to be determined in the implementing acts referred to in the first subparagraph, which shall not exceed 12 months. If the conditions for the suspension continue to be met, the Commission may adopt implementing acts prolonging that period for further periods not exceeding 12 months in total. The amounts suspended shall be taken into account when adopting the implementing acts referred to in Article 53.		The suspension shall be applied in accordance with the principle of proportionality to the relevant expenditure effected by the Member State where the deficiencies exist, for a period to be determined in the implementing acts referred to in the first subparagraph of this paragraph, which shall not exceed 12 months. If the conditions for the suspension continue to be met, the Commission may adopt implementing acts prolonging that period for further periods not exceeding 12 months in total. The amounts suspended shall be taken into account when adopting the implementing acts referred to in Article 53.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		NDM		
Article 40(3), first subparagraph				
411	3. The implementing acts provided for in this Article shall be adopted in accordance with the advisory procedure referred to in Article 101(2).	3. ~~The implementing acts provided for in this Article shall be adopted in accordance with the advisory procedure referred to in Article 101(2).~~ Performance NDM	3. The implementing acts provided for in this Article-paragraph (2) shall be adopted in accordance with the advisory procedure referred to in Article 101(2).	3. The implementing acts provided for in this paragraph shall be adopted in accordance with the advisory procedure referred to in Article 101(2).
Article 40(3), second subparagraph				
412	Before adopting the implementing acts referred to in paragraph 2, the Commission shall inform the Member State concerned of its intention and shall ask it to respond within a period which shall not be less than 30 days.	Before adopting the implementing acts referred to in paragraph 2, the Commission shall inform the Member State concerned of its intention and shall ask it to respond within a period which shall not be less than 30 days. <u>Where the Member State concerned responded and presented its observations, and the Commission considered those observations insufficient, the Commission shall, where necessary and at the latest when the implementing act is adopted, provide justification as to why the observations presented were not sufficient.</u>	Before adopting ~~the~~ those implementing acts-referred to in paragraph 2, the Commission shall inform the Member State concerned of its intention and shall ask it to respond within a period which shall not be less than 30 days.	Before adopting the implementing acts referred to in this paragraph , the Commission shall inform the Member State concerned of its intention and shall ask it to respond within a period which shall not be less than 30 days.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Performance NDM		
Article 40(3), third subparagraph				
G 413	The implementing acts determining the monthly payments referred to in Article 19(3) or the interim payments referred to in Article 30 shall take account of the implementing acts adopted under the first subparagraph of this paragraph.	The implementing acts determining the monthly payments referred to in Article 19(3) or the interim payments referred to in Article 30 shall take account of the ~~implementing~~ <u>delegated</u> acts adopted under the ~~first~~ <u>third</u> subparagraph of <u>paragraph 1.</u> ~~this paragraph.~~ Performance NDM		The implementing acts adopted under this paragraph shall be taken into account by implementing acts determining the monthly payments referred to in Article 19(3) or the interim payments referred to in Article 30
Article 41				
G 414	Article 41 Keeping separate accounts	Article 41 Keeping separate accounts Others		Article 41 Keeping separate accounts Text Origin: Commission Proposal
Article 41, first paragraph				
G 415	Each paying agency shall keep a set of separate accounts for the appropriations entered in the Union's budget for the Funds.	Each paying agency shall keep a set of separate accounts for the appropriations entered in the Union's budget for the Funds.		Each paying agency shall keep a set of separate accounts for the appropriations entered in the Union's budget for the Funds. Text Origin: Commission

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		Others		Proposal
Article 42				
416	Article 42 Payment to beneficiaries	Article 42 Payment to beneficiaries		Article 42 Payment to beneficiaries Financial management Text Origin: Commission Proposal
Article 42(1)				
417	1. Except where otherwise explicitly provided for in Union law, Member States shall ensure that payments relating to the financing provided for in this Regulation shall be disbursed in full to the beneficiaries.	1. Except where otherwise explicitly provided for in Union law, Member States shall ensure that payments relating to the financing provided for in this Regulation shall be disbursed in full to the beneficiaries.		1. Except where otherwise explicitly provided for in Union law, Member States shall ensure that payments relating to the financing provided for in this Regulation shall be disbursed in full to the beneficiaries. Text Origin: Commission Proposal
Article 42(2), first subparagraph				
418	2. Member States shall ensure that the payments under the interventions and measures referred to in Article 63(2) shall be made within the period from 1	2. Member States shall ensure that the payments under the interventions and measures referred to in Article 63(2) shall be made within the period from 1		2. Member States shall ensure that the payments under the interventions and measures referred to in Article 63(2) shall be made within the period from 1

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	December to 30 June of the following calendar year.	December to 30 June of the following calendar year.		December to 30 June of the following calendar year. Text Origin: Commission Proposal
Article 42(2), second subparagraph, introductory part				
419	Notwithstanding the first subparagraph, Member States may:	Notwithstanding the first subparagraph, Member States may:		Notwithstanding the first subparagraph, Member States may: Financial management
Article 42(2), second subparagraph, point (a)				
420	(a) prior to 1 December but not before 16 October, pay advances of up to 50 % for direct payments interventions;	(a) prior to 1 December but not before 16 October, pay advances of up to 50 % for direct payments interventions <u>and for the measures referred to in Chapter IV of Regulation (EU) No 228/2013 and in Chapter IV of Regulation (EU) No 229/2013 respectively</u> ;		(a) prior to 1 December but not before 16 October, pay advances of up to 50 % for direct payments interventions and for the measures referred to in Chapter IV of Regulation (EU) No 228/2013 and in Chapter IV of Regulation (EU) No 229/2013 respectively; Financial management
Article 42(2), second subparagraph, point (b)				
421	(b) prior to 1 December pay advances of up to 75 % for the support granted under rural	(b) prior to 1 December pay advances of up to 75 % for the support granted under rural		(b) prior to 1 December pay advances of up to 75 % for the support granted under rural

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	development interventions as referred to in Article 63(2).	development interventions as referred to in Article 63(2). Financial management		development interventions as referred to in Article 63(2). Text Origin: Commission Proposal
Article 42(3)				
422	3. Member States may decide to pay advances of up to 50% under the interventions referred to in Articles 68 and 71 of Regulation (EU) No.../[CAP Strategic Plan Regulation].	3. Member States may decide to pay advances of up to 50% under the interventions referred to in Articles 68 and 71 <u>and Chapter III of Title III</u> of Regulation (EU) ~~No~~ .../[CAP Strategic Plan Regulation] <u>as well as Section I of Chapter II of Regulation (EU) No 1308/2013</u> .		3. Member States may decide to pay advances of up to 50% under the interventions referred to in Articles 68 and 71 of Regulation (EU) No.../[CAP Strategic Plan Regulation]. Financial management
Article 42(4)				
423	4. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the interventions or measures for which the Member States may pay advances.	4. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the interventions or measures for which the Member States may pay advances.	4. The Commission is empowered to adopt delegated acts in accordance with Article 100 ~~supplementing this Regulation with~~ amending this Article by adding rules allowing Member States to pay advances as regards the interventions referred to in Chapter III of Title III of Regulation [CAP Strategic Plan Regulation] and as regards measures regulating or	4. [Framing of the empowerment will be done in the Recitals] The Commission is empowered to adopt delegated acts in accordance with Article 100 amending this Article by adding rules allowing Member States to pay advances as regards the interventions referred to in Chapter III of Title III of Regulation [CAP Strategic Plan Regulation] and as regards

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			supporting agricultural markets as laid down in Regulation (EU) No 1308/2013 in order to ensure a coherent and non-discriminatory payment of ~~or~~ measures for which the Member States may pay advances .	measures regulating or supporting agricultural markets as laid down in Regulation (EU) No 1308/2013 in order to ensure a coherent and non-discriminatory payment of advances. Financial management
	Article 42(4) second subparagraph			
423a			The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Article by setting up specific conditions for the payment of advances, to ensure a coherent and non-discriminatory payment of advances.	[Framing of the empowerment will be done in the Recitals] The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Article by setting up specific conditions for the payment of advances, to ensure a coherent and non-discriminatory payment of advances. Financial management Text Origin: Council Mandate
	Article 42(5), first subparagraph			
424	5. In the event of an emergency, the Commission may adopt implementing acts to resolve	5. In the event of an emergency, the Commission may adopt implementing acts to resolve	5. Upon the request of a Member State, in the event of an emergency, and within the limits	5. Upon the request of a Member State, in the event of an emergency, and within the limits of

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	specific problems in relation to the application of this Article. Those implementing acts may derogate from paragraph 2, but only to the extent that, and for such a period, as is strictly necessary.	specific problems in relation to the application of this Article. Those implementing acts may derogate from paragraph 2, but only to the extent that, and for such a period, as is strictly necessary.	of point b) of Article 11 (2) of Regulation (EU, Euratom) 2018/1046, the Commission shall adopt, where appropriate, implementing acts ~~the Commission may adopt implementing acts to resolve specific problems~~ in relation to the application of this Article. Those implementing acts may derogate from paragraph 2, but only to the extent that, and for such a period, as is strictly necessary.	point b) of Article 11 (2) of Regulation (EU, Euratom) 2018/1046, the Commission shall adopt, where appropriate, implementing acts in relation to the application of this Article. Those implementing acts may derogate from paragraph 2, but only to the extent that, and for such a period, as is strictly necessary. Financial management Text Origin: Council Mandate
	Article 42(5), second subparagraph			
G 425	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Text Origin: Commission Proposal
	Article 43			
G 426	Article 43 Assignment of revenue	Article 43 Assignment of revenue Crisis		Article 43 Assignment of revenue Text Origin: Commission Proposal

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	Article 43(1), introductory part			
427	1. The following shall be "assigned revenue" within the meaning of Article 21 of the Financial Regulation:	1. The following shall be "assigned revenue" within the meaning of Article 21 of the Financial Regulation: Crisis		1. The following shall be "assigned revenue" within the meaning of Article 21 of the Financial Regulation: Text Origin: Commission Proposal
	Article 43(1), point (a)			
428	(a) as regards expenditure under both EAGF and EAFRD, sums under Articles 36, 52 and 53 of this Regulation and Article 54 of Regulation (EU) No 1306/2013 applicable in accordance with Article 102 of this Regulation and, as regards expenditure under the EAGF, sums under Article 54 and Article 51 of this Regulation, which must be paid to the Union's budget, including interest thereon;	(a) as regards expenditure under both EAGF and EAFRD, sums under Articles 36, 52 and 53 of this Regulation and Article 54 of Regulation (EU) No 1306/2013 applicable in accordance with Article 102 of this Regulation and, as regards expenditure under the EAGF, sums under Article 54 and Article 51 of this Regulation, which must be paid to the Union's budget, including interest thereon; Crisis		(a) as regards expenditure under both EAGF and EAFRD, sums under Articles 36, 52 and 53 of this Regulation and Article 54 of Regulation (EU) No 1306/2013 applicable in accordance with Article 102 of this Regulation and, as regards expenditure under the EAGF, sums under Article 54 and Article 51 of this Regulation, which must be paid to the Union's budget, including interest thereon; Text Origin: Commission Proposal
	Article 43(1), point (b)			
429	(b) amounts corresponding to penalties applied in accordance with the rules on conditionality as	(b) amounts corresponding to penalties applied in accordance with the rules on conditionality as		(b) amounts corresponding to penalties applied in accordance with the rules on conditionality as

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	referred to in Article 11 of Regulation (EU) .../... [CAP Strategic Plan Regulation], as regards expenditure under EAGF;	referred to in Article 11 of Regulation (EU) .../... [CAP Strategic Plan Regulation], as regards expenditure under EAGF; Crisis		referred to in Article 11 of Regulation (EU) .../... [CAP Strategic Plan Regulation], as regards expenditure under EAGF; Text Origin: Commission Proposal
Article 43(1), point (c)				
430	(c) any security, deposit or guarantee furnished pursuant to Union law adopted within the framework of the CAP, excluding rural development interventions, and subsequently forfeited. However, forfeited securities lodged when issuing export or import licences or under a tendering procedure for the sole purpose of ensuring that tenderers submit genuine tenders shall be retained by the Member States;	(c) any security, deposit or guarantee furnished pursuant to Union law adopted within the framework of the CAP, excluding rural development interventions, and subsequently forfeited. However, forfeited securities lodged when issuing export or import licences or under a tendering procedure for the sole purpose of ensuring that tenderers submit genuine tenders shall be retained by the Member States; Crisis		(c) any security, deposit or guarantee furnished pursuant to Union law adopted within the framework of the CAP, excluding rural development interventions, and subsequently forfeited. However, forfeited securities lodged when issuing export or import licences or under a tendering procedure for the sole purpose of ensuring that tenderers submit genuine tenders shall be retained by the Member States; Text Origin: Commission Proposal
Article 43(1), point (d)				
431	(d) sums definitively reduced in accordance with Article 39(2);	(d) sums definitively reduced in accordance with Article 39(2); Crisis		(d) sums definitively reduced in accordance with Article 39(2); Text Origin: Commission

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				Proposal
Article 43(2)				
G 432	2. The sums referred to in paragraph 1 shall be paid to the Union's budget and, in the event of reuse, shall be used exclusively to finance EAGF or EAFRD expenditure.	2. The sums referred to in paragraph 1 shall be paid to the Union's budget and, in the event of reuse, shall be used exclusively to finance EAGF or EAFRD expenditure, <u>respectively, and shall predominantly fund the agricultural reserve established under the EAGF, within the limits laid down in Article 14.</u> Crisis		2. The sums referred to in paragraph 1 shall be paid to the Union's budget and, in the event of reuse, shall be used exclusively to finance EAGF or EAFRD expenditure. Text Origin: Commission Proposal
Article 43(3)				
G 433	3. This Regulation shall apply mutatis mutandis to assigned revenue referred to in paragraph 1.	3. This Regulation shall apply mutatis mutandis to assigned revenue referred to in paragraph 1. Crisis		3. This Regulation shall apply mutatis mutandis to assigned revenue referred to in paragraph 1. Text Origin: Commission Proposal
Article 43(4)				
G 434	4. As regards the EAGF, Articles 113 of the Financial Regulation shall apply mutatis mutandis to the	4. As regards the EAGF, Articles 113 of the Financial Regulation shall apply mutatis mutandis to the		4. As regards the EAGF, Articles 113 of the Financial Regulation shall apply mutatis mutandis to the

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	keeping of accounts on assigned revenue referred to in this Regulation.	keeping of accounts on assigned revenue referred to in this Regulation. Crisis		keeping of accounts on assigned revenue referred to in this Regulation. Text Origin: Commission Proposal
Article 44				
435	Article 44 Information measures	Article 44 Information measures Others		Article 44 Information measures Text Origin: Commission Proposal
Article 44(1), first subparagraph				
436	1. The provision of information financed pursuant to point (e) of Article 7 shall aim, in particular, to help explain, implement and develop the CAP and to raise public awareness of its content and objectives to reinstate consumer confidence following crises through information campaigns, to inform farmers and other parties active in rural areas and to promote the European model of agriculture, as well as to help citizens understand it.	1. The provision of information financed pursuant to point (e) of Article 7 shall aim, in particular, to help explain, implement and develop the CAP and to raise public awareness of its content and objectives <u>including its interaction with the climate, environment, animal welfare and development. This is to inform citizens about the challenges faced in agriculture and food, to inform farmers and consumers, to restore to reinstate</u> consumer confidence following crises through information campaigns, to inform		1. The provision of information financed pursuant to point (e) of Article 7 shall aim, in particular, to help explain, implement and develop the CAP and to raise public awareness of its content and objectives including its interaction with the climate, environment and animal welfare. This is to inform citizens about the challenges faced in agriculture and food, to inform farmers and consumers, to restore consumer confidence following crises through information campaigns, to inform farmers and other parties active in rural areas

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		farmers and other parties active in rural areas and to promote <u>a more sustainable Union</u> ~~the European~~ model of agriculture, as well as to help citizens understand it. Others		and to promote a more sustainable Union model of agriculture, as well as to help citizens understand it. Text Origin: EP Mandate
Article 44(1), second subparagraph				
437	It shall supply coherent, objective and comprehensive information, both inside and outside the Union.	It shall supply coherent, <u>impartial, evidence-based</u> , objective and comprehensive information, both inside and outside the Union <u>by means of a communication plan</u> . Others		It shall supply coherent, evidence-based, objective and comprehensive information, both inside and outside the Union, and outline the communication actions planned in the multiannual strategic plan for Agriculture and Rural Development.
Article 44(2), first subparagraph, introductory part				
438	2. The measures referred to in paragraph 1 may consist of:	2. The measures referred to in paragraph 1 may consist of: Others		2. The measures referred to in paragraph 1 may consist of: Text Origin: Commission Proposal
Article 44(2), first subparagraph, point (a)				
439	(a) annual work programmes or other specific measures presented	(a) annual work programmes or other specific measures presented		(a) annual work programmes or other specific measures presented

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	by third parties;	by third parties; Others		by third parties; Text Origin: Commission Proposal
	Article 44(2), first subparagraph, point (b)			
440	(b) activities implemented on the initiative of the Commission.	(b) activities implemented on the initiative of the Commission. Others		(b) activities implemented on the initiative of the Commission. Text Origin: Commission Proposal
	Article 44(2), second subparagraph			
441	Those measures which are required by law or those measures already receiving financing under another Union action shall be excluded.	Those measures which are required by law or those measures already receiving financing under another Union action shall be excluded. Others		Those measures which are required by law or those measures already receiving financing under another Union action shall be excluded. Text Origin: Commission Proposal
	Article 44(2), third subparagraph			
442	In order to implement activities as referred to in point (b) of the first subparagraph, the Commission may be assisted by external experts.	In order to implement activities as referred to in point (b) of the first subparagraph, the Commission may be assisted by external experts. Others		In order to implement activities as referred to in point (b) of the first subparagraph, the Commission may be assisted by external experts. Text Origin: Commission Proposal

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	Article 44(2), fourth subparagraph			
443	The measures referred to in the first subparagraph shall also contribute to the corporate communication of the Union's political priorities in so far as those priorities are related to the general objectives of this Regulation.	The measures referred to in the first subparagraph shall also contribute to the corporate communication of the Union's political priorities in so far as those priorities are related to the general objectives of this Regulation. Others		The measures referred to in the first subparagraph shall also contribute to the corporate communication of the Union's political priorities in so far as those priorities are related to the general objectives of this Regulation. Text Origin: Commission Proposal
	Article 44(3)			
444	3. The Commission shall publish once a year a call for proposals respecting the conditions set out in the Financial Regulation.	3. The Commission shall publish once a year a call for proposals respecting the conditions set out in the Financial Regulation. Others		3. The Commission shall publish once a year a call for proposals respecting the conditions set out in the Financial Regulation. Text Origin: Commission Proposal
	Article 44(4)			
445	4. The Committee referred to in Article 101(1) shall be notified of measures envisaged and taken pursuant to this Article.	4. The Committee referred to in Article 101(1) shall be notified of measures envisaged and taken pursuant to this Article. Others		4. The Committee referred to in Article 101(1) shall be notified of measures envisaged and taken pursuant to this Article. Text Origin: Commission

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				Proposal
Article 44(5)				
G 446	5. The Commission shall present a report on the implementation of this Article to the European Parliament and to the Council every two years.	5. The Commission shall present a report on the implementation of this Article to the European Parliament and to the Council every two years. Others		5. The Commission shall present a report on the implementation of this Article to the European Parliament and to the Council every two years. Text Origin: Commission Proposal
Article 45				
G 447	Article 45 Commission powers	Article 45 Commission powers Others		Article 45 Commission powers Text Origin: Commission Proposal
Article 45(1), first subparagraph				
G 448	1. The Commission is empowered to adopt delegated acts in accordance with Article 100 in order to supplement this Regulation concerning the conditions under which certain types of expenditure and revenue under the Funds are to be compensated.	1. The Commission is empowered to adopt delegated acts in accordance with Article 100 in order to supplement this Regulation concerning the conditions <u>relating to the details of expenditure declarations</u> under which certain types of expenditure and revenue under the Funds are to	1. The Commission is empowered to adopt delegated acts in accordance with Article 100, taking account of revenue collected by paying agencies for the Union's budget when making payments on the basis of the expenditure declarations submitted by Member States , in	1. [Framing of the empowerment will be done in the Recitals] The Commission is empowered to adopt delegated acts in accordance with Article 100 in order to supplement this Regulation concerning the conditions under which certain types of expenditure

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		be compensated. Others	order to supplement this Regulation concerning the conditions under which certain types of expenditure and revenue under the Funds are to be compensated.	and revenue under the Funds are to be compensated. Text Origin: Commission Proposal
Article 45(1), second subparagraph				
449	If the Union's budget has not been adopted by the beginning of the financial year or if the total amount of the commitments scheduled exceeds the threshold laid down in Article 11(2) of the Financial Regulation, the Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the method applicable to the commitments and the payment of the amounts.	If the Union's budget has not been adopted by the beginning of the financial year or if the total amount of the commitments scheduled exceeds the threshold laid down in Article 11(2) of the Financial Regulation, the Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the method applicable to the commitments and the payment of the amounts. Others	If the Union's budget has not been adopted by the beginning of the financial year or if the total amount of the commitments scheduled exceeds the threshold laid down in Article 11(2) of the Financial Regulation, the Commission is empowered to adopt delegated acts in accordance with Article 100 enabling the equitable distribution of the appropriations available between the Member States, supplementing this Regulation with rules on the method applicable to the commitments and the payment of the amounts.	[Framing of the empowerment will be done in the Recitals] If the Union's budget has not been adopted by the beginning of the financial year or if the total amount of the commitments scheduled exceeds the threshold laid down in Article 11(2) of the Financial Regulation, the Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the method applicable to the commitments and the payment of the amounts. Text Origin: Commission Proposal
Article 45(2)				
450	2. The Commission may adopt	2. The Commission may adopt		2. The Commission may adopt

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	implementing acts laying down further rules on the obligation laid down in Article 41 and the specific conditions applying to the information to be booked in the accounts kept by the paying agencies. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	implementing acts laying down further rules on the obligation laid down in Article 41 and the specific conditions applying to the information to be booked in the accounts kept by the paying agencies. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Others		implementing acts laying down further rules on the obligation laid down in Article 41 and the specific conditions applying to the information to be booked in the accounts kept by the paying agencies. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Text Origin: Commission Proposal
Article 45(3), first subparagraph, introductory part				
451	3. The Commission may adopt implementing acts laying down rules on:	3. The Commission may adopt implementing acts laying down rules on: Others		3. The Commission may adopt implementing acts laying down rules on: Text Origin: Commission Proposal
Article 45(3), first subparagraph, point (a)				
452	(a) the financing and accounting of intervention measures in the form of public storage, and other expenditure financed by the Funds;	(a) the financing and accounting of intervention measures in the form of public storage, and other expenditure financed by the Funds; Others		(a) the financing and accounting of intervention measures in the form of public storage, and other expenditure financed by the Funds; Text Origin: Commission Proposal

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Article 45(3), first subparagraph, point (b)				
453	(b) the terms and conditions governing the implementation of the automatic decommitment procedure.	(b) the terms and conditions governing the implementation of the automatic decommitment procedure. Others		(b) the terms and conditions governing the implementation of the automatic decommitment procedure. Text Origin: Commission Proposal
Article 45(3), second subparagraph				
454	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Others		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Text Origin: Commission Proposal
Chapter IV				
455	Chapter IV Clearance of accounts	Chapter IV Clearance of accounts		Chapter IV Clearance of accounts Text Origin: Commission Proposal
Section 1				
456	Section 1 General provisions	Section 1 General provisions		Section 1 General provisions Text Origin: Commission

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				Proposal
Article 46				
457	Article 46 Single audit approach	Article 46 Single audit approach Commission checks	Article 46 Single audit approach ¹ 1. With regard to Articles 46 and 47, a Recital should be introduced: For the implementation of the single audit approach, where generally the Commission should take assurance from the work of the certification bodies, and taking account of its own risk assessment of the need for checks by the Commission in the Member State concerned, the Commission may carry out checks where it has informed the Member State concerned that it cannot rely on the work of the certification body. This does not exclude that the Commission, in order to perform its responsibilities under Article 317 of the Treaty, may carry out checks where serious deficiencies in the functioning of the governance systems may exist, which are not followed up by the Member State.	Article 46 Single audit approach ¹ 1. With regard to Articles 46 and 47, a Recital should be introduced: For the implementation of the single audit approach, where generally the Commission should take assurance from the work of the certification bodies, and taking account of its own risk assessment of the need for checks by the Commission in the Member State concerned, the Commission may carry out checks where it has informed the Member State concerned that it cannot rely on the work of the certification body. This does not exclude that the Commission, in order to perform its responsibilities under Article 317 of the Treaty, may carry out checks where serious deficiencies in the functioning of the governance systems may exist, which are not followed up by the Member State. Text Origin: Council Mandate
Article 46, first paragraph				
458	For the purposes of Article 127 of the Financial Regulation, the Commission shall take assurance from the work of the certification bodies referred to in Article 11 of	For the purposes of Article 127 of the Financial Regulation, the Commission shall take assurance from the work of the certification bodies referred to in Article 11 of	~~For the purposes of~~ In accordance with Article 127 of the Financial Regulation, the Commission shall take assurance from the work of the certification bodies referred to	In accordance with Article 127 of the Financial Regulation, the Commission shall take assurance from the work of the certification bodies referred to in Article 11 of

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	this Regulation, unless it has informed the Member State that it cannot rely on the work of the certification body for a given financial year, and it shall take it into account in its risk assessment of the need for Commission audits in the Member State concerned.	this Regulation, <u>and shall take it into account in its risk assessment</u> ~~unless it has informed the Member State that it cannot rely on the work of the certification body for a given financial year, and it shall take it into account in its risk assessment of the need for Commission audits in the Member State concerned.~~ <u>need for Commission audits in the Member State concerned, unless it has informed that Member State that it is unable to rely on that work.</u> Commission checks	in Article 11 of this Regulation, unless it has informed the Member State that it cannot rely on the work of the certification body for a given financial year, and it shall take it into account in its risk assessment of the need for Commission audits in the Member State concerned. The Commission shall inform the Member State of the reasons why it cannot rely on the work of the certification body concerned.	this Regulation, unless it has informed the Member State that it cannot rely on the work of the certification body for a given financial year, and it shall take it into account in its risk assessment of the need for Commission audits in the Member State concerned. The Commission shall inform the Member State of the reasons why it cannot rely on the work of the certification body concerned. Text Origin: Council Mandate
Article 47				
459	Article 47 Checks by the Commission	Article 47 Checks by the Commission Commission checks		Article 47 Checks by the Commission Text Origin: Commission Proposal
Article 47(1), first subparagraph, introductory part				
460	1. Without prejudice to the checks carried out by Member States under national law, regulations and administrative provisions or Article 287 of the Treaty or to any	1. Without prejudice to the checks carried out by Member States under national law, – regulations and administrative provisions or Article 287 of the Treaty or to any	1. Without prejudice to the checks carried out by Member States under national law, – regulations and administrative provisions or Article 287 of the Treaty or to any	1. Without prejudice to the checks carried out by Member States under national law, regulations and administrative provisions or Article 287 of the Treaty or to any check

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	check organised under Article 322 of the Treaty or based on Council Regulation (Euratom, EC) No 2185/96, the Commission may organise checks in Member States with a view to verifying in particular:	check organised under Article 322 of the Treaty or based on Council Regulation (Euratom, EC) No 2185/96 <u>or to Article 127 of the Financial Regulation</u> , the Commission may organise checks in Member States with a view to verifying ~~in particular~~ : Commission checks	check organised under Article 322 of the Treaty or based on Council Regulation (Euratom, EC) No 2185/96 or to Article 127 of the Financial Regulation , the Commission may organise checks in Member States with a view to verifying in particular:	organised under Article 322 of the Treaty or based on Council Regulation (Euratom, EC) No 2185/96 or to Article 127 of the Financial Regulation, the Commission may organise checks in Member States with a view to verifying in particular: Text Origin: Council Mandate
	Article 47(1), first subparagraph, point (a)			
461	(a) compliance of administrative practices with Union rules;	(a) compliance of administrative practices with Union rules; Commission checks		(a) compliance of administrative practices with Union rules; Text Origin: Commission Proposal
	Article 47(1), first subparagraph, point (b)			
462	(b) whether the expenditure falling within the scope of Articles 5(2) and 6 and corresponding to the interventions referred to in Regulation (EU) .../[CAP Strategic Plan Regulation] have a corresponding output as reported in the annual performance report;	(b) whether the ~~expenditure~~ <u>operations</u> falling within the scope of Articles 5(2) and 6 and corresponding to the interventions referred to in Regulation (EU) .../[CAP Strategic Plan Regulation] have <u>been effected in accordance with Union requirements and checked in order to ensure compliance with those requirements</u> ~~at~~		(b) (b) whether the expenditure falling within the scope of Article 5(2) and Article 6 of this Regulation and corresponding to the interventions referred to in Regulation (EU) .../[CAP Strategic Plan Regulation] have a corresponding output as reported in the annual performance report;

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		<i>corresponding output as reported in the annual performance report;</i> Commission checks		
Article 47(1), first subparagraph, point (ba)				
462a		<u>(ba) whether the other operations falling within the scope of Articles 5(2) and 6 have been effected and checked in accordance with Union law;</u> Commission checks	(c) whether the expenditure corresponding to the measures laid down in Regulation (EU) No 1308/2013, Regulation (EU) No 228/2013, Regulation (EU) No 229/2013 and Regulation (EU) No 1144/2014 have been effected and checked in accordance with applicable Union rules;	(c) whether the expenditure corresponding to the measures laid down in Regulation (EU) No 1308/2013, Regulation (EU) No 228/2013, Regulation (EU) No 229/2013 and Regulation (EU) No 1144/2014 have been effected and checked in accordance with applicable Union rules;
Article 47(1), first subparagraph, point (c)				
463	(c) whether the work of the certification body is carried out in accordance with Article 11 and for the purposes of Section 2 of this Chapter;	(c) whether the work of the certification body is carried out in accordance with Article 11 and for the purposes of Section 2 of this Chapter; Commission checks	(c) whether the work of the certification body is carried out in accordance with Article 11 and for the purposes of Section 2 of this Chapter;	(d) whether the work of the certification body is carried out in accordance with Article 11 and for the purposes of Section 2 of this Chapter; Text Origin: Commission Proposal
Article 47(1), first subparagraph, point (d)				
464	(d) whether a paying agency	(d) whether a paying agency	(d) whether a paying agency	(e) whether a paying agency

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	complies with the accreditation criteria laid down in Article 8(2) and whether the Member State correctly applies Article 8(5).	complies with the accreditation criteria laid down in Article 8(2) and whether the Member State correctly applies Article 8(5); Commission checks	complies with the accreditation criteria laid down in Article 8(2) and whether the Member State correctly applies Article 8(5).	complies with the accreditation criteria laid down in Article 8(2) and whether the Member State correctly applies Article 8(5); Text Origin: EP Mandate
Article 47(1), first subparagraph, point (da)				
464a				(f) whether a Member State implements the CAP Strategic Plan in accordance with Article 9 of Regulation (EU) .../... [CAP Strategic Plan Regulation];
Article 47(1), first subparagraph, point (da)				
464b		<u>(da) whether the action plans referred to in Articles 39 and 40 are correctly implemented.</u> Commission checks		(da) whether the action plans referred to in Article 40 are correctly implemented. Text Origin: EP Mandate
Article 47(1), first subparagraph a				
464c		<u>If the Commission cannot rely on the work of the certification body as referred to in Article 46, in the case of serious deficiencies detected in the Member State's governance, management and</u>		1. [no text needed here]

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		<u>control system or to ensure that the financial interests of the Union are protected in accordance with Article 57 of this Regulation, the Commission may carry out extended monitoring, including on-the-spot checks as long as the serious deficiencies in the governance system persist.</u> Commission checks		
Article 47(1), second subparagraph				
465	Persons authorised by the Commission to carry out checks on its behalf, or Commission agents acting within the scope of the powers conferred on them, shall have access to the books and all other documents, including documents and metadata drawn up or received and recorded on an electronic medium, relating to expenditure financed by the EAGF or the EAFRD.	Persons authorised by the Commission to carry out checks on its behalf, or Commission agents acting within the scope of the powers conferred on them, shall have access to the books and all other documents, including documents and metadata drawn up or received and recorded on an electronic medium, relating to expenditure financed by the EAGF or the EAFRD. Commission checks	Persons authorised by the Commission to carry out checks on its behalf, or Commission agents acting within the scope of the powers conferred on them, shall have access to the books and all other documents, including documents and metadata drawn up or received and recorded on an electronic medium, relating to expenditure financed by the EAGF or the EAFRD.	Persons authorised by the Commission to carry out checks on its behalf, or Commission agents acting within the scope of the powers conferred on them, shall have access to the books and all other documents, including documents and metadata drawn up or received and recorded on an electronic medium, relating to expenditure financed by the EAGF or the EAFRD. Text Origin: Commission Proposal
Article 47(1), third subparagraph				
466				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The powers to carry out checks shall not affect the application of national provisions which reserve certain acts for agents specifically designated by national law. Without prejudice to the specific provisions of Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, persons authorised by the Commission to act on its behalf shall not take part, inter alia, in home visits or the formal questioning of persons on the basis of law of the Member State concerned. However, they shall have access to information thus obtained.	The powers to carry out checks shall not affect the application of national provisions which reserve certain acts for agents specifically designated by national law. Without prejudice to the specific provisions of Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, persons authorised by the Commission to act on its behalf shall not take part, inter alia, in home visits or the formal questioning of persons on the basis of law of the Member State concerned. However, they shall have access to information thus obtained. Commission checks	The powers to carry out checks shall not affect the application of national provisions which reserve certain acts for agents specifically designated by national law. Without prejudice to the specific provisions of Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, persons authorised by the Commission to act on its behalf shall not take part, inter alia, in home visits or the formal questioning of persons on the basis of law of the Member State concerned. However, they shall have access to information thus obtained.	The powers to carry out checks shall not affect the application of national provisions which reserve certain acts for agents specifically designated by national law. Without prejudice to the specific provisions of Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, persons authorised by the Commission to act on its behalf shall not take part, inter alia, in home visits or the formal questioning of persons on the basis of law of the Member State concerned. However, they shall have access to information thus obtained. Text Origin: Commission Proposal
	Article 47(2), first subparagraph			
467	2. The Commission shall give sufficient prior notice of a check to the Member State concerned or to the Member State within whose territory the check is to take place, taking into account the administrative impact on paying agencies when organising checks. Agents from the Member State	2. The Commission shall give sufficient prior notice of a check to the Member State concerned or to the Member State within whose territory the check is to take place, taking into account the administrative impact on paying agencies when organising checks. Agents from the Member State	2. The Commission shall give sufficient prior notice of a check to the Member State concerned or to the Member State within whose territory the check is to take place, taking into account the administrative impact on paying agencies when organising checks. Agents from the Member State	2. The Commission shall give sufficient prior notice of a check to the Member State concerned or to the Member State within whose territory the check is to take place, taking into account the administrative impact on paying agencies when organising checks. Agents from the Member State

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	concerned may take part in such checks.	concerned may take part in such checks. Commission checks	concerned may take part in such checks.	concerned may take part in such checks. Text Origin: Commission Proposal
Article 47(2), second subparagraph				
468	At the request of the Commission and with the agreement of the Member State, additional checks or inquiries into the operations covered by this Regulation shall be undertaken by the competent bodies of that Member State. Commission agents or persons authorised by the Commission to act on its behalf may take part in such checks.	At the request of the Commission and with the agreement of the Member State, additional checks or inquiries into the operations covered by this Regulation shall be undertaken by the competent bodies of that Member State. Commission agents or persons authorised by the Commission to act on its behalf may take part in such checks. Commission checks	At the request of the Commission and with the agreement of the Member State, additional checks or inquiries into the operations covered by this Regulation shall be undertaken by the competent bodies of that Member State. Commission agents or persons authorised by the Commission to act on its behalf may take part in such checks.	At the request of the Commission and with the agreement of the Member State, additional checks or inquiries into the operations covered by this Regulation shall be undertaken by the competent bodies of that Member State. Commission agents or persons authorised by the Commission to act on its behalf may take part in such checks. Text Origin: Commission Proposal
Article 47(2), third subparagraph				
469	In order to improve checks, the Commission may, with the agreement of the Member States concerned, request the assistance of the authorities of those Member States for certain checks or inquiries.	In order to improve checks, the Commission may, with the agreement of the Member States concerned, request the assistance of the authorities of those Member States for certain checks or inquiries.	In order to improve checks to be performed in accordance with this Article , the Commission may, with the agreement of the Member States concerned, request the assistance of the authorities of those Member States for certain checks or inquiries.	In order to improve checks, the Commission may, with the agreement of the Member States concerned, request the assistance of the authorities of those Member States for certain checks or inquiries.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Commission checks		Text Origin: Commission Proposal
Article 48				
470	Article 48 Access to information	Article 48 Access to information Commission checks		Article 48 Access to information Text Origin: Commission Proposal
Article 48(1)				
471	1. Member States shall make available to the Commission all information necessary for the smooth operation of the Funds and shall take all appropriate measures to facilitate the checks which the Commission deems appropriate in connection with the management of Union financing.	1. Member States shall make available to the Commission all information necessary for the smooth operation of the Funds and shall take all appropriate measures to facilitate the checks which the Commission deems appropriate in connection with the management of Union financing. Commission checks		1. Member States shall make available to the Commission all information necessary for the smooth operation of the Funds and shall take all appropriate measures to facilitate the checks which the Commission deems appropriate in connection with the management of Union financing. Text Origin: Commission Proposal
Article 48(2)				
472	2. Member States shall communicate to the Commission at its request the laws, regulations and administrative provisions which	2. Member States shall communicate to the Commission at its request the laws, regulations and administrative provisions which		2. Member States shall communicate to the Commission at its request the laws, regulations and administrative provisions which

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	they have adopted in order to implement the Union legal acts relating to the CAP, where those acts have a financial impact on the EAGF or the EAFRD.	they have adopted in order to implement the Union legal acts relating to the CAP, where those acts have a financial impact on the EAGF or the EAFRD. Commission checks		they have adopted in order to implement the Union legal acts relating to the CAP, where those acts have a financial impact on the EAGF or the EAFRD. Text Origin: Commission Proposal
Article 48(3)				
473	3. Member States shall make available to the Commission information about irregularities within the meaning of Regulation (EU, Euratom) No 2988/95 and other cases of non-compliance with the conditions established by Member States in the CAP Strategic Plan, suspected fraud cases detected, and information about the steps taken pursuant to Section 3 of this Chapter to recover undue payments in connection with those irregularities and frauds.	3. Member States shall make available to the Commission information about irregularities within the meaning of Regulation (~~EU~~ EC, Euratom) No 2988/95 and other cases of non-compliance with the conditions established by Member States in the CAP Strategic Plan, suspected fraud cases detected, and information about the steps taken pursuant to Section 3 of this Chapter to recover undue payments in connection with those irregularities and frauds. <u>The Commission shall summarise that information and publish multiannual reports, communicating them to the European Parliament.</u> Commission checks		3. 3. Member States shall make available to the Commission information about irregularities within the meaning of Regulation (EC, Euratom) No 2988/95 and other cases of non-compliance with the conditions established by Member States in the CAP Strategic Plan, suspected fraud cases detected, and information about the steps taken pursuant to Section 3 of this Chapter to recover undue payments in connection with those irregularities and frauds. The Commission shall summarise and publish that information annually, communicating it to the European Parliament. Text Origin: EP comments

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 49				
474	Article 49 Access to documents	Article 49 Access to documents		Article 49 Access to documents Commission checks Text Origin: Commission Proposal
Article 49, first paragraph				
475	The accredited paying agencies shall keep supporting documents relating to payments made and documents relating to the performance of the checks required by Union law, and shall make the documents and information available to the Commission.	The accredited paying agencies shall keep supporting documents relating to payments made and documents relating to the performance of the checks required by Union law, and shall make the documents and information available to the Commission.		The accredited paying agencies shall keep supporting documents relating to payments made and documents relating to the performance of the checks required by Union law, and shall make the documents and information available to the Commission. Commission checks Text Origin: Commission Proposal
Article 49, second paragraph				
476	Those supporting documents may be kept in electronic form under the conditions laid down by the Commission on the basis of Article 50(2).	Those supporting documents may be kept in electronic form under the conditions laid down by the Commission on the basis of Article 50(2).		Those supporting documents may be kept in electronic form under the conditions laid down by the Commission on the basis of Article 50(2).

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Commission checks Text Origin: Commission Proposal
Article 49, third paragraph				
477	Where those documents are kept by an authority acting under delegation from a paying agency and responsible for authorising expenditure, that authority shall send reports to the accredited paying agency on the number of checks made, their content and the measures taken in the light of their results.	Where those documents are kept by an authority acting under delegation from a paying agency and responsible for authorising expenditure, that authority shall send reports to the accredited paying agency on the number of checks made, their content and the measures taken in the light of their results.		Where those documents are kept by an authority acting under delegation from a paying agency and responsible for authorising expenditure, that authority shall send reports to the accredited paying agency on the number of checks made, their content and the measures taken in the light of their results. Commission checks Text Origin: Commission Proposal
Article 49, fourth paragraph				
478	This Article shall apply mutatis mutandis to the certification bodies.	This Article shall apply mutatis mutandis to the certification bodies.		This Article shall apply mutatis mutandis to the certification bodies. Commission checks Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Article 50				
479	Article 50 Commission powers	Article 50 Commission powers Commission checks		Article 50 Commission powers Text Origin: Commission Proposal
Article 50(1)				
480	1. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with specific obligations to be complied with by the Member States under this Chapter and with rules in particular on the criteria for determining the cases of irregularity within the meaning of Regulation (EU, Euratom) No 2988/95 and other cases of non-compliance with the conditions established by Member States in the CAP Strategic Plan, to be reported and the data to be provided.	1. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with specific obligations to be complied with by the Member States under this Chapter and with rules in particular on the criteria for determining the cases of irregularity within the meaning of Regulation (EU, Euratom) No 2988/95 and other cases of non-compliance with the conditions established by Member States in the CAP Strategic Plan, to be reported and the data to be provided. Commission checks	1. The Commission is empowered to adopt delegated acts in accordance with Article 100 to ensure the correct and efficient application of the provisions relating to checks and access to documents and information set out in this Chapter, supplementing this Regulation with specific obligations to be complied with by the Member States under this Chapter and with rules ~~in particular~~ on the criteria for determining the cases of irregularity within the meaning of Regulation (EU, Euratom) No 2988/95 and other cases of non-compliance with the conditions established by Member States in the CAP Strategic Plan, to be	1. The Commission is empowered to adopt delegated acts in accordance with Article 100 which are necessary to ensure the correct and efficient application of the provisions relating to checks and access to documents and information set out in this Chapter, supplementing this Regulation with specific obligations to be complied with by the Member States under this Chapter and with rules on the criteria for determining the cases of irregularity within the meaning of Regulation (EU, Euratom) No 2988/95 and other cases of non-compliance with the conditions established by Member States in the CAP Strategic Plan, to be reported and the data to be

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			reported and the data to be provided.	provided. Text Origin: Council Mandate
Article 50(2), first subparagraph, introductory part				
481	2. The Commission may adopt implementing acts laying down rules on:	2. The Commission may adopt implementing acts laying down rules on: Commission checks		2. The Commission may adopt implementing acts laying down rules on: Text Origin: Commission Proposal
Article 50(2), first subparagraph, point (a)				
482	(a) the procedures relating to the cooperation obligations to be complied with by the Member States for the implementation of Articles 47 and 48;	(a) the procedures relating to the cooperation obligations to be complied with by the Member States for the implementation of Articles 47 and 48; Commission checks		(a) the procedures relating to the cooperation obligations to be complied with by the Member States for the implementation of Articles 47 and 48; Text Origin: Commission Proposal
Article 50(2), first subparagraph, point (b)				
483	(b) the conditions under which the supporting documents referred to in Article 49 are to be kept, including their form and the time period of their storage.	(b) the conditions under which the supporting documents referred to in Article 49 are to be kept, including their form and the time period of their storage.		(b) the conditions under which the supporting documents referred to in Article 49 are to be kept, including their form and the time period of their storage. Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Commission checks		Proposal
Article 50(2), second subparagraph				
484	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Commission checks		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Text Origin: Commission Proposal
Section 2				
485	Section 2 Clearance	Section 2 Clearance		Section 2 Clearance Text Origin: Commission Proposal
Article 51				
486	Article 51 Annual financial clearance	Article 51 Annual financial clearance Performance		Article 51 Annual financial clearance Text Origin: Commission Proposal
Article 51(1), first subparagraph				
487	1. Prior to 31 May of the year following the budget year in question and on the basis of the	1. Prior to 31 May of the year following the budget year in question and on the basis of the		1. Prior to 31 May of the year following the budget year in question and on the basis of the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	information referred to in points (a) and (c) of Article 8(3), the Commission shall adopt implementing acts, containing its decision on the clearance of the accounts of the accredited paying agencies, for the expenditure referred to in Article 5(2) and Article 6.	information referred to in points (a), <u>(b)</u> and (c) of Article 8(3), the Commission shall adopt implementing acts, containing its decision on the clearance of the accounts of the accredited paying agencies, for the expenditure referred to in Article 5(2) and Article 6. Performance		information referred to in points (a) and (c) of Article 8(3), the Commission shall adopt implementing acts, containing its decision on the clearance of the accounts of the accredited paying agencies, for the expenditure referred to in Article 5(2) and Article 6. Text Origin: Commission Proposal
Article 51(1), second subparagraph				
488	Those implementing acts shall cover the completeness, accuracy and veracity of the annual accounts submitted and shall be without prejudice to the content of the implementing acts subsequently adopted pursuant to Articles 52 and 53.	Those implementing acts shall cover the completeness, accuracy and veracity of the annual accounts submitted and shall be without prejudice to the content of the implementing acts subsequently adopted pursuant to ~~Articles 52 and 53.~~ <u>Article 53.</u> Performance		Those implementing acts shall cover the completeness, accuracy and veracity of the annual accounts submitted and shall be without prejudice to the content of the implementing acts subsequently adopted pursuant to Articles 52 and 53. Text Origin: Commission Proposal
Article 51(1), third subparagraph				
489	Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).	Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).		Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Performance Text Origin: Commission Proposal
Article 51(2), first subparagraph				
490	2. The Commission shall adopt implementing acts laying down rules on the clearance of accounts provided for in paragraph 1 with regard to the measures to be taken in connection with the adoption of the implementing acts referred to in the second subparagraph of paragraph 1 and their implementation, including the information exchange between the Commission and the Member States and the deadlines to be respected.	2. The Commission shall adopt implementing acts laying down rules on the clearance of accounts provided for in paragraph 1 with regard to the measures to be taken in connection with the adoption of the implementing acts referred to in the second subparagraph of paragraph 1 and their implementation, including the information exchange between the Commission and the Member States and the deadlines to be respected.		2. The Commission shall adopt implementing acts laying down rules on the actions necessary for the purposes of adoption and implementation of the implementing acts referred to in paragraph 1, including the rules on information exchange between the Commission and the Member States and the deadlines to be respected. Performance
Article 51(2), second subparagraph				
491	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Performance Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Article 52				
492	Article 52 Annual performance clearance	Article 52 ~~Annual performance clearance~~ Performance		Article 52 Annual performance clearance Text Origin: Commission Proposal
Article 52(1), first subparagraph				
493	1. Where the expenditure referred to in Articles 5(2) and 6 and corresponding to the interventions referred to in Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation] does not have a corresponding output as reported in the annual performance report, the Commission shall adopt implementing acts prior to 15 October of the year following the budget year in question determining the amounts to be reduced from Union financing. Those implementing acts shall be without prejudice to the content of the implementing acts subsequently adopted pursuant to Article 53 of this Regulation.	1. ~~Where the expenditure referred to in Articles 5(2) and 6 and corresponding to the interventions referred to in Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation] does not have a corresponding output as reported in the annual performance report, the Commission shall adopt implementing acts prior to 15 October of the year following the budget year in question determining the amounts to be reduced from Union financing. Those implementing acts shall be without prejudice to the content of the implementing acts subsequently adopted pursuant to Article 53 of this Regulation.~~	1. 1. Where the expenditure referred to in ~~Articles~~ Article 5(2) and Article 6 of this Regulation 6 and corresponding to the interventions referred to in Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation] does not have a corresponding output as reported in the annual performance report referred to in Article 10a and Article 8(3) of this Regulation and in Article 121 of Regulation (EU) .../... [CAP Strategic Plan Regulation] , the Commission shall adopt implementing acts prior to 15 October of the year following the budget year in question determining the amounts to be reduced from Union financing.	1. Where the expenditure referred to in Article 5(2) and Article 6 of this Regulation and corresponding to the interventions referred to in Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation] does not have a corresponding output as reported in the annual performance report referred to in Article 10a and Article 8(3) of this Regulation and in Article 121 of Regulation (EU) .../... [CAP Strategic Plan Regulation], the Commission shall adopt implementing acts prior to 15 October of the year following the budget year in question determining the amounts to be reduced from Union financing. Those implementing acts shall be

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Performance	Those implementing acts shall be without prejudice to the content of the implementing acts subsequently adopted pursuant to Article 53 of this Regulation.	without prejudice to the content of the implementing acts subsequently adopted pursuant to Article 53 of this Regulation.
Article 52(1), second subparagraph				
494	Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).	~~Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).~~ Performance	Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).	Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 101(2).
Article 52(2)				
495	2. The Commission shall assess the amounts to be reduced on the basis of the difference between the annual expenditure declared for an intervention and the amount corresponding to the relevant reported output in accordance with the national CAP Strategic Plan and taking account of justifications provided by the Member State.	~~2. The Commission shall assess the amounts to be reduced on the basis of the difference between the annual expenditure declared for an intervention and the amount corresponding to the relevant reported output in accordance with the national CAP Strategic Plan and taking account of justifications provided by the Member State.~~ Performance	2. The Commission shall assess the amounts to be reduced on the basis of the difference between the annual expenditure declared for an intervention and the amount corresponding to the relevant reported output in accordance with the national CAP Strategic Plan and taking account of justifications provided by the Member State in the annual performance reports in accordance with Article 121(5) of Regulation (EU) No.../... [CAP Strategic Plan Regulation].	2. The Commission shall assess the amounts to be reduced on the basis of the difference between the annual expenditure declared for an intervention and the amount corresponding to the relevant reported output in accordance with the national CAP Strategic Plan and taking account of justifications provided by the Member State in the annual performance reports in accordance with Article 121(54) of Regulation (EU) No.../... [CAP Strategic Plan Regulation].

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 52(3)				
496	3. Before the adoption of the implementing act referred to in paragraph 1, the Commission shall give the Member State an opportunity to submit its comments and justify any differences.	3. ~~Before the adoption of the implementing act referred to in paragraph 1, the Commission shall give the Member State an opportunity to submit its comments and justify any differences.~~ Performance	3. Before the adoption of the implementing act referred to in paragraph 1, the Commission shall give the Member State an opportunity to submit its comments and justify any differences within a period which, where the documents in accordance with Articles 8(3), 8(4) and 11(1) have been submitted by the deadline, shall not be less than 30 days.	3. 3. Before the adoption of the implementing act referred to in paragraph 1 of this Article, the Commission shall give the Member State an opportunity to submit its comments and justify any differences within a period which, where the documents in accordance with Article 10a, Article 8(3) and Article 11(1) have been submitted by the deadline, shall not be less than 30 days.
Article 52(4)				
497	4. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the criteria for justifications from the concerned Member State and the methodology and criteria for applying reductions.	4. ~~The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the criteria for justifications from the concerned Member State and the methodology and criteria for applying reductions.~~ Performance	deleted	4. [DA agreed] The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the criteria for justifications from the concerned Member State and the methodology and criteria for applying reductions. Text Origin: Commission Proposal
Article 52(5), first subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G 498	5. The Commission shall adopt implementing acts laying down rules on the measures to be taken in connection with the adoption of the implementing act referred to in paragraph 1 and its implementation, including the information exchange between the Commission and the Member States, the procedure and the deadlines to be respected.	5. ~~The Commission shall adopt implementing acts laying down rules on the measures to be taken in connection with the adoption of the implementing act referred to in paragraph 1 and its implementation, including the information exchange between the Commission and the Member States, the procedure and the deadlines to be respected.~~ Performance	54. The Commission shall adopt implementing acts laying down rules on the measures to be taken in connection with the adoption of the implementing act referred to in paragraph 1 and its implementation, including the information exchange between the Commission and the Member States, the procedure and the deadlines to be respected.	5. [IA agreed] The Commission shall adopt implementing acts laying down rules on the actions necessary for the purposes of adoption and implementation of the implementing acts referred to in paragraph 1, including the rules on information exchange between the Commission and the Member States and the deadlines to be respected.
Article 52(5), first subparagraph, point (a)				
G 498a			(a) the criteria for justifications;	(a) [covered by Line 498, Council AM withdrawn here]
Article 52(5), first subparagraph, point (b)				
G 498b			(b) the methodology and criteria for applying reductions;	(b) [covered by Line 498, Council AM withdrawn here]
Article 52(5), first subparagraph, point (c)				
G 498c			(c) the measures to be taken in connection with the adoption of the implementing act referred to in paragraph 1 and its	(c) [covered by Line 498, Council AM withdrawn here] Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			implementation, including the information exchange between the Commission and the Member States, the procedure and the deadlines to be respected.	
Article 52(5), second subparagraph				
499	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	~~Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).~~ Performance		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Text Origin: Commission Proposal
Article 53				
500	Article 53 Conformity procedure	Article 53 Conformity procedure Commission checks		Article 53 Text Origin: Commission Proposal
Article 53(1), first subparagraph				
501	1. Where the Commission finds that the expenditure referred to in Article 5(2) and Article 6 has not been effected in conformity with Union law, the Commission shall adopt implementing acts	1. Where the Commission finds that the expenditure referred to in Article 5(2) and Article 6 has not been effected in conformity with Union law, the Commission shall adopt implementing acts		1. Where the Commission finds that the expenditure referred to in Article 5(2) and Article 6 has not been effected in conformity with Union law, the Commission shall adopt implementing acts

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	determining the amounts to be excluded from Union financing.	determining the amounts to be excluded from Union financing. Commission checks		determining the amounts to be excluded from Union financing Text Origin: Commission Proposal
Article 53(1), second subparagraph				
502	However, as regards the types of interventions referred to in Regulation (EU) .../... [CAP Strategic Plan Regulation] the exclusions from Union financing as referred to in the first subparagraph shall only apply in the case of serious deficiencies in the functioning of the Member States' governance systems.	~~However, as regards the types of interventions referred to in Regulation (EU) .../... [CAP Strategic Plan Regulation] the exclusions from Union financing as referred to in the first subparagraph shall only apply in the case of serious deficiencies in the functioning of the Member States' governance systems.~~ Commission checks		However, as regards the types of interventions referred to in Regulation (EU) .../... [CAP Strategic Plan Regulation] the exclusions from Union financing as referred to in the first subparagraph of this paragraph shall only apply in the case of serious deficiencies in the functioning of the Member States' governance systems. Text Origin: EP comments
Article 53(1), third subparagraph				
503	The first subparagraph shall not apply to cases of non-compliance with the eligibility conditions for individual beneficiaries laid down in the national CAP Strategic Plans and national rules.	~~The first subparagraph shall not apply to cases of non-compliance with the eligibility conditions for individual beneficiaries laid down in the national CAP Strategic Plans and national rules.~~ Commission checks		The first subparagraph shall not apply to cases of non-compliance with the eligibility conditions for individual beneficiaries laid down in the national CAP Strategic Plans and national rules. Text Origin: EP comments

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 53(1), fourth subparagraph				
504	The implementing acts referred to in the first subparagraph shall be adopted in accordance with the advisory procedure referred to in Article 101(2).	The implementing acts referred to in the first subparagraph shall be adopted in accordance with the advisory procedure referred to in Article 101(2). Commission checks		The implementing acts referred to in the first subparagraph of this paragraph shall be adopted in accordance with the advisory procedure referred to in Article 101(2).
Article 53(1), fifth subparagraph				
504a		Commission checks	The second and the third subparagraphs shall not apply to the interventions referred to in Subsection 2 of Section 3 of Chapter II of Regulation (EU) ... / ... [CAP Strategic Plans Regulation].	[Council mandate moved to SPR. See also revised Recital (25)] Text Origin: EP comments
Article 53(2)				
505	2. The Commission shall assess the amounts to be excluded on the basis of the gravity of the deficiencies found.	2. The Commission shall assess the amounts to be excluded on the basis of the gravity of <u>non-conformity recorded. It shall take due account of the nature of the infringement and of the financial damage incurred by the Union. It shall base the exclusion on the amounts identified as unduly spent. Where it is not reasonably</u>		2. The Commission shall assess the amounts to be excluded on the basis of the gravity of the deficiencies found. It shall take due account of the nature of the infringement and of the financial damage incurred by the Union. Text Origin: EP comments

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>possible to calculate the exact amount, flat-rate corrections shall be used in a proportionate way</u> ~~the deficiencies found.~~ Commission checks		
Article 53(3), first subparagraph				
506	3. Before the adoption of the implementing act referred to in paragraph 1, the Commission findings and the Member State's replies shall be notified in writing following which the two parties shall attempt to reach agreement on the action to be taken. Following this, the Member States shall be given the opportunity to demonstrate that the actual extent of the non-compliance is lower than the Commission's assessment.	3. Before the adoption of the implementing act referred to in paragraph 1, the Commission findings and the Member State's replies shall be notified in writing following which the two parties shall attempt to reach agreement on the action to be taken. Following this, the Member States shall be given the opportunity to demonstrate that the actual extent of the non-compliance is lower than the Commission's assessment. Commission checks		3. Before the adoption of the implementing act referred to in paragraph 1, the Commission findings and the Member State's replies shall be notified in writing following which the two parties shall attempt to reach agreement on the action to be taken. Following this, the Member States shall be given the opportunity to demonstrate that the actual extent of the non-compliance is lower than the Commission's assessment. Text Origin: Commission Proposal
Article 53(3), second subparagraph				
507	If agreement is not reached, the Member State may request the opening of a procedure aimed at reconciling, within a period of four	If agreement is not reached, the Member State may request the opening of a procedure aimed at reconciling, within a period of four		If agreement is not reached, the Member State may request the opening of a procedure aimed at reconciling, within a period of four

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	months, each party's position. A report on the outcome of the procedure shall be submitted to the Commission. The Commission shall take into account the recommendations in the report before making a decision to refuse financing and shall provide justification where it decides not to follow those recommendations.	months, each party's position. A report on the outcome of the procedure shall be submitted to the Commission. The Commission shall take into account the recommendations in the report before making a decision to refuse financing and shall provide justification where it decides not to follow those recommendations. Commission checks		months, each party's position. A report on the outcome of the procedure shall be submitted to the Commission. The Commission shall take into account the recommendations in the report before making a decision to refuse financing and shall provide justification where it decides not to follow those recommendations. Text Origin: Commission Proposal
	Article 53(4), introductory part			
508	4. Financing shall not be refused for:	4. Financing shall not be refused for: Commission checks		4. Text Origin: Commission Proposal
	Article 53(4), point (a)			
509	(a) expenditure as indicated in Article 5(2) which is effected more than 24 months before the Commission notifies the Member State in writing of its findings;	(a) expenditure as indicated in Article 5(2) which is effected more than 24 months before the Commission notifies the Member State in writing of its findings; Commission checks		(a) expenditure as indicated in Article 5(2) which is effected more than 24 months before the Commission notifies the Member State in writing of its findings; Text Origin: Commission Proposal
	Article 53(4), point (b)			

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510	(b) expenditure on multiannual interventions falling within the scope of Article 5(2) or within the scope of the rural development interventions as referred to in Article 6, where the final obligation on the beneficiary occurs more than 24 months before the Commission notifies the Member State in writing of its findings;	(b) expenditure on multiannual interventions falling within the scope of Article 5(2) or within the scope of the rural development interventions as referred to in Article 6, where the final obligation on the beneficiary occurs more than 24 months before the Commission notifies the Member State in writing of its findings; Commission checks		(b) expenditure on multiannual interventions falling within the scope of Article 5(2) or within the scope of the rural development interventions as referred to in Article 6, where the final obligation on the beneficiary occurs more than 24 months before the Commission notifies the Member State in writing of its findings; Text Origin: Commission Proposal
Article 53(4), point (c)				
511	(c) expenditure on rural development interventions, as referred to in Article 6, other than those referred to in point (b) of this paragraph, for which the payment or, as the case may be, the final payment, by the paying agency, is made more than 24 months before the Commission notifies the Member State in writing of its findings.	(c) expenditure on rural development interventions, as referred to in Article 6, other than those referred to in point (b) of this paragraph, for which the payment or, as the case may be, the final payment, by the paying agency, is made more than 24 months before the Commission notifies the Member State in writing of its findings. Commission checks		(c) expenditure on rural development interventions, as referred to in Article 6, other than those referred to in point (b) of this paragraph, for which the payment or, as the case may be, the final payment, by the paying agency, is made more than 24 months before the Commission notifies the Member State in writing of its findings. Text Origin: Commission Proposal
Article 53(5), introductory part				

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512	5. Paragraph 4 shall not apply in the case of:	5. Paragraph 4 shall not apply in the case of: Commission checks		5. Paragraph 4 shall not apply in the case of: Text Origin: Commission Proposal
Article 53(5), point (a)				
513	(a) aids granted by a Member State for which the Commission has initiated the procedure laid down in Article 108(2) of the Treaty or infringements which the Commission has notified to the Member State concerned by a reasoned opinion in accordance with Article 258 of the Treaty;	(a) aids granted by a Member State for which the Commission has initiated the procedure laid down in Article 108(2) of the Treaty or infringements which the Commission has notified to the Member State concerned by a reasoned opinion in accordance with Article 258 of the Treaty; Commission checks		(a) aids granted by a Member State for which the Commission has initiated the procedure laid down in Article 108(2) of the Treaty or infringements which the Commission has notified to the Member State concerned by a reasoned opinion in accordance with Article 258 of the Treaty; Text Origin: Commission Proposal
Article 53(5), point (b)				
514	(b) infringements by Member States of their obligations under Chapter III of Title IV of this Regulation, provided that the Commission notifies the Member State in writing of its findings within 12 months following receipt of the Member State's report on the results of its checks on the	(b) infringements by Member States of their obligations under Chapter III of Title IV of this Regulation, provided that the Commission notifies the Member State in writing of its findings within 12 months following receipt of the Member State's report on the results of its checks on the		(b) infringements by Member States of their obligations under Chapter III of Title IV of this Regulation, provided that the Commission notifies the Member State in writing of its findings within 12 months following receipt of the Member State's report on the results of its checks on the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	expenditure concerned.	expenditure concerned. Commission checks		expenditure concerned. Text Origin: Commission Proposal
Article 53(6)				
515	6. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the criteria and methodology for applying financial corrections.	6. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the criteria and methodology for applying financial corrections <u>including flat-rate corrections referred to in paragraph 2 of this Article.</u> Commission checks	<i>deleted</i>	6. [DA agreed] [Council AM withdrawn] The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the criteria and methodology for applying financial corrections. Text Origin: Commission Proposal
Article 53(7), first subparagraph				
516	7. The Commission shall adopt implementing acts laying down rules on the measures to be taken in connection with the adoption of the implementing act referred to in paragraph 1 and its implementation, including the information exchange between the Commission and the Member States, the deadlines to be respected and the conciliation	7. The Commission shall adopt ~~implementing acts~~ <u>delegated acts in accordance with Article 100, supplementing this Regulation by</u> laying down rules on the measures to be taken in connection with the adoption of the implementing act referred to in paragraph 1 and its implementation, including the information exchange between the Commission and the Member	~~76. The Commission shall adopt implementing acts laying down rules on the measures to be taken in connection with the adoption of the implementing act referred to in paragraph 1 and its implementation, including the information exchange between the Commission and the Member States, the deadlines to be respected and the conciliation~~	7. The Commission shall adopt implementing acts laying down rules on the actions necessary for the purposes of adoption and implementation of the implementing acts referred to in paragraph 1, including the rules on information exchange between the Commission and the Member States and the deadlines to be respected and the conciliation

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	procedure provided for in paragraph 3, including the establishment, tasks, composition and working arrangements of the conciliation body.	States, the deadlines to be respected and the conciliation procedure provided for in paragraph 3, including the establishment, tasks, composition and working arrangements of the conciliation body. Commission checks	~~procedure provided for in paragraph 3, including the establishment, tasks, composition and working arrangements of the conciliation body:~~	procedure provided for in paragraph 3, and including the establishment, tasks, composition and working arrangements of the conciliation body. Text Origin: EP comments
	Article 53(7), first subparagraph, point (a)			
516a		Commission checks	(a) the measures to be taken in connection with the adoption of the implementing act referred to in paragraph 1 and its implementation;	(a) [covered by Line 516, Council AM withdrawn here]
	Article 53(7), first subparagraph, point (b)			
516b		Commission checks	(b) the criteria and methodology for applying financial corrections with a view to enabling the Commission to protect the financial interest of the Union;	(b) [covered by Line 516, Council AM withdrawn here]
	Article 53(7), first subparagraph, point (c)			
516c		Commission checks	(c) the information exchange between the Commission and the Member States, the deadlines to	(c) [covered by Line 516, Council AM withdrawn here]

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			be respected;	
	Article 53(7), first subparagraph, point (d)			
516d		Commission checks	(d) the conciliation procedure provided for in paragraph 3, including the establishment, tasks, composition and working arrangements of the conciliation body.	(d) [covered by Line 516, Council AM withdrawn here]
	Article 53(7), second subparagraph			
517	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	~~Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).~~ Commission checks		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Text Origin: Commission Proposal
	Article 53a			
517a		<u>Article 53a</u> <u>Recoveries for non-compliance</u>		Article 53a [EP mandate withdrawn for 517a-517i] Financial management Performance
	Article 53a(1)			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G	517b	<u>1. Member States shall request recovery from the beneficiary for any undue payment following the occurrence of irregularities and other cases of non-compliance by beneficiaries with the conditions of the interventions referred in the CAP Strategic Plan and bring legal proceedings to that effect where necessary.</u>		1. [EP mandate withdrawn for 517a-517i] Financial management Performance
	Article 53a(2)			
G	517c	<u>2. If the sum has not been recovered within four years of the date of the recovery request, or within eight years if the recovery is being dealt with by the national courts, 50 % of the financial cost of the non-recovery shall be borne by the Member State concerned and 50 % shall be borne by the Union, without prejudice to the requirement that the Member State concerned is to continue the recovery procedures in accordance with Article 57.</u>		2. [EP mandate withdrawn for 517a-517i] Financial management Performance
	Article 53a(3), introductory part			
G	517d	<u>3. On duly justified grounds,</u>		3. [EP mandate withdrawn for

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>Member States may decide not to pursue recovery. A decision to that effect may be taken only in the following cases:</u>		517a-517i] Financial management Performance
	Article 53a(3), point (a), introductory part			
517e		<u>(a) where the costs of recovery already incurred and the costs likely to be incurred total more than the amount to be recovered, which condition shall be considered to have been met if:</u>		(a) [EP mandate withdrawn for 517a-517i] Financial management Performance
	Article 53a(3), point (a)(1), introductory part			
517f				(1) [EP mandate withdrawn for 517a-517i] Financial management Performance
	Article 53a(3), point (a)(1)(i)			
517g		<u>i the amount to be recovered from the beneficiary in the context of an individual payment for an intervention, not including interest, does not exceed EUR 100; or</u>		i [EP mandate withdrawn for 517a-517i] Financial management Performance
	Article 53a(3), point (a)(1)(ii)			

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G 517h		<u>ii the amount to be recovered from the beneficiary in the context of an individual payment for an intervention, not including interest, falls between EUR 100 and EUR 250 and the Member State concerned applies a threshold equal to or higher than the amount to be recovered under its national law for not pursuing national debts;</u>		ii [EP mandate withdrawn for 517a-517i] Financial management Performance
Article 53a(3), point (b)				
G 517i		<u>(b) where recovery proves impossible owing to the insolvency, recorded and recognised under national law, of the debtor or the persons legally responsible for the irregularity.</u>		(b) [EP mandate withdrawn for 517a-517i] Financial management Performance
Section 3				
G 518	Section 3 Recoveries for non-compliance	Section 3 Recoveries for non-compliance		Section 3 Recoveries for non-compliance Text Origin: Commission Proposal
Article 54				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
519	Article 54 Provisions specific to the EAGF	Article 54 Provisions specific to the EAGF		Article 54 Provisions specific to the EAGF Financial management Text Origin: Commission Proposal
Article 54, first paragraph				
520	Sums recovered by the Member States following the occurrence of irregularities and other cases of non-compliance by beneficiaries with the conditions of the interventions referred to in the CAP Strategic Plan and the interest thereon shall be made over to the paying agency and booked by it as revenue assigned to the EAGF in the month in which the sums are actually received.	Sums recovered by the Member States following the occurrence of irregularities and other cases of non-compliance by beneficiaries with the conditions of the interventions referred to in the CAP Strategic Plan and the interest thereon <u>which shall be calculated from the day following the date on which the payment was due</u> , shall be made over to the paying agency and booked by it as revenue assigned to the EAGF in the month in which the sums are actually received.		Sums recovered by the Member States following the occurrence of irregularities and other cases of non-compliance by beneficiaries with the conditions of the interventions referred to in the CAP Strategic Plan and the interest thereon shall be made over to the paying agency and booked by it as revenue assigned to the EAGF in the month in which the sums are actually received. Financial management Text Origin: Commission Proposal
Article 54, first paragraph a				
520a		<u>Member States may, without prejudice to the first paragraph,</u>		Member States may, without prejudice to the first paragraph,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<i><u>instruct the paying agency, as the body responsible for the recovery of debt, to deduct any outstanding debts owed by a beneficiary from future payments to that beneficiary.</u></i>		instruct the paying agency, as the body responsible for the recovery of debt, to deduct any outstanding debts owed by a beneficiary from future payments to that beneficiary. Financial management Performance Text Origin: EP Mandate
Article 54, second paragraph				
521	When the Union's budget is credited as referred to in the first paragraph, the Member State may retain 20 % of the corresponding amounts as flat rate recovery costs, except in cases of non-compliance attributable to its administrative authorities or other official bodies.	When the Union's budget is credited as referred to in the first paragraph, the Member State may retain 20 % of the corresponding amounts as flat rate recovery costs, except in cases of non-compliance attributable to its administrative authorities or other official bodies.		When the Union's budget is credited as referred to in the first paragraph, the Member State may retain 20 % of the corresponding amounts as flat rate recovery costs, except in cases of non-compliance attributable to its administrative authorities or other official bodies. Text Origin: Commission Proposal
Article 55				
522	Article 55 Provisions specific to the EAFRD	Article 55 Provisions specific to the EAFRD		Article 55 Provisions specific to the EAFRD Financial management Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 55(1), first subparagraph			
523	1. Where irregularities and other cases of non-compliance by beneficiaries with the conditions of the rural development interventions referred to in the CAP Strategic Plan are detected, Member States shall make financial adjustments by totally or partially cancelling the Union financing concerned. Member States shall take into consideration the nature and gravity of the non-compliance detected and the level of the financial loss to the EAFRD.	1. Where irregularities and other cases of non-compliance by beneficiaries with the conditions of the rural development interventions referred to in the CAP Strategic Plan are detected, Member States shall make financial adjustments by <u>cancelling partially or, under exceptional circumstances, ~~totally~~ or partially</u> cancelling <u>entirely</u> the Union financing concerned. Member States shall take into consideration the nature and gravity of the non-compliance detected and the level of the financial loss to the EAFRD.	1. Where irregularities and other cases of non-compliance by beneficiaries, and as regards financial instruments also by specific funds under holding funds or final recipients , with the conditions of the rural development interventions referred to in the CAP Strategic Plan are detected, Member States shall make financial adjustments by totally or partially cancelling the Union financing concerned. Member States shall take into consideration the nature and gravity of the non-compliance detected and the level of the financial loss to the EAFRD.	1. Where irregularities and other cases of non-compliance by beneficiaries, and as regards financial instruments also by specific funds under holding funds or final recipients, with the conditions of the rural development interventions referred to in the CAP Strategic Plan are detected, Member States shall make financial adjustments by cancelling partially or, when justified, entirely the Union financing concerned. Member States shall take into consideration the nature and gravity of the non-compliance detected and the level of the financial loss to the EAFRD. Financial management
	Article 55(1), second subparagraph			
524	Amounts of the Union financing under the EAFRD which are cancelled and amounts recovered, and the interest thereon, shall be reallocated to other rural development interventions in the	Amounts of the Union financing under the EAFRD which are cancelled and amounts recovered, and the interest thereon, <u>which</u> shall be ~~reallocated to other rural development interventions in the~~	Amounts of the Union financing under the EAFRD which are cancelled and amounts recovered, and the interest thereon, shall be reallocated to other rural development interventions	Amounts of the Union financing under the EAFRD which are cancelled and amounts recovered, and the interest thereon, shall be reallocated to other rural development operations in the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	CAP Strategic Plan. However, the cancelled or recovered Union Funds may be reused by Member States only for a rural development operation under the national CAP Strategic Plan and provided the funds are not reallocated to rural development operations which have been the subject of a financial adjustment.	~~CAP Strategic Plan. However, the cancelled or recovered Union Funds may be reused by Member States only for a~~ <u>calculated from the day following the date on which the payment was due, shall be reallocated to other</u> rural development ~~operation under the national~~ <u>interventions in the same</u> CAP Strategic Plan ~~and provided the funds are not reallocated to rural development operations which have been the subject of a financial adjustment.~~	operations in the CAP Strategic Plan. However, the cancelled or recovered Union Funds may be reused by Member States only for a rural development operation under the– national CAP Strategic Plan and provided the funds are not reallocated to rural development operations which have been the subject of a financial adjustment.	CAP Strategic Plan. However, the cancelled or recovered Union Funds may be reused by Member States only for a rural development operation under the national CAP Strategic Plan and provided the funds are not reallocated to rural development operations which have been the subject of a financial adjustment. Financial management Performance Text Origin: Council Mandate
Article 55(1), second subparagraph a				
524a		<u>Member States shall deduct any sums unduly paid as a result of an outstanding irregularity by a beneficiary, under the terms set out in this Article, from any future payments to the beneficiary by the paying agency.</u>		Member States shall deduct any sums unduly paid as a result of an outstanding irregularity by a beneficiary, under the terms set out in this Article, from any future payments to the beneficiary by the paying agency. Financial management Performance Text Origin: EP Mandate
Article 55(1), second subparagraph b				
524b		<u>However, the cancelled or</u>		However, the cancelled or

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>recovered Union funds may be reused in their entirety by Member States only for a rural development operation under the national CAP Strategic Plan and provided the funds are not reallocated to rural development operations which have been the subject of a financial adjustment.</u>		recovered Union funds may be reused in their entirety by Member States only for a rural development operation under the national CAP Strategic Plan and provided the funds are not reallocated to rural development operations which have been the subject of a financial adjustment. Financial management Text Origin: EP Mandate
Article 55(2), introductory part				
525	2. For rural development interventions receiving aid from financial instruments as referred to in Regulation (EU) .../[CPR Article 52], a contribution cancelled in accordance with paragraph 1 of this Article as a result of an individual non-compliance, may be reused within the same financial instrument as follows:	2. For rural development interventions receiving aid from financial instruments as referred to in Regulation (EU) .../[CPR Article 52], a contribution cancelled in accordance with paragraph 1 of this Article as a result of an individual non-compliance, may be reused within the same financial instrument as follows:	2. By way of derogation from the second subparagraph of paragraph 1 , for rural development interventions receiving aid from financial instruments as referred to in Regulation (EU) .../[CPR Article 52], a contribution cancelled ~~in accordance with paragraph 1 of this Article~~ as a result of an individual non-compliance, may be reused within the same financial instrument as follows:	2. 2. By way of derogation from the second subparagraph of paragraph 1, for rural development interventions receiving aid from financial instruments as referred to in Regulation (EU) .../[CPR Article 52], a contribution cancelled as a result of an individual non-compliance, may be reused within the same financial instrument as follows: Financial management
Article 55(2), point (a)				

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526	(a) where the non-compliance that gives rise to the cancellation of the contribution is detected at the level of the final recipient referred to in [CPR Article 2(17)] of Regulation (EU) .../..., only for other final recipients within the same financial instrument;	(a) where the non-compliance that gives rise to the cancellation of the contribution is detected at the level of the final recipient referred to in [CPR Article 2(17)] of Regulation (EU) .../..., only for other final recipients within the same financial instrument;		(a) where the non-compliance that gives rise to the cancellation of the contribution is detected at the level of the final recipient referred to in [CPR Article 2(17)] of Regulation (EU) .../..., only for other final recipients within the same financial instrument; Financial management Text Origin: Commission Proposal
Article 55(2), point(b)				
527	(b) where the non-compliance that gives rise to the cancellation of the contribution is detected at the level of the specific Fund as referred to in [CPR Article 2(21)] of Regulation (EU) .../... within a holding of Funds as referred to in [CPR Article 2(20)] of Regulation (EU) .../..., only for other specific Funds.	(b) where the non-compliance that gives rise to the cancellation of the contribution is detected at the level of the specific Fund as referred to in [CPR Article 2(21)] of Regulation (EU) .../... within a holding of Funds as referred to in [CPR Article 2(20)] of Regulation (EU) .../..., only for other specific Funds.	(b) where the non-compliance that gives rise to the cancellation of the contribution is detected at the level of the specific fund as referred to in [CPR Article 2(21)] of Regulation (EU) .../... – within a holding ~~of~~ funds as referred to in [CPR Article 2(20)] of Regulation (EU) .../..., only for other specific funds.	(b) where the non-compliance that gives rise to the cancellation of the contribution is detected at the level of the specific fund as referred to in [CPR Article 2(21)] of Regulation (EU) .../... within a holding fund as referred to in [CPR Article 2(20)] of Regulation (EU) .../..., only for other specific funds. Financial management Text Origin: Council Mandate
Article 56				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
528	Article 56 Implementing powers	Article 56 Implementing powers		Article 56 Implementing powers Financial management Text Origin: Commission Proposal
Article 56, first paragraph				
529	The Commission shall adopt implementing acts laying down rules on the forms of notification and communication to be made by the Member States to the Commission in relation to the obligations set out in this Section.	The Commission shall adopt implementing acts laying down rules on the forms of notification and communication to be made by the Member States to the Commission in relation to the obligations set out in this Section.	The Commission shall adopt implementing acts laying down rules on the possible off-setting of the amounts resulting from recovery of undue payments and the forms of notification and communication to be made by the Member States to the Commission in relation to the obligations set out in this Section.	The Commission shall adopt implementing acts laying down rules on the possible off-setting of the amounts resulting from recovery of undue payments and the forms of notification and communication to be made by the Member States to the Commission in relation to the obligations set out in this Section. Text Origin: Council Mandate
Article 56, second paragraph				
530	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Text Origin: Commission Proposal

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	TITLE IV			
G 531	TITLE IV Control systems and penalties	TITLE IV Control systems and penalties		TITLE IV Control systems and penalties Text Origin: Commission Proposal
	Chapter I			
G 532	Chapter I General rules	Chapter I General rules		Chapter I General rules Text Origin: Commission Proposal
	Article 57			
G 533	Article 57 Protection of the financial interests of the Union	Article 57 Protection of the financial interests of the Union Commission checks		Article 57 Protection of the financial interests of the Union Text Origin: Commission Proposal
	Article 57(1), introductory part			
G 534	1. Member States shall, within the framework of the CAP, adopt all legislative, regulatory and	1. Member States shall, within the framework of the CAP, <u>while respecting the applicable</u>		1. Member States shall, within the framework of the CAP, while respecting the applicable

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	administrative provisions and take any other measures necessary to ensure effective protection of the financial interests of the Union. Those provisions and measures shall relate in particular to:	<u>governance systems</u> , adopt all legislative, regulatory and administrative provisions and take any other measures necessary to ensure effective protection of the financial interests of the Union <u>including application of the eligibility of expenditure criteria laid down in Article 35</u> . Those provisions and measures shall relate in particular to: Commission checks		governance systems, adopt all legislative, regulatory and administrative provisions and take any other measures necessary to ensure effective protection of the financial interests of the Union including effective application of the eligibility of expenditure criteria laid down in Article 35. Those provisions and measures shall relate in particular to:
Article 57(1), point (a)				
535	(a) checking the legality and regularity of operations financed by the Funds;	(a) checking the legality and regularity of operations financed by the Funds, <u>including at the level of beneficiaries</u> ; Commission checks		(a) checking the legality and regularity of operations financed by the Funds, including at the level of beneficiaries and as set out in the national strategic plans;
Article 57(1), point (b)				
536	(b) ensuring effective prevention against fraud, especially in areas with a higher level of risk, and which will act as a deterrent, having regard to the costs and benefits and the proportionality of the measures;	(b) ensuring effective prevention against fraud, especially in areas with a higher level of risk, and which will act as a deterrent, having regard to the costs and benefits and the proportionality of the measures;	(b) ensuring effective prevention against fraud, especially in areas with a higher level of risk, and which will act as a deterrent, having regard to the costs and benefits and the proportionality of the measures;	(b) (b) ensuring effective prevention against fraud, especially in areas with a higher level of risk, and which will act as a deterrent, having regard to the costs and benefits and the proportionality of the measures;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Commission checks		
Article 57(1), point (c)				
537	(c) preventing, detecting and correcting irregularities and fraud;	(c) preventing, detecting and correcting irregularities and fraud; Commission checks	(c) preventing, detecting and correcting irregularities and fraud;	(c) preventing, detecting and correcting irregularities and fraud; Text Origin: Commission Proposal
Article 57(1), point (d)				
538	(d) imposing penalties which are effective, dissuasive and proportionate in accordance with Union law, or failing this, national law, and bring legal proceedings to that effect, as necessary;	(d) imposing penalties which are effective, dissuasive and proportionate in accordance with Union law, or failing this, national law, and bring legal proceedings to that effect, as necessary; Commission checks	(d) imposing penalties which are effective, dissuasive and proportionate in accordance with Union law, or failing this, national law, and bring legal proceedings to that effect, as necessary;	(d) imposing penalties which are effective, dissuasive and proportionate in accordance with Union law, or failing this, national law, and bring legal proceedings to that effect, as necessary; Text Origin: Commission Proposal
Article 57(1), point (da)				
538a				(da) [No text needed here]
Article 57(1), point (e)				
539	(e) recovering undue payments plus interest, and bring legal	(e) recovering undue payments plus interest, and bring legal		(e) recovering undue payments plus interest, and bring legal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	proceedings to that effect as necessary.	proceedings to that effect as necessary. Commission checks		proceedings to that effect as necessary, including for irregularities within the meaning of Regulation (EU, Euratom) No 2988/95.
Article 57(2)				
G 540	2. Member States shall set up efficient management and control systems in order to ensure compliance with the Union legislation governing Union interventions.	2. Member States shall set up efficient management and control systems in order to ensure compliance with the Union legislation governing Union interventions. Commission checks		2. Member States shall set up efficient management and control systems in order to ensure compliance with the Union legislation governing Union interventions. Text Origin: Commission Proposal
Article 57(2a)				
G 540a				[PRES compromise as in WK 8096/2021:] Member States shall take the actions necessary to ensure the proper functioning of their management and control systems and the legality and regularity of expenditure declared to the Commission.
Article 57(2b)				

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540b				To assist the Member States in this respect, the Commission shall make available to the Member States a data-mining tool to assess risks presented by projects, beneficiaries, contractors and contracts while ensuring minimal administrative burden and effective protection of the Union financial interest. That data-mining tool may also be used in order to avoid circumvention of rules as referred to in Article 60. By 2025, the Commission shall present a report which assesses the use of the single data mining tool and its interoperability in a view of its generalised use by Member States.
Article 57(2c)				
540c				2a. Member States shall ensure the quality and reliability of the reporting system and of data on indicators.
Article 57(2d)				
540d				2b. Member States shall ensure that beneficiaries of Funds provide them with the information

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				necessary for their identification, including, where applicable, the identification of the group in which they participate, as defined in article 2 of Directive 2013/34/EU.
Article 57(3), first subparagraph				
541	3. Member States shall take appropriate precautions ensuring the the penalties applied as referred to in point (d) of paragraph 1 are proportionate and graduated according to the severity, extent, duration and reoccurrence of the non-compliance found.	3. Member States shall take appropriate precautions ensuring the the penalties applied as referred to in point (d) of paragraph 1 are proportionate and graduated according to the severity, extent, duration and reoccurrence of the non-compliance found. Commission checks	3. Member States shall take appropriate precautions ensuring ~~the~~ that the penalties applied as referred to in point (d) of paragraph 1 are proportionate and graduated according to the severity, extent, duration and reoccurrence of the non-compliance found.	3. Member States shall take appropriate precautions ensuring that the penalties applied as referred to in point (d) of paragraph 1 are proportionate and graduated according to the severity, extent, duration and reoccurrence of the non-compliance found. Text Origin: Council Mandate
Article 57(3), second subparagraph, introductory part				
542	The arrangements set out by Member States shall ensure, in particular, that no penalties shall be imposed:	The arrangements set out by Member States shall ensure, in particular, that no penalties shall be imposed: Commission checks	The arrangements set out by Member States shall ensure, ~~in particular,~~ that no penalties shall be imposed in particular in cases:	The arrangements set out by Member States shall ensure, in particular, that no penalties shall be imposed: Text Origin: Commission Proposal
Article 57(3), second subparagraph, point(a)				
543				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(a) where the non-compliance is due to force majeure;	(a) where the non-compliance is due to force majeure; Commission checks	(a) where the non-compliance is due to force majeure or exceptional circumstances as referred to in Article 3;	(a) where the non-compliance is due to force majeure or exceptional circumstances as referred to in Article 3; Text Origin: Council Mandate
Article 57(3), second subparagraph, point (b)				
544	(b) where the non-compliance is due to an error of the competent authority or another authority, and where the error could not reasonably have been detected by the person concerned by the administrative penalty;	(b) where the non-compliance is due to an error of the competent authority or another authority, and where the error could not reasonably have been detected by the person concerned by the administrative penalty; Commission checks		(b) where the non-compliance is due to an error of the competent authority or another authority, and where the error could not reasonably have been detected by the person concerned by the administrative penalty; Text Origin: Commission Proposal
Article 57(3), second subparagraph, point (c)				
545	(c) where the person concerned can demonstrate to the satisfaction of the competent authority that he or she is not at fault for the non-compliance with the obligations referred to in paragraph 1 or if the competent authority is otherwise satisfied that the person concerned is not at fault.	(c) where the person concerned can demonstrate to the satisfaction of the competent authority that he or she is not at fault for the non-compliance with the obligations referred to in paragraph 1 or if the competent authority is otherwise satisfied that the person concerned is not at fault. Commission checks		(c) where the person concerned can demonstrate to the satisfaction of the competent authority that he or she is not at fault for the non-compliance with the obligations referred to in paragraph 1 or if the competent authority is otherwise satisfied that the person concerned is not at fault. Text Origin: Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Proposal
Article 57(3), third subparagraph				
546	Where the non-compliance with the conditions for the granting of the aid is due to force majeure, the beneficiary shall retain the right to receive aid.	Where the non-compliance with the conditions for the granting of the aid is due to force majeure, the beneficiary shall retain the right to receive aid. Commission checks	Where the non-compliance with the conditions for the granting of the aid is due to force majeure or exceptional circumstances as referred to in Article 3 , the beneficiary shall retain the right to receive aid.	Where the non-compliance with the conditions for the granting of the aid is due to force majeure or exceptional circumstances as referred to in Article 3, the beneficiary shall retain the right to receive aid. Text Origin: Council Mandate
Article 57(3), third subparagraph a				
546a				3a. Member States may in their management and control systems include the possibility for aid applications and payment claims to be corrected after submission without an effect on the right to receive aid, provided that the elements or omissions to be corrected were made in good faith as recognised by the competent authority; and requires that the correction is made either before the applicant is informed of being selected for an on-the-spot check or the competent authority has taken its decision in respect of the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				application.
Article 57(4)				
547	4. Member States shall introduce arrangements for ensuring the effective examination of complaints concerning the Funds and shall, upon request by the Commission, examine complaints submitted to the Commission falling within the scope of their CAP Strategic Plan. Member States shall inform the Commission of the results of those examinations.	4. Member States shall introduce arrangements for ensuring the effective examination of complaints concerning the Funds and shall, upon request by the Commission, examine complaints submitted to the Commission falling within the scope of their CAP Strategic Plan. Member States shall inform the Commission of the results of those examinations. <u>Commission checks</u>	4. Member States shall introduce arrangements for ensuring the effective examination of complaints concerning the Funds and shall, upon request by the Commission, examine complaints submitted to the Commission falling within the scope of their CAP Strategic Plan. Member States shall inform the Commission of the results of those examinations. The Commission shall ensure that complaints directly lodged with it are adequately followed up. Where the Commission forwards a complaint to a Member State for follow-up, and the Member State fails to do so [by the set deadline], the Commission shall take the necessary steps with a view to obliging the Member State to respect its obligations under this paragraph.	4. Member States shall introduce arrangements for ensuring the effective examination of complaints concerning the Funds and shall, upon request by the Commission, examine complaints submitted to the Commission falling within the scope of their CAP Strategic Plan. Member States shall inform the Commission of the results of those examinations. The Commission shall ensure that complaints directly lodged with it are adequately followed up. Where the Commission forwards a complaint to a Member State for follow-up, and the Member State fails to do so by the deadline set by the Commission, the Commission shall take the necessary steps with a view to obliging the Member State to respect its obligations under this paragraph.
Article 57(4a)				
547a		<u>Where deficiencies regarding the</u>		4a. Withdrawn,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>examination and treatment of complaints have been detected in a Member State, the Commission shall set up a complaints mechanism to which beneficiaries confronted with unfair treatment, or treatment which puts them at a disadvantage, concerning the commitment or disbursement of public funds under direct or shared management including public tender decisions can lodge direct complaints to the Commission. The Commission shall ensure that adequate protection for natural or legal persons following the lodging of a complaint is guaranteed.</u> Commission checks		text blank
Article 57(5), first subparagraph				
548	5. Member States shall inform the Commission of the provisions adopted and measures taken under paragraphs 1 and 2.	5. Member States shall inform the Commission of the provisions adopted and measures taken under paragraphs 1 and 2. Commission checks	5. Member States shall inform the Commission of the provisions adopted and measures taken under paragraphs 1 and 2.	5. Member States shall inform the Commission of the provisions adopted and measures taken under paragraphs 1 and 2. Text Origin: Commission Proposal
Article 57(5), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
549	Any conditions established by Member States to supplement the conditions laid down by Union rules for receiving support financed by the EAGF or the EAFRD shall be verifiable.	Any conditions established by Member States to supplement the conditions laid down by Union rules for receiving support financed by the EAGF or the EAFRD shall be verifiable. Commission checks	Any conditions established by Member States to supplement the conditions laid down by Union rules for receiving support financed by the EAGF or the EAFRD shall be verifiable.	Any conditions established by Member States to supplement the conditions laid down by Union rules for receiving support financed by the EAGF or the EAFRD shall be verifiable. Text Origin: Commission Proposal
Article 57(6), first subparagraph, introductory part				
550	6. The Commission may adopt implementing acts, laying down rules necessary for the uniform application of this Article relating to the following:	6. The Commission may adopt implementing acts, laying down rules necessary for the uniform application of this Article relating to the following: Commission checks	6. The Commission may adopt implementing acts, laying down rules necessary for the uniform application of this Article relating to the following:	6. The Commission may adopt implementing acts, laying down rules necessary for the uniform application of this Article relating to the following: Text Origin: Commission Proposal
Article 57(6), first subparagraph, point(a)				
551	(a) the procedures, deadlines, exchange of information in relation to the obligations as set out in paragraphs 1 and 2;	(a) the procedures, deadlines, exchange of information in relation to the obligations as set out in paragraphs 1 and 2; Commission checks	(a) ~~the procedures, deadlines, exchange of information in relation to the obligations as set out in paragraphs 1 and 2;~~	(a) (a) the procedures, deadlines, exchange of information, requirements for the data mining tool and information to be collected on the identification of beneficiaries, in relation to the obligations as set out in paragraphs 1, 2 and 2b , respectively;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 57(6), first subparagraph, point (b)				
552	(b) the notification and communication to be made by the Member States to the Commission in relation to the obligations set out in paragraphs 3 and 4.	(b) the notification and communication to be made by the Member States to the Commission in relation to the obligations set out in paragraphs 3 and 4. Commission checks		(b) the notification and communication to be made by the Member States to the Commission in relation to the obligations set out in paragraphs 3 and 4. Text Origin: Commission Proposal
Article 57(6), second subparagraph				
553	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Commission checks		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Text Origin: Commission Proposal
Article 57a				
553a		<u>Article 57a</u> <u>Correction of errors</u> Commission checks		Article 57a
Article 57a(1), introductory part				
553b		<u>1. Member States may opt to include in their CAP Strategic</u>		1. [Whole Art. 57a withdrawn by EP]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>Plans provisions providing beneficiaries with the right to modify or otherwise restore to compliance an administrative declaration or a request for aid or support they had previously made, with no reduction or penalty imposed, if:</u> Commission checks		
	Article 57a(1), point (a)			
G	553c	<u>(a) the beneficiary has committed a clerical error when reporting their situation;</u> Commission checks		(a) [Whole Art. 57a withdrawn by EP]
	Article 57a(1), point (b)			
G	553d	<u>(b) the beneficiary has misunderstood the eligibility criteria, the commitments or other obligations concerning the allocation of aid or support with regard to their situation.</u> Commission checks		(b) [Whole Art. 57a withdrawn by EP]
	Article 57a(2)			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
G	553e	<u><i>This right to modify or restore to compliance shall apply whenever the mistake or omission is committed in good faith and is not deemed to constitute attempted fraud.</i></u> Commission checks		2. [Whole Art. 57a withdrawn by EP]
	Article 57a(3)			
G	553f	<u><i>The relevant national authorities shall be responsible for determining a beneficiary's 'good faith'.</i></u> Commission checks		3. [Whole Art. 57a withdrawn by EP]
	Article 58			
G	554	Article 58 Rules regarding checks to be carried out Commission checks		Article 58 Rules regarding checks to be carried out Text Origin: Commission Proposal
	Article 58(1), first subparagraph			
G	555	1. The system set up by the	1. The system set up by the	1. The system set up by the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Member States in accordance with Article 57(2) shall include systematic checks which shall also target the areas where the risk of errors is the highest.	Member States in accordance with Article 57(2) shall include systematic checks which shall also target the areas where the risk of errors is the highest. Commission checks		Member States in accordance with Article 57(2) shall include systematic checks which shall also target the areas where the risk of errors is the highest. Text Origin: Commission Proposal
Article 58(1), second subparagraph				
556	Member States shall ensure a level of checks needed for an effective management of the risks.	Member States shall ensure a level of checks needed for an effective management of the risks <u>which may be lower than the initial level once the management and monitoring systems are functioning properly and the error rates have settled at an acceptable level. The relevant authority shall draw its check sample from the entire population of applicants comprising, where appropriate, a random part in order to obtain a representative error rate and a risk-based part, which shall target the areas where the risk to the financial interest of the Union is the highest.</u> Commission checks		Member States shall ensure that a level of checks needed for an effective management of the risks to the financial interest of the Union is carried out. The relevant authority shall draw its check sample from the entire population of applicants comprising, where appropriate, a random part and a risk-based part.
Article 58(2), first subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
557	2. Checks of operations receiving aid from financial instruments as referred to in [CPR Article 52] of Regulation (EU) .../... shall be carried out only at the level of the bodies implementing financial instruments.	2. Checks of operations receiving aid from financial instruments as referred to in [CPR Article 52] of Regulation (EU) .../... shall be carried out only at the level of the bodies implementing financial instruments. Commission checks	2. Checks of operations receiving aid from financial instruments as referred to in– [CPR Article 52] of Regulation (EU) .../...– shall be carried out only at the level of the holding fund and specific funds, and, in the context of guarantee funds, at the level of bodies ~~implementing financial instruments~~ delivering the underlying new loans.	2. Checks of operations receiving aid from financial instruments as referred to in [CPR Article 52] of Regulation (EU) .../... shall be carried out only at the level of the holding fund and specific funds, and, in the context of guarantee funds, at the level of bodies delivering the underlying new loans. Text Origin: Council Mandate
Article 58(2), second subparagraph				
558	Checks shall not be carried out at the level of the EIB or other international financial institutions in which a Member State is a shareholder.	Checks shall not be carried out at the level of the EIB or other international financial institutions in which a Member State is a shareholder. Commission checks		Checks shall not be carried out at the level of the EIB or other international financial institutions in which a Member State is a shareholder. Text Origin: Commission Proposal
Article 58(3)				
559	3. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules, where the proper management of that system so	3. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules, where the proper management of that system so	3. The Commission is empowered to adopt delegated acts in accordance with Article 100 to ensure that the checks are carried out correctly and efficiently and that the eligibility	3. The Commission is empowered to adopt delegated acts in accordance with Article 100 which are necessary to ensure that the checks are carried out correctly and efficiently and that the eligibility

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	requires, on additional requirements with respect to customs procedures, and in particular to those laid down in Regulation (EU) No 952/2013 of the European Parliament and of the Council.	requires, on additional requirements with respect to customs procedures, and in particular to those laid down in Regulation (EU) No 952/2013 of the European Parliament and of the Council. Commission checks	conditions are verified in an efficient, coherent and non-discriminatory manner which protects the financial interest of the Union , supplementing this Regulation with rules, where the proper management of that system so requires, on additional requirements with respect to customs procedures, and in particular to those laid down in Regulation (EU) No 952/2013 of the European Parliament and of the Council.	conditions are verified in an efficient, coherent and non-discriminatory manner which protects the financial interest of the Union, supplementing this Regulation with rules, where the proper management of that system so requires, on additional requirements with respect to customs procedures, and in particular to those laid down in Regulation (EU) No 952/2013 of the European Parliament and of the Council. Text Origin: Council Mandate
Article 58(4), first subparagraph, introductory part				
560	4. As regards measures referred to in the sectoral agricultural legislation other than Regulation (EU) .../... [CAP Strategic Plan Regulation], the Commission shall adopt implementing acts, laying down rules necessary for the uniform application of this Article, and in particular:	4. As regards measures referred to in the sectoral agricultural legislation other than Regulation (EU) .../... [CAP Strategic Plan Regulation], the Commission shall adopt implementing acts, laying down rules necessary for the uniform application of this Article, and in particular: Commission checks		4. As regards measures referred to in the sectoral agricultural legislation other than Regulation (EU) .../... [CAP Strategic Plan Regulation], the Commission shall adopt implementing acts, laying down rules necessary for the uniform application of this Article, and in particular: Text Origin: Commission Proposal
Article 58(4), first subparagraph, point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
561	(a) with regard to hemp as referred to in point c) of Article 4 of Regulation (EU) .../... [CAP Strategic Plan Regulation], rules on the specific control measures and methods for determining tetrahydrocannabinol levels;	(a) with regard to hemp as referred to in point c) of Article 4 of Regulation (EU) .../... [CAP Strategic Plan Regulation], rules on the specific control measures and methods for determining tetrahydrocannabinol levels; Commission checks		(a) with regard to hemp as referred to in point c) of Article 4 of Regulation (EU) .../... [CAP Strategic Plan Regulation], rules on the specific control measures and methods for determining tetrahydrocannabinol levels; Text Origin: Commission Proposal
Article 58(4), first subparagraph, point (b)				
562	(b) with regard to cotton as referred to in subsection 2 of Section 2 of Chapter 2 of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation], a system for checks of the approved interbranch organisations;	(b) with regard to cotton as referred to in subsection 2 of Section 2 of Chapter 2 of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation], a system for checks of the approved interbranch organisations; Commission checks		(b) with regard to cotton as referred to in subsection 2 of Section 2 of Chapter 2 of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation], a system for checks of the approved interbranch organisations; Text Origin: Commission Proposal
Article 58(4), first subparagraph, point (c)				
563	(c) with regard to wine as referred to in Regulation (EU) No 1308/2013, rules on the measurement of areas, on checks and on rules governing the specific financial procedures for the	(c) with regard to wine as referred to in Regulation (EU) No 1308/2013, rules on the measurement of areas, on checks and on rules governing the specific financial procedures for the		(c) with regard to wine as referred to in Regulation (EU) No 1308/2013, rules on the measurement of areas, on checks and on rules governing the specific financial procedures for the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	improvement of checks;	improvement of checks; Commission checks		improvement of checks; Text Origin: Commission Proposal
Article 58(4), first subparagraph, point (d)				
564	(d) the tests and methods to be applied in order to establish the eligibility of products for public intervention and private storage, and the use of tendering procedures, both for public intervention and for private storage;	(d) the tests and methods to be applied in order to establish the eligibility of products for public intervention and private storage, and the use of tendering procedures, both for public intervention and for private storage; Commission checks		(d) the tests and methods to be applied in order to establish the eligibility of products for public intervention and private storage, and the use of tendering procedures, both for public intervention and for private storage; Text Origin: Commission Proposal
Article 58(4), first subparagraph, point (e)				
565	(e) other rules on the checks to be conducted by the Member States, as regards the measures laid down in Chapter IV of Regulation (EU) No 228/2013 and in Chapter IV of Regulation (EU) No 229/2013 respectively.	(e) ~~other rules on the checks to be conducted by the Member States, as regards the measures laid down in Chapter IV of Regulation (EU) No 228/2013 and in Chapter IV of Regulation (EU) No 229/2013 respectively.~~ Commission checks		(e) other rules on the checks to be conducted by the Member States, as regards the measures laid down in Chapter IV of Regulation (EU) No 228/2013 and in Chapter IV of Regulation (EU) No 229/2013 respectively. Text Origin: Commission Proposal
Article 58(4), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
566	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Commission checks		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Text Origin: Commission Proposal
Article 59				
567	Article 59 Non-compliance with public procurement rules	Article 59 Non-compliance with public procurement rules		Article 59 Commission checks
Article 59, first paragraph				
568	Where the non-compliance concerns national or Union rules on public procurement, Member States shall ensure that the part of the aid not to be paid or to be withdrawn shall be determined on the basis of the gravity of the non-compliance and in accordance with the principle of proportionality.	Where the non-compliance concerns national or Union rules on public procurement, Member States shall ensure that the part of the aid not to be paid or to be withdrawn shall be determined on the basis of the gravity of the non-compliance and in accordance with the principle of proportionality.		Where the non-compliance concerns national or Union rules on public procurement, Member States shall ensure that the part of the aid not to be paid or to be withdrawn shall be determined on the basis of the gravity of the non-compliance and in accordance with the principle of proportionality. Commission checks Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 59, second paragraph				
569	Member States shall ensure that the legality and regularity of the transaction shall only be affected up to the level of the part of the aid not to be paid or to be withdrawn.	Member States shall ensure that the legality and regularity of the transaction shall only be affected up to the level of the part of the aid not to be paid or to be withdrawn.		Member States shall ensure that the legality and regularity of the transaction shall only be affected up to the level of the part of the aid not to be paid or to be withdrawn. Commission checks Text Origin: Commission Proposal
Article 60				
570	Article 60 Circumvention clause	Article 60 Circumvention clause		Article 60 Commission checks
Article 60, first paragraph				
571	Without prejudice to specific provisions, Member States shall take effective and proportionate measures to avoid provisions of Union law to be circumvented and ensure, in particular, that no advantage provided for under sectoral agricultural legislation shall be granted in favour of a natural or legal person in respect of	Without prejudice to specific provisions, Member States shall take effective and proportionate measures to avoid provisions of Union law to be circumvented and ensure, in particular, that no advantage provided for under sectoral agricultural legislation shall be granted in favour of a natural or legal person in respect of		Without prejudice to specific provisions, Member States shall take effective and proportionate measures to avoid provisions of Union law to be circumvented and ensure, in particular, that no advantage provided for under sectoral agricultural legislation shall be granted in favour of a natural or legal person in respect of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	whom it is established that the conditions required for obtaining such advantages were created artificially, contrary to the objectives of that legislation.	whom it is established that the conditions required for obtaining such advantages were created artificially, contrary to the objectives of that legislation.		whom it is established that the conditions required for obtaining such advantages were created artificially, contrary to the objectives of that legislation. Commission checks Text Origin: Commission Proposal
Article 61				
572	Article 61 Compatibility of interventions for the purposes of checks in the wine sector	Article 61 Compatibility of interventions for the purposes of checks in the wine sector		Article 61 Compatibility of interventions for the purposes of checks in the wine sector Commission checks Text Origin: Commission Proposal
Article 61, first paragraph, introductory part				
573	For the purposes of applying the interventions in the wine sector as referred to in Regulation (EU) .../... [CAP Strategic Plan Regulation], Member States shall ensure that the administration and control procedures applied to those interventions are compatible with	For the purposes of applying the interventions in the wine sector as referred to in Regulation (EU) .../... [CAP Strategic Plan Regulation], Member States shall ensure that the administration and control procedures applied to those interventions are compatible with		For the purposes of applying the interventions in the wine sector as referred to in Regulation (EU) .../... [CAP Strategic Plan Regulation], Member States shall ensure that the administration and control procedures applied to those interventions are compatible with

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the integrated system referred to in Chapter II of this Title as regards the following elements:	the integrated system referred to in Chapter II of this Title as regards the following elements:		the integrated system referred to in Chapter II of this Title as regards the following elements: Commission checks Text Origin: Commission Proposal
Article 61, first paragraph, point (a)				
574	(a) the identification systems for agricultural parcels;	(a) the identification systems for agricultural parcels;		(a) the identification systems for agricultural parcels; Commission checks Text Origin: Commission Proposal
Article 61, first paragraph, point (b)				
575	(b) the checks.	(b) the checks.		(b) the checks. Commission checks Text Origin: Commission Proposal
Article 62				
576	Article 62 Securities	Article 62 Securities		Article 62 Securities

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Commission checks		Text Origin: Commission Proposal
Article 62(1)				
577	1. The Member States shall, when the sectoral agricultural legislation so provides, request the lodging of a security giving the assurance that a sum of money will be paid or forfeited to a competent authority if a particular obligation under sectoral agricultural legislation is not fulfilled.	1. The Member States shall, when the sectoral agricultural legislation so provides, request the lodging of a security giving the assurance that a sum of money will be paid or forfeited to a competent authority if a particular obligation under sectoral agricultural legislation is not fulfilled. Commission checks		1. The Member States shall, when the sectoral agricultural legislation so provides, request the lodging of a security giving the assurance that a sum of money will be paid or forfeited to a competent authority if a particular obligation under sectoral agricultural legislation is not fulfilled. Text Origin: Commission Proposal
Article 62(2)				
578	2. Except in cases of force majeure, the security shall be forfeited in whole or in part where the execution of a particular obligation is not carried out, or is carried out only partially.	2. Except in cases of force majeure, the security shall be forfeited in whole or in part where the execution of a particular obligation is not carried out, or is carried out only partially. Commission checks		2. Except in cases of force majeure, the security shall be forfeited in whole or in part where the execution of a particular obligation is not carried out, or is carried out only partially. Text Origin: Commission Proposal
Article 62(3), introductory part				
579				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	3. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on:	3. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on: Commission checks	3. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules ~~on~~ which ensure a non-discriminatory treatment, equity and the respect of proportionality when lodging a security. Those rules shall:	3. [Framing of the empowerment will be done in the Recitals] The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules which ensure a non-discriminatory treatment, equity and the respect of proportionality when lodging a security. Those rules shall: Text Origin: Commission Proposal
Article 62(3), point (a)				
580	(a) which ensure a non-discriminatory treatment, equity and the respect of proportionality when lodging a security;	(a) ~~which ensure~~ ensuring a non-discriminatory treatment, equity and the respect of proportionality when lodging a security; Commission checks	<i>deleted</i>	(a) [deleted as covered by Line 579]
Article 62(3), point(b)				
581	(b) specifying the responsible party in the event that an obligation is not met;	(b) specifying the responsible party in the event that an obligation is not met; Commission checks	~~(b)~~ (a) specifying specify the responsible party in the event that an obligation is not met;	(a) specify the responsible party in the event that an obligation is not met; Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 62(3), point(c)				
582	(c) laying down the specific situations in which the competent authority may waive the requirement of a security;	(c) laying down the specific situations in which the competent authority may waive the requirement of a security; Commission checks	~~(e)~~ (b) laying down the specific situations in which the competent authority may waive the requirement of a security;	(b) lay down the specific situations in which the competent authority may waive the requirement of a security; Text Origin: Council Mandate
Article 62(3), point(d)				
583	(d) laying down the conditions applying to the security to be lodged and the guarantor and the conditions for lodging and releasing that security;	(d) laying down the conditions applying to the security to be lodged and the guarantor and the conditions for lodging and releasing that security; Commission checks	~~(d)~~ (c) laying down the conditions applying to the security to be lodged and the guarantor and the conditions for lodging and releasing that security;	(c) lay down the conditions applying to the security to be lodged and the guarantor and the conditions for lodging and releasing that security; Text Origin: Council Mandate
Article 62(3), point(e)				
584	(e) laying down the specific conditions related to the security lodged in connection with advance payments;	(e) laying down the specific conditions related to the security lodged in connection with advance payments; Commission checks	~~(e)~~ (d) laying down the specific conditions related to the security lodged in connection with advance payments;	(d) lay down the specific conditions related to the security lodged in connection with advance payments; Text Origin: Council Mandate
Article 62(3), point(f)				
585	(f) setting out the consequences of	(f) setting out the consequences of	~~(f)~~ (e) setting out the	(e) set out the consequences of

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	breaching the obligations for which a security has been lodged, as provided for in paragraph 1, including the forfeiting of securities, the rate of reduction to be applied on release of securities for refunds, licences, offers, tenders or specific applications and when an obligation covered by that security has not been met either wholly or in part, taking into account the nature of the obligation, the quantity for which the obligation has been breached, the period exceeding the time limit by which the obligation should have been met and the time by which evidence that the obligation has been met is produced.	breaching the obligations for which a security has been lodged, as provided for in paragraph 1, including the forfeiting of securities, the rate of reduction to be applied on release of securities for refunds, licences, offers, tenders or specific applications and when an obligation covered by that security has not been met either wholly or in part, taking into account the nature of the obligation, the quantity for which the obligation has been breached, the period exceeding the time limit by which the obligation should have been met and the time by which evidence that the obligation has been met is produced. Commission checks	consequences of breaching the obligations for which a security has been lodged, as provided for in paragraph 1, including the forfeiting of securities, the rate of reduction to be applied on release of securities for refunds, licences, offers, tenders or specific applications and when an obligation covered by that security has not been met either wholly or in part, taking into account the nature of the obligation, the quantity for which the obligation has been breached, the period exceeding the time limit by which the obligation should have been met and the time by which evidence that the obligation has been met is produced.	breaching the obligations for which a security has been lodged, as provided for in paragraph 1, including the forfeiting of securities, the rate of reduction to be applied on release of securities for refunds, licences, offers, tenders or specific applications and when an obligation covered by that security has not been met either wholly or in part, taking into account the nature of the obligation, the quantity for which the obligation has been breached, the period exceeding the time limit by which the obligation should have been met and the time by which evidence that the obligation has been met is produced. Text Origin: Council Mandate
Article 62(4), first subparagraph, introductory part				
586	4. The Commission may adopt implementing acts laying down rules on:	4. The Commission may adopt implementing acts laying down rules on: Commission checks		4. The Commission may adopt implementing acts laying down rules on: Text Origin: Commission Proposal
Article 62(4), first subparagraph, point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
587	(a) the form of the security to be lodged and the procedure for lodging the security, for accepting it, and for replacing the original security;	(a) the form of the security to be lodged and the procedure for lodging the security, for accepting it, and for replacing the original security; Commission checks		(a) the form of the security to be lodged and the procedure for lodging the security, for accepting it, and for replacing the original security; Text Origin: Commission Proposal
Article 62(4), first subparagraph, point (b)				
588	(b) the procedures for the release of a security;	(b) the procedures for the release of a security; Commission checks		(b) the procedures for the release of a security; Text Origin: Commission Proposal
Article 62(4), first subparagraph, point (c)				
589	(c) the notifications to be made by Member States and by the Commission.	(c) the notifications to be made by Member States and by the Commission. Commission checks		(c) the notifications to be made by Member States and by the Commission. Text Origin: Commission Proposal
Article 62(4), second subparagraph				
590	Those implementing acts shall be adopted in accordance with the examination procedure referred to	Those implementing acts shall be adopted in accordance with the examination procedure referred to		Those implementing acts shall be adopted in accordance with the examination procedure referred to

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	in Article 101(3).	in Article 101(3). Commission checks		in Article 101(3). Text Origin: Commission Proposal
Chapter II				
591	Chapter II Integrated administration and control system	Chapter II Integrated administration and control system Commission checks		Chapter II Integrated administration and control system Text Origin: Commission Proposal
Article 63				
592	Article 63 Scope and definitions	Article 63 Scope and definitions Commission checks		Article 63 Scope and definitions Text Origin: Commission Proposal
Article 63(1)				
593	1. Each Member State shall set up and operate an integrated administration and control system (the 'integrated system').	1. Each Member State shall set up and operate an integrated administration and control system (the 'integrated system'). Commission checks		1. Each Member State shall set up and operate an integrated administration and control system (the 'integrated system'). Text Origin: Commission Proposal
Article 63(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
594	2. The integrated system shall apply to the area- and animal-based interventions listed in Chapters II and IV of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation] and to the measures referred to in Chapter IV of Regulation (EU) No 228/2013¹ and in Chapter IV of Regulation (EU) 229/2013² respectively. 1. Regulation (EU) No 228/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in the outermost regions of the Union and repealing Council Regulation (EC) 247/2006 (OJ L 78, 20.3.2013, p. 23). 2. Regulation (EU) No 229/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in favour of the smaller Aegean islands and repealing Council Regulation (EC) No 1405/2006 (OJ L 78, 20.3.2013, p. 41).	2. The integrated system shall apply to the area- and animal-based interventions listed in Chapters II and IV of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation] and to the measures referred to in Chapter IV of Regulation (EU) No 228/2013¹ and in Chapter IV of Regulation (EU) 229/2013² respectively. 1. Regulation (EU) No 228/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in the outermost regions of the Union and repealing Council Regulation (EC) 247/2006 (OJ L 78, 20.3.2013, p. 23). 2. Regulation (EU) No 229/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in favour of the smaller Aegean islands and repealing Council Regulation (EC) No 1405/2006 (OJ L 78, 20.3.2013, p. 41). Commission checks		2. The integrated system shall apply to the area- and animal-based interventions listed in Chapters II and IV of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation] and to the measures referred to in Chapter IV of Regulation (EU) No 228/2013¹ and in Chapter IV of Regulation (EU) 229/2013² respectively. 1. Regulation (EU) No 228/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in the outermost regions of the Union and repealing Council Regulation (EC) 247/2006 (OJ L 78, 20.3.2013, p. 23). 2. Regulation (EU) No 229/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in favour of the smaller Aegean islands and repealing Council Regulation (EC) No 1405/2006 (OJ L 78, 20.3.2013, p. 41). Text Origin: Commission Proposal
Article 63(3)				
595	3. To the extent necessary, the integrated system shall also be used for the management and control of conditionality and	3. To the extent necessary, the integrated system shall also be used for the management and control of conditionality and	3. To the extent necessary, the integrated system shall also be used for the management and control of conditionality and area-	3. To the extent necessary, the integrated system shall also be used for the management and control of conditionality and

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	measures in the wine sector as laid down in Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation].	measures in the wine sector as laid down in Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation]. Commission checks	related measures in the wine sector as laid down in Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation].	interventions in the wine sector as laid down in Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation].
Article 63(4), introductory part				
596	4. For the purposes of this Chapter:	4. For the purposes of this Chapter: Commission checks		4. For the purposes of this Chapter: Text Origin: Commission Proposal
Article 63(4), point(a)				
597	(a) "geo-spatial application" means an electronic application form that includes an IT application based on a geographic information system that allows beneficiaries to spatially declare the agricultural parcels of the holding and non-agricultural areas claimed for payment;	(a) "geo-spatial application" means an electronic application form that includes an IT application based on a geographic information system that allows beneficiaries to spatially declare the agricultural parcels of the holding and non-agricultural areas claimed for payment; Commission checks	(a) "geo-spatial application" means an electronic application form that includes an IT application based on a geographic information system that allows beneficiaries to spatially declare the agricultural parcels of the holding as defined in point (b) of Article 3 of Regulation (EU) .../... [CAP Strategic Plan Regulation] and non-agricultural areas claimed for payment;	(a) "geo-spatial application" means an electronic application form that includes an IT application based on a geographic information system that allows beneficiaries to spatially declare the agricultural parcels of the holding as defined in point (b) of Article 3 of Regulation (EU) .../... [CAP Strategic Plan Regulation] and non-agricultural areas claimed for payment;
Article 63(4), point (b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
598	(b) "area monitoring system" means a procedure of regular and systematic observation, tracking and assessment of agricultural activities and practices on agricultural areas by Copernicus Sentinels satellite data or other data with at least equivalent value;	(b) "area monitoring system" means a procedure of regular and systematic observation, tracking and assessment of agricultural activities and practices on agricultural areas by Copernicus Sentinels satellite data or other data with at least equivalent value; Commission checks		(b) "area monitoring system" means a procedure of regular and systematic observation, tracking and assessment of agricultural activities and practices on agricultural areas by Copernicus Sentinels satellite data or other data with at least equivalent value; Text Origin: Commission Proposal
Article 63(4), point(c)				
599	(c) "system for the identification and registration of animals" means the system for the identification and registration of bovine animals laid down by Regulation (EC) No 1760/2000 of the European Parliament and of the Council ¹ or the system for the identification and registration of ovine and caprine animals laid down by Council Regulation (EC) No 21/2004 ² ; 1. Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council	(c) "system for the identification and registration of animals" means the system for the identification and registration of bovine animals laid down by Regulation (EC) No 1760/2000 of the European Parliament and of the Council ¹ or the system for the identification and registration of ovine and caprine animals laid down by Council Regulation (EC) No 21/2004 ² <u>or, where applicable, the system for the identification or registration of pigs laid down by Council Directive 2008/71/EC³ and other databases established by the Member States for animals;</u>	(c) "system for the identification and registration of animals" means the system for the identification and registration of bovine animals laid down by Regulation (EC) No 1760/2000 of the European Parliament and of the Council ¹ or the system for the identification and registration of ovine and caprine animals laid down by Council Regulation (EC) No 21/2004 ² or, where Member States so decide, the system for the identification and registration of pigs laid down by Council Directive 2008/71/EC³; 1. Regulation (EC) No 1760/2000 of the	(c) c) "system for the identification and registration of animals" means the system for the identification and registration of bovine animals laid down by Regulation (EC) No 1760/2000 of the European Parliament and of the Council ¹ or the system for the identification and registration of ovine and caprine animals laid down by Council Regulation (EC) No 21/2004 ² or, where applicable, the system for the identification and registration of pigs laid down by Council Directive 2008/71/EC ³ ;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation (EC) No 820/97 (OJ L 204, 11.8.2000, p. 1). 2. Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC (OJ L 5, 9.1.2004, p. 8).	1. Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97 (OJ L 204, 11.8.2000, p. 1). 2. Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC (OJ L 5, 9.1.2004, p. 8). <u>3. Council Directive 2008/71/EC of 15 July 2008 on the identification and registration of pigs (OJ L 213, 8.8.2008, p. 31).</u> Commission checks	European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97 (OJ L 204, 11.8.2000, p. 1). 2. Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC (OJ L 5, 9.1.2004, p. 8). 3. Council Directive 2008/71/EC of 15 July 2008 on the identification and registration of pigs (OJ L 213, 8.8.2008, p. 31).	
	Article 63(4), point(d)			
G 600	(d) "agricultural parcel" means a unit of land representing an agricultural area as defined in Article 4 of Regulation (EU) .../... [CAP Strategic Plan Regulation];	(d) "agricultural parcel" means a unit of land representing an agricultural area as defined in Article 4 of Regulation (EU) .../... [CAP Strategic Plan Regulation]; Commission checks	(d) "agricultural parcel" means a unit, as defined by Member States, of land representing an agricultural area as defined in accordance with point (b) of Article 44(1) of Regulation (EU) .../... [CAP Strategic Plan Regulation];	(d) "agricultural parcel" means a unit, as defined by Member States, of agricultural area as defined in accordance with point (b) of Article 4(1) of Regulation (EU) .../... [CAP Strategic Plan Regulation];
	Article 63(4), point (e)			
G 601				G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(e) "geographic information system" means a computer system capable of capturing, storing, analysing, and displaying geographically referenced information;	(e) "geographic information system" means a computer system capable of capturing, storing, analysing, and displaying geographically referenced information; Commission checks		(e) "geographic information system" means a computer system capable of capturing, storing, analysing, and displaying geographically referenced information; Text Origin: Commission Proposal
Article 63(4), point(f)				
602	(f) "claimless system" means an application system for area- or animal-based interventions in which necessary data required by the administration on at least individual areas or animals claimed for aid is available in official computerised databases managed by the Member State.	(f) "claimless system" means <u>a prefilled or other type of</u> ~~an~~ application system for area- or animal-based interventions in which necessary data required by the administration on at least individual areas or animals claimed for aid is available in official computerised databases managed by the Member State. Commission checks	(f) " ~~claimless~~ automatic claim system" means an application system for area- or animal-based interventions in which ~~necessary~~ the data required by the administration on ~~at least~~ individual areas or animals claimed for aid is available in official computerised databases managed by the Member State.	(f) (f) "automatic claim system" means an application system for area- or animal-based interventions, in which the data required by the administration on at least individual areas or animals claimed for aid are available in official computerised databases managed by the Member State and are made available to the beneficiary where necessary.
Article 64				
603	Article 64 Elements of the integrated system	Article 64 Elements of the integrated system Commission checks		Article 64 Elements of the integrated system Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 64(1), introductory part				
604	1. The integrated system shall comprise the following elements:	1. The integrated system shall comprise the following elements: Commission checks		1. The integrated system shall comprise the following elements: Text Origin: Commission Proposal
Article 64(1), point (a)				
605	(a) an identification system for agricultural parcels;	(a) an identification system for agricultural parcels; Commission checks		(a) an identification system for agricultural parcels; Text Origin: Commission Proposal
Article 64(1), point(b)				
606	(b) a geo-spatial and an animal-based application system;	(b) a geo-spatial and an animal-based application system; Commission checks	(b) a geo-spatial application system and, where applicable, and an animal-based application system;	(b) a geo-spatial application system and, where applicable, an animal-based application system; Text Origin: Council Mandate
Article 64(1), point(c)				
607	(c) an area monitoring system;	(c) an area monitoring <u>and control</u> system; Commission checks	(c) as from 1 January 2024 at the latest an area monitoring system;	(c) an area monitoring system;
Article 64(1), point (d)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
608	(d) a system for the identification of beneficiaries of the interventions and measures referred to in Article 63(2);	(d) a system for the identification of beneficiaries of the interventions and measures referred to in Article 63(2); Commission checks		(d) a system for the identification of beneficiaries of the interventions and measures referred to in Article 63(2); Text Origin: Commission Proposal
Article 64(1), point (e)				
609	(e) a control and penalties system;	(e) a control and penalties system; Commission checks		(e) a control and penalties system; Text Origin: Commission Proposal
Article 64(1), point (f)				
610	(f) where applicable, a system for the identification and registration of payment entitlements;	(f) where applicable, a system for the identification and registration of payment entitlements; Commission checks		(f) where applicable, a system for the identification and registration of payment entitlements; Text Origin: Commission Proposal
Article 64(1), point (g)				
611	(g) where applicable, a system for the identification and registration of animals.	(g) where applicable, a system for the identification and registration of animals. Commission checks		(g) where applicable, a system for the identification and registration of animals. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 64(1a)			
611a		Commission checks	1a. The integrated system shall provide information relevant for the reporting on the indicators referred to in Article 7 of Regulation (EU) .../[CAP Strategic Plan Regulation].	1a. The integrated system shall provide information relevant for the reporting on the indicators referred to in Article 7 of Regulation (EU) .../[CAP Strategic Plan Regulation]. Text Origin: Council Mandate
	Article 64(2)			
612	2. The integrated system shall operate on the basis of electronic databases and geographic information systems and shall enable the exchange and integration of data between the electronic databases and the geographic information systems.	2. The integrated system shall operate on the basis of electronic databases and geographic information systems and shall enable the exchange and integration of data between the electronic databases and the geographic information systems <u>(GIS). To that end, GIS shall allow for the layering of geo-spatial data on farm, cadastral or reference parcels onto any delimiting protected zones and designated areas that have been established in accordance with Union legislation listed in Annex XI to Regulation (EU) .../[CAP Strategic Plan Regulation], such</u>		2. The integrated system shall operate on the basis of electronic databases and geographic information systems and shall enable the exchange and integration of data between the electronic databases and the geographic information systems (GIS). Where relevant, GIS shall allow for this exchange and integration of data on agricultural parcels in delimited protected zones and designated areas that have been established in accordance with Union legislation listed in Annex XI to Regulation (EU) .../[CAP Strategic Plan Regulation], such as Natura 2000

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		<u>as Natura 2000 areas or Nitrate Vulnerable Zones, as well as the landscape features and ecological infrastructures (trees, hedges, ponds, buffer strips, riparian margins, etc.).</u> Commission checks		areas or Nitrate Vulnerable Zones, as well as the landscape features under the good agriculture and environmental conditions defined in line with Article 12 of that Regulation [CAP SPR] or covered by interventions listed in Chapters II and IV of Title III of the same Regulation.
Article 64(3)				
613	3. Without prejudice to the responsibilities of the Member States for the implementation and application of the integrated system, the Commission may seek the assistance of specialised bodies or persons in order to facilitate the establishment, monitoring and operation of the integrated system, in particular, with a view to providing the competent authorities of the Member States with technical advice.	3. Without prejudice to the responsibilities of the Member States for the implementation and application of the integrated system, the Commission ~~may~~ <u>shall</u> seek the assistance of specialised bodies or persons in order to facilitate the establishment, monitoring and operation of the integrated system, in particular, with a view to providing the competent authorities of the Member States with technical advice. Commission checks	deleted	3. Without prejudice to the responsibilities of the Member States for the implementation and application of the integrated system, the Commission may seek the assistance of specialised bodies or persons in order to facilitate the establishment, monitoring and operation of the integrated system, in particular, with a view to providing the competent authorities of the Member States with technical advice. Text Origin: Commission Proposal
Article 64(4)				
614	4. Member States shall take all	4. Member States shall take all	4. Member States shall take ~~all~~ <u>the</u>	4. Member States shall take the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	measures required for the proper establishment and operation of the integrated system and shall give one another the mutual assistance needed for the purposes of this Chapter.	measures required for the proper establishment and operation of the integrated system and shall give one another the mutual assistance needed for the purposes of this Chapter. Commission checks	measures required for the proper establishment and operation of the integrated system and, where necessary , shall give one another the mutual assistance needed for the purposes of this Chapter.	measures required for the proper establishment and operation of the integrated system and, where requested by another Member State, shall give one another the mutual assistance needed for the purposes of this Chapter.
Article 65				
615	Article 65 Data keeping and sharing	Article 65 Data keeping and sharing Commission checks		Article 65 Data keeping and sharing Text Origin: Commission Proposal
Article 65(1), first subparagraph				
616	1. Member States shall record and keep any data and documentation on the annual outputs reported in the context of the annual performance clearance as referred to in Article 52, and the reported progress towards targets as set out in the CAP Strategic Plan and monitored in accordance with Article 115 of Regulation (EU) .../...[CAP Strategic Plan Regulation].	1. Member States shall record and keep any data and documentation on the annual outputs reported in the context of the annual performance clearance as referred to in Article 52, and the reported progress towards targets as set out in the CAP Strategic Plan and monitored in accordance with Article 115 of Regulation (EU) .../...[CAP Strategic Plan Regulation].		1. 1. Member States shall record and keep any data and documentation on the annual outputs reported in the context of the annual performance clearance as referred to in Article 52, and the reported progress towards targets as set out in the CAP Strategic Plan and monitored in accordance with Article 115 of Regulation (EU) .../...[CAP Strategic Plan Regulation].

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		Commission checks		
Article 65(1), second subparagraph				
617	The data and documentation referred to in the first subparagraph relating to the current calendar year or marketing year and to the previous ten calendar years or marketing years shall be accessible for consultation through the digital databases of the competent authority of the Member State.	The data and documentation referred to in the first subparagraph relating to the current calendar year or marketing year and to the previous ten calendar years or marketing years shall be accessible for consultation through the digital databases of the competent authority of the Member State. <u>The relevant information from the databases may also be provided in the form of summaries.</u> Commission checks	The data and documentation referred to in the first subparagraph relating to the current calendar year or marketing year and to the previous ~~ten~~ seven calendar years or marketing years shall be accessible for consultation through the digital databases of the competent authority of the Member State.	The data and documentation referred to in the first subparagraph relating to the current calendar year or marketing year and to the previous ten calendar years or marketing years shall be accessible for consultation through the digital databases of the competent authority of the Member State. Text Origin: Commission Proposal
Article 65(1), second subparagraph a				
617a		Commission checks	Data used for the area monitoring system may be stored as raw data on a server external to the competent authorities. Those data shall be kept on the server for at least three years.	Data used for the area monitoring system may be stored as raw data on a server external to the competent authorities. Those data shall be kept on a server for at least three years. Text Origin: Council Mandate
Article 65(1), third subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
618	By way of derogation from the second subparagraph, Member States which acceded to the Union in or after 2013 shall only be required to ensure that the data is available for consultation from the year of their accession.	By way of derogation from the second subparagraph, Member States which acceded to the Union in or after 2013 shall only be required to ensure that the data is available for consultation from the year of their accession. Commission checks		By way of derogation from the second subparagraph, Member States which acceded to the Union in or after 2013 shall only be required to ensure that the data is available for consultation from the year of their accession. Text Origin: Commission Proposal
Article 65(1), fourth subparagraph				
619	By way of derogation from the second subparagraph, Member States shall only be required to ensure that the data and documentation related to the area monitoring system referred to in point (c) of Article 64(1) is available for consultation as of the date of the implementation of the area monitoring system.	By way of derogation from the second subparagraph, Member States shall only be required to ensure that the data and documentation related to the area monitoring system referred to in point (c) of Article 64(1) is available for consultation as of the date of the implementation of the area monitoring system. Commission checks		By way of derogation from the second subparagraph, Member States shall only be required to ensure that the data and documentation related to the area monitoring system referred to in point (c) of Article 64(1) is available for consultation as of the date of the implementation of the area monitoring system. Text Origin: Commission Proposal
Article 65(2)				
620	2. Member States may apply the requirements laid down in paragraph 1 at regional level on	2. Member States may apply the requirements laid down in paragraph 1 at regional level on		2. Member States may apply the requirements laid down in paragraph 1 at regional level on

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	condition that those requirements and the administrative procedures for recording and accessing data are designed to be uniform throughout the territory of the Member State and enable data to be aggregated at national level.	condition that those requirements and the administrative procedures for recording and accessing data are designed to be uniform throughout the territory of the Member State and enable data to be aggregated at national level. Commission checks		condition that those requirements and the administrative procedures for recording and accessing data are designed to be uniform throughout the territory of the Member State and enable data to be aggregated at national level. Text Origin: Commission Proposal
Article 65(3)				
621	3. Member States shall ensure that data sets collected through the integrated system which are relevant for the purposes of Directive 2007/2/EC of the European Parliament and of the Council¹ or relevant for monitoring Union policies, are shared free of charge between its public authorities and made publicly available at national level. Member States shall also provide the institutions and bodies of the Union with access to these data sets. ¹. Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108,	3. Member States shall ensure that data sets collected through the integrated system which are relevant for the purposes of Directive 2007/2/EC of the European Parliament and of the Council¹ or relevant for monitoring Union policies, are shared free of charge between its public authorities and made publicly available at national level. Member States shall also provide the institutions and bodies of the Union with access to these data sets. ¹. Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108,	3. Member States shall ensure that data sets collected through the integrated system which are relevant for the purposes of Directive 2007/2/EC of the European Parliament and of the Council¹ or relevant for monitoring Union policies, are shared free of charge between its public authorities and made publicly available at national level. Member States shall also provide the institutions and bodies of the Union with access to these data sets. ¹. Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108,	3. Member States shall ensure that data sets collected through the integrated system which are relevant for the purposes of Directive 2007/2/EC of the European Parliament and of the Council¹ or relevant for monitoring Union policies, are shared free of charge between its public authorities and made publicly available at national level. Member States shall also provide the institutions and bodies of the Union with access to these data sets. ¹. Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	25.4.2007, p. 1).	25.4.2007, p. 1). Commission checks	25.4.2007, p. 1).	25.4.2007, p. 1). Text Origin: Commission Proposal
Article 65(4)				
622	4. Member States shall ensure that data sets collected through the integrated system, and which are relevant for the production of European statistics as referred to in Regulation (EC) No 223/2009¹, are shared free of charge with the Community statistical authority, the national statistical institutes and, where necessary, with other national authorities responsible for the production of European statistics. 1. Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).	4. Member States shall ensure that data sets collected through the integrated system, and which are relevant for the production of European statistics as referred to in Regulation (EC) No 223/2009¹, are shared free of charge with the Community statistical authority, the national statistical institutes and, where necessary, with other national authorities responsible for the production of European statistics. 1. Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).		4. Member States shall ensure that data sets collected through the integrated system, and which are relevant for the production of European statistics as referred to in Regulation (EC) No 223/2009¹, are shared free of charge with the Community statistical authority, the national statistical institutes and, where necessary, with other national authorities responsible for the production of European statistics. 1. Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Commission checks		Text Origin: Commission Proposal
Article 65(5)				
623	5. Member States shall limit public access to data sets referred to in paragraphs 3 and 4 where such access would adversely affect the confidentiality of personal data, in accordance with Regulation (EU) 2016/679.	5. Member States shall limit public access to data sets referred to in paragraphs 3 and 4 where such access would adversely affect the confidentiality of personal data, in accordance with Regulation (EU) 2016/679. Commission checks		5. Member States shall limit public access to data sets referred to in paragraphs 3 and 4 where such access would adversely affect the confidentiality of personal data, in accordance with Regulation (EU) 2016/679. Text Origin: Commission Proposal
Article 65(5a)				
623a		<u>5a. Member States shall ensure that beneficiaries and potential beneficiaries have access to all the reference data and attribute data regarding the land they use or intend to use, in order to enable them to submit accurate applications.</u> Commission checks		5a. Member States shall set up systems in such a way to ensure that beneficiaries have access to all relevant data related to them, regarding the land they use or intend to use, in order to enable them to submit accurate applications.
Article 66				
624	Article 66	Article 66		Article 66

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Identification system for agricultural parcels	Identification system for agricultural parcels Commission checks		Identification system for agricultural parcels Text Origin: Commission Proposal
Article 66(1)				
625	1. The identification system for agricultural parcels shall be a geographic information system established and regularly updated by the Member States on the basis of aerial or spatial ortho-imagery, with a uniform standard that guarantees a level of accuracy that is at least equivalent to that of cartography at a scale of 1:5 000.	1. The identification system for agricultural parcels shall be a geographic information system established and regularly updated by the Member States on the basis of aerial or spatial ortho-imagery, with a uniform standard that guarantees a level of accuracy that is at least equivalent to that of cartography at a scale of 1:5 000. Commission checks		1. The identification system for agricultural parcels shall be a geographic information system established and regularly updated by the Member States on the basis of aerial or spatial ortho-imagery, with a uniform standard that guarantees a level of accuracy that is at least equivalent to that of cartography at a scale of 1:5 000. Text Origin: Commission Proposal
Article 66(2), introductory part				
626	2. Member States shall ensure that the identification system for agricultural parcels:	2. Member States shall ensure that the identification system for agricultural parcels: Commission checks		2. Member States shall ensure that the identification system for agricultural parcels: Text Origin: Commission Proposal
Article 66(2), point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
627	(a) uniquely identifies each agricultural parcel and units of land containing non-agricultural areas considered eligible by the Member States for receiving the aid for the interventions referred to in Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation];	(a) uniquely identifies each agricultural parcel and units of land containing non-agricultural areas considered eligible by the Member States for receiving the aid for the interventions referred to in Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation]; Commission checks		(a) uniquely identifies each agricultural parcel and units of land containing non-agricultural areas considered eligible by the Member States for receiving the aid for the interventions referred to in Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation]; Text Origin: Commission Proposal
Article 66(2), point (b)				
628	(b) contains up-to-date values on the areas considered eligible by the Member States for receiving the aid for the interventions referred to in Article 63(2);	(b) contains up-to-date values on the areas considered eligible by the Member States for receiving the aid for the interventions referred to in Article 63(2); Commission checks		(b) contains up-to-date values on the areas considered eligible by the Member States for receiving the aid for the interventions referred to in Article 63(2); Text Origin: Commission Proposal
Article 66(2), point (c)				
629	(c) enables the correct localisation of agricultural parcels and non-agricultural areas claimed for payment;	(c) enables the correct localisation of agricultural parcels and non-agricultural areas claimed for payment; Commission checks		(c) enables the correct localisation of agricultural parcels and non-agricultural areas claimed for payment; Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 66(2), point (d)				
630	(d) contains any information relevant for the reporting on the indicators referred to in Article 7 of Regulation (EU) .../[CAP Strategic Plan Regulation];	(d) contains any information relevant for the reporting on the indicators referred to in Article 7 of Regulation (EU) .../[CAP Strategic Plan Regulation]; Commission checks	deleted	(d) [covered by Line 611a]
Article 66(3), first subparagraph				
631	3. Member States shall annually assess the quality of the identification system for agricultural parcels in accordance with the methodology set up at Union level.	3. Member States shall annually assess the quality of the identification system for agricultural parcels in accordance with the methodology set up at Union level. Commission checks		3. Member States shall annually assess the quality of the identification system for agricultural parcels in accordance with the methodology set up at Union level. Text Origin: EP Mandate
Article 66(3), second subparagraph				
632	Where the assessment reveals deficiencies in the system, Member States shall adopt appropriate remedial actions or shall be requested to set up an action plan in accordance with Article 40.	Where the assessment reveals deficiencies in the system, Member States shall adopt appropriate remedial actions or shall be requested to set up an action plan in accordance with Article 40. Commission checks	Where the assessment reveals deficiencies in the system, Member States shall adopt appropriate remedial actions or shall be requested by the Commission to set up an action plan in accordance with Article 40.	Where the assessment reveals deficiencies in the system, Member States shall adopt appropriate remedial actions or shall be requested by the Commission to set up an action plan in accordance with Article 40. Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 66(3), third subparagraph			
633	An assessment report and, where appropriate, the remedial actions and the timetable for their implementation shall be submitted to the Commission by 15 February following the calendar year concerned.	An assessment report and, where appropriate, the remedial actions and the timetable for their implementation shall be submitted to the Commission by 15 February following the calendar year concerned. Commission checks	An assessment report and, where appropriate, the remedial actions and the timetable for their implementation shall be submitted to the Commission by 15 February ~~February~~ March following the calendar year concerned.	An assessment report and, where appropriate, the remedial actions and the timetable for their implementation shall be submitted to the Commission by 15 February following the calendar year concerned. Text Origin: Commission Proposal
	Article 67			
634	Article 67 Geo-spatial and animal-based application system	Article 67 Geo-spatial and animal-based application system Commission checks		Article 67 Geo-spatial and animal-based application system Text Origin: Commission Proposal
	Article 67(1)			
635	1. As regards the aid for the area-based interventions referred to in Article 63(2) and implemented under the national CAP Strategic Plans, Member States shall require the submission of an application by means of using the geo-spatial	1. As regards the aid for the area-based interventions referred to in Article 63(2) and implemented under the national CAP Strategic Plans, Member States shall require the submission of an application by means of using the ~~geo-spatial~~		1. 1. As regards the aid for the area-based interventions referred to in Article 63(2) and implemented under the national CAP Strategic Plans, Member States shall require the submission of an application by means of the geo-spatial

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	application provided by the competent authority to submit an application.	~~application~~ <u>form</u> provided by the competent authority <u>in their geo-spatial</u> ~~to submit an~~ application. Commission checks		application form provided by the competent authority .
Article 67(2)				
636	2. As regards the aid for the animal-based interventions referred to in Article 63(2) and implemented under the national CAP Strategic Plans, Member States shall require the submission of an application.	2. As regards the aid for the animal-based interventions referred to in Article 63(2) and implemented under the national CAP Strategic Plans, Member States shall require the submission of an application. Commission checks		2. As regards the aid for the animal-based interventions referred to in Article 63(2) and implemented under the national CAP Strategic Plans, Member States shall require the submission of an application. Text Origin: Commission Proposal
Article 67(3)				
637	3. Member States shall pre-fill the applications referred to in paragraphs 1 and 2 with information from the systems referred to in point (g) of Article 64(1) and in Articles 66, 68, 69 and 71 or from any other relevant public database.	3. Member States shall pre-fill the applications referred to in paragraphs 1 and 2 with information from the systems referred to in point (g) of Article 64(1) and in Articles 66, 68, 69 and 71 or from any other relevant public database. Commission checks		3. Member States shall pre-fill the applications referred to in paragraphs 1 and 2 with information from the systems referred to in point (g) of Article 64(1) and in Articles 66, 68, 69 and 71 or from any other relevant public database. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 67(4)			
638	4. Member States may decide that a claimless system shall cover one or more applications referred to in paragraphs 1 and 2.	4. Member States may decide that a claimless system shall cover one or more applications referred to in paragraphs 1 and 2. Commission checks	4. Member States may ~~decide that a claimless~~ set up an automatic claim system ~~shall cover one or more~~ and decide which applications referred to in paragraphs 1 and 2 it shall cover .	4. 4. Member States may set up an automatic claim system and decide which applications referred to in paragraphs 1 and 2 it shall cover.
	Article 67(4a)			
638a		<u><i>If a Member State decides to use a claimless system, it shall enable the administration to make the eligible payments to the beneficiaries based on the existing details in the official computerised databases, where there has been no change, supplemented with additional information, where necessary to cover a change. Those details and any such additional information shall be confirmed by the beneficiary.</i></u> Commission checks		4a. If a Member States decides to use an automatic claim system, it shall set up a system, which enable the administration to make the payments to the beneficiaries based on the existing details in the official computerised databases, where there has been no change, supplemented with additional information, where necessary to cover a change. Those details and any such additional information available through the automatic claim system shall be confirmed by the beneficiary.
	Article 67(5), first subparagraph			
639	5. Member States shall annually assess the quality of the geo-spatial	5. Member States shall annually assess the quality of the geo-spatial		5. Member States shall annually assess the quality of the geo-spatial

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	application system in accordance with the methodology set up at Union level.	application system in accordance with the methodology set up at Union level. Commission checks		application system in accordance with the methodology set up at Union level. Text Origin: Commission Proposal
Article 67(5), second subparagraph				
640	Where the assessment reveals deficiencies in the system, Member States shall adopt appropriate remedial actions or shall be requested by the Commission to set up an action plan in accordance with Article 40.	Where the assessment reveals deficiencies in the system, Member States shall adopt appropriate remedial actions or shall be requested by the Commission to set up an action plan in accordance with Article 40. Commission checks		Where the assessment reveals deficiencies in the system, Member States shall adopt appropriate remedial actions or shall be requested by the Commission to set up an action plan in accordance with Article 40. Text Origin: Commission Proposal
Article 67(5), third subparagraph				
641	An assessment report and, where appropriate, the remedial actions and the timetable for their implementation shall be submitted to the Commission by 15 February following the calendar year concerned.	An assessment report and, where appropriate, the remedial actions and the timetable for their implementation shall be submitted to the Commission by 15 February following the calendar year concerned. Commission checks	An assessment report and, where appropriate, the remedial actions and the timetable for their implementation shall be submitted to the Commission by 15 ~~February~~ March following the calendar year concerned.	An assessment report and, where appropriate, the remedial actions and the timetable for their implementation shall be submitted to the Commission by 15 February following the calendar year concerned. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 68				
642	Article 68 Area monitoring system	Article 68 Area monitoring system Commission checks		Article 68 Area monitoring system Text Origin: Commission Proposal
Article 68(1)				
643	1. Member States shall set up and operate an area monitoring system.	1. Member States shall set up and operate an area monitoring <u>and control</u> system. <u>On duly justified grounds, the Commission may grant a transitional period for setting up the area monitoring and control system to Member States that have not recently used such an area monitoring and control system.</u> Commission checks		1. Member States shall set up and operate an area monitoring system, which shall be operational from 1 January 2023. Should the full deployment of the system from that date not be feasible due to technical limitations, Member States may choose to set up and start the operation of such a system gradually, providing information for a limited number of interventions only. However, by 1 January 2024, an area monitoring system in all Member States shall be fully operational.
Article 68(2), first subparagraph				
644	2. Member States shall annually assess the quality of the area monitoring system in accordance with the methodology set up at	2. Member States shall annually assess the quality of the area monitoring <u>and control</u> system in accordance— with the methodology		2. Member States shall annually assess the quality of the area monitoring system in accordance with the methodology set up at

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Union level.	set up at Union level. Commission checks		Union level. Text Origin: Commission Proposal
Article 68(2), second subparagraph				
645	Where the assessment reveals deficiencies in the system, Member States shall adopt appropriate remedial actions or shall be requested to set up an action plan in accordance with Article 40.	Where the assessment reveals deficiencies in the system, Member States shall adopt appropriate remedial actions or shall be requested to set up an action plan in accordance with Article 40. Commission checks	Where the assessment reveals deficiencies in the system, Member States shall adopt appropriate remedial actions or shall be requested by the Commission to set up an action plan in accordance with Article 40.	Where the assessment reveals deficiencies in the system, Member States shall adopt appropriate remedial actions or shall be requested by the Commission to set up an action plan in accordance with Article 40. Text Origin: Council Mandate
Article 68(2), third subparagraph				
646	An assessment report and, where appropriate, the remedial actions and the timetable for their implementation shall be submitted to the Commission by 15 February following the calendar year concerned.	An assessment report and, where appropriate, the remedial actions and the timetable for their implementation shall be submitted to the Commission by 15 February following the calendar year concerned. Commission checks	An assessment report and, where appropriate, the remedial actions and the timetable for their implementation shall be submitted to the Commission by 15 ~~February~~ March following the calendar year concerned.	An assessment report and, where appropriate, the remedial actions and the timetable for their implementation shall be submitted to the Commission by 15 February following the calendar year concerned. Text Origin: Commission Proposal
Article 69				
647				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 69 System for the identification of beneficiaries	Article 69 System for the identification of beneficiaries Transparency-Audit		Article 69 System for the identification of beneficiaries Text Origin: Commission Proposal
	Article 69, first paragraph			
648	The system for recording the identity of each beneficiary of the interventions and measures as referred to in Article 63(2) shall guarantee that all applications submitted by the same beneficiary can be identified as such.	The system for recording the identity of each beneficiary of the interventions and measures as referred to in Article 63(2) shall guarantee that all applications submitted by the same beneficiary can be identified as such. <u><i>It shall also ensure that, where beneficiaries are part of a group within the meaning of point 11 of Article 2(1) of Directive 2013/34/EU, that group can be identified.</i></u> Transparency-Audit		The system for recording the identity of each beneficiary of the interventions and measures as referred to in Article 63(2) shall guarantee that all applications submitted by the same beneficiary can be identified as such.
	Article 70			
649	Article 70 Control and penalties system	Article 70 Control and penalties system Commission checks		Article 70 Control and penalties system Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 70, first paragraph			
650	Member States shall set up a control and penalties system for the aid as referred to in Article 63.	Member States shall set up a control and penalties system for the aid as referred to in Article 63. <u>Member States, through the paying agencies or the bodies delegated by them, shall carry out administrative checks on the aid application to verify the eligibility conditions for the aid. Those checks shall be supplemented by on-the-spot checks.</u> Commission checks	Member States shall set up a control and penalties system for the interventions and measures aid as referred to in Article 63.	Member States shall set up a control and penalties system for the aid as referred to in Article 63. Member States, through the paying agencies or the bodies delegated by them, shall annually carry out administrative checks on the aid application and payment claims to verify legality and regularity as referred to in Article 57 (1)(a) . Those checks shall be supplemented by on-the-spot checks, which may be executed remotely with the use of technology.
	Article 70, first paragraph a			
650a		<u>For each of the interventions referred to in Article 63(2), Member States shall ensure that the control sample for on-the-spot checks carried out each year covers at least 5 % of all beneficiaries. That percentage shall be increased appropriately where any significant non-compliance in the context of a given intervention or measure is detected. However, Member States</u>		EP to withdraw AM

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>may reduce that percentage where the error rates remain at an acceptable level.</u> Commission checks		
Article 70, second paragraph				
G 651	Paragraphs 1 to 5 of Article 57 shall apply mutatis mutandis.	~~Paragraphs 1 to 5 of Article 57 shall apply mutatis mutandis.~~ Commission checks		delete
Article 71				
G 652	Article 71 System for the identification and registration of payment entitlements	Article 71 System for the identification and registration of payment entitlements		Article 71 System for the identification and registration of payment entitlements Commission checks Text Origin: Commission Proposal
Article 71, first paragraph				
G 653	The system for the identification and registration of payment entitlements shall allow for verification of the entitlements	The system for the identification and registration of payment entitlements shall allow for verification of the entitlements		The system for the identification and registration of payment entitlements shall allow for verification of the entitlements

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	with the applications and the identification system for agricultural parcels.	with the applications and the identification system for agricultural parcels.		with the applications and the identification system for agricultural parcels. Commission checks Text Origin: Commission Proposal
Article 72				
654	Article 72 Delegated powers	Article 72 Delegated powers Commission checks		Article 72 Delegated powers Text Origin: Commission Proposal
Article 72, first paragraph, introductory part				
655	The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation concerning:	The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation concerning: Commission checks	In order to ensure that the integrated system provided for in this Chapter is implemented in an efficient, coherent and non-discriminatory way which protects the financial interests of the Union, the Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation concerning:	The Commission is empowered to adopt delegated acts in accordance with Article 100 which are necessary to ensure that the integrated system provided for in this Chapter is implemented in an efficient, coherent and non-discriminatory way which protects the financial interests of the Union, supplementing this Regulation concerning:
Article 72, first paragraph, point(a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
656	(a) further rules on the quality assessment referred to in Articles 66, 67 and 68;	(a) further rules on the quality assessment referred to in Articles 66, 67 and 68; Commission checks	(a) ~~further~~ detailed rules on the quality assessment referred to in Articles 66, 67 and 68;	(a) rules on the quality assessment referred to in Articles 66, 67 and 68;
Article 72, first paragraph, point(b)				
657	(b) further definitions, basic features and rules on the identification system for agricultural parcels, the system for the identification of beneficiaries and the system for the identification and registration of payment entitlements referred to in Articles 66, 69 and 71.	(b) further definitions, basic features and rules on the identification system for agricultural parcels, the system for the identification of beneficiaries and the system for the identification and registration of payment entitlements referred to in Articles 66, 69 and 71. Commission checks	(b) ~~further definitions, basic features and~~ detailed rules on the identification system for agricultural parcels, the system for the identification of beneficiaries and the system for the identification and registration of payment entitlements referred to in Articles 66, 69 and 71.	(b) rules on the identification system for agricultural parcels, the system for the identification of beneficiaries and the system for the identification and registration of payment entitlements referred to in Articles 66, 69 and 71.
Article 73				
658	Article 73 Implementing powers	Article 73 Implementing powers Commission checks		Article 73 Implementing powers Text Origin: Commission Proposal
Article 73, first paragraph, introductory part				
659				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The Commission may adopt implementing acts laying down rules on:	The Commission may adopt implementing acts laying down rules on: Commission checks		The Commission may adopt implementing acts laying down rules on: Text Origin: Commission Proposal
Article 73, first paragraph, point (a), introductory part				
G 660	(a) the form, content and arrangements for transmitting or making available to the Commission of:	(a) the form, ~~content~~ and arrangements for transmitting or making available to the Commission of: Commission checks		(a) the form, content and arrangements for transmitting or making available to the Commission of: Text Origin: Commission Proposal
Article 73, first paragraph, point (a)(i)				
G 661	(i) the assessment reports on the quality of the identification system for agricultural parcels, of the geo-spatial application system and of the area monitoring system;	(i) the assessment reports on the quality of the identification system for agricultural parcels, of the geo-spatial application system and of the area monitoring system; Commission checks		(i) the assessment reports on the quality of the identification system for agricultural parcels, of the geo-spatial application system and of the area monitoring system; Text Origin: Commission Proposal
Article 73, first paragraph, point (a)(ii)				
G 662	(ii) the remedial actions to be implemented by the Member States	(ii) the remedial actions to be implemented by the Member States		(ii) the remedial actions to be implemented by the Member States

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	as referred to in Articles 66, 67 and 68;	as referred to in Articles 66, 67 and 68; Commission checks		as referred to in Articles 66, 67 and 68; Text Origin: Commission Proposal
Article 73, first paragraph, point (b)				
663	(b) basic features and rules on the geo-spatial application system and the area monitoring system referred to in Articles 67 and 68.	(b) ~~basic features and rules on the geo-spatial application system and the area monitoring system referred to in Articles 67 and 68.~~ the Commission is empowered to adopt delegated acts in accordance with Article 100, supplementing this Regulation by laying down the rules on the content for transmitting and making available to the Commission of: Commission checks		(b) [IA agreed] basic features and rules on the aid application system and the area monitoring system referred to in Articles 67 and 68, including parameters of the gradual increase of the number of interventions under the area monitoring system.
Article 73, first paragraph, point (b)(i)				
663a		i the assessment reports on the quality of the identification system for agricultural parcels, of the geo-spatial application system and of the area monitoring and control system;		i [EP AM withdrawn]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Commission checks		
	Article 73, first paragraph, point (b)(ii)			
G	663b	<u>ii the remedial actions to be implemented by the Member States as referred to in Articles 66, 67 and 68;</u> Commission checks		ii [EP AM withdrawn]
	Article 73, first paragraph, point (b)(iii)			
G	663c	<u>iii basic features and rules on the geo-spatial application system and the area monitoring and control system referred to in Articles 67 and 68.</u> Commission checks		iii [EP AM withdrawn]
	Article 73, second paragraph			
G	664	~~Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).~~ Commission checks		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Chapter III				
665	Chapter III Scrutiny of transactions	Chapter III Scrutiny of transactions Scrutiny		Chapter III Scrutiny of transactions
Article 74				
666	Article 74 Scope and definitions	Article 74 Scope and definitions Scrutiny		Article 74 Scope and definitions Text Origin: Commission Proposal
Article 74(1)				
667	1. This Chapter lays down specific rules on the scrutiny of the commercial documents of those entities receiving or making payments relating directly or indirectly to the system of financing by the EAGF, or representatives of those entities (hereinafter 'undertakings') in order to ascertain whether transactions forming part of the system of financing by the EAGF have actually been carried out and have been executed correctly.	1. This Chapter lays down specific rules on the scrutiny of the commercial documents of those entities receiving or making payments relating directly or indirectly to the system of financing by the EAGF, or representatives of those entities (hereinafter 'undertakings') in order to ascertain whether transactions forming part of the system of financing by the EAGF have actually been carried out and have been executed correctly.		1. This Chapter lays down specific rules on the scrutiny of the commercial documents of those entities receiving or making payments relating directly or indirectly to the system of financing by the EAGF, or representatives of those entities (hereinafter 'undertakings') in order to ascertain whether transactions forming part of the system of financing by the EAGF have actually been carried out and have been executed correctly.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Scrutiny		Text Origin: Commission Proposal
Article 74(2)				
668	2. This Chapter shall not apply to interventions covered by the integrated system referred to in Chapter II of this Title and by Chapter III of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation]. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with the establishment of a list of interventions which, due to their design and control requirements, are unsuited for additional ex-post controls by way of scrutiny of commercial documents and, therefore, are not to be subject to such scrutiny under this Chapter.	2. This Chapter shall not apply to interventions covered by the integrated system referred to in Chapter II of this Title and by Chapter III of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation]. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with the establishment of a list of interventions which, due to their design and control requirements, are unsuited for additional ex-post controls by way of scrutiny of commercial documents and, therefore, are not to be subject to such scrutiny under this Chapter. Scrutiny	2. This Chapter shall not apply to interventions covered by the integrated system referred to in Chapter II of this Title and by Chapter III of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation]. The Commission is empowered to adopt delegated acts in accordance with Article 100 to respond to changes in sectoral agricultural legislation and to ensure the efficiency of the system of ex-post controls established by this Chapter, supplementing this Regulation with the establishment of a list of interventions which, due to their design and control requirements, are unsuited for additional ex-post controls by way of scrutiny of commercial documents and, therefore, are not to be subject to such scrutiny under this Chapter.	2. [Framing of the empowerment will be done in the Recitals] This Chapter shall not apply to interventions covered by the integrated system referred to in Chapter II of this Title and by Chapter III of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation]. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with the establishment of a list of interventions which, due to their design and control requirements, are unsuited for additional ex-post controls by way of scrutiny of commercial documents and, therefore, are not to be subject to such scrutiny under this Chapter. Text Origin: Commission Proposal
Article 74(3), introductory part				
669				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	3. For the purposes of this Chapter the following definitions shall apply:	3. For the purposes of this Chapter the following definitions shall apply: Scrutiny		3. For the purposes of this Chapter the following definitions shall apply: Text Origin: Commission Proposal
Article 74(3), point (a)				
670	(a) "commercial document" means all books, registers, vouchers and supporting documents, accounts, production and quality records, correspondence relating to the undertaking's business activity, and commercial data, in whatever form they may take, including electronically stored data, in so far as these documents or data relate directly or indirectly to the transactions referred to in paragraph 1;	(a) "commercial document" means all books, registers, vouchers and supporting documents, accounts, production and quality records, correspondence relating to the undertaking's business activity, and commercial data, in whatever form they may take, including electronically stored data, in so far as these documents or data relate directly or indirectly to the transactions referred to in paragraph 1; Scrutiny		(a) "commercial document" means all books, registers, vouchers and supporting documents, accounts, production and quality records, correspondence relating to the undertaking's business activity, and commercial data, in whatever form they may take, including electronically stored data, in so far as these documents or data relate directly or indirectly to the transactions referred to in paragraph 1; Text Origin: Commission Proposal
Article 74(3), point (b)				
671	(b) "third party" means any natural or legal person directly or indirectly connected with transactions carried out within the financing system by the EAGF.	(b) "third party" means any natural or legal person directly or indirectly connected with transactions carried out within the financing system by the EAGF.		(b) "third party" means any natural or legal person directly or indirectly connected with transactions carried out within the financing system by the EAGF.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Scrutiny		Text Origin: Commission Proposal
Article 75				
672	Article 75 Scrutiny by Member States	Article 75 Scrutiny by Member States Scrutiny		Article 75 Scrutiny by Member States Text Origin: Commission Proposal
Article 75(1)				
673	1. Member States shall carry out systematic scrutiny of the commercial documents of undertakings taking account of the nature of the transactions to be scrutinised. Member States shall ensure that the selection of undertakings for scrutiny gives the best possible assurance of the effectiveness of the measures for preventing and detecting irregularities. The selection shall take account, inter alia, of the financial importance of the undertakings in that system and of other risk factors.	1. Member States shall carry out systematic scrutiny of the commercial documents of undertakings taking account of the nature of the transactions to be scrutinised. Member States shall ensure that the selection of undertakings for scrutiny gives the best possible assurance of the effectiveness of the measures for preventing and detecting irregularities. The selection shall take account, inter alia, of the financial importance of the undertakings in that system and of other risk factors. Scrutiny		1. Member States shall carry out systematic scrutiny of the commercial documents of undertakings taking account of the nature of the transactions to be scrutinised. Member States shall ensure that the selection of undertakings for scrutiny gives the best possible assurance of the effectiveness of the measures for preventing and detecting irregularities. The selection shall take account, inter alia, of the financial importance of the undertakings in that system and of other risk factors. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 75(2)			
674	2. In appropriate cases, the scrutiny provided for in paragraph 1 shall be extended to natural and legal persons with whom undertakings are associated and to such other natural or legal persons as may be relevant for the pursuit of the objectives set out in Article 76.	2. In appropriate cases, the scrutiny provided for in paragraph 1 shall be extended to natural and legal persons with whom undertakings are associated and to such other natural or legal persons as may be relevant for the pursuit of the objectives set out in Article 76. Scrutiny		2. In appropriate cases, the scrutiny provided for in paragraph 1 shall be extended to natural and legal persons with whom undertakings are associated and to such other natural or legal persons as may be relevant for the pursuit of the objectives set out in Article 76. Text Origin: Commission Proposal
	Article 75(3)			
674a		Scrutiny	3. The body or bodies responsible for the application of this Chapter shall be organised in such a way as to be independent of the departments or branches of departments responsible for the payments and the checks carried out prior to payment.	3. The body or bodies responsible for the application of this Chapter shall be organised in such a way as to be independent of the departments or branches of departments responsible for the payments and the checks carried out prior to payment. Text Origin: Council Mandate
	Article 75(4)			
674b			4. Undertakings for which the	4. Undertakings for which the sum

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Scrutiny	sum of the receipts or payments amounted to less than EUR 40 000 shall be scrutinised in accordance with this Chapter only for specific reasons to be indicated by the Member States in their annual control plan referred to in article 79(1).	of the receipts or payments amounted to less than EUR 40 000 shall be scrutinised in accordance with this Chapter only for specific reasons to be indicated by the Member States in their annual control plan referred to in article 79(1). Text Origin: Council Mandate
Article 75(3)				
675	3. The scrutiny carried out pursuant to this Chapter shall not prejudice the checks undertaken pursuant to Articles 47 and 48.	3. The scrutiny carried out pursuant to this Chapter shall not prejudice the checks undertaken pursuant to Articles 47 and 48. Scrutiny	35. The scrutiny carried out pursuant to this Chapter shall not prejudice the checks undertaken pursuant to Articles 47 and 48.	5. The scrutiny carried out pursuant to this Chapter shall not prejudice the checks undertaken pursuant to Articles 47 and 48. Text Origin: Council Mandate
Article 76				
676	Article 76 Cross-checks	Article 76 Cross-checks Scrutiny		Article 76 Cross-checks Text Origin: Commission Proposal
Article 76(1), introductory part				
677	1. The accuracy of primary data under scrutiny shall be verified by	1. The accuracy of primary data under scrutiny shall be verified by		1. The accuracy of primary data under scrutiny shall be verified by

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	a number of cross-checks, including, where necessary, the commercial documents of third parties, appropriate to the degree of risk presented, including:	a number of cross-checks, including, where necessary, the commercial documents of third parties, appropriate to the degree of risk presented, including: Scrutiny		a number of cross-checks, including, where necessary, the commercial documents of third parties, appropriate to the degree of risk presented, including: Text Origin: Commission Proposal
Article 76(1), point (a)				
678	(a) comparisons with the commercial documents of suppliers, customers, carriers and other third parties;	(a) comparisons with the commercial documents of suppliers, customers, carriers and other third parties; Scrutiny		(a) comparisons with the commercial documents of suppliers, customers, carriers and other third parties; Text Origin: Commission Proposal
Article 76(1), point (b)				
679	(b) physical checks, where appropriate, upon the quantity and nature of stocks;	(b) physical checks, where appropriate, upon the quantity and nature of stocks; Scrutiny		(b) physical checks, where appropriate, upon the quantity and nature of stocks; Text Origin: Commission Proposal
Article 76(1), point (c)				
680	(c) comparison with the records of financial flows leading to or	(c) comparison with the records of financial flows leading to or		(c) comparison with the records of financial flows leading to or

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	consequent upon the transactions carried out within the financing system by the EAGF;	consequent upon the transactions carried out within the financing system by the EAGF; Scrutiny		consequent upon the transactions carried out within the financing system by the EAGF; Text Origin: Commission Proposal
Article 76(1), point (d)				
681	(d) checks, in relation to bookkeeping, or records of financial movements showing, at the time of the scrutiny, that the documents held by the paying agency by way of justification for the payment of aid to the beneficiary are accurate.	(d) checks, in relation to bookkeeping, or records of financial movements showing, at the time of the scrutiny, that the documents held by the paying agency by way of justification for the payment of aid to the beneficiary are accurate. Scrutiny		(d) checks, in relation to bookkeeping, or records of financial movements showing, at the time of the scrutiny, that the documents held by the paying agency by way of justification for the payment of aid to the beneficiary are accurate. Text Origin: Commission Proposal
Article 76(2)				
682	2. Where undertakings are required to keep particular book records of stock in accordance with Union or national provisions, scrutiny of those records shall, in appropriate cases, include a comparison with the commercial documents and, where appropriate, with the actual quantities in stock.	2. Where undertakings are required to keep particular book records of stock in accordance with Union or national provisions, scrutiny of those records shall, in appropriate cases, include a comparison with the commercial documents and, where appropriate, with the actual quantities in stock.		2. Where undertakings are required to keep particular book records of stock in accordance with Union or national provisions, scrutiny of those records shall, in appropriate cases, include a comparison with the commercial documents and, where appropriate, with the actual quantities in stock.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Scrutiny		Text Origin: Commission Proposal
Article 76(3)				
683	3. In the selection of transactions to be checked, full account shall be taken of the degree of risk presented.	3. In the selection of transactions to be checked, full account shall be taken of the degree of risk presented. Scrutiny		3. In the selection of transactions to be checked, full account shall be taken of the degree of risk presented. Text Origin: Commission Proposal
Article 76(4)				
683a		Scrutiny	4. The persons responsible for the undertaking, or a third party, shall ensure that all commercial documents and additional information are supplied to the officials responsible for the scrutiny or to the persons authorised to carry it out on their behalf. Electronically stored data shall be provided on an appropriate data support medium.	4. The persons responsible for the undertaking, or a third party, shall ensure that all commercial documents and additional information are supplied to the officials responsible for the scrutiny or to the persons authorised to carry it out on their behalf. Electronically stored data shall be provided on an appropriate data support medium. Text Origin: Council Mandate
Article 76(5)				
683b			5. The officials responsible for	5. The officials responsible for the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Scrutiny	the scrutiny or the persons authorised to carry it out on their behalf may require that extracts or copies of the documents referred to in paragraph 1 be supplied to them.	scrutiny or the persons authorised to carry it out on their behalf may require that extracts or copies of the documents referred to in paragraph 1 be supplied to them. Text Origin: Council Mandate
Article 77				
684	Article 77 Access to commercial documents	Article 77 Access to commercial documents Scrutiny	<i>deleted</i>	Article 77
Article 77(1)				
685	1. The persons responsible for the undertaking, or a third party, shall ensure that all commercial documents and additional information are supplied to the officials responsible for the scrutiny or to the persons authorised to carry it out on their behalf. Electronically stored data shall be provided on an appropriate data support medium.	1. The persons responsible for the undertaking, or a third party, shall ensure that all commercial documents and additional information are supplied to the officials responsible for the scrutiny or to the persons authorised to carry it out on their behalf. Electronically stored data shall be provided on an appropriate data support medium. Scrutiny	<i>deleted</i>	1. Deleted
Article 77(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
686	2. The officials responsible for the scrutiny or the persons authorised to carry it out on their behalf may require that extracts or copies of the documents referred to in paragraph 1 be supplied to them.	2. The officials responsible for the scrutiny or the persons authorised to carry it out on their behalf may require that extracts or copies of the documents referred to in paragraph 1 be supplied to them. Scrutiny	<i>deleted</i>	2. Deleted
Article 77(3), first subparagraph				
687	3. Where, during scrutiny carried out pursuant to this Chapter, the commercial documents maintained by the undertaking are considered inadequate for scrutiny purposes, the undertaking shall be directed to maintain in future such records as are required by the Member State responsible for the scrutiny, without prejudice to obligations laid down in other Regulations relating to the sector concerned.	3. Where, during scrutiny carried out pursuant to this Chapter, the commercial documents maintained by the undertaking are considered inadequate for scrutiny purposes, the undertaking shall be directed to maintain in future such records as are required by the Member State responsible for the scrutiny, without prejudice to obligations laid down in other Regulations relating to the sector concerned. Scrutiny	<i>deleted</i>	3. Deleted
Article 77(3), second subparagraph				
688	Member States shall determine the date from which such records are to be established.	Member States shall determine the date from which such records are to be established.	<i>deleted</i>	Deleted

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Scrutiny		
Article 77(3), third subparagraph				
689	Where some or all of the commercial documents required to be scrutinised pursuant to this Chapter are located with an undertaking in the same commercial group, partnership or association of undertakings managed on a unified basis as the undertaking scrutinised, whether located inside or outside the territory of the Union, the undertaking shall make those commercial documents available to officials responsible for the scrutiny, at a place and time to be determined by the Member States responsible for carrying out the scrutiny.	Where some or all of the commercial documents required to be scrutinised pursuant to this Chapter are located with an undertaking in the same commercial group, partnership or association of undertakings managed on a unified basis as the undertaking scrutinised, whether located inside or outside the territory of the Union, the undertaking shall make those commercial documents available to officials responsible for the scrutiny, at a place and time to be determined by the Member States responsible for carrying out the scrutiny. Scrutiny	<i>deleted</i>	Deleted
Article 77(4)				
690	4. Member States shall ensure that officials responsible for scrutiny are entitled to seize commercial documents, or have them seized.	4. Member States shall ensure that officials responsible for scrutiny are entitled to seize commercial documents, or have them seized.	<i>deleted</i>	4. Deleted

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	This right shall be exercised with due regard to the relevant national provisions and shall be without prejudice to the application of rules governing proceedings in criminal matters concerning the seizure of documents.	This right shall be exercised with due regard to the relevant national provisions and shall be without prejudice to the application of rules governing proceedings in criminal matters concerning the seizure of documents. Scrutiny		
	Article 78			
691	Article 78 Mutual assistance	Article 78 Mutual assistance Scrutiny		Article 78 Mutual assistance Text Origin: Commission Proposal
	Article 78(1), first subparagraph, introductory part			
692	1. Member States shall assist each other for the purposes of carrying out the scrutiny provided for in this Chapter in the following cases:	1. Member States shall assist each other for the purposes of carrying out the scrutiny provided for in this Chapter in the following cases: Scrutiny	±. Member States shall assist each other on their requests for the purposes of carrying out the scrutiny provided for in this Chapter in the following cases:	Member States shall assist each other on their requests for the purposes of carrying out the scrutiny provided for in this Chapter in the following cases: Text Origin: Council Mandate
	Article 78(1), first subparagraph, point (a)			
693	(a) where an undertaking or third party is established in a Member	(a) where an undertaking or third party is established in a Member		(a) where an undertaking or third party is established in a Member

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	State other than that in which payment of the amount in question has or should have been made or received;	State other than that in which payment of the amount in question has or should have been made or received; Scrutiny		State other than that in which payment of the amount in question has or should have been made or received; Text Origin: Commission Proposal
Article 78(1), first subparagraph, point (b)				
694	(b) where an undertaking or third party is established in a Member State other than that in which the documents and information required for scrutiny are to be found.	(b) where an undertaking or third party is established in a Member State other than that in which the documents and information required for scrutiny are to be found. Scrutiny		(b) where an undertaking or third party is established in a Member State other than that in which the documents and information required for scrutiny are to be found. Text Origin: Commission Proposal
Article 78(1), second subparagraph				
695	The Commission may coordinate joint actions involving mutual assistance between two or more Member States.	The Commission may coordinate joint actions involving mutual assistance between two or more Member States. Scrutiny	<i>deleted</i>	Deleted
Article 78(2)				
696	2. Member States shall send the	2. Member States shall send the		2. Deleted

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Commission a list of undertakings established in a third country for which payment of the amount in question has or should have been made or received in that Member State.	Commission a list of undertakings established in a third country for which payment of the amount in question has or should have been made or received in that Member State. <u>Where necessary, the Commission shall invite experts from third countries, including developing countries, in order to obtain an assessment of the external impact of CAP implementation at Member State level.</u> Scrutiny	<i>deleted</i>	
Article 78(3), first subparagraph				
G 697	3. If additional information is required in another Member State as part of the scrutiny of an undertaking in accordance with Article 75, and in particular cross-checks in accordance with Article 76, specific scrutiny requests may be made indicating the reasons for the request.	3. If additional information is required in another Member State as part of the scrutiny of an undertaking in accordance with Article 75, and in particular cross-checks in accordance with Article 76, specific scrutiny requests may be made indicating the reasons for the request. Scrutiny	<i>deleted</i>	3. Deleted
Article 78(3), second subparagraph				
G 698				G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The scrutiny request shall be fulfilled not later than six months after its receipt; the results of the scrutiny shall be communicated without delay to the requesting Member State.	The scrutiny request shall be fulfilled not later than six months after its receipt; the results of the scrutiny shall be communicated without delay to the requesting Member State. Scrutiny	<i>deleted</i>	Deleted
Article 79				
699	Article 79 Programming	Article 79 <i>Programming</i> Scrutiny	Article 79 ~~Programming~~ Planning and reporting	Article 79 Planning and reporting Text Origin: Council Mandate
Article 79(1)				
700	1. Member States shall draw up programmes for scrutiny to be carried out pursuant to Article 75 during the subsequent scrutiny period.	1. <i>Member States shall draw up programmes for scrutiny to be carried out pursuant to Article 75 during the subsequent scrutiny period.</i> Scrutiny	1. Member States shall draw up ~~programmes~~ control plans for scrutiny to be carried out pursuant to Article 75 during the subsequent scrutiny period.	1. Member States shall draw up control plans for scrutiny to be carried out pursuant to Article 75 during the subsequent scrutiny period. Text Origin: Council Mandate
Article 79(2), introductory part				
701	2. Each year, before 15 April, Member States shall send the Commission their programme as	2. <i>Each year, before 15 April, Member States shall send the Commission their programme as</i>	2. Each year, before 15 April, Member States shall send the Commission ~~their programme as~~	2. Each year, before 15 April, Member States shall send the Commission:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	referred to in paragraph 1 and shall specify:	~~referred to in paragraph 1 and shall specify:~~ Scrutiny	referred to in paragraph 1 and shall specify:	Text Origin: Council Mandate
Article 79(2), point(a)				
702	(a) the number of undertakings to be scrutinised and their breakdown by sector on the basis of the amounts relating to them;	(a) ~~the number of undertakings to be scrutinised and their breakdown by sector on the basis of the amounts relating to them;~~ Scrutiny	(a) their control plan as referred to in paragraph 1 and shall specify the number of undertakings to be scrutinised and their breakdown by sector on the basis of the amounts relating to them;	(a) their control plan as referred to in paragraph 1 and shall specify the number of undertakings to be scrutinised and their breakdown by sector on the basis of the amounts relating to them; Text Origin: Council Mandate
Article 79(2), point(b)				
703	(b) the criteria adopted for drawing up the programme.	(b) ~~the criteria adopted for drawing up the programme.~~ Scrutiny	(b) a detailed report on the application of this Chapter for the previous scrutiny period, including the results of the scrutiny carried out under Article 78 ~~the criteria adopted for drawing up the programme.~~	(b) a detailed report on the application of this Chapter for the previous scrutiny period, including the results of the scrutiny carried out under Article 78. Text Origin: Council Mandate
Article 79(3)				
704	3. The programmes established by the Member States and forwarded to the Commission shall be	3. ~~The programmes established by the Member States and forwarded to the Commission shall be~~	3. The ~~programmes~~ control plans and their amendments established by the Member States	3. The control plans and their amendments established by the Member States and forwarded to

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	implemented by the Member States, if, within eight weeks, the Commission has not made known its comments.	~~implemented by the Member States, if, within eight weeks, the Commission has not made known its comments.~~ Scrutiny	and forwarded to the Commission shall be implemented by the Member States, if, within eight weeks, the Commission has not made known its comments.	the Commission shall be implemented by the Member States, if, within eight weeks, the Commission has not made known its comments. Text Origin: Council Mandate
Article 79(4)				
705	4. Paragraph 3 shall apply mutatis mutandis to the amendments to the programme made by the Member States.	4. ~~Paragraph 3 shall apply mutatis mutandis to the amendments to the programme made by the Member States.~~ Scrutiny	deleted	4. Deleted.
Article 79(5)				
706	5. At any stage, the Commission may request the inclusion of a particular category of undertaking in the programme of a Member States.	5. ~~At any stage, the Commission may request the inclusion of a particular category of undertaking in the programme of a Member States.~~ Scrutiny	deleted	5. Deleted.
Article 79(6), first subparagraph				
707	6. Undertakings for which the sum of the receipts or payments	6. ~~Undertakings for which the sum of the receipts or payments~~	deleted	6. Deleted.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	amounted to less than EUR 40 000 shall be scrutinised in accordance with this Chapter only for specific reasons to be indicated by the Member States in their annual programme referred to in paragraph 1 or by the Commission in any proposed amendment to that programme.	~~amounted to less than EUR 40 000 shall be scrutinised in accordance with this Chapter only for specific reasons to be indicated by the Member States in their annual programme referred to in paragraph 1 or by the Commission in any proposed amendment to that programme.~~ Scrutiny		
Article 79(6), second subparagraph				
708	The Commission is empowered to adopt delegated acts in accordance with Article 101 amending the threshold set out in the first subparagraph.	~~The Commission is empowered to adopt delegated acts in accordance with Article 101 amending the threshold set out in the first subparagraph.~~ Scrutiny	deleted	Deleted.
Article 80				
709	Article 80 Special departments	Article 80 Special departments Scrutiny	deleted	Article 80
Article 80(1), first subparagraph, introductory part				
710				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. In each Member State, a special department shall be responsible for monitoring the application of this Chapter. Those departments shall, in particular, be responsible for:	1. In each Member State, a special department shall be responsible for monitoring the application of this Chapter. Those departments shall, in particular, be responsible for: Scrutiny	<i>deleted</i>	1. Deleted.
Article 80(1), first subparagraph, point (a)				
711	(a) the performance of the scrutiny provided for in this Chapter by officials employed directly by that special department; or	(a) the performance of the scrutiny provided for in this Chapter by officials employed directly by that special department; or Scrutiny	<i>deleted</i>	(a) Deleted.
Article 80(1), first subparagraph, point (b)				
712	(b) the coordination and general surveillance of the scrutiny carried out by officials belonging to other departments.	(b) the coordination and general surveillance of the scrutiny carried out by officials belonging to other departments. Scrutiny	<i>deleted</i>	(b) Deleted.
Article 80(1), second subparagraph				
713	Member States may also provide that scrutiny to be carried out pursuant to this Chapter is	Member States may also provide that scrutiny to be carried out pursuant to this Chapter is	<i>deleted</i>	Deleted.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	allocated between the special departments and other national departments, provided that the former is responsible for its coordination.	allocated between the special departments and other national departments, provided that the former is responsible for its coordination. Scrutiny		
Article 80(2)				
714	2. The department or departments responsible for the application of this Chapter shall be organised in such a way as to be independent of the departments or branches of departments responsible for the payments and the scrutiny checks carried out prior to payment.	2. The department or departments responsible for the application of this Chapter shall be organised in such a way as to be independent of the departments or branches of departments responsible for the payments and the scrutiny checks carried out prior to payment. Scrutiny	<i>deleted</i>	2. Deleted.
Article 80(3)				
715	3. The special department referred to in paragraph 1 shall take all the measures necessary, and it shall be entrusted by the Member State concerned with all the powers necessary, to perform the tasks referred to in this Chapter.	3. The special department referred to in paragraph 1 shall take all the measures necessary, and it shall be entrusted by the Member State concerned with all the powers necessary, to perform the tasks referred to in this Chapter. Scrutiny	<i>deleted</i>	3. Deleted.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 80(4)			
716	4. Member States shall adopt appropriate measures to penalise natural or legal persons who fail to fulfil their obligations under this Chapter.	4. Member States shall adopt appropriate measures to penalise natural or legal persons who fail to fulfil their obligations under this Chapter. Scrutiny	<i>deleted</i>	4. Deleted.
	Article 81			
717	Article 81 Reports	Article 81 Reports Scrutiny	<i>deleted</i>	Article 81 Deleted.
	Article 81(1), first subparagraph			
718	1. Before 1 January, following the scrutiny period, Member States shall send the Commission a detailed report on the application of this Chapter.	1. Before 1 January, following the scrutiny period, Member States shall send the Commission a detailed report on the application of this Chapter. Scrutiny	<i>deleted</i>	1. Deleted.
	Article 81(1), second subparagraph			
719				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The report referred to in the first subparagraph shall also contain an overview of the specific scrutiny requests referred to in Article 78(3) and the results of the scrutiny following those requests.	The report referred to in the first subparagraph shall also contain an overview of the specific scrutiny requests referred to in Article 78(3) and the results of the scrutiny following those requests. Scrutiny	<i>deleted</i>	Deleted.
Article 81(2)				
720	2. The Member States and the Commission shall have regular exchanges of views on the application of this Chapter.	2. The Member States and the Commission shall have regular exchanges of views on the application of this Chapter. Scrutiny	<i>deleted</i>	2. Deleted.
Article 82				
721	Article 82 Access to information and scrutiny by the Commission	Article 82 Access to information and scrutiny by the Commission Scrutiny		Article 82 Access to information and scrutiny by the Commission Text Origin: Commission Proposal
Article 82(1)				
722	1. In accordance with the relevant national laws, Commission	1. In accordance with the relevant national laws, Commission		1. In accordance with the relevant national laws, Commission

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	officials shall have access to all documents prepared either with a view to or following the scrutiny organised under this Chapter and to the data held, including those stored in the data-processing systems. That data shall be provided upon request on an appropriate data support medium.	officials shall have access to all documents prepared either with a view to or following the scrutiny organised under this Chapter and to the data held, including those stored in the data-processing systems. That data shall be provided upon request on an appropriate data support medium. Scrutiny		officials shall have access to all documents prepared either with a view to or following the scrutiny organised under this Chapter and to the data held, including those stored in the data-processing systems. That data shall be provided upon request on an appropriate data support medium. Text Origin: Commission Proposal
Article 82(2)				
723	2. The scrutiny referred to in Article 75 shall be carried out by the officials of the Member States. Officials of the Commission may participate in that scrutiny. They may not themselves exercise the powers of scrutiny accorded to national officials. However, they shall have access to the same premises and to the same documents as the officials of the Member States.	2. The scrutiny referred to in Article 75 shall be carried out by the officials of the Member States. Officials of the Commission may participate in that scrutiny. They may not themselves exercise the powers of scrutiny accorded to national officials. However, they shall have access to the same premises and to the same documents as the officials of the Member States. Scrutiny	2. The scrutiny referred to in Article 75 shall be carried out by the officials of the Member States. Officials of the Commission may participate in that scrutiny. ~~They~~ Officials of the Member State requesting mutual assistance in accordance with Article 78 may participate with the agreement of the requested Member State. Officials of the Commission and of the requesting Member State may not themselves exercise the powers of scrutiny accorded to national officials. However, they shall have access to the same premises and to the same documents as the officials of the	2. The scrutiny referred to in Article 75 shall be carried out by the officials of the Member States. Officials of the Commission may participate in that scrutiny. They may not themselves exercise the powers of scrutiny accorded to national officials. However, they shall have access to the same premises and to the same documents as the officials of the Member States. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Member States.	
Article 82(3), first subparagraph				
724	3. In the case of scrutiny taking place under Article 78, officials of the requesting Member State may be present, with the agreement of the requested Member State, at the scrutiny in the requested Member State and have access to the same premises and the same documents as the officials of that Member State.	3. In the case of scrutiny taking place under Article 78, officials of the requesting Member State may be present, with the agreement of the requested Member State, at the scrutiny in the requested Member State and have access to the same premises and the same documents as the officials of that Member State. Scrutiny	<i>deleted</i>	3. Deleted.
Article 82(3), second subparagraph				
725	Officials of the requesting Member State present at scrutiny in the requested Member State shall at all time be able to furnish proof of their official capacity. The scrutiny shall at all times be carried out by officials of the requested Member State.	Officials of the requesting Member State present at scrutiny in the requested Member State shall at all time be able to furnish proof of their official capacity. The scrutiny shall at all times be carried out by officials of the requested Member State. Scrutiny	<i>deleted</i>	Deleted.
Article 82(4)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
726	4. Without prejudice to the provisions of Regulations (EU, Euratom) No 883/2013, (Euratom, EC) No 2988/95 (Euratom, EC) No 2185/96 and (EU) 2017/1939, where national provisions concerning criminal procedure reserve certain acts for officials specifically designated by the national law, neither the officials of the Commission, nor the officials of the Member State referred to in paragraph 3, shall take part in these acts. In any event, they shall, in particular not take part in home visits or the formal interrogation of persons in the context of the criminal law of the Member State concerned. They shall, however, have access to information thus obtained.	4. Without prejudice to the provisions of Regulations (EU, Euratom) No 883/2013, (Euratom, EC) No 2988/95 (Euratom, EC) No 2185/96 and (EU) 2017/1939, where national provisions concerning criminal procedure reserve certain acts for officials specifically designated by the national law, neither the officials of the Commission, nor the officials of the Member State referred to in paragraph 3, shall take part in these acts. In any event, they shall, in particular not take part in home visits or the formal interrogation of persons in the context of the criminal law of the Member State concerned. They shall, however, have access to information thus obtained. Scrutiny	43. Without prejudice to the provisions of Regulations (EU, Euratom) No 883/2013, (Euratom, EC) No 2988/95 (Euratom, EC) No 2185/96 and (EU) 2017/1939, where national provisions concerning criminal procedure reserve certain acts for officials specifically designated by the national law, neither the officials of the Commission, nor the officials of the requesting Member State referred to in paragraph 32, shall take part in these acts. In any event, they shall, in particular not take part in home visits or the formal interrogation of persons in the context of the criminal law of the Member State concerned. They shall, however, have access to information thus obtained.	3. Without prejudice to the provisions of Regulations (EU, Euratom) No 883/2013, (Euratom, EC) No 2988/95 (Euratom, EC) No 2185/96 and (EU) 2017/1939, where national provisions concerning criminal procedure reserve certain acts for officials specifically designated by the national law, neither the officials of the Commission, nor the officials of the requesting Member State referred to in paragraph 2, shall take part in these acts. In any event, they shall, in particular not take part in home visits or the formal interrogation of persons in the context of the criminal law of the Member State concerned. They shall, however, have access to information thus obtained. Text Origin: Council Mandate
Article 83				
727	Article 83 Implementing powers	Article 83 Implementing powers Scrutiny		Article 83 Implementing powers Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 83, first paragraph, introductory part			
728	The Commission shall adopt implementing acts laying down rules necessary for the uniform application of this Chapter and in particular relating to the following:	The Commission shall adopt implementing acts laying down rules necessary for the uniform application of this Chapter and in particular relating to the following: Scrutiny		The Commission shall adopt implementing acts laying down rules necessary for the uniform application of this Chapter and in particular relating to the following: Text Origin: Commission Proposal
	Article 83, first paragraph, point (a)			
729	(a) the performance of the scrutiny referred to in Article 75 as regards the selection of undertakings, rate and the timescale for the scrutiny;	(a) the performance of the scrutiny referred to in Article 75 as regards the selection of undertakings, rate and the timescale for the scrutiny; Scrutiny		(a) the performance of the scrutiny referred to in Article 75 as regards the selection of undertakings, rate and the timescale for the scrutiny; Text Origin: Commission Proposal
	Article 83, first paragraph, point (b)			
730	(b) the conservation of commercial documents and the types of documents to maintain or data to record;	(b) the conservation of commercial documents and the types of documents to maintain or data to record; Scrutiny	deleted	(b) Deleted.
	Article 83, first paragraph, point(c)			
731				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(c) the performance and coordination of joint actions referred to in Article 78(1);	(c) the performance and coordination of joint actions referred to in Article 78(1); Scrutiny	~~(c)~~ (b) the performance and coordination of joint actions of the mutual assistance referred to in Article 78(1)78;	(b) the performance of the mutual assistance referred to in Article 78; Text Origin: Council Mandate
Article 83, first paragraph, point (d)				
732	(d) the details and specifications regarding the content, form and means of submission of requests, the content, form and means of notification, submission and exchange of information required under this Chapter;	(d) the details and specifications regarding the content, form and means of submission of requests, the content, form and means of notification, submission and exchange of information required under this Chapter; Scrutiny	<i>deleted</i>	(d) Deleted.
Article 83, first paragraph, point (e)				
733	(e) conditions and means of publication or specific rules and conditions for the diffusion or making available by the Commission to the competent authorities of the Member States of the information needed under this Regulation;	(e) conditions and means of publication or specific rules and conditions for the diffusion or making available by the Commission to the competent authorities of the Member States of the information needed under this Regulation; Scrutiny	<i>deleted</i>	(e) Deleted.
Article 83, first paragraph, point (f)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
734	(f) the responsibilities of the special department referred to in Article 80;	(f) the responsibilities of the special department referred to in Article 80; Scrutiny	<i>deleted</i>	(f) Deleted.
Article 83, first paragraph, point(g)				
735	(g) the content of reports referred to in Article 81 and any other notification needed under this Chapter.	(g) the content of reports referred to in Article 81 and any other notification needed under this Chapter. Scrutiny	~~(g)~~ (c) the content of reports referred to in Article 81 and any other notification needed under this Chapter.	(c) the content of reports referred to in Article 79(2)(b) and any other notification needed under this Chapter. Text Origin: Council Mandate
Article 83, second paragraph				
736	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Scrutiny		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Text Origin: Commission Proposal
Chapter IV				
737	Chapter IV Control system and penalties in relation to conditionality	Chapter IV Control system and penalties in relation to conditionality <i>for</i>		Chapter IV Control system and penalties in relation to conditionality

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>sustainable development</u>		
Article 84				
738	Article 84 Control system for conditionality	Article 84 Control system for conditionality Conditionality		Article 84 Control system for conditionality <u>Text Origin: Commission Proposal</u>
Article 84(1), first subparagraph				
739	1. Member States shall set up a control system to ensure that beneficiaries of the aid referred to in Article 11 of Regulation (EU) .../... [CAP Strategic Plan Regulation] and in Chapter IV of Regulation (EU) No 228/2013 and in Chapter IV of Regulation (EU) No 229/2013 respectively, comply with the obligations referred to in Section 2 of Chapter 1 of Title III of Regulation (EU) .../...[CAP Strategic Plan Regulation].	1. Member States shall ~~set up~~ <u>have</u> a control system <u>in order</u> to ensure that ~~beneficiaries of the aid referred to in Article 11 of Regulation (EU) .../... [CAP Strategic Plan Regulation] and in Chapter IV of Regulation (EU) No 228/2013 and in Chapter IV of Regulation (EU) No 229/2013 respectively,~~ <u>the following beneficiaries</u> comply with the obligations referred to in Section 2 of Chapter 1 of Title III of Regulation (EU) .../...[CAP Strategic Plan Regulation]. Conditionality	1. Member States shall set up a control system to ~~ensure that~~ beneficiaries of the aid control compliance with the obligations referred to in ~~Article 11~~ Section 2 of Chapter I of Title III of Regulation (EU) .../...[CAP Strategic Plan Regulation] by the beneficiaries of the aid¹ referred to in Article 11(1) and in Chapter IV of Regulation (EU) No 228/2013... [CAP Strategic Plan Regulation] and in Chapter IV of Regulation (EU) No 229/2013 ~~respectively, comply with the obligations referred to in Section 2 of~~ No 228/2013 and in Chapter 1 of Title III of Regulation (EU) .../...[CAP Strategic Plan Regulation]. No	1. 1. Member States shall set up a system in order to control that the following categories of beneficiaries comply with the obligations referred to in Section 2 of Chapter 1 of Title III of Regulation (EU) .../...[CAP Strategic Plan Regulation]:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			229/2013 1. The consistency of the use of the terms "aid", "support" and "payments" should be checked at an appropriate moment.	
	Article 84(1), first subparagraph, point (a)			
G 739a		<u>(a) beneficiaries receiving direct payments under Chapter II of Title III of Regulation (EU).../... [CAP Strategic Plan Regulation];</u> Conditionality		(a) beneficiaries receiving direct payments under Chapter II of Title III of Regulation (EU).../... [CAP Strategic Plan Regulation]; Text Origin: EP Mandate
	Article 84(1), first subparagraph, point (b)			
G 739b		<u>(b) beneficiaries receiving annual payments in accordance with Articles 65, 66 and 67 of Regulation (EU).../... [CAP Strategic Plan Regulation];</u> Conditionality		(b) beneficiaries receiving annual payments in accordance with Articles 65, 66 and 67 of Regulation (EU).../... [CAP Strategic Plan Regulation]; Text Origin: EP Mandate
	Article 84(1), first subparagraph, point (c)			
G 739c		<u>(c) beneficiaries receiving support in accordance with Chapter IV of Regulation (EU) No 228/2013 and</u>		(c) beneficiaries receiving support in accordance with Chapter IV of Regulation (EU) No 228/2013 and

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>Chapter IV of Regulation (EU) No 229/2013.</u> Conditionality		Chapter IV of Regulation (EU) No 229/2013. Text Origin: EP Mandate
Article 84(1), first subparagraph a, introductory part				
739d		Conditionality	Member States applying Article 25 of Regulation (EU)....[CAP Strategic Plan Regulation may set up a simplified control system:	Member States applying Article 25 of Regulation (EU)....[CAP Strategic Plan Regulation may set up a simplified control system: Text Origin: Council Mandate
Article 84(1), first subparagraph a, point (a)				
739e		Conditionality	(a) for beneficiaries receiving payments under Article 25 of Regulation (EU)....[CAP Strategic Plan Regulation] or	(a) for beneficiaries receiving payments under Article 25 of Regulation (EU)....[CAP Strategic Plan Regulation] or Text Origin: Council Mandate
Article 84(1), first subparagraph a, point (b)				
739f		Conditionality	(b) for small farmers as defined by Member States pursuant to Article 25 of Regulation (EU)....[CAP Strategic Plan Regulation not applying for such payments.	(b) for small farmers as defined by Member States pursuant to Article 25 of Regulation (EU)....[CAP Strategic Plan Regulation not applying for such payments. Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 84(1), first subparagraph b			
Y	739g	Conditionality	Where a Member State does not apply that Article, it may set up a simplified control system for farmers with a maximum size of holding not exceeding 5 hectares of agricultural area declared in accordance with Article 67(1).	Where a Member State does not apply Article 25 of Regulation (EU)..../[CAP Strategic Plan Regulation], it may set up a simplified control system for farmers with a maximum size of holding not exceeding 5 hectares of agricultural area declared in accordance with Article 67(1). Text Origin: Council Mandate
	Article 84(1), second subparagraph			
G	740	Member States may make use of their existing control systems and administration to ensure compliance with the rules on conditionality. Conditionality		Member States may make use of their existing control systems and administration to ensure compliance with the rules on conditionality. Text Origin: Commission Proposal
	Article 84(1), third subparagraph			
G	741	Those systems shall be compatible with the control system referred to in the first subparagraph of this paragraph.	Those systems shall be compatible with the control-system systems referred to in the first and second subparagraphs-subparagraph of	Those systems shall be compatible with the control systems referred to in the first and second subparagraphs of this paragraph.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Conditionality	this paragraph.	Text Origin: Council Mandate
Article 84(1), third subparagraph a				
741a		<i><u>In order to ensure compliance with the applicable working and employment conditions resulting from relevant collective labour agreements and social and labour law at national, Union and international levels, Member States shall ensure cooperation between competent national authorities responsible for labour inspections and the control system referred to in the first subparagraph. In cross-border situations, coordination and cooperation shall also be ensured with the European Labour Authority (ELA) the functioning of which is regulated by Regulation (EU) 2019/1149 of the European Parliament and of the Council.</u></i> Conditionality Social conditionality		EP to withdraw AM See separate chapter on social dimension
Article 84(1), fourth subparagraph				
742	Member States shall conduct a	Member States shall conduct a	Member States shall conduct a	Member States shall conduct a

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	yearly review of the control system referred to in the first subparagraph in light of the results achieved.	yearly review of the control system referred to in the first subparagraph in light of the results achieved. Conditionality	yearly review of the control ~~systems~~ systems referred to in the first ~~subparagraph~~ subparagraph and second subparagraphs in light of the results achieved.	yearly review of the control systems referred to in the first and second subparagraphs in light of the results achieved. Text Origin: Council Mandate
Article 84(2), introductory part				
743	2. For the purposes of this Chapter, the following definitions shall apply:	2. For the purposes of this Chapter, the following definitions shall apply: Conditionality		2. For the purposes of this Chapter, the following definitions shall apply: Text Origin: Commission Proposal
Article 84(2), point(a)				
744	(a) "requirement" means each individual statutory management requirement under Union law referred to in Article 11 of Regulation (EU) .../[CAP Strategic Plan Regulation] within a given act, differing in substance from any other requirements of the same act;	(a) "requirement" means each individual statutory management requirement under Union law referred to in Article 11 of Regulation (EU) .../[CAP Strategic Plan Regulation] within a given act, differing in substance from any other requirements of the same act; Conditionality	(a) "requirement" means each individual statutory management requirement under Union law referred to in Article 11 of Regulation (EU) .../[CAP Strategic Plan Regulation] within a given legal act, differing in substance from any other requirements of the same legal act;	(a) "requirement" means each individual statutory management requirement under Union law referred to in Article 11 of Regulation (EU) .../[CAP Strategic Plan Regulation] within a given legal act, differing in substance from any other requirements of the same legal act; Text Origin: Council Mandate
Article 84(2), point(b)				
745				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(b) "act" means each of the individual Directives and Regulations referred to in Article 11 of Regulation (EU) .../...[CAP Strategic Plan Regulation].	(b) "act" means each of the individual Directives and Regulations referred to in Article 11 of Regulation (EU) .../...[CAP Strategic Plan Regulation]. Conditionality	(b) " legal act" means each of the individual Directives and Regulations referred to in Article 11 of Regulation (EU) .../...[CAP Strategic Plan Regulation].	(b) "legal act" means each of the individual Directives and Regulations referred to in Article 11 of Regulation (EU) .../...[CAP Strategic Plan Regulation]; Text Origin: Council Mandate
Article 84(2), point (ba)				
745a		<u>(ba) 'reoccurrence of a non-compliance' means the non-compliance with the same requirement or standard determined more than once, provided that the beneficiary has been informed of a previous non-compliance and, as the case may be, has had the possibility to take the necessary measures to remedy that previous non-compliance.</u> Conditionality		(ba) 'reoccurrence of a non-compliance' means the non-compliance with the same requirement or standard determined more than once within a consecutive period of three calendar years.
Article 84(3), introductory part				
746	3. In their control system referred to in paragraph 1 Member States:	3. In <u>order to comply with</u> their control ~~system referred to~~ <u>obligations laid down</u> in paragraph 1, Member States: Conditionality		3. In order to comply with their control obligations laid down in paragraph 1, Member States: Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 84(3), point(a)			
747	(a) shall include on-the-spot checks to verify compliance by beneficiaries with the obligations laid down in Section 2 of Chapter 1 of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation];	(a) shall include on-the-spot checks to verify compliance by beneficiaries with the obligations laid down in Section 2 of Chapter 1 of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation]; Conditionality	(a) shall include on-the-spot checks to verify compliance by beneficiaries with the obligations laid down in Section 2 of Chapter 1 of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation];	(a) shall include on-the-spot checks to verify compliance by beneficiaries with the obligations laid down in Section 2 of Chapter I of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation]; Text Origin: Council Mandate
	Article 84(3), point(b)			
748	(b) may decide, depending on the requirements, standards, acts or areas of conditionality in question, to use the checks carried out under the control systems applicable to the respective requirement, standard, act or area of conditionality, provided the effectiveness of these checks is, at least, equal to the on-the-spot checks referred to in point (a);	(b) may decide, depending on the requirements, standards, acts or areas of conditionality in question, to use the checks carried out under the control systems applicable to the respective requirement, standard, act or area of conditionality, provided the effectiveness of these checks is, at least, equal to the on-the-spot checks referred to in point (a); Conditionality	(b) may decide, depending on the requirements, standards, legal acts or areas of conditionality in question, to use the checks, including administrative checks , carried out under the control systems applicable to the respective requirement, standard, legal act or area of conditionality, provided the effectiveness of these checks is, at least, equal to the on-the-spot checks referred to in point (a);	(b) may decide, depending on the requirements, standards, legal acts or areas of conditionality in question, to use the checks, including administrative checks, carried out under the control systems applicable to the respective requirement, standard, legal act or area of conditionality, provided the effectiveness of these checks is, at least, equal to the on-the-spot checks referred to in point (a); Text Origin: Council Mandate
	Article 84(3), point(c)			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
749	(c) may, where appropriate, make use of remote sensing or the area monitoring system to carry out the on-the-spot checks referred to in point (a);	(c) may, where appropriate <u>and feasible</u> , make use of remote sensing or the area monitoring <u>and control</u> system to carry out the on-the-spot checks referred to in point (a); <u>and</u> Conditionality	(c) may, where appropriate, make use of remote sensing or the area monitoring system or other relevant technologies assisting them to carry out the on-the-spot checks referred to in point (a);	(c) may, where appropriate, make use of remote sensing or the area monitoring system or other relevant technologies assisting them to carry out the on-the-spot checks referred to in point (a); Text Origin: Council Mandate
Article 84(3), point (ca)				
749a		<u>(ca) shall establish an early warning system.</u> Conditionality		[no text needed here]
Article 84(3), point(d)				
750	(d) establish the control sample for the checks referred to in point (a) to be carried out each year on the basis of a risk analysis and shall include a random component and shall provide the control sample to cover at least 1% of beneficiaries receiving the aid provided for in Section 2 of Chapter 1 of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation].	(d) ~~establish the control sample for the checks referred to in point (a) to be carried out each year on the basis of a risk analysis and shall include a random component and shall provide the control sample to cover at least 1% of beneficiaries receiving the aid provided for in Section 2 of Chapter 1 of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation].~~	(d) shall establish the control sample for the checks referred to in point (a) to be carried out each year on the basis of a risk analysis, taking into account farm structure and the inherent risk of non-compliance, ~~and~~ shall include a random component and shall provide the control sample to cover at least 1% of beneficiaries receiving the aid provided for in Section 2 of Chapter 1 of Title III support referred to in Article	(d) shall establish the control sample for the checks referred to in point (a) to be carried out each year on the basis of a risk analysis that shall take into account farm structure, the inherent risk of non-compliance and, where applicable, participation of beneficiaries in the farm advisory services as referred to in Article 13 of Regulation (EU) .../... [CAP Strategic Plan Regulation] and for which weighting factors shall apply, shall

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Conditionality	11(1) of Regulation (EU) .../... [CAP Strategic Plan Regulation];	include a random component, and shall provide the control sample to cover at least 1 % of the beneficiaries listed in Art 84(1);
	Article 84(3), point (e)			
750a		Conditionality	(e) as regards the obligations of conditionality in relation to Directive 96/22/EC, the application of a specific sampling level of monitoring plans shall be considered to fulfil the requirement of the minimum rate mentioned in point (d).	(e) as regards the obligations of conditionality in relation to Directive 96/22/EC, the application of a specific sampling level of monitoring plans shall be considered to fulfil the requirement of the minimum rate mentioned in point (d). Text Origin: Council Mandate
	Article 84(3), point (f)			
750b		Conditionality	(f) may decide, when using the simplified control system referred to in the second and third subparagraphs of paragraph 1, to exclude from the on-the-spot checks referred to in point (a) of this paragraph, the verification of compliance with the obligations referred in that point, where it can be demonstrated that cases of non-compliance by the beneficiaries	(db) may decide, when using the simplified control system referred to in the second and third subparagraphs of paragraph 1, to exclude from the on-the-spot checks referred to in point (a) of this paragraph, the verification of compliance with the obligations referred in that point, where it can be demonstrated that cases of non-compliance by the beneficiaries concerned could not have

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			concerned could not have grave consequences for the achievement of the objectives of the legal acts and standards.	significant consequences for the achievement of the objectives of the legal acts and standards.
Article 84(3a)				
G 750c		<u>3a. Member States shall establish the control sample for the checks referred to in point (a) of paragraph 3 of this Article to be carried out each year on the basis of a risk analysis, for which they may apply weighting factors, and a random component, and shall ensure that the control sample covers at least 5 % of the beneficiaries receiving aid under Section 2 of Chapter 1 of Title III of Regulation (EU) .../... [CAP Strategic Plan Regulation].</u> Conditionality		3a. [no text needed here]
Article 84(3b)				
G 750d		<u>3b. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on simplified checks for farmers participating in the</u>		3b. EP to withdraw AM

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>schemes referred to in Article 25 of Regulation (EU) .../... [CAP Strategic Plans Regulation].</u> Conditionality		
Article 84(3c), introductory part				
g 750e		<u>3c. The Commission shall adopt, by means of implementing acts, rules on the carrying out of checks referred to in this Article, including rules ensuring that risk analysis takes account of the following factors:</u> Conditionality		3c. EP to withdraw AM
Article 84(3c), point (a)				
g 750f		<u>(a) the participation of farmers in the farm advisory services system provided for in Article 13 of Regulation (EU) .../... [CAP Strategic Plan Regulation];</u> Conditionality		(a) EP to withdraw AM
Article 84(3c), point (b)				
g 750g		<u>(b) the participation of farmers in</u>		(b) EP to withdraw AM

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>a certification system as provided for in Article 12(3a) of Regulation (EU).../... [CAP Strategic Plan Regulation] once the Regulation covers the requirements and standards concerned.</u> Conditionality		
	Article 84(3d)			
G	750h	<u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).</u> Conditionality		3d. EP to withdraw AM
	Article 85			
G	751	Article 85 System of administrative penalties for conditionality Conditionality		Article 85 System of administrative penalties for conditionality Text Origin: Commission Proposal
	Article 85(1), first subparagraph			
G	752	1. Member States shall set up a system providing for the	1. Member States shall set up a system providing for the	1. Member States shall set up a system providing for the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	application of administrative penalties to beneficiaries referred to in Article 11 of Regulation (EU) .../... [CAP Strategic Plan Regulation] who do not comply, at any time in the calendar year concerned, with the rules on conditionality as laid down in Section 2 of Chapter 1 of Title III of that Regulation ("penalty system").	application of administrative penalties to beneficiaries referred to in Article 11 of Regulation (EU) .../... [CAP Strategic Plan Regulation] who do not comply, at any time in the calendar year concerned, with the rules on conditionality as laid down in Section 2 of Chapter 1 of Title III of that Regulation ("penalty system"). Conditionality	application of administrative penalties to beneficiaries referred to in Article 44(1) of Regulation (EU) .../... [CAP Strategic Plan Regulation] who do not comply, at any time in the calendar year concerned, with the rules on conditionality as laid down in Section 2 of Chapter 4I of Title III of that Regulation ("penalty system").	application of administrative penalties to beneficiaries referred to in Article 84(1) who do not comply, at any time in the calendar year concerned, with the rules on conditionality as laid down in Section 2 of Chapter I of Title III of that Regulation ("penalty system").
Article 85(1), second subparagraph, introductory part				
753	Under that system, the administrative penalties referred to in the first subparagraph shall only apply where the non-compliance is the result of an act or omission directly attributable to the beneficiary concerned; and where one or both of the following conditions are met:	Under that system, the administrative penalties referred to in the first subparagraph shall only apply where the non-compliance is the result of an act or omission directly attributable to the beneficiary concerned; and where one, <u>two or all</u> ~~or both~~ of the following conditions are met: Conditionality Social conditionality		EP to withdraw AM Text Origin: EP Mandate
Article 85(1), second subparagraph, point(a)				
754	(a) the non-compliance is related to the agricultural activity of the	(a) the non-compliance is related to the agricultural activity of the	(a) the non-compliance is related to the agricultural activity of the	(a) the non-compliance is related to the agricultural activity of the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	beneficiary;	beneficiary; Conditionality	beneficiary;	beneficiary; Text Origin: Commission Proposal
	Article 85(1), second subparagraph, point(b)			
755	(b) the area of the holding of the beneficiary is concerned.	(b) the area of the holding of the beneficiary is concerned. Conditionality	(b) the ~~area of the holding~~ non-compliance concerns the holding as defined in point (b) of Article 3 of Regulation (EU) .../... [CAP Strategic Plan Regulation] or other areas managed by the beneficiary situated within the territory of the beneficiary is concerned same Member State.	(b) the non-compliance concerns the holding as defined in point (b) of Article 3 of Regulation (EU) .../... [CAP Strategic Plan Regulation] or other areas managed by the beneficiary situated within the territory of the same Member State. Text Origin: Council Mandate
	Article 85(1), second subparagraph, point (ba)			
755a		<u>(ba) the non-compliance affects the working and employment conditions of the workers employed by the beneficiary.</u> Conditionality		(ba) EP to withdraw AM Text Origin: EP Mandate
	Article 85(1), third subparagraph			
756	With regard to forest areas, however, the administrative penalty referred to in the first	With regard to forest areas, however, the administrative penalty referred to in the first		With regard to forest areas, however, the administrative penalty referred to in the first

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	subparagraph shall not apply where no support is claimed for the area concerned in accordance with Articles 65 and 66 of Regulation (EU) .../...[CAP Strategic Plan Regulation].	subparagraph shall not apply where no support is claimed for the area concerned in accordance with Articles 65 and 66 of Regulation (EU) .../...[CAP Strategic Plan Regulation]. Conditionality		subparagraph shall not apply where no support is claimed for the area concerned in accordance with Articles 65 and 66 of Regulation (EU) .../...[CAP Strategic Plan Regulation]. Text Origin: Commission Proposal
Article 85(2), introductory part				
757	2. In their penalty systems referred to in paragraph 1, Member States:	2. In their penalty systems referred to in paragraph 1, Member States: Conditionality		2. In their penalty systems referred to in paragraph 1, Member States: Text Origin: Commission Proposal
Article 85(2), point(a), first subparagraph				
758	(a) shall include rules on the application of administrative penalties in cases where the land is transferred during the calendar year concerned or the years concerned. These rules shall be based on a fair and equitable attribution of the liability for non-compliances among transferors and transferees;	(a) shall include rules on the application of administrative penalties in cases where the <u>agricultural land, or an agricultural holding or part thereof</u> is transferred during the calendar year concerned or the years concerned. These rules shall be based on a fair and equitable attribution of the liability for non-compliances among transferors and transferees.		(a) shall include rules on the application of administrative penalties in cases where the agricultural land, or an agricultural holding or part thereof is transferred during the calendar year concerned or the years concerned. These rules shall be based on a fair and equitable attribution of the liability for non-compliances among transferors and transferees. Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Conditionality		
	Article 85(2), point(a), second subparagraph			
759	For the purpose of this point, 'transfer' means any type of transaction whereby the agricultural land ceases to be at the disposal of the transferor.	For the purpose of this point, 'transfer' means any type of transaction whereby the agricultural land ceases to be at the disposal of the transferor; Conditionality		For the purpose of this point, 'transfer' means any type of transaction whereby the agricultural land ceases to be at the disposal of the transferor; Text Origin: EP Mandate
	Article 85(2), point(b)			
760	(b) may decide, notwithstanding paragraph 1, not to apply a penalty per beneficiary and per calendar year when the amount of the penalty is EUR 100 or less. The finding and the obligation to take remedial action shall be notified to the beneficiary;	(b) may decide, notwithstanding paragraph 1, not to apply a penalty per beneficiary and per calendar year when the amount of the penalty is EUR 100 or less. The finding and the obligation to take remedial action shall be notified to the beneficiary; Conditionality	(b) may decide, notwithstanding paragraph 1, not to apply a penalty per beneficiary and per calendar year when the amount of the penalty is EUR ~~100~~ 250 or less. The beneficiary shall be informed about the finding and the obligation to take remedial action ~~shall be notified to the beneficiary~~ for the future ;	(b) may decide, notwithstanding paragraph 1, not to apply a penalty per beneficiary and per calendar year when the amount of the penalty is EUR 100 or less. The beneficiary shall be informed about the finding and the obligation to take remedial action for the future; Text Origin: Council Mandate
	Article 85(2), point(c)			
761	(c) shall provide that no administrative penalty be imposed where the non-compliance is due to force majeure.	(c) shall provide that no administrative penalty be imposed ~~where the non-compliance is due to force majeure. if:~~	(c) shall provide that no administrative penalty be imposed where the non-compliance is due to force majeure or exceptional	(c) shall provide that no administrative penalty be imposed if:

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Conditionality	circumstances as set out in Article 3.	Text Origin: EP Mandate
	Article 85(2), point(c)(i)			
G	761a	<u>i the non-compliance is due to force majeure;</u> Conditionality		i the non-compliance is due to force majeure or exceptional circumstances as set out in Article 3;
	Article 85(2), point(c)(ii)			
G	761b	<u>ii the non-compliance is due to an order from a public authority; or</u> Conditionality		ii the non-compliance is due to an order from a public authority. Text Origin: EP Mandate
	Article 85(2), point(c)(iii)			
G	761c	<u>iii the non-compliance is due to an error of the competent authority or another authority, and where the error could not reasonably have been detected by the beneficiary subject to the administrative penalty.</u> Conditionality		iii [no text needed here]
	Article 85(3)			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
762	3. The application of an administrative penalty shall not affect the legality and regularity of the expenditure to which it applies.	3. The application of an administrative penalty shall not affect the legality and regularity of the expenditure to which it applies. Conditionality		3. The application of an administrative penalty shall not affect the legality and regularity of the expenditure to which it applies. Text Origin: Commission Proposal
Article 86				
763	Article 86 Calculation of the penalty	Article 86 Calculation of the penalty Conditionality	Article 86 Application and calculation of the penalty	Article 86 Application and calculation of the penalty Text Origin: Council Mandate
Article 86(1), first subparagraph				
764	1. The administrative penalties provided for in Section 2 of Chapter 1 of Title III of Regulation (EU) .../[CAP Strategic Plan Regulation] shall be applied by means of reduction from or exclusion of the total amount of the payments listed in that Section of that Regulation granted or to be granted to the beneficiary concerned in respect of aid applications he has submitted or will submit in the course of the calendar year of the finding.	1. The administrative penalties ~~provided for in Section 2 of Chapter 1 of Title III of Regulation (EU) .../[CAP Strategic Plan Regulation]~~ shall be applied by means of reduction ~~from~~ or exclusion of the total amount of the payments listed in ~~that Section of that Regulation~~ <u>Article 84(1)</u> granted or to be granted to the beneficiary concerned in respect of aid applications <u>that beneficiary</u> ~~he~~ has submitted or will submit in the course of the calendar year of	1. The administrative penalties provided for in Section 2 of Chapter ~~4~~ I of Title III of Regulation (EU) .../[CAP Strategic Plan Regulation] shall be applied by means of reduction from or exclusion of the total amount of the payments listed in that Section of that Regulation granted or to be granted to the beneficiary concerned in respect of aid applications ~~that have been~~ he ~~has submitted~~ or will ~~submit~~ be submitted in the course of the	1. The administrative penalties shall be applied by means of reduction or exclusion of the total amount of the payments listed in Article 84(1) granted or to be granted to the beneficiary concerned in respect of aid applications that beneficiary has submitted or will submit in the course of the calendar year of the finding.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		the finding. Conditionality	calendar year of the finding.	
Article 86(1), second subparagraph				
765	For the calculation of those reductions and exclusions, account shall be taken of the severity, extent, permanence, reoccurrence or intentionality of the non-compliance determined. The penalties imposed shall be dissuasive and proportionate, and compliant with the criteria set out in paragraphs 2 and 3 of this Article.	For the calculation of those reductions and exclusions, account shall be taken of the severity, extent, permanence, reoccurrence or intentionality of the non-compliance determined. The penalties imposed shall be dissuasive and proportionate, and compliant with the criteria set out in paragraphs 2 and 3 of this Article. Conditionality	For the calculation of those reductions and exclusions ¹ , account shall be taken of the severity, extent, permanence or reoccurrence and, if Member States so decide, ~~reoccurrence or~~ intentionality of the non-compliance determined. The penalties imposed shall be dissuasive and proportionate. Where the area monitoring system is not used as an alternative to the on-the-spot-checks on a control sample as referred to in point (d) of Article 84(3), the penalties shall comply, ~~and compliant~~ with the criteria set out in paragraphs 2, 2a, 2c and 3 of this Article. The administrative penalties referred to in the first subparagraph of this paragraph shall be based on the controls carried out according to Article 84(3). 1. Depending on a decision of the Court C-361/19, clarification regarding the	For the calculation of those reductions and exclusions ¹ , account shall be taken of the severity, extent, permanence or reoccurrence and, intentionality of the non-compliance determined. The penalties imposed shall be dissuasive and proportionate. The administrative penalties referred to in the first subparagraph of this paragraph shall be based on the controls carried out according to Article 84(3).

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			year on which calculation should be based will follow.	
	Article 86(2), first subparagraph			
766	2. In the case of non-compliance due to negligence, the percentage of reduction shall be as a general rule 3% of the total amount of the payments referred to in paragraph 1 of this Article.	2. In the case of non-compliance due to negligence, the percentage of reduction shall be as a general rule 3% of the total amount of the payments referred to in paragraph 1 of this Article. <u>That reduction shall be determined on the basis of the assessment of the severity of the non-compliance, based on the criteria set out in paragraph 1 of this Article.</u> Conditionality	2. ~~In the case of non-compliance due to negligence, the percentage of~~ The reduction shall be as a general rule 3% 1%, 3% or 5% of the total amount of the payments referred to in paragraph 1 of this Article.	2. The reduction shall be as a general rule 3% of the total amount of the payments referred to in paragraph 1a of this Article.
	Article 86(2a), first subparagraph			
766a		Conditionality	2a. In the case that non-compliance has no or only insignificant consequences for the achievement of the objective of the standard or requirement concerned, no administrative penalty shall be applied. The beneficiary shall be informed about the non-compliance and possible remedial actions to be taken.	2. In case the non-compliance has no or only insignificant consequences for the achievement of the objective of the standard or requirement concerned, no administrative penalty shall be applied.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 86(2a), second subparagraph			
767	Member States may set up an early warning system that applies to individual cases of non-compliance occurring for the first time and which, given their minor severity, extent and permanence, shall not lead to a reduction or exclusion. Where a subsequent check within three consecutive calendar years establishes that the non-compliance has not been remedied, the reduction pursuant to the first subparagraph shall be applied retroactively.	Member States ~~may~~ shall set up ~~and use the~~ ~~an~~ early warning system <u>referred to in Article 84(3)</u> that applies to individual cases of non-compliance occurring for the first time and which, given their minor severity, extent and permanence, shall not lead to a reduction or exclusion. <u>The relevant authority shall notify the beneficiary of the obligation to take remedial action and propose corrective measures that have to be taken to remedy the non-compliance.</u> Where a subsequent check within three consecutive calendar years establishes that the non-compliance has not been remedied, the reduction pursuant to the first subparagraph shall be applied retroactively. Conditionality	~~Member States may set up an early warning system that applies to individual cases of non-compliance occurring for the first time and which, given their minor severity, extent and permanence, shall not lead to a reduction or exclusion. Where a subsequent check~~ In case the non-compliance persists or reoccurs within three consecutive calendar years ~~establishes that the non-compliance has not been remedied, the~~ a reduction pursuant to the first subparagraph shall paragraph 2 may be applied retroactively.	[no text needed here - see Line 770] Member States shall set up an awareness mechanism to ensure that beneficiaries are informed about non-compliances found and possible remedial actions to be taken. The mechanism shall also include the specific farm advisory services under Article 13 of Regulation [SPR], attendance of which may be made mandatory for the beneficiaries concerned.
	Article 86(2), third subparagraph			
768	However, cases of non-compliance which constitute a direct risk to public or animal health shall	However, cases of non-compliance which constitute a direct risk to public or animal health shall	<i>deleted</i>	[no text needed here - see Line 766a]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	always lead to a reduction or exclusion.	always lead to a reduction or exclusion. Conditionality		
Article 86(2), fourth subparagraph				
769	Member States may provide mandatory training under the farm advisory system provided for in Section 3 of Chapter 1 of Title III of Regulation (EU) .../[CAP Strategic Plan Regulation] to the beneficiaries who have received an early warning.	Member States ~~may~~ <u>shall</u> provide <u>for specific</u> ~~mandatory~~ training <u>on conditionality</u> under the farm advisory system provided for in Section 3 of Chapter 1 of Title III of Regulation (EU) .../[CAP Strategic Plan Regulation] to the beneficiaries who have received an early warning. <u>attendance of which may be made mandatory.</u> Conditionality	Member States may provide mandatory training under the farm advisory ~~system~~ services provided for in Section 3 of Chapter ~~4~~ I of Title III of Regulation (EU) .../[CAP Strategic Plan Regulation] to the beneficiaries ~~who have received an early warning~~ to whom this paragraph has been applied	[no text needed here - see Line 766a] Text Origin: EP Mandate
Article 86(2b)				
769a		Conditionality	2b. If a Member State uses the area monitoring system referred to in point c of Article 64(1) to detect cases of non-compliance, it may decide to apply lower percentage of reductions than those provided for in paragraph 2	2b. If a Member State uses the area monitoring system referred to in point c of Article 64(1) to detect cases of non-compliance, it may decide to apply lower percentage of reductions than those provided for in paragraph 2 Text Origin: Council Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 86(2c)				
769b		Conditionality	2c. In the case that non-compliance has grave consequences for the achievement of the objective of the standard or requirement concerned, the percentage reduction shall be higher than the one applied in accordance with paragraph 2.	2c. In case the non-compliance has grave consequences for the achievement of the objective of the standard or requirement concerned or constitutes a direct risk to public or animal health, a higher reduction than the one applied in accordance with paragraph 2 shall be applied. Text Origin: Council Mandate
Article 86(3)				
770	3. In case of reoccurrence, the percentage reduction shall be higher than the one to be applied in case of non-compliance due to negligence and sanctioned for the first time.	3. In <u>the</u> case of reoccurrence <u>of a non-compliance</u> , the percentage reduction shall be, <u>e as a general rule, 10 % of the total amount of the payments referred to in paragraph 1</u> ~~higher than the one to be applied in case of non-compliance due to negligence and sanctioned for the first time.~~ Conditionality	3. In case of reoccurrence or, where applicable, intentionality , the percentage reduction shall be higher than the one applied in accordance with paragraph 2. In cases of intentional ~~to be applied in case of non-compliance due to negligence and sanctioned for the first time~~ of extreme extent, severity or permanence, the beneficiary may be excluded from all the payments referred to in the first subparagraph of paragraph 1 in the following calendar year.	3. In case the same non-compliance persists or reoccurs once within three consecutive calendar years the percentage reduction shall be, as a general rule, 10 % of the total amount of the payments referred to in the first subparagraph of paragraph 1a. Further re-occurrences of the same non-compliance without justified reason by the beneficiary shall be considered cases of intentional non-compliance. In case of intentional non-compliance, the percentage reduction shall be at least 15 % of the total amount of the payments

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				referred to in paragraph 1a.
Article 86(3a)				
770a		<u>In the case of subsequent reoccurrences of non-compliance, and if no justified reason is provided by the beneficiary concerned, that beneficiary shall be considered to have acted intentionally within the meaning of paragraph 4.</u> Conditionality	3a. In cases other than those referred to in paragraph 2c, Member States may decide not to apply an administrative penalty to beneficiaries to whom the simplified control system referred to in the second and third subparagraphs of Article 84(1) applies.	[no text needed here] Text Origin: EP Mandate
Article 86(4)				
771	4. In case of intentional non-compliance, the percentage shall be higher than the one applied in case of reoccurrence pursuant to paragraph 3 and may go as far as total exclusion from payments and may apply for one or more calendar years.	4. In <u>the</u> case of intentional non-compliance, the percentage <u>reduction</u> shall be <u>at least 15 % of the total amount of the payments referred to in</u> ~~higher than the one applied in case of reoccurrence pursuant to~~ paragraph ~~3~~ <u>1</u> and may ~~go as far as~~ <u>amount to the</u> total exclusion from payments and may apply for one or more calendar years. Conditionality	<i>deleted</i>	4. [no text needed here] Text Origin: EP Mandate
Article 86(5)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
772	5. In order to ensure a level-playing field between Member States and the effectiveness and dissuasive effect of the penalty system, the Commission shall be empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with further rules on the application and calculation of penalties.	5. In order to ensure a level-playing field between Member States and the effectiveness and dissuasive effect of the penalty system, the Commission shall be empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with further rules on the application and calculation of penalties. Conditionality	~~54.~~ In order to ensure a level-playing field between Member States and the effectiveness, proportionality and dissuasive effect of the penalty system, the Commission ~~shall be~~ is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with ~~further~~ detailed rules on the application and calculation of penalties.	4. In order to ensure a level-playing field between Member States and the effectiveness, proportionality and dissuasive effect of the penalty system, the Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with detailed rules on the application and calculation of penalties. Text Origin: Council Mandate
Article 87				
773	Article 87 Amounts resulting from the administrative penalties on conditionality	Article 87 Amounts resulting from the administrative penalties on conditionality Conditionality		Article 87 Amounts resulting from the administrative penalties on conditionality Text Origin: Commission Proposal
Article 87, first paragraph				
774	Member States may retain 20 % of the amounts resulting from the application of the reductions and exclusions referred to in Article 86.	Member States may retain ~~20~~ 25 % of the amounts resulting from the application of the reductions and exclusions referred to in Article 86. Conditionality	Member States may retain ~~20 %~~ 25% of the amounts resulting from the application of the reductions and exclusions referred to in Article 86.	Member States may retain 25 % of the amounts resulting from the application of the reductions and exclusions referred to in Article 86.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Chapter IVa			
G 774a				Chapter IVa Control system and penalties in relation to social conditionality
	Article 87a			
G 774b				Article 87a Control system for social conditionality
	Article 87a(1)			
G 774c				1. Member States shall set up a system providing for the application of administrative penalties to beneficiaries referred to in Article 11a of Regulation (EU) .../... [CAP Strategic Plan Regulation] who do not comply with the rules of the social conditionality mechanism as laid down in Annex XIV of that Regulation ("penalty system").
	Article 87a(1) second paragraph			
G 774d				. To that end Member States shall

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				make use of their applicable control and enforcement systems in the field of social and employment legislation and applicable labour standards to ensure that beneficiaries of the aid referred to in Article 11a of Regulation (EU) .../... [CAP Strategic Plan Regulation] and in Chapter IV of Regulation (EU) No 228/2013 [outermost regions] and in Chapter IV of Regulation (EU) No 229/2013 [Aegean islands] respectively, comply with the obligations referred to in Annex XX of Regulation (EU) .../...[CAP Strategic Plan Regulation].
Article 87a(2)				
774e				2. Member States shall ensure a clear separation of responsibilities between the authorities or bodies competent for the enforcement of employment and social legislation and applicable labour standards on the one hand, and the paying agencies on the other, the role of the latter being execution of payments and application of penalties under the social conditionality mechanism.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 87b			
774f				Article 87b System of administrative penalties for social conditionality
	Article 87b(1)			
774g				1. Under the system referred to in Article XXa (1), first subparagraph, the paying agency shall be notified at least once per year of cases of non-compliance with the legislation referred therein where enforceable decisions in that respect have been made by the competent authorities or bodies referred to in Article XXa(2). This notification shall include an assessment and grading of the severity, extent, permanence or reoccurrence and intentionality of the non-compliance in question. Member States may make use of any applicable national grading system of labour sanctions in order to carry out such assessment. The notification to the paying agency shall respect the internal organisation, tasks and procedures of the competent enforcement authorities and bodies

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 87b(1), second paragraph			
774h				. The paying agency shall only be notified where the non-compliance is the result of an act or omission directly attributable to the beneficiary concerned; and where one or both of the following conditions are met:
	Article 87b(1), point (a)			
774i				(a) the non-compliance is related to the agricultural activity of the beneficiary;
	Article 87b(1), second paragraph, point (b)			
774j				(b) the non-compliance concerns the holding as defined in point (b) of Article 3 of Regulation (EU) ... [CAP Strategic Plan Regulation] or other areas managed by the beneficiary situated within the territory of the same Member State.
	Article 87b(2), introductory part			
774k				2. In their penalty systems referred

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				to in paragraph 1, Member States:
	Article 87b(2), point (a)			
G 774l				(a) may decide, not to apply a penalty per beneficiary and per calendar year when the amount of the penalty is EUR 100 or less. The beneficiary shall be informed about the finding and the obligation to take remedial action for the future.
	Article 87b(2), point (b)			
G 774m				(b) shall provide that no administrative penalty be imposed if:
	Article 87b(2), point (b)(i)			
G 774n				i the non-compliance is due to force majeure;
	Article 87b(2), point (b)(ii)			
G 774o				ii the non-compliance is due to an order from a public authority.
	Article 87b(3)			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
774p				3. The application of an administrative penalty shall not affect the legality and regularity of the expenditure to which it applies.
Article 87c				
774q				Article 87c Application and Calculation of the penalty
Article 87c(1)				
774r				1. The administrative penalties shall be applied by means of reduction or exclusion of the total amount of the payments listed in Article 84(1) granted or to be granted to the beneficiary concerned in respect of aid applications that beneficiary has submitted or will submit in the course of the calendar year of the finding. The reductions or exclusions shall be calculated on the basis of the payments granted or to be granted in the calendar year in which the non-compliance occurred. However, when it is not possible to determine the calendar year in which the non-compliance

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				occurred, the reductions or exclusions shall be calculated on the basis of the payments granted or to be granted in the calendar year of the finding.
Article 87c(1) second paragraph				
774s				. For the calculation of those reductions and exclusions account shall be taken of the severity, extent, permanence or reoccurrence and intentionality of the non-compliance determined, in line with the assessment of the competent enforcement authorities or bodies as provided for in Article XXb(1). The penalties imposed shall be effective, dissuasive and proportionate.
Article 87c(1)				
774t				. The application and calculation of the penalty shall be effected in line with the relevant provisions of Article 86 (2), 86(2a) and (3).
Article 87c(2)				
774u				2. In order to ensure a level-

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				playing field between Member States and the effectiveness, proportionality and dissuasive effect of the penalty system under this Chapter, the Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with detailed rules on the application and calculation of penalties.
	Title V			
775	Title V Common provisions	Title V Common provisions		Title V Common provisions Text Origin: Commission Proposal
	CHAPTER I			
776	CHAPTER I Transmission of information	CHAPTER I Transmission of information		CHAPTER I Transmission of information Text Origin: Commission Proposal
	Article 88			
777	Article 88 Communication of information	Article 88 Communication of information		Article 88 Communication of information

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Governance		Text Origin: Commission Proposal
Article 88(1), first subparagraph, introductory part				
778	1. In addition to the provisions laid down in Regulation (EU) .../... [CAP Strategic Plan Regulation], Member States shall send to the Commission the following information, declarations and documents:	1. In addition to the provisions laid down in Regulation (EU) .../... [CAP Strategic Plan Regulation], Member States shall send to the Commission the following information, declarations and documents: Governance		1. In addition to the provisions laid down in Regulation (EU) .../... [CAP Strategic Plan Regulation], Member States shall send to the Commission the following information, declarations and documents: Text Origin: Commission Proposal
Article 88(1), first subparagraph, point (a), introductory part				
779	(a) for accredited paying agencies and accredited coordinating bodies:	(a) for accredited paying agencies and accredited coordinating bodies: Governance		(a) for accredited paying agencies and accredited coordinating bodies: Text Origin: Commission Proposal
Article 88(1), first subparagraph, point (a)(i)				
780	(i) their accreditation document,	(i) their accreditation document, Governance		(i) their accreditation document, Text Origin: Commission Proposal
Article 88(1), first subparagraph, point (a)(ii)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
G	781	(ii) their function (accredited paying agency or accredited coordinating body), Governance		(ii) their function (accredited paying agency or accredited coordinating body), Text Origin: Commission Proposal	G
Article 88(1), first subparagraph, point (a)(iii)					
G	782	(iii) where relevant, the withdrawal of their accreditation; Governance		(iii) where relevant, the withdrawal of their accreditation; Text Origin: Commission Proposal	G
Article 88(1), first subparagraph, point (b), introductory part					
G	783	(b) for certification bodies: Governance		(b) for certification bodies: Text Origin: Commission Proposal	G
Article 88(1), first subparagraph, point (b)(i)					
G	784	(i) their name, Governance		(i) their name, Text Origin: Commission Proposal	G
Article 88(1), first subparagraph, point (b)(ii)					
G	785				G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(ii) their address;	(ii) their address; Governance		(ii) their address; Text Origin: Commission Proposal
Article 88(1), first subparagraph, point (c), introductory part				
786	(c) for measures relating to operations financed by the Funds:	(c) for measures relating to operations financed by the Funds: Governance	"deleted" should be deleted	(c) for measures relating to operations financed by the Funds: Text Origin: Commission Proposal
Article 88(1), first subparagraph, point (c)(i)				
787	(i) declarations of expenditure, which also act as payment requests, signed by the accredited paying agency or the accredited coordinating body and accompanied by the requisite information,	(i) declarations of expenditure, which also act as payment requests, signed by the accredited paying agency or the accredited coordinating body and accompanied by the requisite information, Governance	"deleted" should be deleted	(i) declarations of expenditure, which also act as payment requests, signed by the accredited paying agency or the accredited coordinating body and accompanied by the requisite information, Text Origin: Commission Proposal
Article 88(1), first subparagraph, point (c)(ii)				
788	(ii) estimates of their financial requirements, with regard to the EAGF and, with regard to the EAFRD, an update of estimated	(ii) estimates of their financial requirements, with regard to the EAGF and, with regard to the EAFRD, an update of estimated	"deleted" should be deleted	(ii) estimates of their financial requirements, with regard to the EAGF and, with regard to the EAFRD, an update of estimated

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	declarations of expenditure which will be submitted during the year and estimated declarations of expenditure in respect of following financial year,	declarations of expenditure which will be submitted during the year and estimated declarations of expenditure in respect of following financial year, Governance		declarations of expenditure which will be submitted during the year and estimated declarations of expenditure in respect of following financial year, Text Origin: Commission Proposal
Article 88(1), first subparagraph, point (c)(iii)				
789	(iii) the management declaration and the annual accounts of the accredited paying agencies.	(iii) the management declaration and the annual accounts of the accredited paying agencies. Governance	"deleted" should be deleted	(iii) the management declaration and the annual accounts of the accredited paying agencies. Text Origin: Commission Proposal
Article 88(1), second subparagraph				
790	The annual accounts of accredited paying agencies relating to EAFRD expenditure shall be submitted at the level of each CAP Strategic Plan.	The annual accounts of accredited paying agencies relating to EAFRD expenditure shall be submitted at the level of each CAP Strategic Plan. Governance	<i>deleted</i>	
Article 88(2)				
791	2. Member States shall inform the Commission regularly of the	2. Member States shall inform the Commission regularly of the		2. Member States shall inform the Commission regularly of the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	application of the integrated system referred to in Chapter II of Title IV. The Commission shall organise exchanges of views on this subject with the Member States.	application of the integrated system referred to in Chapter II of Title IV. The Commission shall organise exchanges of views on this subject with the Member States. Governance		application of the integrated system referred to in Chapter II of Title IV. The Commission shall organise exchanges of views on this subject with the Member States. Text Origin: Commission Proposal
Article 89				
792	Article 89 Confidentiality	Article 89 Confidentiality Transparency-Audit		Article 89 Confidentiality Text Origin: Commission Proposal
Article 89(1), first subparagraph				
793	1. Member States and the Commission shall take all necessary steps to ensure the confidentiality of the information communicated or obtained under inspection and clearance of accounts measures implemented under this Regulation.	1. Member States and the Commission shall take all necessary steps to ensure the confidentiality of the information communicated or obtained under inspection and clearance of accounts measures implemented under this Regulation. Transparency-Audit		1. Member States and the Commission shall take all necessary steps to ensure the confidentiality of the information communicated or obtained under inspection and clearance of accounts measures implemented under this Regulation. Text Origin: Commission Proposal
Article 89(1), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
794	The rules laid down in Article 8 of Regulation (Euratom, EC) No 2185/96 shall apply to that information.	The rules laid down in Article 8 of Regulation (Euratom, EC) No 2185/96 shall apply to that information. Transparency-Audit		The rules laid down in Article 8 of Regulation (Euratom, EC) No 2185/96 shall apply to that information. Text Origin: Commission Proposal
Article 89(2)				
795	2. Without prejudice to national provisions relating to legal proceedings, information collected in the course of scrutiny as provided for in Chapter III of Title IV shall be protected by professional secrecy. It shall not be communicated to any persons other than those who, by reason of their duties in the Member States or in the institutions of the Union, are required to have knowledge thereof for the purposes of performing those duties.	2. Without prejudice to national provisions relating to legal proceedings, information collected in the course of scrutiny as provided for in Chapter III of Title IV shall be protected by professional secrecy. It shall not be communicated to any persons other than those who, by reason of their duties in the Member States or in the institutions of the Union, are required to have knowledge thereof for the purposes of performing those duties. Transparency-Audit		2. Without prejudice to national provisions relating to legal proceedings, information collected in the course of scrutiny as provided for in Chapter III of Title IV shall be protected by professional secrecy. It shall not be communicated to any persons other than those who, by reason of their duties in the Member States or in the institutions of the Union, are required to have knowledge thereof for the purposes of performing those duties. Text Origin: Commission Proposal
Article 90				
796	Article 90 Implementing powers	Article 90 Implementing powers		Article 90 Implementing powers

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Others		Text Origin: Commission Proposal
Article 90, first paragraph, introductory part				
797	The Commission may adopt implementing acts laying down rules on:	The Commission may adopt implementing acts laying down rules on: Others		The Commission may adopt implementing acts laying down rules on: Text Origin: Commission Proposal
Article 90, first paragraph, point (a), introductory part				
798	(a) the form, content, intervals, deadlines and arrangements for transmitting or making available to the Commission:	(a) the form, content, intervals, deadlines and arrangements for transmitting or making available to the Commission: Others		(a) the form, content, intervals, deadlines and arrangements for transmitting or making available to the Commission: Text Origin: Commission Proposal
Article 90, first paragraph, point (a)(i)				
799	(i) declarations of expenditure and estimates of expenditure and their updates, including assigned revenue,	(i) declarations of expenditure and estimates of expenditure and their updates, including assigned revenue, Others		(i) declarations of expenditure and estimates of expenditure and their updates, including assigned revenue, Text Origin: Commission Proposal

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Article 90, first paragraph, point (a)(ii)				
800	(ii) management declaration and annual accounts of the paying agencies,	(ii) management declaration and annual accounts of the paying agencies, Others		(ii) management declaration and annual accounts of the paying agencies, Text Origin: Commission Proposal
Article 90, first paragraph, point (a)(iii)				
801	(iii) the account certification reports,	(iii) the account certification reports, Others		(iii) the account certification reports, Text Origin: Commission Proposal
Article 90, first paragraph, point (a)(iv)				
802	(iv) the names and particulars of accredited paying agencies, accredited coordinating bodies and certification bodies,	(iv) the names and particulars of accredited paying agencies, accredited coordinating bodies and certification bodies, Others		(iv) the names and particulars of accredited paying agencies, accredited coordinating bodies and certification bodies, Text Origin: Commission Proposal
Article 90, first paragraph, point (a)(v)				
803	(v) arrangements for taking account of and paying expenditure financed by the Funds,	(v) arrangements for taking account of and paying expenditure financed by the Funds,		(v) arrangements for taking account of and paying expenditure financed by the Funds,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Others		Text Origin: Commission Proposal
Article 90, first paragraph, point (a)(vi)				
804	(vi) notifications of financial adjustments made by Member States in connection with rural development interventions,	(vi) notifications of financial adjustments made by Member States in connection with rural development interventions, Others		(vi) notifications of financial adjustments made by Member States in connection with rural development interventions, Text Origin: Commission Proposal
Article 90, first paragraph, point (a)(vii)				
805	(vii) information on the measures taken pursuant to Article 57;	(vii) information on the measures taken pursuant to Article 57; Others		(vii) information on the measures taken pursuant to Article 57; Text Origin: Commission Proposal
Article 90, first paragraph, point (b)				
806	(b) the arrangements governing exchanges of information and documents between the Commission and the Member States, and the implementation of information systems, including the type, format and content of data to be processed by these systems and the corresponding data storage	(b) the arrangements governing exchanges of information and documents between the Commission and the Member States, and the implementation of information systems, including the type, format and content of data to be processed by these systems and the corresponding data storage		(b) the arrangements governing exchanges of information and documents between the Commission and the Member States, and the implementation of information systems, including the type, format and content of data to be processed by these systems and the corresponding data storage

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	rules;	rules; Others		rules; Text Origin: Commission Proposal
Article 90, first paragraph, point (c)				
807	(c) the notifications to the Commission by Member States of information, documents, statistics and reports, and the deadlines and methods for their notification.	(c) the notifications to the Commission by Member States of information, documents, statistics and reports, and the deadlines and methods for their notification. Others		(c) the notifications to the Commission by Member States of information, documents, statistics and reports, and the deadlines and methods for their notification. Text Origin: Commission Proposal
Article 90, second paragraph				
808	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Others		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Text Origin: Commission Proposal
Chapter II				
809	Chapter II Use of the euro	Chapter II Use of the euro		Chapter II Use of the euro Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 91			
G 810	Article 91 General principles	Article 91 General principles Others		Article 91 General principles Text Origin: Commission Proposal
	Article 91(1)			
G 811	1. The amounts given in the Commission decisions adopting the CAP Strategic Plans, the amounts of commitments and payments by the Commission and the amounts of expenditure attested or certified and amounts in declarations of expenditure by the Member States shall be expressed and paid in euro.	1. The amounts given in the Commission decisions adopting the CAP Strategic Plans, the amounts of commitments and payments by the Commission and the amounts of expenditure attested or certified and amounts in declarations of expenditure by the Member States shall be expressed and paid in euro. Others		1. The amounts given in the Commission decisions adopting the CAP Strategic Plans, the amounts of commitments and payments by the Commission and the amounts of expenditure attested or certified and amounts in declarations of expenditure by the Member States shall be expressed and paid in euro. Text Origin: Commission Proposal
	Article 91(2), first subparagraph			
G 812	2. The prices and amounts fixed in the sectoral agricultural legislation shall be expressed in euro.	2. The prices and amounts fixed in the sectoral agricultural legislation shall be expressed in euro. Others		2. The prices and amounts fixed in the sectoral agricultural legislation shall be expressed in euro. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 91(2), second subparagraph			
813	They shall be granted or collected in euro in the Member States which have adopted the euro and in the national currency in the Member States which have not.	They shall be granted or collected in euro in the Member States which have adopted the euro and in the national currency in the Member States which have not. Others		They shall be granted or collected in euro in the Member States which have adopted the euro and in the national currency in the Member States which have not. Text Origin: Commission Proposal
	Article 92			
814	Article 92 Exchange rate and operative event	Article 92 Exchange rate and operative event Others		Article 92 Exchange rate and operative event Text Origin: Commission Proposal
	Article 92(1)			
815	1. The prices and amounts referred to in Article 91(2) shall be converted in the Member States which have not adopted the euro into the national currency by means of an exchange rate.	1. The prices and amounts referred to in Article 91(2) shall be converted in the Member States which have not adopted the euro into the national currency by means of an exchange rate. Others		1. The prices and amounts referred to in Article 91(2) shall be converted in the Member States which have not adopted the euro into the national currency by means of an exchange rate. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 92(2), introductory part			
816	2. The operative event for the exchange rate shall be:	2. The operative event for the exchange rate shall be: Others		2. The operative event for the exchange rate shall be: Text Origin: Commission Proposal
	Article 92(2), point (a)			
817	(a) the completion of customs import or export formalities in the case of amounts collected or granted in trade with third countries;	(a) the completion of customs import or export formalities in the case of amounts collected or granted in trade with third countries; Others		(a) the completion of customs import or export formalities in the case of amounts collected or granted in trade with third countries; Text Origin: Commission Proposal
	Article 92(2), point (b)			
818	(b) the event whereby the economic objective of the operation is attained in all other cases.	(b) the event whereby the economic objective of the operation is attained in all other cases. Others		(b) the event whereby the economic objective of the operation is attained in all other cases. Text Origin: Commission Proposal
	Article 92(3), first subparagraph			
819	3. Where a direct payment as	3. Where a direct payment as		3. Where a direct payment as

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	provided for in Regulation (EU) .../... [CAP Strategic Plan Regulation] is made to a beneficiary in a currency other than the euro, Member States shall convert the amount of aid expressed in euro into the national currency on the basis of the most recent exchange rate set by the European Central Bank prior to 1 October of the year for which the aid is granted.	provided for in Regulation (EU) .../... [CAP Strategic Plan Regulation] is made to a beneficiary in a currency other than the euro, Member States shall convert the amount of aid expressed in euro into the national currency on the basis of the most recent exchange rate set by the European Central Bank prior to 1 October of the year for which the aid is granted. Others		provided for in Regulation (EU) .../... [CAP Strategic Plan Regulation] is made to a beneficiary in a currency other than the euro, Member States shall convert the amount of aid expressed in euro into the national currency on the basis of the most recent exchange rate set by the European Central Bank prior to 1 October of the year for which the aid is granted. Text Origin: Commission Proposal
Article 92(3), second subparagraph				
820	By way of derogation from the first subparagraph, Member States may decide, in duly justified cases, to carry out the conversion on the basis of the average of the exchange rates set by the European Central Bank during the month prior to 1 October of the year for which the aid is granted. Member States that choose that option shall set and publish that average rate before 1 December of that year.	By way of derogation from the first subparagraph, Member States may decide, in duly justified cases, to carry out the conversion on the basis of the average of the exchange rates set by the European Central Bank during the month prior to 1 October of the year for which the aid is granted. Member States that choose that option shall set and publish that average rate before 1 December of that year. Others		By way of derogation from the first subparagraph, Member States may decide, in duly justified cases, to carry out the conversion on the basis of the average of the exchange rates set by the European Central Bank during the month prior to 1 October of the year for which the aid is granted. Member States that choose that option shall set and publish that average rate before 1 December of that year. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 92(4)				
821	4. As regards EAGF, when drawing up their declarations of expenditure, Member State which have not adopted the euro shall apply the same exchange rate as that which they used to make payments to beneficiaries or receive revenue, in accordance with the provisions of this Chapter.	4. As regards EAGF, when drawing up their declarations of expenditure, Member State which have not adopted the euro shall apply the same exchange rate as that which they used to make payments to beneficiaries or receive revenue, in accordance with the provisions of this Chapter. Others		4. As regards EAGF, when drawing up their declarations of expenditure, Member State which have not adopted the euro shall apply the same exchange rate as that which they used to make payments to beneficiaries or receive revenue, in accordance with the provisions of this Chapter. Text Origin: Commission Proposal
Article 92(5), introductory part				
822	5. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on those operative events and the exchange rate to be used. The specific operative event shall be determined taking account of the following criteria:	5. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on those operative events and the exchange rate to be used. The specific operative event shall be determined taking account of the following criteria: Others	5. The Commission is empowered to adopt delegated acts in accordance with Article 100 to specify the operative event referred to in paragraph 2 or to fix it for reasons peculiar to the market organisation or the amount in question, supplementing this Regulation with rules on those operative events and the exchange rate to be used. The specific operative event shall be determined taking account of the following criteria:	5. [Framing of the empowerment will be done in the Recitals] The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on those operative events and the exchange rate to be used. The specific operative event shall be determined taking account of the following criteria: Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 92(5), point (a)				
823	(a) actual applicability as soon as possible of adjustments to the exchange rate;	(a) actual applicability as soon as possible of adjustments to the exchange rate; Others		(a) actual applicability as soon as possible of adjustments to the exchange rate; Text Origin: Commission Proposal
Article 92(5), point (b)				
824	(b) similarity of the operative events for analogous operations carried out under the market organisation;	(b) similarity of the operative events for analogous operations carried out under the market organisation; Others		(b) similarity of the operative events for analogous operations carried out under the market organisation; Text Origin: Commission Proposal
Article 92(5), point (c)				
825	(c) coherence in the operative events for the various prices and amounts relating to the market organisation;	(c) coherence in the operative events for the various prices and amounts relating to the market organisation; Others		(c) coherence in the operative events for the various prices and amounts relating to the market organisation; Text Origin: Commission Proposal
Article 92(5), point (d)				
826	(d) practicability and effectiveness	(d) practicability and effectiveness		(d) practicability and effectiveness

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of checks on the application of suitable exchange rates.	of checks on the application of suitable exchange rates. Others		of checks on the application of suitable exchange rates. Text Origin: Commission Proposal
Article 92(6)				
827	6. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the exchange rate applicable when declarations of expenditure are drawn up and when public storage operations are recorded in the accounts of the paying agency.	6. The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the exchange rate applicable when declarations of expenditure are drawn up and when public storage operations are recorded in the accounts of the paying agency. Others	6. The Commission is empowered to adopt delegated acts in accordance with Article 100 in order to avoid the application by the Member States which have not adopted the euro of different exchange rates in accounts of revenue received or aid paid to beneficiaries in a currency other than the euro, on the one hand, and in the establishment of the declaration of expenditure drawn up by the paying agency, on the other hand, supplementing this Regulation with rules on the exchange rate applicable when declarations of expenditure are drawn up and when public storage operations are recorded in the accounts of the paying agency.	6. [Framing of the empowerment will be done in the Recitals] The Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with rules on the exchange rate applicable when declarations of expenditure are drawn up and when public storage operations are recorded in the accounts of the paying agency. Text Origin: Commission Proposal
Article 93				
828	Article 93	Article 93		Article 93

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Safeguard measures and derogations	Safeguard measures and derogations Others		Safeguard measures and derogations Text Origin: Commission Proposal
Article 93(1), first subparagraph				
829	1. The Commission may adopt implementing acts safeguarding the application of Union law if exceptional monetary practices related to national currency are likely to jeopardise it. Those implementing acts may only derogate from the existing rules for a period of time which is strictly necessary.	1. The Commission may adopt implementing acts safeguarding the application of Union law if exceptional monetary practices related to national currency are likely to jeopardise it. Those implementing acts may only derogate from the existing rules for a period of time which is strictly necessary. Others		1. The Commission may adopt implementing acts safeguarding the application of Union law if exceptional monetary practices related to national currency are likely to jeopardise it. Those implementing acts may only derogate from the existing rules for a period of time which is strictly necessary. Text Origin: Commission Proposal
Article 93(1), second subparagraph				
830	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Others		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Text Origin: Commission Proposal
Article 93(1), third subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
831	The European Parliament, the Council and the Member States shall be notified forthwith of the measures referred to in the first subparagraph.	The European Parliament, the Council and the Member States shall be notified forthwith of the measures referred to in the first subparagraph. Others		The European Parliament, the Council and the Member States shall be notified forthwith of the measures referred to in the first subparagraph. Text Origin: Commission Proposal
Article 93(2), introductory part				
832	2. Where exceptional monetary practices concerning a national currency are liable to jeopardise the application of Union law, the Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with derogations from this Chapter, in the following cases:	2. Where exceptional monetary practices concerning a national currency are liable to jeopardise the application of Union law, the Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with derogations from this Chapter, in the following cases: Others		2. Where exceptional monetary practices concerning a national currency are liable to jeopardise the application of Union law, the Commission is empowered to adopt delegated acts in accordance with Article 100 supplementing this Regulation with derogations from this Chapter, in the following cases: Text Origin: Commission Proposal
Article 93(2), point (a)				
833	(a) where a country uses abnormal exchange techniques such as multiple exchange rates or operates barter agreements;	(a) where a country uses abnormal exchange techniques such as multiple exchange rates or operates barter agreements;		(a) where a country uses abnormal exchange techniques such as multiple exchange rates or operates barter agreements;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Others		Text Origin: Commission Proposal
Article 93(2), point (b)				
834	(b) where countries have currencies which are not quoted on official foreign exchange markets or where the trend in such currencies is likely to create distortion in trade.	(b) where countries have currencies which are not quoted on official foreign exchange markets or where the trend in such currencies is likely to create distortion in trade. Others		(b) where countries have currencies which are not quoted on official foreign exchange markets or where the trend in such currencies is likely to create distortion in trade. Text Origin: Commission Proposal
Article 94				
835	Article 94 Use of the euro by non-euro Member States	Article 94 Use of the euro by non-euro Member States Others		Article 94 Use of the euro by non-euro Member States Text Origin: Commission Proposal
Article 94(1)				
836	1. If a Member State which has not adopted the euro decides to pay the expenditure resulting from sectoral agricultural legislation in euro rather than in its national currency, the Member State shall	1. If a Member State which has not adopted the euro decides to pay the expenditure resulting from sectoral agricultural legislation in euro rather than in its national currency, the Member State shall		1. If a Member State which has not adopted the euro decides to pay the expenditure resulting from sectoral agricultural legislation in euro rather than in its national currency, the Member State shall

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	take measures to ensure that the use of the euro does not provide a systematic advantage compared with the use of national currency.	take measures to ensure that the use of the euro does not provide a systematic advantage compared with the use of national currency. Others		take measures to ensure that the use of the euro does not provide a systematic advantage compared with the use of national currency. Text Origin: Commission Proposal
Article 94(2)				
837	2. The Member State shall notify the Commission of the measures planned before they come into effect. The measures may not take effect until the Commission has notified its agreement thereto.	2. The Member State shall notify the Commission of the measures planned before they come into effect. The measures may not take effect until the Commission has notified its agreement thereto. Others		2. The Member State shall notify the Commission of the measures planned before they come into effect. The measures may not take effect until the Commission has notified its agreement thereto. Text Origin: Commission Proposal
Chapter III				
838	Chapter III Reporting	Chapter III Reporting Others		Chapter III Reporting Text Origin: Commission Proposal
Article 95				
839	Article 95 Annual financial report	Article 95 Annual financial report		Article 95 Annual financial report

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Others		Text Origin: Commission Proposal
Article 95, first paragraph				
840	By end September of each year following the budget year, the Commission shall draw up a financial report on the administration of the Funds during the previous financial year, which it shall submit to the European Parliament and to the Council.	By end September of each year following the budget year, the Commission shall draw up a financial report on the administration of the Funds during the previous financial year, which it shall submit to the European Parliament and to the Council. Others		By end September of each year following the budget year, the Commission shall draw up a financial report on the administration of the Funds during the previous financial year, which it shall submit to the European Parliament and to the Council. Text Origin: Commission Proposal
Chapter IV				
841	Chapter IV Transparency	Chapter IV Transparency		Chapter IV Transparency Text Origin: Commission Proposal
Article 96				
842	Article 96 Publication of information relating to beneficiaries	Article 96 Publication of information relating to beneficiaries Transparency-Audit		Article 96 Publication of information relating to beneficiaries Text Origin: Commission

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				Proposal
Article 96(1)				
843	1. Member States shall ensure annual ex-post publication of the beneficiaries of the Funds in accordance with [Article 44(3)-(5) of Regulation (EU) .../... CPR Regulation] and paragraphs 2, 3 and 4 of this Article.	1. Member States shall ensure annual ex-post publication of the beneficiaries of the Funds <u>in accordance</u> ~~in accordance~~ with [Article 44(3)- ~~to~~ (5) of Regulation (EU) .../... CPR Regulation] and paragraphs 2, 3 and 4 of this Article. <u>Where beneficiaries are part of a group within the meaning of point 11 of Article 2(1) of Directive 2013/34/EU, the published information shall allow for the identification of that group.</u> Transparency-Audit	1. Member States shall ensure annual ex-post publication of the beneficiaries of the Funds ~~in accordance with~~ for the purposes of [Article 44(3)- ~~(5)~~ (4) of Regulation (EU) .../... CPR Regulation] and in accordance with paragraphs 2, 3 and 4 of this Article.	1. Member States shall ensure annual ex-post publication of the beneficiaries of the Funds for the purposes of [Article 44(3)-(4) of Regulation (EU) .../... CPR Regulation] and in accordance with paragraphs 2, 3 and 4 of this Article, including, where applicable, the information on groups, as referred to in paragraph 2b of Article 57, as provided to them by those beneficiaries in accordance with that paragraph. Text Origin: EP Mandate
Article 96(2)				
844	2. [Article 44(3)-(5) of Regulation (EU) .../... CPR Regulation] shall apply in respect of beneficiaries of EAFRD and EAGF, where relevant; however, the amounts corresponding to the national contribution and the co-financing rate, as provided for in points (h) and (i) of Article 44(3) of that	2. [Article 44(3)-(5) of Regulation (EU) .../... CPR Regulation] shall apply in respect of beneficiaries of EAFRD and EAGF, where relevant; however, the amounts corresponding to the national contribution and the co-financing rate, as provided for in points (h) and (i) of Article 44(3) of that	2. [Article 44(3)- ~~(5)~~ points (a), (b), (d), (e), (h), (i), (l) and Article 44(4) of Regulation (EU) .../... CPR Regulation] shall apply in respect of beneficiaries of EAFRD and EAGF, ~~where relevant; however, the amounts corresponding to the national contribution and the co-financing~~	2. [Article 44(3) points (a), (b), (d), (e), (f), (g), (h), (i), (j), (l) and Article 44(4) of Regulation (EU) .../... CPR Regulation] shall apply in respect of beneficiaries of EAFRD and EAGF, where relevant. The application of point (e) of Article 44(3) Regulation (EU) .../... CPR Regulation shall

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation shall not apply to EAGF.	Regulation shall not apply to EAGF. Transparency-Audit	~~rate, as provided for in points (h) and (i) of Article 44(3) of that.~~ The application of point (e) of Article 44(3) Regulation (EU) .../... CPR Regulation shall be limited to the purpose of the operation. Article 44 (3) point (k) of Regulation (EU) .../...CPR Regulation shall not apply to EAGF.	be limited to the purpose of the operation. Article 44 (3) point (k) of Regulation (EU) .../...CPR Regulation shall apply to EAFRD.
Article 96(3), introductory part				
845	3. For the purposes of this Article:	3. For the purposes of this Article: Transparency-Audit		3. For the purposes of this Article: Text Origin: Commission Proposal
Article 96(3), first indent				
846	- "operation" means measure or intervention;	- "operation" means measure or intervention; Transparency-Audit	- "operation" means measure, sector, or type of interventions or intervention;	- "operation" means measure, sector, or type of interventions; Text Origin: Council Mandate
Article 96(3), second indent				
846a		Transparency-Audit	- "total cost of the operation" means the amounts of payment corresponding to each measure, sector, or type of interventions financed by the EAGF or the	- "total cost of the operation" means the amounts of payment corresponding to each measure, sector, or type of interventions financed by the EAGF or the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			EAFRD received by each beneficiary in the financial year concerned. As regards the payments corresponding to the types of interventions financed by the EAFRD, the amounts to be published shall correspond to the total public funding, including both the Union and the national contribution;	EAFRD received by each beneficiary in the financial year concerned. As regards the payments corresponding to the types of interventions financed by the EAFRD, the amounts to be published shall correspond to the total public funding, including both the Union and the national contribution; <i>Text Origin: Council Mandate</i>
Article 96(3), second indent				
847	- "location" means the municipality where the beneficiary is resident or is registered and, where available, the postal code or the part thereof identifying the municipality".	- "location" means the municipality where the beneficiary is resident or is registered and, where available, the postal code or the part thereof identifying the municipality". <i>Transparency-Audit</i>	- "location indicator or geolocation for the operation " means the municipality where the beneficiary is resident or is registered and, where available, the postal code or the part thereof identifying the municipality".	- "location indicator or geolocation for the operation" means the municipality where the beneficiary is resident or is registered and, where available, the postal code or the part thereof identifying the municipality". <i>Text Origin: Council Mandate</i>
Article 96(4), first subparagraph				
848	4. The information referred to in Article 44(3)-(5) of that Regulation shall be made available on a single website per Member State. It shall remain available for two years	4. The information referred to in Article 44(3)-(5) of that Regulation shall be made available on a single website per Member State. It shall remain available for two years	4. The information referred to in Article 44(3)- ~~(5)~~ (4) of that Regulation shall be made available on a single website per Member State. It shall remain available for	4. The information referred to in Article 44(3)-(4) of that Regulation shall be made available on a single website per Member State. It shall remain available for two years

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	from the date of the initial publication.	from the date of the initial publication. Transparency-Audit	two years from the date of the initial publication.	from the date of the initial publication. Text Origin: Council Mandate
Article 96(4), second subparagraph				
849	Member States shall not publish the information referred to in points (a) and (b) of Article 44(3) of the Regulation (EU) .../[CPR Regulation] if the amount of aid received in one year by a beneficiary is equal to or less than EUR 1 250.	Member States shall not publish the information referred to in points (a) and (b) of Article 44(3) of the Regulation (EU) .../[CPR Regulation] if the amount of aid received in one year by a beneficiary is equal to or less than EUR 1 250. Transparency-Audit		Member States shall not publish the information referred to in points (a) and (b) of Article 44(3) of the Regulation (EU) .../[CPR Regulation] if the amount of aid received in one year by a beneficiary is equal to or less than EUR 1 250. Text Origin: EP Mandate
Article 97				
850	Article 97 Informing beneficiaries of the publication of data concerning them	Article 97 Informing beneficiaries of the publication of data concerning them Transparency-Audit		Article 97 Informing beneficiaries of the publication of data concerning them Text Origin: Commission Proposal
Article 97, first paragraph				
851	Member States shall inform the	Member States shall inform the		Member States shall inform the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	beneficiaries that their data will be made public in accordance with Article 96 and that the data may be processed by auditing and investigating bodies of the Union and the Member States for the purposes of safeguarding the Union's financial interests.	beneficiaries that their data will be made public in accordance with Article 96 and that the data may be processed by auditing and investigating bodies of the Union and the Member States for the purposes of safeguarding the Union's financial interests. Transparency-Audit		beneficiaries that their data will be made public in accordance with Article 96 and that the data may be processed by auditing and investigating bodies of the Union and the Member States for the purposes of safeguarding the Union's financial interests. Text Origin: Commission Proposal
Article 97, second paragraph				
852	In accordance with the requirements of Regulation (EU) 2016/679, where personal data is concerned, the Member States shall inform the beneficiaries of their rights under that Regulation and of the procedures applicable for exercising those rights.	In accordance with the requirements of Regulation (EU) 2016/679, where personal data is concerned, the Member States shall inform the beneficiaries of their rights under that Regulation and of the procedures applicable for exercising those rights. Transparency-Audit		In accordance with the requirements of Regulation (EU) 2016/679, where personal data is concerned, the Member States shall inform the beneficiaries of their rights under that Regulation and of the procedures applicable for exercising those rights. Text Origin: Commission Proposal
Article 98				
853	Article 98 Implementing powers	Article 98 Implementing powers Transparency-Audit		Article 98 Implementing powers Text Origin: Commission Proposal

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	Article 98, first paragraph, introductory part			
G 854	The Commission shall adopt implementing acts laying down rules on:	The Commission shall adopt implementing acts laying down rules on: Transparency-Audit		The Commission shall adopt implementing acts laying down rules on: Text Origin: Commission Proposal
	Article 98, first paragraph, point(a)			
G 855	(a) the form, including the way of presentation by measure or intervention, and the timescale of the publication provided for in Articles 96 and 97;	(a) the form, including the way of presentation by measure or intervention, and the timescale of the publication provided for in Articles 96 and 97; Transparency-Audit	(a) the form, including the way of presentation by measure or type of intervention, and the timescale of the publication provided for in Articles 96 and 97;	(a) the form, including the way of presentation by measure, sector, or type of intervention, and the timescale of the publication provided for in Articles 96 and 97; Text Origin: Auxiliary
	Article 98, first paragraph, point (b)			
G 856	(b) the uniform application of Article 97;	(b) the uniform application of Article 97; Transparency-Audit		(b) the uniform application of Article 97; Text Origin: Commission Proposal
	Article 98, first paragraph, point (c)			
G 857	(c) the cooperation between the	(c) the cooperation between the		(c) the cooperation between the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Commission and Member States.	Commission and Member States. Transparency-Audit		Commission and Member States. Text Origin: Commission Proposal
	Article 98, second paragraph			
858	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Transparency-Audit		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 101(3). Text Origin: Commission Proposal
	Chapter V			
859	Chapter V Protection of personal data	Chapter V Protection of personal data		Chapter V Protection of personal data Text Origin: Commission Proposal
	Article 99			
860	Article 99 Processing and protection of personal data	Article 99 Processing and protection of personal data Others		Article 99 Processing and protection of personal data Text Origin: Commission Proposal
	Article 99(1)			

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861	1. Without prejudice to Articles 96 to 98, Member States and the Commission shall collect personal data for the purposes of carrying out their respective management, control, audit and monitoring and evaluation obligations under this Regulation and, in particular, those laid down in Chapter II of Title II, Chapters III and IV of Title III, Title IV and Chapter III of Title V and for statistical purposes, and shall not process this data in a way that is incompatible with that purpose.	1. Without prejudice to Articles 96 to 98, Member States and the Commission shall collect personal data for the purposes of carrying out their respective management, control, audit and monitoring and evaluation obligations under this Regulation and, in particular, those laid down in Chapter II of Title II, Chapters III and IV of Title III, Title IV and Chapter III of Title V and for statistical purposes, and shall not process this data in a way that is incompatible with that purpose. Others		1. Without prejudice to Articles 96 to 98, Member States and the Commission shall collect personal data for the purposes of carrying out their respective management, control, audit and monitoring and evaluation obligations under this Regulation and, in particular, those laid down in Chapter II of Title II, Chapters III and IV of Title III, Title IV and Chapter III of Title V and for statistical purposes, and shall not process this data in a way that is incompatible with that purpose. Text Origin: Commission Proposal
Article 99(2)				
862	2. Where personal data are processed for monitoring and evaluation purposes under Regulation (EU) .../... [CAP Strategic Plan Regulation], and for statistical purposes, they shall be made anonymous and processed in aggregated form only.	2. Where personal data are processed for monitoring and evaluation purposes under Regulation (EU) .../... [CAP Strategic Plan Regulation], and for statistical purposes, they shall be made anonymous and processed in aggregated form only. Others		2. Where personal data are processed for monitoring and evaluation purposes under Regulation (EU) .../... [CAP Strategic Plan Regulation], and for statistical purposes, they shall be made anonymous. Text Origin: Commission Proposal

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Article 99(3)				
863	3. Personal data shall be processed in accordance with Regulations (EC) No 45/2001 and (EU) 2016/679. In particular, such data shall not be stored in a form which enables data subjects to be identified for longer than is necessary for the purposes for which those data were collected or for which they are further processed, taking into account the minimum retention periods laid down in the applicable national and Union law.	3. Personal data shall be processed in accordance with Regulations (EC) No 45/2001 and (EU) 2016/679. In particular, such data shall not be stored in a form which enables data subjects to be identified for longer than is necessary for the purposes for which those data were collected or for which they are further processed, taking into account the minimum retention periods laid down in the applicable national and Union law. Others		3. Personal data shall be processed in accordance with Regulations (EC) No 45/2001 and (EU) 2016/679. In particular, such data shall not be stored in a form which enables data subjects to be identified for longer than is necessary for the purposes for which those data were collected or for which they are further processed, taking into account the minimum retention periods laid down in the applicable national and Union law. Text Origin: Commission Proposal
Article 99(4)				
864	4. Member States shall inform the data subjects that their personal data may be processed by national and Union bodies in accordance with paragraph 1 and that in this respect they enjoy the data protection rights provided by Regulations (EC) No 45/2001 and (EU) 2016/679.	4. Member States shall inform the data subjects that their personal data may be processed by national and Union bodies in accordance with paragraph 1 and that in this respect they enjoy the data protection rights provided by Regulations (EC) No 45/2001 and (EU) 2016/679. Others		4. Member States shall inform the data subjects that their personal data may be processed by national and Union bodies in accordance with paragraph 1 and that in this respect they enjoy the data protection rights provided by Regulations (EC) No 45/2001 and (EU) 2016/679. Text Origin: Commission Proposal

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	Title VI			
G 865	Title VI Delegated acts and implementing acts	Title VI Delegated acts and implementing acts		Title VI Delegated acts and implementing acts Text Origin: Commission Proposal
	Article 100			
G 866	Article 100 Exercise of the delegation	Article 100 Exercise of the delegation Others		Article 100 Exercise of the delegation Text Origin: Commission Proposal
	Article 100(1)			
G 867	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article. Others		1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article. Text Origin: Commission Proposal
	Article 100(2)			
G 868				

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	2. The power to adopt delegated acts referred to in Articles 10, 15, 21, 36, 38, 39, 42, 45, 50, 52, 53, 58, 62, 72, 74, 79, 86, 92, 93 and 103 shall be conferred on the Commission for a period of seven years from the date of entry into force of this Regulation. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the seven-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	2. The power to adopt delegated acts referred to in Articles 10, 15, 21, 36, 38, 39, 42, 45, 50, 52, 53, 58, 62, 72, 74, 79, 86, 92, 93 and 103 shall be conferred on the Commission for a period of seven years from the date of entry into force of this Regulation. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the seven-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period. Others	2. The power to adopt delegated acts referred to in Articles 10, 15, 21, 36, ~~38, 39~~, 42, 45, 50, ~~52, 53~~, 58, 62, 72, 74, ~~79~~⁷⁵, , 86, 92, 93 and 103 shall be conferred on the Commission for a period of seven years from the date of entry into force of this Regulation. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the seven-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	2. [technical adjustment needed at the level of the lawyers/linguists] The power to adopt delegated acts referred to in Articles 10, 15, 21, 36, 38, 39, 42, 45, 50, 52, 53, 58, 62, 72, 74, 79, 86, 92, 93 and 103 shall be conferred on the Commission for a period of seven years from the date of entry into force of this Regulation. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the seven-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.
Article 100(3)				
869	3. The delegation of powers referred to in Articles 10, 15, 21, 36, 38, 39, 42, 45, 50, 52, 53, 58, 62, 72, 74, 79, 86, 92, 93 and 103 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation	3. The delegation of powers referred to in Articles 10, 15, 21, 36, 38, 39, 42, 45, 50, 52, 53, 58, 62, 72, 74, 79, 86, 92, 93 and 103 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation	3. The delegation of powers referred to in Articles 10, 15, 21, 36, ~~38, 39~~, 42, 45, 50, ~~52, 53~~, 58, 62, 72, 74, ~~79~~⁷⁵, , 86, 92, 93 and 103 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation	3. [technical adjustment needed at the level of the lawyers/linguists] The delegation of powers referred to in Articles 10, 15, 21, 36, 38, 39, 42, 45, 50, 52, 53, 58, 62, 72, 74, 79, 86, 92, 93 and 103 may be revoked at any time by the

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	of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force. Others	of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
Article 100(4)				
870	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. Others		4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. Text Origin: Commission Proposal
Article 100(5)				
871	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.		5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council. Text Origin: Commission

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		Others		Proposal
Article 100(6)				
872	6. A delegated act adopted pursuant to Articles 10, 15, 21, 36, 38, 39, 42, 45, 50, 52, 53, 58, 62, 72, 74, 79, 86, 92, 93 and 103 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months on the initiative of the European Parliament or of the Council.	6. A delegated act adopted pursuant to Articles 10, 15, 21, 36, 38, 39, 42, 45, 50, 52, 53, 58, 62, 72, 74, 79, 86, 92, 93 and 103 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months on the initiative of the European Parliament or of the Council. Others	6. A delegated act adopted pursuant to Articles 10, 15, 21, 36, ~~38, 39,~~ 42, 45, 50, ~~52, 53,~~ 58, 62, 72, 74, ~~79~~ 75, , 86, 92, 93 and 103 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months on the initiative of the European Parliament or of the Council.	6. [technical adjustment needed at the level of the lawyers/linguists] A delegated act adopted pursuant to Articles 10, 15, 21, 36, 38, 39, 42, 45, 50, 52, 53, 58, 62, 72, 74, 79, 86, 92, 93 and 103 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months on the initiative of the European Parliament or of the Council.
Article 100a				
872a		<u>Article 100a</u> <u>Urgency procedure</u> Others		Article 100a [EP comments pending]

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	Article 100a(1)			
G 872b		<u>1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.</u> Others		1. EP to withdraw AM
	Article 100a(2)			
G 872c		<u>2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 100(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.</u> Others		2. EP to withdraw AM
	Article 101			

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873	Article 101 Committee procedure	Article 101 Committee procedure Others		Article 101 Committee procedure Text Origin: Commission Proposal
Article 101(1), first subparagraph				
874	1. The Commission shall be assisted by a committee, called the Committee on the Agricultural Funds. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee, called the Committee on the Agricultural Funds. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011. Others		1. The Commission shall be assisted by a committee, called the Committee on the Agricultural Funds. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011. Text Origin: Commission Proposal
Article 101(1), second subparagraph				
875	For the purposes of Articles 10, 11, 15, 16, 19, 21, 24, 30, 37, 38, 39, 40, 42, 45, 50, 51, 52, 53, 56, 57, 58, 62, 73, 83, 90, 93 and 98, as regards matters relating to direct payments interventions, rural development interventions and the common organisation of markets, the Commission shall be assisted by the Committee on the Agricultural Funds, the Common Agricultural Policy Committee	For the purposes of Articles 10, 11, 15, 16, 19, 21, 24, 30, 37, 38, 39, 40, 42, 45, 50, 51, 52, 53, 56, 57, 58, 62, 73, 83, 90, 93 and 98, as regards matters relating to direct payments interventions, rural development interventions and the common organisation of markets, the Commission shall be assisted by the Committee on the Agricultural Funds, the Common Agricultural Policy Committee		For the purposes of Articles 10, 11, 15, 16, 19, 21, 24, 30, 37, 38, 39, 40, 42, 45, 50, 51, 52, 53, 56, 57, 58, 62, 73, 83, 90, 93 and 98, as regards matters relating to direct payments interventions, rural development interventions and the common organisation of markets, the Commission shall be assisted by the Committee on the Agricultural Funds, the Common Agricultural Policy Committee

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	established by Regulation (EU) .../... [CAP Strategic Plan Regulation] and the Committee for the Common Organisation of the Agricultural Markets established by Regulation (EU) No 1308/2013, respectively.	established by Regulation (EU) .../... [CAP Strategic Plan Regulation] and the Committee for the Common Organisation of the Agricultural Markets established by Regulation (EU) No 1308/2013, respectively. Others		established by Regulation (EU) .../... [CAP Strategic Plan Regulation] and the Committee for the Common Organisation of the Agricultural Markets established by Regulation (EU) No 1308/2013, respectively. Text Origin: Commission Proposal
Article 101(2)				
876	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply. Others		2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply. Text Origin: Commission Proposal
Article 101(3)				
877	3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. Others		3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. Text Origin: Commission Proposal
Title VII				
878	Title VII	Title VII		Title VII

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Final provisions	Final provisions Others		Final provisions Text Origin: Commission Proposal
Article 102				
879	Article 102 Repeal	Article 102 Repeal Others		Article 102 Repeal Text Origin: Commission Proposal
Article 102(1), first subparagraph				
880	1. Regulation (EU) No 1306/2013 is repealed.	1. Regulation (EU) No 1306/2013 is repealed. Others		1. Regulation (EU) No 1306/2013 is repealed. Text Origin: Commission Proposal
Article 102(1), second subparagraph, introductory part				
881	However:	However: Others		However: Text Origin: Commission Proposal
Article 102(1), second subparagraph, point(a)				
882	(a) Article 5, Article 7(3), Articles 9, 34, Article 35(4), Articles 36,	(a) Article 5, Article 7(3), ~~Articles 9,~~ <u>Article 9, Article 26(5), Article</u>	(a) Article 5, Article 7(3), Articles 9, 21 , 34, Article 35(4), Articles	(a) Article 4(1)(b), Article 5, Article 7(3), Articles 9, 17, 21, 34,

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	37, 38, 43, 51, 52, 54, 110 and 111 of Regulation (EU) No 1306/2013 and the relevant implementing and delegated rules shall continue to apply in relation to expenditure incurred and payments made for the agricultural financial year 2020 and before as regards the EAGF, and as regards the EAFRD in relation to expenditure incurred and payments made for rural development programmes approved by the Commission under Regulation (EU) No 1305/2013,	34, Article 35(4), Articles 36, 37, 38, 43, 51, 52, 54, 110 and 111 of Regulation (EU) No 1306/2013 and the relevant implementing and delegated rules shall continue to apply in relation to expenditure incurred and payments made for the agricultural financial year 2020 and before as regards the EAGF, and as regards the EAFRD in relation to expenditure incurred and payments made for rural development programmes approved by the Commission under Regulation (EU) No 1305/2013, Others	36, 37, 38, 43, 51, 52, 54, 59, 67, 68, 70, 71, 72, 73, 74, 75, 77, 91, 92, 93, 94, 95, 96, 97, 99, 100, 102(2) , 110 and 111 of Regulation (EU) No 1306/2013 and the relevant implementing and delegated rules shall continue to apply in relation to expenditure incurred and payments made for ~~the agricultural financial~~ operations implemented pursuant to Regulation (EU) No 1307/2013 in calendar year 2020 and before ~~as regards the EAGF~~ and for the remaining measures financed under the EAGF until the entry into application of this Regulation , and as regards the EAFRD in relation to expenditure incurred and payments made for rural development programmes approved by the Commission under Regulation (EU) No 1305/2013,	Article 35(4), Articles 36, 37, 38, 40, 41, 42, 43, 51, 52, 54, 56, 59, 63, 64, 67, 68, 70, 71, 72, 73, 74, 75, 77, 91, 92, 93, 94, 95, 96, 97, 99, 100, 102(2), 110 and 111 of Regulation (EU) No 1306/2013 continue to apply: - in relation to expenditure incurred and payments made for support schemes under Regulation (EU) No 1307/2013 in respect of calendar year 2022 and before; - and for measures implemented under Regulation (EU) No 1308/2013, Regulation (EU) No 228/2013, Regulation (EU) No 229/2013 and Regulation (EU) 1144/2014 until 31 December 2022, - for the aid schemes referred to in paragraphs [3b(c) and] 3c of Article 6 of Regulation XXXX/XXXX [the CMO amending Regulation] in relation to expenditure incurred and payments made for operations implemented pursuant to Regulation (EU) No 1308/2013 after 31 December 2022 and until the end of the aid schemes referred

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				to in paragraphs [3b(c) and] 3c of this Article; and - as regards the EAFRD in relation to expenditure incurred by the beneficiaries and payments paid by the paying agency in the framework of the implementation of rural development programmes pursuant to Regulation (EU) No 1305/2013.
Article 102(1), second subparagraph, point (b)				
883	(b) Article 69 of Regulation (EU) No 1306/2013 shall continue to apply in relation to expenditure incurred and payments made for operations implemented pursuant to Regulation (EU) No 1307/2013 and rural development programmes approved by the Commission under Regulation (EU) No 1305/2013 and other CAP measures as laid down in Chapter I of Title II of Regulation (EU) No 1306/2013 implemented before the date of entry into force of this Regulation, Regulation (EU) .../[CAP Strategic Plan Regulation] and Regulation (EU) No 1308/2013 as amended by Regulation (EU) .../...of the European Parliament	(b) Article 69 of Regulation (EU) No 1306/2013 shall continue to apply in relation to expenditure incurred and payments made for operations implemented pursuant to Regulation (EU) No 1307/2013 and rural development programmes approved by the Commission under Regulation (EU) No 1305/2013 and other CAP measures as laid down in Chapter I of Title II of Regulation (EU) No 1306/2013 implemented before the date of entry into force of this Regulation, Regulation (EU) .../[CAP Strategic Plan Regulation] and Regulation (EU) No 1308/2013 as amended by Regulation (EU) .../...of the European Parliament		(b) Article 69 of Regulation (EU) No 1306/2013 shall continue to apply in relation to expenditure incurred and payments made for support schemes pursuant to Regulation (EU) No 1307/2013 and in the framework of the implementation of rural development programmes approved by the Commission under Regulation (EU) No 1305/2013 and other CAP measures as laid down in Chapter I of Title II of Regulation (EU) No 1306/2013 implemented before the date of entry into force of this Regulation, Regulation (EU) .../[CAP Strategic Plan Regulation] and Regulation (EU) No 1308/2013 as

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	and of the Council¹. 1. Regulation (EU) .../... of the European Parliament and of the Council of [...] [...] (OJ L [...], [...], p. [...]).	and of the Council¹. 1. Regulation (EU) .../... of the European Parliament and of the Council of [...] [...] (OJ L [...], [...], p. [...]). Others		amended by Regulation (EU) .../... of the European Parliament and of the Council¹. 1. [1] Regulation (EU) .../... of the European Parliament and of the Council of [...] [...] (OJ L [...], [...], p. [...]). Text Origin: Commission Proposal
	Article 102(1), second subparagraph, point (c)			
883a		Others	(c) Article 54(2) of Regulation (EU) No 1306/2013 shall continue to apply in relation to revenue declared for rural development programmes approved by the Commission under Regulation (EU) No 1305/2013, Regulation (EC) 1698/2005 and Regulation 27/2004 (Transitional Rural Development Instrument).	(c) Article 54(2) of Regulation (EU) No 1306/2013 shall continue to apply in relation to revenue declared in the framework of the implementation of rural development programmes approved by the Commission under Regulation (EU) No 1305/2013, Regulation (EC) 1698/2005 and Regulation 27/2004 (Transitional Rural Development Instrument); Text Origin: Council Mandate
	Article 102(1), second subparagraph, point (bb)			
883b				(bb) (applicability of Regulation 1306/2013 as regards early retirement measure payments (see Article 140a (2) of The CAP

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				Strategic Plan Regulation) – Regulation (EU) No 1306/2013 shall continue to apply in relation to expenditure relating to legal commitments referred to in Article 140a (2) of Regulation (EU) .../[CAP Strategic Plan Regulation]. Article 30 of this Regulation shall apply for the expenditure notified to the Commission in accordance with Article 140a (2) of Regulation (EU) .../[CAP Strategic Plan Regulation] and shall for this purpose be considered as a type of intervention.
Article 102(2)				
884	2. References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table set out in the Annex.	2. References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table set out in the Annex. Others		2. 1. References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table set out in the Annex. Text Origin: Commission Proposal
Article 103				
885				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 103 Transitional measures	Article 103 <i>Transitional measures</i> Others		Article 103 Transitional measures Text Origin: Commission Proposal
	Article 103, first paragraph			
886	The Commission is empowered to adopt delegated acts in accordance with Article 101 supplementing this Regulation with derogations from, and additions to, the rules provided for in this Regulation, where necessary.	<i>The Commission is empowered to adopt delegated acts in accordance with Article 101 supplementing this Regulation with derogations from, and additions to, the rules provided for in this Regulation, where necessary.</i> Others	The Commission is empowered to adopt delegated acts in accordance with Article 40+100 which are necessary to ensure the smooth transition from the arrangements provided for in Regulation (EU) No 1306/2013 as referred to in Article 102 to those laid down in this Regulation, supplementing this Regulation with derogations from, and additions to, the rules provided for in this Regulation, where necessary.	[Framing of the empowerment will be done in the Recitals] The Commission is empowered to adopt delegated acts in accordance with Article 101 supplementing this Regulation with derogations from, and additions to, the rules provided for in this Regulation, where necessary. Text Origin: Commission Proposal
	Article 104			
887	Article 104 Entry into force and application	Article 104 Entry into force and application Others		Article 104 Entry into force and application Text Origin: Commission Proposal
	Article 104(1), first subparagraph			
888				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union.	1. This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union. Others		1. This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union. Text Origin: Commission Proposal
Article 104(1), second subparagraph				
889	It shall apply from 1 January 2021.	It shall apply from 1 January 2021. Others	It shall apply from 1 January ~~2021~~ 2023.	It shall apply from 1 January 2023. Text Origin: Council Mandate
Article 104(2), first subparagraph				
890	2. However, Articles 7, 10, 18, 19, 35, 36, 37, 38, 39, 40, 43, 51, 52, 53 and 54 shall apply to expenditure effected from 16 October 2020 as regards the EAGF, and as regards the EAFRD to expenditure effected under Regulation (EU) No.../... [CAP Strategic Plan Regulation]	2. However, Articles 7, 10, 18, 19, 35, 36, 37, 38, 39, 40, 43, 51, 52, 53 and 54 shall apply to expenditure effected from 16 October 2020 as regards the EAGF, and as regards the EAFRD to expenditure effected under Regulation (EU) No.../... [CAP Strategic Plan Regulation] Others	<i>deleted</i>	2. However, Article 14 shall apply to expenditure effected from 16 October 2020 as regards the EAGF, and as regards the EAFRD to expenditure effected under Regulation (EU) No.../... [CAP Strategic Plan Regulation] Text Origin: Commission Proposal
Article 104(2), second subparagraph				
891	This Regulation shall be binding in	This Regulation shall be binding in		This Regulation shall be binding in

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	its entirety and directly applicable in all Member States.	its entirety and directly applicable in all Member States. Others		its entirety and directly applicable in all Member States. Text Origin: Commission Proposal
	Formula			
892	Done at Brussels,	Done at Brussels,		Done at Brussels, Text Origin: Commission Proposal
	Formula			
893	For the European Parliament	For the European Parliament		For the European Parliament Text Origin: Commission Proposal
	Formula			
894	The President	The President		The President Text Origin: Commission Proposal
	Formula			
895	For the Council	For the Council		For the Council Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Formula			
G896	The President	The President		The President Text Origin: Commission Proposal