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### **WORKING DOCUMENT**

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From: General Secretariat of the Council  
To: Delegations

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Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing rules on support for strategic plans to be drawn up by Member States under the Common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulation (EU) No 1305/2013 of the European Parliament and of the Council and Regulation (EU) No 1307/2013 of the European Parliament and of the Council  
*- Four-column document*

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Delegations will find in the [Annex](#) the four-column document regarding those articles of the abovementioned proposal on which work has been done under the Portuguese Presidency and reflecting the state of inter-institutional negotiations after the fourth trilogue, which took place on 22 January 2021.

	<b>Commission Proposal</b>	<b>EP Mandate</b>	<b>Council Mandate</b>	<b>Draft Agreement</b>	
TITLE II					
G	156	TITLE II OBJECTIVES AND INDICATORS	TITLE II OBJECTIVES AND INDICATORS	TITLE II OBJECTIVES AND INDICATORS	G
Article 5					
G	157	Article 5 General objectives	Article 5 General objectives	Article 5 General objectives	G
Article 5, first paragraph, introductory part					
Y	158	Support from the EAGF and EAFRD shall aim to further improve the sustainable development of farming, food and rural	<u><i>In conjunction with the objectives of the CAP set out in Article 39 TFEU,</i></u> support from the EAGF and EAFRD shall aim to further	<u><i>Based on the objectives of the CAP set out in Article 39 TFEU,</i></u> support from the EAGF and EAFRD shall aim to further improve the	Y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	areas and shall contribute to achieving the following general objectives:	improve the sustainable development of farming, food and rural areas and shall contribute to achieving the following general objectives <u>in the economic, environmental and social spheres</u> :		sustainable development of farming, food and rural areas and shall contribute to achieving the following general objectives: <u>in the economic, environmental and social spheres respectively, [while contributing to the implementation of the 2030 Agenda for Sustainable Development].</u>  Text Origin: Auxiliary
Article 5, first paragraph, point (a)				
159	(a) to foster a smart, resilient and diversified agricultural sector ensuring	(a) to foster a <del>smart</del> <u>modern, competitive</u> , resilient and diversified		(a) to foster a smart, <u>competitive</u> , resilient and diversified agricultural

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>food security;</p>	<p>agricultural sector ensuring <u>long term</u> food security <u>while safeguarding the family farm model;</u></p>		<p>sector ensuring <u>long term</u> food security;</p> <p>Reference to "family farm model" to be covered in recital 12:</p> <p>"The Union needs to foster a modern, competitive, resilient and diversified agricultural sector which ensures long term food security while safeguarding the family farm model</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: Auxiliary
Article 5, first paragraph, point (b)				
160	(b) to bolster environmental care and climate action and to contribute to the environmental- and climate-related objectives of the Union;	(b) to <del>bolster</del> <u>support and improve</u> environmental <del>care</del> <u>protection</u> , <u>biodiversity</u> and climate action and to <u>deliver on</u> <del>contribute to</del> the environmental- and climate-related objectives of the Union;		(b) to <del>bolster</del> <u>support and strengthen</u> environmental <del>care</del> <u>protection, including</u> <u>biodiversity</u> , and climate action and to contribute to the environmental- and climate-related objectives of the Union;  Text Origin: Auxiliary
Article 5, first paragraph, point (c)				
161	(c) to strengthen the socio-economic fabric of rural areas.	(c) to strengthen the socio-economic fabric of rural areas, <u>in order to</u>		(c) to strengthen the socio-economic fabric of rural areas.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>contribute to the creation and maintenance of employment, by guaranteeing a viable income for farmers, pursuing a fair standard of living for the entire agricultural population and tackling rural depopulation, with a particular focus on the less populated and the less developed regions, and balanced territorial development.</u></p>		Text Origin: Auxiliary
Article 5, second paragraph				
6	162	Those objectives shall be complemented by the cross-cutting objective of	Those objectives shall be complemented <del>by</del> <u>and interconnected with</u> the	Those objectives shall be complemented <del>by</del> <u>and interconnected with</u> the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	modernising the sector by fostering and sharing of knowledge, innovation and digitalisation in agriculture and rural areas, and encouraging their uptake.	cross-cutting objective of modernising the sector by <u>ensuring that farmers have access to research, training, fostering</u> and sharing of knowledge, <u>and knowledge transfer services,</u> innovation and digitalisation in agriculture and rural areas, and encouraging their uptake.		cross-cutting objective of modernising the sector by fostering and sharing of knowledge, innovation and digitalisation in agriculture and rural areas, and encouraging their uptake <u>by farmers, through improved access to research, innovation, knowledge exchange and training.</u>  Text Origin: Auxiliary
Article 6				
163	Article 6 Specific objectives	Article 6 Specific objectives		Article 6 Specific objectives
Article 6(1), introductory part				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
164	1. The achievement of the general objectives shall be pursued through the following specific objectives:	1. The achievement of the general objectives shall be pursued through the following specific objectives:	± The achievement of the general objectives shall be pursued through the following specific objectives:	
Article 6(1), point (a)				
165	(a) support viable farm income and resilience across the Union to enhance food security;	(a) <del>support</del> <u>ensure</u> viable farm income and resilience <u>of the agricultural sector</u> across the Union to enhance <u>long-term</u> food security <u>and agricultural diversity, while providing safe and high quality food at fair prices with the aim of reversing the decline in the number of farmers and ensuring the economic sustainability of</u>		(a) support viable farm income and resilience <u>of the agricultural sector</u> across the Union to enhance <u>long-term</u> food security <u>and agricultural diversity as well as ensuring the economic sustainability of agricultural production in the Union</u> ;



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>agricultural production in the Union;</u>		Text Origin: Auxiliary
Article 6(1), point (b)				
166	(b) enhance market orientation and increase competitiveness, including greater focus on research, technology and digitalisation;	(b) enhance market orientation, <u>in local, national, Union as well as international markets, as well as market stabilisation, risk and crisis management,</u> and increase <u>long term farm</u> competitiveness, <u>including processing and marketing capabilities of agricultural products, with</u> greater focus on <u>quality differentiation,</u> research, <u>innovation,</u> technology, <u>knowledge transfer and</u>		(b) enhance market orientation and increase <u>farm</u> competitiveness <u>both in the short and long term,</u> including greater focus on research, technology and digitalisation;  Text Origin: Auxiliary

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>exchange</u> and digitalisation, <u>and facilitating the access of farmers to circular economy dynamics</u> ;		
Article 6(1), point (c)				
167	(c) improve the farmers' position in the value chain;	(c) improve the farmers' <u>bargaining</u> position in the value <del>chain</del> <u>chains by encouraging associative forms, producer organisations and collective negotiations, as well as promoting short supply chains and improving market transparency</u> ;		(c) improve the farmers' position in the value chain;  Agreed recital:  "In order to support viable farm income and resilience of the agricultural sector across the Union to enhance long term food security,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<p>there is a need to improve the farmers' position in the value chain in particular by encouraging forms of cooperation that involve and benefit farmers, as well as by promoting short supply chains and improving market transparency”</p> <p>Text Origin: Commission Proposal</p>
Article 6(1), point (d)				
y	168	(d) contribute to climate change mitigation and	(d) contribute to climate change mitigation and	(d) contribute to climate change mitigation and

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	adaptation, as well as sustainable energy;	adaptation, <u>by reducing greenhouse gas emissions, including by enhancing carbon sinks, carbon sequestration and storage in the agriculture and food sector,</u> as well as <u>incorporating</u> sustainable energy, <u>while ensuring food security, and sustainable management and protection of forests, in line with the Paris Agreement;</u>		adaptation, <u>including by reducing greenhouse gas emissions and enhancing carbon sequestration,</u> as well as <u>promote</u> sustainable energy;
Article 6(1), point (e)				
169	(e) foster sustainable development and efficient management of natural resources such as water,	(e) foster sustainable development and efficient management of natural resources such as water,		(e) foster sustainable development and efficient management of natural resources such as water,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	soil and air;	soil and air, <u>while reducing chemical dependency with the aim of reaching the goals provided for in the relevant legislative instruments and rewarding farming practices and systems that deliver multiple environmental benefits including the halting of desertification</u> ;		soil and air, <u>including by reducing chemical dependency</u>
Article 6(1), point (f)				
170	(f) contribute to the protection of biodiversity, enhance ecosystem services and preserve habitats and landscapes;	(f) <u>enhance ecosystem services, and</u> contribute to <del>the protection of</del> <u>halting and reversing</u> biodiversity <u>loss, including by protecting beneficial flora, fauna and pollinator</u>		(f) contribute to <del>the protection of</del> <u>halting and reversing</u> biodiversity <u>loss</u> , enhance ecosystem services and preserve habitats <u>and pollinators</u> and landscapes;

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>species, by supporting agrobiodiversity, nature conservation and agroforestry, as well as contributing to greater natural resilience, restoring and preserving soils, water bodies,</u></p> <p><del>enhance ecosystem services and preserve</del> habitats and landscapes, <u>and supporting High Nature Value (HNV) farming systems;</u></p>		
Article 6(1), point(g)				
y	171	<p>(g) attract young farmers and facilitate business development in rural areas;</p>	<p>(g) attract <u>and support</u> young farmers, <u>new farmers, and promoting the participation of women in the agricultural sector,</u></p>	<p>(g) attract <b>and sustain</b> young farmers and facilitate business development in rural areas;</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>particularly in the most depopulated areas and areas with natural constrains; <del>and</del> facilitate training and experience across the Union, sustainable business development <u>and job creation</u> in rural areas;</u></p>		
Article 6(1), point(h)				
172	<p>(h) promote employment, growth, social inclusion and local development in rural areas, including bio-economy and sustainable forestry;</p>	<p>(h) promote <u>social and territorial cohesion in rural areas including through</u> employment <u>creation</u>, growth <u>and investment</u>, social inclusion, <u>combatting rural poverty and through <del>and</del></u> local development.</p>	<p>(h) promote employment, growth, <b>gender equality</b>, social inclusion and local development in rural areas, including bio-economy and sustainable forestry;</p>	<p>(h) promote employment, growth, <u>gender equality, including the participation of women in farming</u>, social inclusion and local development in rural areas, including <u>circular</u> bio-economy and sustainable forestry <u>to be checked in the light of</u></p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>including high quality local services for rural communities, focusing in particular on <del>in rural</del> areas with natural constraints; promoting decent living, working and economic conditions; diversification of activities and income,</u>  including <u>agri-tourism, sustainable bio-economy, circular economy, sustainable management and protection of forests, while ensuring gender equality; promoting equal opportunities in rural areas through specific support measures, and recognition of women's work in agriculture, crafts,</u></p>		<p><u>work done on social conditionality.</u></p> <p>Text Origin: Auxiliary</p>



	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>tourism and local services</u> <del>and sustainable forestry;</del>		

Article 6(1), point(i)				
173	(i) improve the response of EU agriculture to societal demands on food and health, including safe, nutritious and sustainable food, food waste, as well as animal welfare.	(i) improve the response of <del>EU</del> <u>Union</u> agriculture to societal demands on food and health, including safe, nutritious, <u>high quality</u> and sustainable food, <u>low input farming, organic agriculture, the reduction of</u> food waste, <u>combating antimicrobial resistance and improving animal health and welfare,</u> as well as <del>animal welfare</del> <u>increasing social awareness of the importance of farmers and rural areas, while contributing to the implementation of the</u>	(i) improve the response of EU agriculture to societal demands on food and health, including safe, <del>and</del> nutritious <del>and food</del> <b>produced in a</b> sustainable <del>food</del> way, food waste, as well as animal welfare.	(i) improve the response of <del>EU</del> <u>Union</u> agriculture to societal demands on food and health, including <u>high quality,</u> safe, <u>and</u> nutritious <del>and food produced in a</del> sustainable <del>food,</del> <u>way, the reduction of</u> food waste, as well as <u>improving</u> animal welfare <u>and combatting antimicrobial resistances.</u>  Text Origin: Auxiliary

		<u>2030 Agenda for Sustainable Development.</u>		
Article 6(2)				
174	2. When pursuing the specific objectives Member States shall ensure simplification and performance of the CAP support.	2. <del>When pursuing the</del> <u>With a view to achieving</u> specific objectives, Member States <u>and the Commission</u> shall ensure <u>the performance of CAP support and</u> simplification <del>and performance of the CAP support</del> <u>for final beneficiaries by reducing the administrative burden while ensuring non-discrimination among beneficiaries.</u>	deleted	2. When pursuing the specific objectives Member States, <u>with the support of the Commission,</u> shall <u>take appropriate measures to reduce the administrative burden and</u> ensure simplification <del>and performance</del> <u>in the implementation</u> of the CAP <del>support.</del>
Article 7				
175	Article 7	Article 7		Article 7

	Indicators	Indicators		Indicators
Article 7(1), first subparagraph, introductory part				
176	1. Achievement of the objectives referred to in Articles 5 and 6(1) shall be assessed on the basis of common indicators related to output, result and impact. The set of common indicators shall include:	1. Achievement of the objectives referred to in Articles 5 and 6(1) shall be assessed on the basis of common indicators related to output, result and impact <u>and shall be based on official sources of information</u> . The set of common indicators shall include:	1. Achievement of the objectives referred to in Articles 5 and <del>6(1)</del> 6 shall be assessed on the basis of common indicators related to output, result, <b>impact and context as set out in Annex I. These</b> <del>and</del> impact. The set of common indicators shall include:	1. Achievement of the objectives referred to in Articles 5 and <del>6(1)</del> 6 shall be assessed on the basis of common indicators related to output, result, <u>impact and context as set out in Annex I. These</u> <del>and</del> <u>impact</u> . <del>The set of</del> common indicators shall include:  Text Origin: Council Mandate
Article 7(1), first subparagraph, point(a)				
177	(a) output indicators relating to the realised	(a) output indicators relating to the realised	(a) output indicators <b>used for performance</b>	(a) output indicators <u>used for performance</u>

	output of the interventions supported;	output of the interventions supported;	<b>clearance</b> , relating to the realised output of the interventions supported;	<u><i>clearance</i></u> , relating to the realised output of the interventions supported;  Text Origin: Council Mandate
Article 7(1), first subparagraph, point(b)				
178	(b) result indicators relating to the specific objectives concerned and used for the establishment of quantified milestones and targets in relation to those specific objectives in the CAP Strategic Plans and assessing progress towards the targets. The indicators relating to environment- and climate-specific objectives may	(b) result indicators relating to the specific objectives concerned and used for the establishment of quantified milestones and targets in relation to those specific objectives in the CAP Strategic Plans and assessing progress towards the targets. The indicators relating to environment- and climate-specific objectives may	(b) result indicators relating to the specific objectives concerned, <b>and where relevant the cross-cutting objective of modernising the sector by fostering and sharing of knowledge, innovation and digitalisation in agriculture and rural areas and encouraging their uptake referred to in Article 5, and which are</b>	(b) result indicators relating to the specific objectives concerned, <u><i>and where relevant the cross-cutting objective of modernising the sector referred to in Article 5, and which are</i></u> <del>and</del> used for the establishment of quantified milestones and targets in relation to those specific <u><i>and cross-cutting</i></u> objectives in the CAP

	<p>cover interventions included in relevant national environmental and climate-planning instruments emanating from the Union legislation listed in Annex XI;</p>	<p>cover interventions <i>included in relevant national environmental and climate-planning instruments</i> <u>which contribute to the commitments</u> emanating from the Union legislation listed in Annex XI;</p>	<p><b>used for the establishment of quantified milestones and targets in relation to those specific and cross-cutting objectives in the CAP Strategic Plans and for assessing progress towards those targets and used for the establishment of quantified milestones and targets in relation to those specific objectives in the CAP Strategic Plans and assessing progress towards the targets. The indicators relating to environment and climate-specific objectives may cover interventions included in relevant national environmental and climate-planning instruments emanating</b></p>	<p>Strategic Plans and <u>for</u> assessing progress towards <i>the</i><u>those</u> targets. The indicators relating to environment- and climate-specific objectives may cover interventions <i>included in relevant national environmental and climate-planning instruments</i><u>which contribute to the commitments</u> emanating from the Union legislation listed in Annex XI.</p>
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			from the Union legislation listed in Annex XI;	
Article 7(1), first subparagraph, point(c)				
y	179	(c) impact indicators related to the objectives set out in Articles 5 and 6(1) and used in the context of the CAP Strategic Plans and of the CAP.	(c) impact indicators related to the objectives set out in Articles 5 and 6(1) and used in the context of the <u>Strategic Plans of CAP, taking into account external factors beyond CAP Strategic Plans and of</u> the CAP.	(c) impact indicators related to the objectives set out in Articles 5 and <del>6(1)</del> 6 and used in the context of the CAP Strategic Plans and of the CAP-;
Article 7(1), first subparagraph, point(ca)				
g	179a		(d) context indicators referred to in Article 103(2) and listed in Annex I.	<u>(ca) context indicators referred to in Article 103(2) and listed in Annex I.</u>

				Text Origin: Council Mandate		
Article 7(1), second subparagraph						
g	180	The common output, result and impact indicators are set out in Annex I.	The common output, result and impact indicators are set out in Annex I.	<i>deleted</i>	<i>deleted</i>	g
Article 7(1), subparagraph 2a						
y	180a		<u>Member States may break down the output indicators and result indicators laid down in Annex I into more detail in relation to particular national and regional features in their Strategic Plans.</u>			y
Article 7, second subparagraph, point (1b)						
y	180b			<b>1b. Result indicators</b>	<u>-a [For the purpose of</u>	y



			<p>used for performance review, referred to in point (b) of paragraph 1, shall include any applicable result indicator set out in Annex XII. In addition, Member States may choose to include, for the same purpose, any other relevant result indicators as set out in Annex I or any other CAP Strategic Plan specific result indicators, as determined by the Member State concerned.</p>	<p><u>performance review, Member States may choose to include, for the same purpose, any other relevant result indicators as set out in Annex I or any other CAP Strategic Plan specific result indicators, as determined by the Member State concerned.]</u></p> <p>Text Origin: Council Mandate</p>
Article 7(2)				
181	2. The Commission is empowered to adopt delegated acts in accordance with Article	2. The Commission <del>is empowered to adopt delegated acts in accordance with Article</del>	2. The Commission is empowered to adopt delegated acts in accordance with Article	2. The Commission is empowered to adopt delegated acts in accordance with Article

	138 amending Annex I to adapt the common output, result and impact indicators to take into account the experience with their application and, where needed, to add new indicators.	<del>138 amending Annex I to adapt the common</del> <u>shall carry out a full assessment on the effectiveness of the</u> output, result and impact indicators <del>to take into account the experience with their application and, where needed, to add new indicators</del> <u>laid down in Annex I by the end of the third year of application of the Strategic Plans.</u>	138 amending Annex I to adapt the common output, result, <b>impact and context</b> and impact indicators. <b>This empowerment shall be strictly limited to addressing technical problems raised by Member States regarding their application</b> <del>to take into account the experience with their application and, where needed, to add new indicators.</del>	138 amending Annex I to adapt the common output, result, <u>impact and context and impact</u> indicators. <u>This empowerment shall be strictly limited to addressing technical problems raised by Member States regarding their application</u> <del>to take into account the experience with their application and, where needed, to add new indicators.</del>  Text Origin: Council Mandate
Article 89				
925	Article 89 Variation of the unit	Article 89 Variation of the unit	Article 89 <del>Variation of the unit</del>	

	amount	amount	<del>amount</del> Planned unit amounts and planned outputs	
Article 89(1), first subparagraph, introductory part				
926	1. Without prejudice to the application of Article 15, Member States shall set a maximum amount of support per unit or a percentage of variation for each intervention of the following types of interventions:	1. Without prejudice to the application of Article 15, Member States shall set a maximum amount of support per unit or a percentage of variation for each intervention of the following types of interventions:	1. <del>Without prejudice to the application of Article 15,</del> <b>Member States shall set out one or more planned unit amounts for each intervention included in their CAP Strategic Plan. The planned unit amount may be uniform or average, as determined by Member States. 'Planned uniform unit</b> <del>shall set a maximum amount'</del> <b>is the value that is expected to be paid</b> <del>of support per unit or a percentage of variation for each intervention of the</del>	

			<p>following types of interventions: related output. 'Planned average unit amount' is the average value of the different unit amounts that are expected to be paid for the related outputs.</p>	
Article 89(1), second subparagraph				
926a			<p>For interventions covered by the integrated system referred to in Article 63(2) of Regulation [HzR], uniform unit amounts shall be set out, except where uniform unit amounts are not possible or appropriate, as determined by Member</p>	<p><u>For interventions covered by the integrated system referred to in Article 63(2) of Regulation [HzR], uniform unit amounts shall be set out, except where uniform unit amounts are not possible or appropriate, [as determined by Member States,] in view of the</u></p>

			States, in view of the design and scope of the intervention. In such case, average unit amounts shall be set out.	<p><i><u>design and scope of the intervention. In such case, average unit amounts shall be set out.</u></i></p> <p>Text Origin: Council Mandate</p>
Article 89(1a), first subparagraph				
926b			1a. For types of interventions in the form of direct payments, Member States may set maximum or minimum planned unit amounts or both for each unit amount planned for each intervention	<p><i><u>For types of interventions in the form of direct payments, Member States may set maximum or minimum planned unit amounts or both for each unit amount planned for each intervention</u></i></p> <p>Text Origin: Council Mandate</p>

Article 89(1), first subparagraph, point(a)				
927	(a) decoupled direct payments and coupled income support referred to in Chapter II of Title III;	(a) decoupled direct payments and coupled income support referred to in Chapter II of Title III;	<i>deleted</i>	
Article 89(1), first subparagraph, point(b)				
928	(b) payments for management commitments referred to in Article 65;	(b) payments for management commitments referred to in Article 65;	<i>deleted</i>	
Article 89(1), first subparagraph, point(c)				
929	(c) payments for natural constraints or other area-specific disadvantages referred to in Articles 66 and 67.	(c) payments for natural constraints or other area-specific disadvantages referred to in Articles 66 and 67.	<i>deleted</i>	

Article 89(1a), second subparagraph

<p>y 930</p>	<p>Percentage of variation is the percentage by which the realised average or uniform unit amount may exceed the planned average or uniform unit amount referred to in the CAP Strategic Plan.</p>	<p>Percentage of variation is the percentage by which the realised average or uniform <u>indicative</u> unit amount may exceed the planned average or uniform <u>indicative</u> unit amount referred to in the CAP Strategic Plan.</p>	<p><del>Percentage of variation is the percentage by which the realised average or uniform</del> <b>The 'minimum planned unit amount' and 'maximum planned unit amount may exceed the planned average or uniform unit amount referred to in the CAP Strategic Plan' are the minimum and maximum unit amounts that are expected to be paid for the related outputs.</b></p>	<p>y</p>
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Article 89(1a), third subparagraph					
y	930a			<p><b>When setting the maximum or minimum planned unit amounts or both, Member States may justify these values with the necessary flexibility for reallocation to avoid unused funds.</b></p>	y
Article 89(1a), fourth subparagraph					
g	930b			<p>The realised unit amount referred to in point (c) of Article 121(4a) may only be lower than the planned unit amount or the minimum planned unit amount, where such amount is set out, to</p>	g
				<p><u><i>The realised unit amount referred to in point (c) of Article 121(4a) may only be lower than the planned unit amount or the minimum planned unit amount, where such amount is set out, to</i></u></p>	



			<p>prevent an excess of the financial allocations for types of interventions in the form of direct payments referred to in Article 81(1).</p>	<p><u><i>prevent an excess of the financial allocations for types of interventions in the form of direct payments referred to in Article 81(1).</i></u></p> <p>Text Origin: Council Mandate</p>
Article 89(1), third subparagraph				
931	<p>For each intervention in the form of direct payments, the realised average or uniform unit amount shall never be lower than the planned unit amount, unless the realised output exceeds the planned output as established in the CAP Strategic Plan.</p>	<p>For each intervention in the form of direct payments, the realised average or uniform <u><i>indicative</i></u> unit amount shall never be lower than the planned <u><i>indicative</i></u> unit amount, unless the realised output exceeds the planned output as established in the CAP</p>	<p><i>deleted</i></p>	

		Strategic Plan.		
<i>Article 89(1), fourth subparagraph</i>				
932	Where different unit amounts have been defined within an intervention, this subparagraph shall apply to each uniform or average unit amount of that intervention.	Where different <u>indicative</u> unit amounts have been defined within an intervention, this subparagraph shall apply to each uniform or average <u>indicative</u> unit amount of that intervention.	<i>deleted</i>	
<i>Article 89(2), first subparagraph</i>				
933	2. For the purposes of this Article, the realised average or uniform unit amount is calculated by dividing the annual expenditure paid by the corresponding realised output for each	2. For the purposes of this Article, the realised average or uniform unit amount is calculated by dividing the annual expenditure paid by the corresponding realised output for each intervention.	2. <b>For types of interventions for rural development, when using planned average unit amounts, Member States may set a maximum planned average unit amount</b> For the purposes of	

	intervention.		<del>this Article, the realised average or uniform unit amount is calculated by dividing the annual expenditure paid by the corresponding realised output for each intervention.</del>	
Article 89(2), second subparagraph				
y	933a		<b>The 'maximum planned average unit amount' is the maximum amount that is expected to be paid on average for the related outputs.</b>	y
Article 89(3)				
y	933b		<b>3. Where different unit amounts are established for an intervention,</b>	y

			paragraphs 1a and 2 shall apply to each relevant unit amount of that intervention.	
Article 89(2a)				
y	933c		<u>2a. Member States may reallocate amounts within types of interventions.</u>	y
Article 89(4)				
y	933d		4. Member States shall set out the annual planned outputs for each intervention quantified for each planned uniform or average unit amount. Within an intervention, the annual planned outputs may be provided at an aggregated level for	y

			all unit amounts or for group of unit amounts.	
Article 121				
1229	Article 121 Annual performance reports	Article 121 <del>Annual</del> Performance reports		Article 121 Annual performance reports  Text Origin: Commission Proposal
Article 121(1)				
1230	1. By 15 February 2023 and 15 February of each subsequent year until and including 2030, the Member States shall submit to the Commission an annual performance report on the implementation of	1. <del>By 15 February 2023 and 15 February of each subsequent year until and including 2030, the</del> Member States shall submit to the Commission <del>an</del> <del>annual</del> performance <del>report</del> reports on the	1. <del>By 15 February 2023 and 15 February of each subsequent year until and including 2030, the</del> Member States shall submit to the Commission <del>Member</del> States shall, in accordance with Article 8(3) and (4)	1. <del>By 15 February 2023 and 15 February of each subsequent year until and including 2030, the</del> <del>Member States shall submit to the Commission</del> <del>Member</del> States shall, in accordance with <u>[Article 8(3) and (4)]</u>

	<p>the CAP Strategic Plan in the previous financial year. The report submitted in 2023 shall cover the financial years 2021 and 2022. For direct payments as referred to in Chapter II of Title III, the report shall cover only financial year 2022.</p>	<p>implementation of the CAP Strategic Plan in <del>the previous financial year.</del> <del>The report submitted in 2023 shall cover the financial years 2021 and 2022.</del> <del>For direct payments as referred to in Chapter II of Title III, the report shall cover only financial year 2022.</del> <u>accordance with Article 8 of Regulation (EU) .../... [HzR].</u></p>	<p><b>of Regulation (EU) [HzR], provide</b> an annual performance report on the implementation of the CAP Strategic Plan in the previous financial year. The report submitted in 2023 shall cover the financial years 2021 and 2022. For direct payments as referred to in Chapter II of Title III, the report shall cover only financial year 2022.</p>	<p><u>of Regulation (EU) [HzR]), provide</u> an annual performance report on the implementation of the CAP Strategic Plan in the previous financial year. <del>The report submitted in 2023 shall cover the financial years 2021 and 2022.</del> <del>For direct payments as referred to in Chapter II of Title III, the report shall cover only financial year 2022.</del></p> <p>Text Origin: Council Mandate</p>
Article 121(2)				
y 1231	<p>2. The last annual performance report, to be submitted by 15 February</p>	<p>2. The last <del>annual</del> performance report, to be submitted <del>by 15 February</del></p>	<p><del>2.</del> The last annual performance report, to be <b>provided in accordance</b></p>	<p><del>2.</del> The last annual performance report, to be <u>provided in accordance</u></p>

	2030, shall comprise a summary of the evaluations carried out during the implementation period.	<del>2030,</del> shall comprise a summary of the evaluations carried out during the implementation period.	<b>with Article 8(3) and (4) of Regulation (EU) HzR</b> submitted by 15 February 2030, shall comprise a summary of the evaluations carried out during the implementation period.	<u><i>with [Article 8(3) and (4) of Regulation (EU) HzR]</i></u> <del><i>submitted by 15 February 2030,</i></del> shall comprise a summary of the evaluations carried out during the implementation period.  Text Origin: Council Mandate
Article 121(3)				
1232	3. In order to be admissible, the annual performance report shall contain all the information required in paragraphs 4, 5 and 6. The Commission shall inform the Member State within 15 working days of the date of receipt	3. In order to be admissible, the <del>annual</del> performance report shall contain all the information required in paragraphs 4, 5 and 6. The Commission shall inform the Member State within 15 working days of the date of receipt	3. In order to be admissible, the annual performance report shall contain all the information required in paragraphs 4, <b>4a</b> , 5 and 6, <b>and, when relevant, 4b</b> . The Commission shall inform the Member State	3. In order to be admissible, the annual performance report shall contain all the information required in paragraphs 4, <u><i>4a</i></u> , 5 and 6, <u><i>and, when relevant, 4b</i></u> . The Commission shall inform the Member State

	of the annual performance report if it is not admissible, failing which it shall be deemed admissible.	of the <del>annual</del> performance report if it is not admissible, failing which it shall be deemed admissible.	<b>concerned</b> within 15 working days <del>of the date of receipt from the</del> <b>submission</b> of the annual performance report if it is not admissible <b>for the performance review and monitoring purposes</b> , failing which it shall be deemed admissible.	<u>concerned</u> within 15 working days <del>of the date of receipt from the</del> <u>from the submission</u> of the annual performance report if it is not admissible, failing which it shall be deemed admissible.  Text Origin: Council Mandate
Article 121(4), first subparagraph				
1233	4. Annual performance reports shall set out key qualitative and quantitative information the implementation of the CAP Strategic Plan by reference to financial data, output and result indicators and in accordance with the second	4. <del>Annual</del> Performance reports shall set out key qualitative and quantitative information <u>regarding</u> the implementation of the CAP Strategic Plan by reference to financial data, output and result indicators and in accordance with the second	4. Annual performance reports shall set out key qualitative and quantitative information <b>on</b> the implementation of the CAP Strategic Plan by reference to financial data, output and result indicators <del>and in accordance with the second</del>	



	paragraph of Article 118. They shall also include information about realised outputs, realised expenditure, realised results and distance to respective targets.	paragraph of Article 118. They shall also include information about realised outputs, realised expenditure, realised results and distance to respective targets.	<del>paragraph of Article 118. They shall also include information about realised outputs, realised expenditure, realised results and distance to respective targets.</del>	
Article 121(4a), first subparagraph				
g	1233a		4a. The quantitative information referred to in paragraph 4 shall include :	<u>4. The quantitative information referred to in paragraph 4 shall include :</u>  Text Origin: Council Mandate
Article 121(4a), first subparagraph				
y	1233b		(a) the realised outputs;	y
Article 121(4a), first subparagraph				

<p>1233c</p>			<p>(b) the expenditure declared in the annual accounts and relevant to the outputs referred to in point (a), before application of any penalties or other reductions, and for the EAFRD, taking into account reallocation of cancelled or recovered funds pursuant to Article 55 of Regulation [HzR];</p>	<p><u>(b) the expenditure declared in the annual accounts and relevant to the outputs referred to in point (a), before application of any penalties or other reductions, and for the EAFRD, taking into account reallocation of cancelled or recovered funds pursuant to Article 55 of Regulation [HzR];</u></p> <p>Text Origin: Council Mandate</p>
<p>Article 121(4a), first subparagraph</p>				
<p>1233d</p>			<p>(c) the ratio between expenditure referred in point (b) and relevant</p>	<p><u>(c) the ratio between expenditure referred in point (b) and relevant</u></p>

			outputs referred to in point (a) ('realised unit amount');	<u>outputs referred to in point (a) ('realised unit amount');</u>  Text Origin: Council Mandate
Article 121(4a), first subparagraph				
1233e			(d) results and distance to corresponding milestones set in accordance with point (a) of Article 97(1).	<u>d results and distance to corresponding milestones set in accordance with point (a) of Article 97(1).</u>  Text Origin: Council Mandate
Article 121(4a), second subparagraph				
1233f			The information referred to in point (c) shall be broken down per	<u>The information referred to in point (c) shall be broken down per unit</u>

			<p>unit amount as set out in the CAP Strategic Plan in accordance with point (g) of Article 99.</p>	<p><u><i>amount as set out in the CAP Strategic Plan in accordance with point (g) of Article 99.</i></u></p> <p>Text Origin: Council Mandate</p>
Article 121(4b), first subparagraph				
y	1233g		<p><b>4b. For an intervention not covered by the integrated system referred to in Article 63(2) of Regulation [HzR], Member States may, in addition to the information provided under paragraph 4a, decide to provide in each annual performance report:</b></p>	y

Article 121(4b), first subparagraph					
y	1233h			<b>(a) the ratio between the total public funds committed for operations for which payments have been made in the previous financial year and the realised outputs,</b>	y
Article 121(4b), first subparagraph					
y	1233i			<b>(b) the related number of outputs and expenditure.</b>	y
Article 121(4b), second subparagraph					
y	1233j			<b>This information shall be used by the Commission for the purposes of Articles 38</b>	y

			and 52 of Regulation [HzR] for each of the years when the related operations are paid.	
Article 121(4), second subparagraph				
1234	For the types of interventions which are not subject to Article 89 of this Regulation, and where the realised output and the realised expenditure ratio deviates by 50% from the annual planned output and expenditure ratio, the Member State shall submit a justification for this deviation.	<i>For the types of interventions which are not subject to Article 89 of this Regulation, and where the realised output and the realised expenditure ratio deviates by 50% from the annual planned output and expenditure ratio, the Member State shall submit a justification for this deviation.</i>	deleted	deleted
Article 121(5)				
1235	5. The data transmitted	5. The data transmitted	5. The data transmitted	5. The <i>data transmitted</i>

	<p>shall relate to achieved values for indicators for partial and fully implemented interventions. They shall also set out a synthesis of the state of implementation of the CAP Strategic Plan realised during the previous financial year, any issues which affect the performance of the CAP Strategic Plan, in particular as regards deviations from milestones, giving reasons and, where relevant, describing the measures taken.</p>	<p>shall relate to achieved values for indicators for partial and fully implemented interventions. They shall also set out a synthesis of the state of implementation of the CAP Strategic Plan realised <i>during the previous financial year</i>, any issues which affect the performance of the CAP Strategic Plan, in particular as regards deviations from milestones, giving reasons and, where relevant, describing the measures taken.</p>	<p><del>shall relate to achieved values for indicators for partial and fully implemented interventions. They shall also set out a synthesis of the state of implementation of the CAP Strategic Plan realised during the previous financial year, any issues which affect the performance of the CAP Strategic Plan, in particular as regards deviations from milestones, giving reasons and, where relevant, describing the measures taken.</del> <b>qualitative information referred to in paragraph 4 shall include:</b></p>	<p><del><i>shall relate to achieved values for indicators for partial and fully implemented interventions. They shall also set out a synthesis of the state of implementation of the CAP Strategic Plan realised during the previous financial year, any issues which affect the performance of the CAP Strategic Plan, in particular as regards deviations from milestones, giving reasons and, where relevant, describing the measures taken.</i></del> <u><i>qualitative information referred to in paragraph 4 shall include:</i></u></p> <p><small>Text Origin: Council</small></p>
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				Mandate
Article 121(5), point (a)				
1235a			(a) a synthesis of the state of implementation of the CAP Strategic Plan in respect of the previous financial year;	<p><u>(a) a synthesis of the state of implementation of the CAP Strategic Plan in respect of the previous financial year;</u></p> <p>Text Origin: Council Mandate</p>
Article 121(5), point (b)				
1235b			(b) any issues which affect the performance of the CAP Strategic Plan, in particular as regards deviations from milestones, where appropriate, giving reasons and, where	<p><u>(b) any issues which affect the performance of the CAP Strategic Plan, in particular as regards deviations from milestones, where appropriate, giving reasons and, where</u></p>



			relevant, describing the measures taken.	<u><i>relevant, describing the measures taken.</i></u>  Text Origin: Council Mandate
Article 121(5a), introductory part				
y	1235c		<b>5a. For the purposes of Article 52(2) of Regulation [HzR], Member States may decide to also include under the qualitative information referred to in paragraph 4:</b>	y
Article 121(5a), point (a)				
y	1235d		<b>(a) justification of any excess of the realised unit amount compared to the</b>	y

			<p><b>corresponding planned unit amount or, where applicable, the maximum planned unit amount referred to in Article 89 of this Regulation; or</b></p>	
<p>Article 121(5a), point (b)</p>				
<p>1235e</p>			<p><b>(b) where a Member State decides to make use of the possibility provided in paragraph 4b, justification of any excess of the realised unit amount compared to the ratio between the total public funds committed for operations for which payments have been made in the previous financial year and the related realised output, as</b></p>	

			referred to in point (a) of paragraph 4b.	
Article 121(5b)				
y	1235f		<p><b>5b. Justification shall be included for the purpose of Article 38(2) of Regulation [HzR] where the excess referred to in point (a) of paragraph 5a is higher than 50%.</b></p> <p><b>Alternatively, where a Member State decides to make use of the possibility provided in paragraph 4b, justification shall be included only where the excess referred to in point (b) of paragraph 5a is higher than 50%.</b></p>	y

Article 121(6), introductory part				
1236	6. For financial instruments, in addition to the data to be provided under paragraph 4 information shall be provided on:	6. For financial instruments, in addition to the data to be provided under paragraph 4 information shall be provided on:		6. For financial instruments, in addition to the data to be provided under paragraph 4 information shall be provided on:  Text Origin: EP Mandate
Article 121(6), point (a)				
1237	(a) the eligible expenditure by type of financial product;	(a) the eligible expenditure by type of financial product;		(a) the eligible expenditure by type of financial product;  Text Origin: EP Mandate

Article 121(6), point (b)

1238	(b) the amount of management costs and fees declared as eligible expenditure;	(b) the amount of management costs and fees declared as eligible expenditure;		(b) the amount of management costs and fees declared as eligible expenditure;  <small>Text Origin: EP Mandate</small>
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Article 121(6), point (c)

1239	(c) the amount, by type of financial product, of private and public resources mobilised in addition to the EAFRD;	(c) the amount, by type of financial product, of private and public resources mobilised in addition to the EAFRD;		(c) the amount, by type of financial product, of private and public resources mobilised in addition to the EAFRD;  <small>Text Origin: EP Mandate</small>
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Article 121(6), point(d)				
1240	(d) interest and other gains generated by support from the EAFRD contribution to financial instruments as referred to in Article 54 of Regulation (EU) [CPR] and resources returned attributable to support from the EAFRD as referred to in Article 56 of that Regulation.	(d) interest and other gains generated by support from the EAFRD contribution to financial instruments as referred to in Article 54 of Regulation (EU) [CPR] and resources returned attributable to support from the EAFRD as referred to in Article 56 of that Regulation.	(d) interest and other gains generated by support from the EAFRD contribution to financial instruments as referred to in Article 54 of Regulation (EU) [CPR] and resources returned attributable to support from the EAFRD as referred to in <del>Article 56</del> <b>Article 56</b> of that Regulation-;	(d) interest and other gains generated by support from the EAFRD contribution to financial instruments as referred to in Article 54 of Regulation (EU) [CPR] and resources returned attributable to support from the EAFRD as referred to in Article 56 of that Regulation.  Text Origin: EP Mandate
Article 121(6), point (e)				
1240a			(e) total value of loans, equity or quasi-equity	<u>(da) total value of loans, equity or quasi-equity</u>

			<p>investments in final recipients which were guaranteed with CAP Strategic Plan resources and which were actually disbursed to final recipients.</p>	<p><u><i>investments in final recipients which were guaranteed with CAP Strategic Plan resources and which were actually disbursed to final recipients.</i></u></p> <p>Text Origin: Council Mandate</p>
Article 121(6), second subparagraph				
y	1240b		<p><b>Where Member States decide to apply paragraph 4b for financial instruments, the ratio between the total public funds committed and the realised outputs shall relate to the support committed to final</b></p>	y

			recipients by the financial instruments in the financial year concerned.	
Article 121(7)				
1241	7. The Commission shall carry out an annual performance review and an annual performance clearance referred to in Article [52] of the Regulation (EU) [HzR] based on the information provided in the annual Performance reports.	7. <del>The Commission shall carry out an annual performance review and an annual performance clearance referred to in Article [52] of the Regulation (EU) [HzR] based on the information provided in the annual Performance reports.</del>	deleted	deleted
Article 121(8), first subparagraph				
1242	8. In the annual performance review, the Commission may make observations on the annual	8. <del>In the annual performance review, the Commission may make observations</del> <u>The</u>	deleted	deleted



	<p>performance reports within one month from their submission. Where the Commission does not provide observations within that deadline, the reports shall be deemed to be accepted.</p>	<p><u>Commission shall carry out a performance review based on the <del>annual</del> information provided in the performance reports and, may make observations within a maximum of one month from their complete submission. Where the Commission does not provide observations within that deadline, the reports shall be deemed to be accepted.</u></p>		
<i>Article 121(8), second subparagraph</i>				
1243	<p>Article 108 on calculation of time limits for Commission actions shall apply mutatis mutandis.</p>	<p>Article 108 on calculation of time limits for Commission actions shall apply mutatis mutandis.</p>	<i>deleted</i>	<i>deleted</i>

Article 121(9)

<p>1244</p>	<p>9. Where the reported value of one or more result indicators reveals a gap of more than 25% from the respective milestone for the reporting year concerned, the Commission may ask the Member State to submit an action plan in accordance with Article 39(1) of Regulation (EU) [HzR], describing the intended remedial actions and the expected timeframe.</p>	<p>9. Where the reported value of one or more result indicators reveals a gap of more than 25% from the respective milestone for the reporting year concerned, <u>Member States shall submit justification for that gap. Where necessary,</u> the Commission may ask the Member State to submit an action plan <u>to be established in consultation with the Commission</u> in accordance with Article 39(1) of Regulation (EU) <u>.../...</u> [HzR], describing the intended remedial actions and the expected timeframe</p>	<p><i>deleted</i></p>	<p><i>deleted</i></p>
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		<u>for its execution.</u>		
Article 121(10)				
1245	10. The annual performance reports, as well as a summary for citizens of their content, shall be made available to the public.	10. <u>A summary of the content of the</u> <del>The annual</del> performance reports <u>shall be produced,</u> as well as a summary for citizens <u>, and of their content,</u> shall be made available to the public.		10. The annual performance reports, as well as a summary for citizens of their content, shall be made available to the public.  Text Origin: Commission Proposal
Article 121(10a)				
1245a			10a. Without prejudice to the annual clearance procedures provided for in Regulation (EU) [HzR], the Commission may make observations on the	<u>10a. Without prejudice to the annual clearance procedures provided for in Regulation (EU) [HzR], the Commission may make observations on the</u>

			<p>admissible annual performance reports within one month from their submission. Where the Commission does not provide observations within that deadline, the reports shall be deemed to be accepted. Article 108 on calculation of time limits for Commission actions shall apply mutatis mutandis.</p>	<p><u>admissible annual performance reports within one month from their submission. Where the Commission does not provide observations within that deadline, the reports shall be deemed to be accepted. Article 108 on calculation of time limits for Commission actions shall apply mutatis mutandis.</u></p> <p>Text Origin: Council Mandate</p>
Article 121(11)				
1246	11. The Commission shall adopt implementing acts laying down rules for the	11. The Commission shall adopt implementing acts laying down rules for the		11. The Commission shall adopt implementing acts laying down rules for the

	presentation of the content of the annual performance report. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 139(2).	presentation of the content of the <del>annual</del> performance report. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 139(2).		presentation of the content of the annual performance report. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 139(2).  Text Origin: Commission Proposal
Article 121a				
y	1246a		<b>Article 121a</b> <b>Biennial performance review</b>	y
Article 121a(1)				
y	1246b		<b>1. The Commission shall carry out a biennial</b>	y

			<p><b>performance review based on the information provided in the annual performance reports.</b></p>	
<p>Article 121a(2)</p>				
<p>1246c</p>			<p><b>2. Where the reported value of one or more result indicators that are part of the performance review as set in point (da) of Article 99 reveals a shortfall of more than 45% from the respective milestone for financial year 2025 and 35% for financial year 2027, Member States shall submit justification for this deviation. Following the assessment of the justifications submitted,</b></p>	

			where necessary, the Commission may ask the Member State concerned to submit an action plan in accordance with Article 39(1) of Regulation (EU) [HzR], describing the intended remedial actions and the expected timeframe.	
Article 122				
1247	Article 122 Annual review meetings	Article 122 Annual review meetings		
Article 122(1)				
1248	1. Member States shall organise each year an annual review meeting with the Commission, to be	1. Member States shall organise each year <del>an</del> <u>annual</u> review meeting with the Commission, to be	1. <del>Member States shall organise</del> Each year, <del>a an</del> <u>annual</u> review meeting <del>with</del> <b>shall be organised</b>	1. Member States shall organise each year <del>an</del> <u>annual</u> review meeting with the Commission, to be

	chaired jointly or by the Commission, which will take place not earlier than two months after the submission of the annual performance report.	chaired jointly or by the Commission, which will take place not earlier than two months after the submission of the <del>annual</del> performance report.	<b>between</b> the Commission <b>and each Member State</b> , to be chaired jointly or by the Commission, <del>which will</del> <b>and to</b> take place not earlier than two months after the submission of the annual performance report.	chaired jointly or by the Commission, <del>which will</del> <b>and to</b> take place not earlier than two months after the submission of the annual performance report.
Article 122(2)				
1249	2. The annual review meeting shall aim at examining the performance of each plan, including progress made towards achieving established targets, any issues affecting performance and past or future actions to be taken to address them.	2. The <del>annual</del> review meeting shall aim at examining the performance of each plan, including progress made towards achieving established targets, any issues affecting performance and past or future actions to be taken to address them. <u>Those meetings shall be used to examine the impact, where</u>	2. The annual review meeting shall aim at examining the performance of <del>each</del> <b>the CAP Strategic Plan</b> , including progress made towards achieving established targets, any issues affecting performance and past or future actions to be taken to address them.	



		<u><i>feasible.</i></u>		
Article 128				
1293	Article 128 Reporting based on a core set of indicators	Article 128 Reporting based on a core set of indicators		Article 128 Reporting based on a core set of indicators
Article 128, first paragraph				
1294	In compliance with its reporting requirement pursuant to Article [38(3)(e)(i)] of the [New Financial Regulation], the Commission shall present to the European Parliament and the Council the performance information referred to in that Article measured by the core set of	In compliance with its reporting requirement pursuant to Article [38(3)(e)(i)] of the [New Financial Regulation], the Commission shall present to the European Parliament and the Council the performance information referred to in that Article measured by the core set of	In compliance with <del>its</del> <b>the</b> reporting requirement pursuant to Article <del>[38(3)(e)(i)] of the [New Financial Regulation]</del> <b>41(3)(h)(iii) of Regulation (EU, Euratom) 2018/1046</b> , the Commission shall present to the European Parliament and the Council the performance	

	indicators set out in Annex XII.	indicators set out in Annex XII.	information referred to in that Article measured by the core set of indicators set out in Annex XII <b>of this Regulation.</b>	
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