



Council of the
European Union

Brussels, 18 June 2020
(OR. en)

8732/2/20
REV 2

LIMITE

AGRI 172
AGRIFIN 42
AGRIORG 40
AGRISTR 41
CODEC 487

Interinstitutional File:
2019/0254(COD)

NOTE

From:	Presidency
To:	Special Committee on Agriculture
No. prev. doc.:	8236/20 + REV1
No. Cion doc.:	13643/19 + ADD1
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down certain transitional provisions for the support by the European Agricultural Fund for Rural Development (EAFRD) and by the European Agricultural Guarantee Fund (EAGF) in the year 2021 and amending Regulations (EU) No 228/2013, (EU) No 229/2013 and (EU) No 1308/2013 as regards resources and their distribution in respect of the year 2021 and amending Regulations (EU) No 1305/2013, (EU) No 1306/2013 and (EU) No 1307/2013 as regards their resources and application in the year 2021 <i>- Preparation for the third trilogue</i>

I. INTRODUCTION

1. On 31 October 2019, the European Commission submitted to the Council and the European Parliament the abovementioned proposal, based on Articles 43(2) and 349 of the Treaty on the Functioning of the European Union (hereinafter "the Transitional Regulation").

2. The overall aim of this proposal is to ensure continuity of the Common Agricultural Policy (CAP) support to farmers and other beneficiaries in 2021, since it is clear from the current state of play of the CAP reform and the Multiannual Financial Framework (2021-2027) (MFF) negotiations that the new CAP Strategic Plans will not be able to apply from 1 January 2021. To that end, the proposal extends the applicability of the existing legal framework to the year 2021. At the same time, the proposal aims to ensure a smooth transition from the current to the next CAP period. As a result, the Transitional Regulation amends the four CAP basic regulations (1305/2013, 1306/2013, 1307/2013 and 1308/2013), as well as Regulations 228/2013 (specific measures for outermost regions) and 229/2013 (specific measures for the smaller Aegean islands).

II. STATE OF PLAY

3. Discussions within the Council were launched in November 2019. On 6 April 2020, the Special Committee on Agriculture (SCA) gave the Presidency a mandate to start negotiations with the European Parliament. In the mandate, all reference amounts are between square brackets and pending the conclusion of negotiations regarding the Multiannual Financial Framework (2021-2027).
4. The European Parliament's Committee on Agriculture and Rural Development (AGRI) adopted the report of rapporteur Elsi Katainen (RE, FI) on 28 April 2020. The EP Plenary approved the report and adopted its first reading negotiating mandate on 15 May 2020.
5. The first informal trilogue took place on 20 May 2020. On 28 May 2020 the Presidency briefed the SCA on this trilogue and some delegations also expressed their preliminary views on EP amendments¹. In preparation for the second trilogue, delegations gave guidance to the Presidency at the SCA meeting on 15 June 2020². The second trilogue was held on 16 June 2020.

¹ 8236/20.

² 8664/20, 8732/20 REV1.

6. The Presidency has prepared a revised compromise text which is set out in the Annex. The Presidency has aimed at addressing in a balanced way the issues raised by delegations, in particular at the SCA meetings on 28 May and 15 June 2020 and in written comments submitted by some delegations. In its revised compromise text, the Presidency suggests to proceed with the two year transitional period (an approach that is shared by the European Parliament), although relevant technical adjustments to the text have still to be carried out. The Presidency has tried to take into account delegations' positions as much as possible and is of the view that the revised compromise text could be acceptable for delegations.

III. CONCLUSION

7. The Special Committee on Agriculture is invited to agree on the Presidency suggested compromise text set out in the Annex and to give to the Presidency a revised mandate for the third trilogue on 30 June 2020.
8. Unless the Special Committee on Agriculture objects, current document (8732/20 REV 2) will be made public by the General Secretariat of the Council after the third trilogue.
-

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Formula				
1	2019/0254 (COD)		2019/0254 (COD)	
Proposal Title				
2	<p>Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down certain transitional provisions for the support by the European Agricultural Fund for Rural Development (EAFRD) and by the European Agricultural Guarantee Fund (EAGF) in the year 2021 and amending Regulations (EU) No 228/2013, (EU) No 229/2013 and (EU) No 1308/2013 as regards resources and their distribution in respect of the year 2021 and amending Regulations (EU) No 1305/2013, (EU) No 1306/2013 and (EU) No 1307/2013 as regards their resources and application in the year 2021</p>			<p>Council mandate: footnote on the title: "This text is still subject to legal and technical examination."</p>
Formula				

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,			
Citation 1				
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) and Article 349 thereof,			
Citation 2				
5	Having regard to the proposal from the European Commission,			
Citation 3				
6	After transmission of the draft legislative act to the national parliaments,			
Citation 4				
7	Having regard to the opinion of the European Economic and Social Committee ¹ , ¹ . OJ C , , p. .			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Citation 5				
8	Having regard to the opinion of the Committee of the Regions ¹ , <u>1. OJ C</u> , , p. .			The CoR has decided not to provide an opinion.
Citation 6				
9	Having regard to the opinion of the Court of Auditors,			The ECA adopted its opinion in March 2020.
Citation 7				
10	Acting in accordance with the ordinary legislative procedure,			
Formula				
11	Whereas:			Council mandate: footnote: "All recitals will be revised in due course to make them consistent with the articles."
Recital 1				
12	(1) The Commission's legislative proposals ¹ on the common			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	<p>agricultural policy (CAP) beyond 2020 aimed to make the CAP more responsive to current and future challenges such as climate change or generational renewal, while continuing to support farmers in the Union for a sustainable and competitive agricultural sector. Those proposals are closely linked to the multiannual financial framework (MFF) of the Union for the years 2021 to 2027.</p> <p>1. 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, COM(2018)392 final - 2018/0216 (COD); 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, COM(2018)393 final - 2018/0217 (COD); Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) No 1308/2013 establishing a common organisation of the</p>			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	markets in agricultural products, (EU) No 1151/2012 on quality schemes for agricultural products and foodstuffs, (EU) No 251/2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products, (EU) No 228/2013 laying down specific measures for agriculture in the outermost regions of the Union and (EU) No 229/2013 laying down specific measures for agriculture in favour of the smaller Aegean islands, COM(2018)394 final/2.			
Recital 2				
13	(2) The Commission proposed to link the CAP to the delivery of performance ('delivery model'). Under the new legal framework, the Union is to set the basic policy parameters, such as objectives of the CAP and basic requirements, while Member States are to bear greater responsibility as to how they meet the objectives and achieve targets. Accordingly, Member States are to draw up CAP Strategic Plans, which are to be approved by the Commission and implemented by Member States.	(2) AM 1 The Commission proposed to link the CAP to the delivery of performance ('delivery model'). Under the new legal framework, the Union is to set the basic policy parameters, such as objectives of the CAP and basic requirements, while . A strong Union framework is essential to ensuring that the CAP remains a common policy and to ensure a level playing field. Member States are also to have a to bear greater responsibility as to regards how they meet the objectives and achieve targets. Accordingly, Member States are to draw up CAP Strategic Plans, based on an ex-ante analysis and		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>an assessment of needs</i> , which are to be approved by the Commission and implemented by Member States.		
Recital 2a				
13a		<i>(2a) AM 2 With a view to the next reform of the CAP, and taking into account the new ambitions set out in the Commission’s Communication of 11 December 2019 on the European Green Deal (“the European Green Deal”), Member States should further promote agro-environmental and climate-related measures in force and any other tool that can help farmers in their efforts towards an ecological transition.</i>		
Recital 2b				
13b		<i>(2b) AM 3 In its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament’s position with a view to an agreement¹, the European Parliament took a position in favour of maintaining</i>		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p><i>the financing of the CAP for the EU-27 at the level of the 2014-2020 budget in real terms, while budgeting the initial amount of the agricultural reserve, namely EUR 383 255 million in 2018 prices (EUR 431 946 million in current prices). The figures provided for in this Regulation should therefore be calculated on the basis of the figures agreed for the MFF 2021-2027 or, should that MFF not be adopted in time, on the basis of extended 2020 ceilings and provisions in accordance with Article 312(4) TFEU.</i></p> <p><u>1. P8_TA(2018)0449.</u></p>		
Recital 3				
14	<p>(3) The legislative procedure was not concluded in time to allow Member States and the Commission to prepare all elements necessary to apply the new legal framework and the CAP Strategic Plans as of 1 January 2021, as initially proposed by the Commission.</p>	<p>(3) AM 4</p> <p>The legislative procedure was not concluded in time to allow Member States and the Commission to prepare all elements necessary to apply the new legal framework and the CAP Strategic Plans as of 1 January 2021, as initially proposed by the Commission. <i>That delay creates uncertainty and risks for farmers</i></p>		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>and the entire agriculture sector. In order to alleviate that uncertainty, this Regulation should provide for the continued application of the current rules and uninterrupted payments to the farmers and other beneficiaries, and thus provide predictability and stability during the transitional period until the date of application of the new legal framework (“transitional period”).</i>		
Recital 3a				
14a		<i>(3a) AM 5 The continuity and predictability of the support to farmers through the CAP is essential for the stability of the agricultural sector, as well as for maintaining the vitality of rural areas and regions, and is contributing to environmental sustainability.</i>		
Recital 4				
15	(4) Therefore, in order to ensure that support can be granted to farmers and other beneficiaries from the European Agricultural	(4) AM 6 Therefore, in order to ensure that support can be granted to farmers and other beneficiaries from the		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	<p>Guarantee Fund (EAGF) and the European Agricultural Fund for Rural Development (EAFRD) in 2021, the Union should continue to grant such support for one more year under the conditions of the existing legal framework, which covers the period 2014 to 2020. The existing legal framework is laid down in particular in Regulations (EU) No 1303/2013¹, (EU) No 1305/2013², (EU) No 1306/2013³, (EU) No 1307/2013⁴, (EU) No 1308/2013⁵, (EU) No 228/2013⁶ and (EU) No 229/2013⁷ of the European Parliament and of the Council. In addition, to facilitate the transition from existing support schemes to the new legal framework which covers the period starting on 1 January 2022, rules should be laid down to regulate how certain support granted on a multiannual basis will be integrated into the new legal framework.</p> <p><small>1. Regulation (EU) No1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries</small></p>	<p>European Agricultural Guarantee Fund (EAGF) and the European Agricultural Fund for Rural Development (EAFRD) in 2021 and, where applicable, in 2022, the Union should continue to grant such support for one or, where applicable, two more yearsmore year under the conditions of the existing legal framework, which covers the period 2014 to 2020. Member States should ensure the uninterrupted continuation of that support to farmers and other beneficiaries during the transitional period. The existing legal framework is laid down in particular in Regulations (EU) No 1303/2013¹, (EU) No 1305/2013², (EU) No 1306/2013³, (EU) No 1307/2013⁴, (EU) No 1308/2013⁵, (EU) No 228/2013⁶ and (EU) No 229/2013⁷ -of the European Parliament and of the Council. In addition, to facilitate the transition from existing support schemes to the new legal framework which coverswas planned to cover the period starting on 1 January 2022, rules should be laid down to regulate how certain support granted on a multiannual basis will be integrated into the new legal</p>		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	<p>Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).</p> <p>2. Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).</p> <p>3. Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 (OJ L 347, 20.12.2013, p. 549).</p> <p>4. Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ L 347, 20.12.2013, p. 608).</p> <p>5. Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common 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).</p>	<p>framework.</p> <p>1. Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).</p> <p>2. Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).</p> <p>3. Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 (OJ L 347, 20.12.2013, p. 549).</p> <p>4. Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and</p>		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	<p>6. 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).</p> <p>7. 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).</p>	<p>Council Regulation (EC) No 73/2009 (OJ L 347, 20.12.2013, p. 608).</p> <p>5. Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common 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).</p> <p>6. 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).</p> <p>7. 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).</p>		
Recital 4a				
15a		<p><i>(4a) AM 7</i> <i>This Regulation should provide the Member States with sufficient time to prepare their respective CAP national strategic plans, as well as the administrative structures necessary for successful implementation of the new legal framework. This should not discourage Member States</i></p>		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>from presenting their respective national strategic plans in a timely manner. All CAP strategic plans should be ready to enter into force once the transitional period ends. This would provide much-needed stability and certainty for the farming sector.</i>		
Recital 4b				
15b		<i>(4b) AM 8 In order to achieve a successful modernisation and simplification of the CAP, the Member States and the Commission should extensively consult farmers and all relevant stakeholders during the preparation of Member States' CAP Strategic Plans and in order to contribute to the European Green Deal and the Farm to Fork Strategy. Preparatory work on the development of Member States' CAP Strategic Plans should be undertaken without delay to ensure a smooth transition for beneficiaries into a new programming period.</i>		
Recital 5				
16				

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	<p>(5) In light of the fact that the Union should continue to support rural development in 2021, Member States, that demonstrate the risk to run out of funds and not to be able to undertake new legal commitments in accordance with Regulation (EU) No 1305/2013, should have the possibility to extend their rural development programmes or certain of their regional rural development programmes supported by the EAFRD to 31 December 2021 and to finance those extended programmes from the corresponding budget allocation for the year 2021. The extended programmes should aim at maintaining at least the same overall level of environment and climate ambition.</p>	<p>(5) AM 9 In light of the fact that the Union should continue to support rural development in 2021throughout the transitional period, Member States, that demonstrate the risk to run out of funds and not to be able to undertake new legal commitments for all or certain measures and the resulting expenditure in accordance with Regulation (EU) No 1305/2013, should have the possibility to extend their rural development programmes or certain of their regional rural development programmes supported by the EAFRD to 31 December 2021throughout the transitional period and to finance those extended programmes from the corresponding budget allocation for the year 2021corresponding years. The extended programmes should aim at maintaining at least the same overall level of environment and climate ambition, thereby requiring at least the same percentage of EAFRD expenditure for the measures referred to in Article 59(6) of that Regulation.</p>	<p>(5) In light of the fact that the Union should continue to support rural development in 2021, Member States, that demonstrate the risk to run out of funds and not to be able to undertake new legal commitments in accordance with Regulation (EU) No 1305/2013, should have the possibility to extend their rural development programmes or certain of their regional rural development programmes supported by the EAFRD to 31 December 2021 and to finance those extended programmes from the corresponding budget allocation for the year 2021. The extended programmes should aim at maintaining at least the same overall level of environment and climate ambition.</p>	

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Recital 6				
17	<p>(6) Since certain Member States may still have funds provided by the Union in previous years, Member States should also have the possibility not to extend their rural development programmes or not to extend certain of their regional rural development programmes. Those Member States should have the possibility to transfer the EAFRD budget allocation for 2021 or the part of the EAFRD budget allocation corresponding to the regional rural development programmes that have not been extended, to the financial allocations for the years 2022 to 2025, in accordance with the Council Regulation (EU) .../[Regulation laying down the multiannual financial framework for the years 2021 to 2027]¹.</p> <p>¹. Regulation MFF OJ L , , p. .</p>	<p>(6) AM 10</p> <p>Since certain Member States may still have funds provided by the Union in previous years, Member States should also have the possibility not to extend their rural development programmes or not to extend certain of their regional rural development programmes or to complete the remaining funds with part of the allocations for the years of the transitional period as needed. Those Member States should have the possibility to transfer the EAFRD budget allocation for 2021 or where applicable, for 2022, or the part of the EAFRD budget allocation that was not used for extending their corresponding to the regional rural development programmes that have not been extended, to the financial allocations for the years 2022 to 2025remaining of the programming period, in accordance with the Council Regulation (EU) .../[Regulation laying down the multiannual financial framework for the years 2021 to 2027]¹.</p> <p>¹. Regulation MFF OJ L , , p. .</p>		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Recital 7				
18	(7) In order to allow the Commission to provide the necessary financial planning and the corresponding adjustments of the annual breakdowns of the Union support set out in the Annex to Regulation (EU) No 1305/2013, Member States should inform the Commission soon after the entry into force of this Regulation whether they decide to extend their rural development programmes and, in case of regional rural development programmes, which of those programmes they decide to extend, and consequently which corresponding amount of the budget allocation for 2021 is not to be transferred to the following years.	(7) AM 11 In order to allow the Commission to provide the necessary financial planning and the corresponding adjustments of the annual breakdowns of the Union support set out in the Annex to Regulation (EU) No 1305/2013, Member States should inform the Commission soon after the entry into force of this Regulation whether they decide to extend their rural development programmes and, in case of regional rural development programmes, which of those programmes they decide to extend, and <i>if they intend to fund them partly with remaining funds for the previous budget allocation, and</i> consequently which corresponding amount of the budget allocation for 2021 <i>the years during the transitional period</i> is not to be transferred to the following years.		
Recital 8				
19	(8) Regulation (EU) No	(8) AM 12		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	1303/2013 lays down common rules applicable to the EAFRD and some other Funds, which operate under a common framework. That Regulation should continue to apply to programmes supported by the EAFRD for the 2014–2020 programming period as well as to those programmes supported by the EAFRD for which Member States decide to extend that period to 31 December 2021. For those Member States, the Partnership Agreement drawn up for the period from 1 January 2014 to 31 December 2020 in accordance with Regulation (EU) No 1303/2013 should continue to be used as a strategic document by Member States and the Commission with regard to the implementation of support granted by the EAFRD for the programming year 2021.	Regulation (EU) No 1303/2013 lays down common rules applicable to the EAFRD and some other Funds, which operate under a common framework. That Regulation should continue to apply to programmes supported by the EAFRD for the 2014–2020 programming period as well as to those programmes supported by the EAFRD for which Member States decide to extend that period to 31 December 2021 <i>or, where applicable, to 31 December 2022.</i> For those Member States, the Partnership Agreement drawn up for the period from 1 January 2014 to 31 December 2020 in accordance with Regulation (EU) No 1303/2013 should continue to be used as a strategic document by Member States and the Commission with regard to the implementation of support granted by the EAFRD for the programming year 2021 <i>or, where applicable, the programming year 2022.</i>		
Recital 9				
20	(9) Certain deadlines laid down in Regulation (EU) No 1303/2013 in			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	respect of implementation reports, annual review meetings, ex-post evaluations and synthesis reports, eligibility of expenditure and decommitment as well as budget commitments are limited to the 2014-2020 programming period. Those deadlines should be adapted to take account of the extended duration of the period during which programmes relating to support from the EAFRD may be implemented.			
Recital 10				
21	(10) Regulation (EU) No 1310/2013 of the European Parliament and of the Council ¹ and Commission Delegated Regulation (EU) No 807/2014 ² provide that expenditure for certain long-term commitments undertaken pursuant to certain regulations that granted support for rural development before Regulation (EU) No 1305/2013 should continue to be paid by the EAFRD in the 2014-2020 programming period under certain conditions. That expenditure should also continue to be eligible for the duration of their respective legal commitment under	(10) AM 13 Regulation (EU) No 1310/2013 of the European Parliament and of the Council ¹ and Commission Delegated Regulation (EU) No 807/2014 ² -provide that expenditure for certain long-term commitments undertaken pursuant to certain regulations that granted support for rural development before Regulation (EU) No 1305/2013 should continue to be paid by the EAFRD in the 2014-2020 programming period under certain conditions. That expenditure should also continue to be eligible for the duration of their respective		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	<p>the same conditions in the programming year 2021. For reasons of legal clarity and certainty, it also should be clarified that the legal commitments undertaken under measures that correspond to measures of Regulation (EU) No 1305/2013 to which the integrated administration and control system applies, should be subject to this integrated administration and control system and that payments related to these legal commitments have to be made within the period from 1 December to 30 June of the following calendar year.</p> <p>1. Regulation (EU) No 1310/2013 of the European Parliament and of the Council of 17 December 2013 laying down certain transitional provisions on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), amending Regulation (EU) No 1305/2013 of the European Parliament and of the Council as regards resources and their distribution in respect of the year 2014 and amending Council Regulation (EC) No 73/2009 and Regulations (EU) No 1307/2013, (EU) No 1306/2013 and (EU) No 1308/2013 of the European Parliament and of the Council as regards their application in the year 2014 (OJ L 347, 20.12.2013, p. 865).</p> <p>2. Commission Delegated Regulation (EU) No 807/2014 of 11 March 2014</p>	<p>legal commitment under the same conditions in the programming year 2021 <i>or, where applicable, the programming year 2022</i>. For reasons of legal clarity and certainty, it also should be clarified that the legal commitments undertaken under measures that correspond to measures of Regulation (EU) No 1305/2013 to which the integrated administration and control system applies, should be subject to this integrated administration and control system and that payments related to these legal commitments have to be made within the period from 1 December to 30 June of the following calendar year.</p> <p>1. Regulation (EU) No 1310/2013 of the European Parliament and of the Council of 17 December 2013 laying down certain transitional provisions on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), amending Regulation (EU) No 1305/2013 of the European Parliament and of the Council as regards resources and their distribution in respect of the year 2014 and amending Council Regulation (EC) No 73/2009 and Regulations (EU) No 1307/2013, (EU) No 1306/2013 and (EU) No 1308/2013 of the European Parliament and of the Council as regards their application in the year 2014 (OJ L 347, 20.12.2013, p. 865).</p>		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	supplementing Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and introducing transitional provisions (OJ L 227, 31.7.2014, p. 1).	2. Commission Delegated Regulation (EU) No 807/2014 of 11 March 2014 supplementing Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and introducing transitional provisions (OJ L 227, 31.7.2014, p. 1).		
Recital 11				
22	<p>(11) For reasons of coherence with the other Funds regulated by Regulation (EU) XXXX/XXXX [New CPR of the European Parliament and of the Council]¹, the EAFRD should be able to support Community-led local development set up in accordance with the new rules laid down in that Regulation.</p> <p>¹. Regulation (EU) .../... of the European Parliament and of the Council [full title] (OJ L ..., ..., p. ...).</p>			
Recital 12				
23	(12) In the allocation of payment entitlements (or recalculation for Member States keeping existing entitlements) in 2015 under Regulation (EU) No 1307/2013,			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	<p>some Member States made errors in the establishment of the number or value of payment entitlements. Many of those errors, even when occurred for a single farmer, influence the value of the payment entitlements for all farmers and for all years. Some Member States made errors also after 2015, when allocating entitlements from the reserve (e.g. in the calculation of the average value). These non-compliances are normally subject to financial correction until corrective measures are taken by the Member State concerned. In the light of the time that has elapsed since the first allocation, the efforts made by Member States to establish, and where relevant, correct entitlements, and also in the interest of legal certainty, the number and value of payment entitlements should be considered legal and regular with effect from a certain date.</p>			
Recital 13				
24	<p>(13) However, the confirmation of payment entitlements does not represent an exemption from the Member States' responsibility</p>			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	under the shared management of the EAGF to ensure the protection of the Union budget from irregular expenditure. Hence, the confirmation of the payment entitlements allocated to farmers before 1 January 2020, as from 1 January 2021, should not prejudice the Commission's power to take decisions referred to in Article 52 of Regulation (EU) No 1306/2013 in relation to irregular payments granted in respect of any calendar year up to 2020 included, resulting from errors in the number or value of those payment entitlements.			
Recital 14				
25	(14) In light of the fact that the CAP Strategic Plans to be prepared by Member States in accordance with the new legal framework are to be applicable as of 1 January 2022, transitional rules should be laid down to regulate the transition from existing support schemes to the new legal framework, in particular Regulation (EU) .../... of the European Parliament and of the Council ¹ [CAP Strategic Plan Regulation]. _____	(14) AM 14 In light of the fact that the CAP Strategic Plans to be prepared by Member States in accordance with the new legal framework are to be applicable as of 1 January 2022 or 1 January 2023, as applicable , transitional rules should be laid down to regulate the transition from existing support schemes to the new legal framework, in particular Regulation (EU) .../... of the European Parliament and of the Council- ¹ [CAP Strategic Plan		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	1. Regulation (EU) .../... of the European Parliament and of the Council [CAP Strategic Plan] (OJ L ..., ..., p. ...).	Regulation]. <i>In accordance with the principles set out in the European Code of Conduct on Partnership established by Commission Delegated Regulation (EU) No 240/2014², Member States should ensure participation of regional and local authorities, civil society organisations, including beneficiaries, at all stages of preparation, implementation, monitoring and evaluation of the transitional measures and programmes.</i> 1. Regulation (EU) .../... of the European Parliament and of the Council [CAP Strategic Plan] (OJ L ..., ..., p. ...). 2. <i>Commission Delegated Regulation (EU) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds (OJ L 74, 14.3.2014, p. 1).</i>		
Recital 14a				
25a		<i>(14a) AM 15 The transitional rules provided for in this Regulation are intended to allow the measures currently in force to be extended for the duration of the transitional period. During the transitional</i>		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>period and in order to anticipate as far as possible the implementation of the future renewed legal framework for the CAP, the Member States, in their work and their consultations on the prefiguration of their future CAP strategic plans, should focus on the new tools provided for, and in particular on the possibility for new sectors to develop operational programmes.</i>		
Recital 15				
26	(15) Certain expenditure for certain long-term commitments undertaken pursuant to Regulations that granted support for rural development before Regulation (EU) 1305/2013 were still eligible in the programming period 2014-2020. With the exception of cases where the duration of these long-term commitments has elapsed, this expenditure should continue to be eligible during the period covered by the CAP Strategic Plan for the duration of the respective legal commitments subject to the contribution rate applicable in that period and provided that it is inserted in the CAP Strategic Plan			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	and that the expenditure is paid in line with Regulation (EU) [HzR]. The same should apply to certain long-term commitments that have been taken under Regulation (EU) No 1305/2013 or Regulation (EU) No 1303/2013. In this context it should be clarified that the legal commitments undertaken under measures that correspond to area- and animal based types of interventions determined in the CAP Strategic Plan should be subject to the integrated administration and control system and that payments related to those legal commitments have to be made within the period from 1 December to 30 June of the following calendar year.			
Recital 16				
27	(16) Regulation (EU) No 1308/2013 lays down rules for the common organisation of agricultural markets and includes certain aid schemes in Articles 29 to 60. Those aid schemes should be integrated in the future CAP Strategic Plans of the Member States as sectoral interventions referred to in points (a) to (e) of	(16) AM 16 Regulation (EU) No 1308/2013 lays down rules for the common organisation of agricultural markets and includes certain aid schemes in Articles 29 to 60. Those aid schemes should be integrated in the future CAP Strategic Plans of the Member States as sectoral interventions		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	Article 39 of Regulation (EU) .../... [CAP Strategic Plan Regulation]. To ensure coherence, continuity and a smooth transition between those aid schemes of Regulation (EU) No 1308/2013 and the sectoral types of interventions of Regulation (EU) .../... [CAP Strategic Plan Regulation], rules should be laid down regarding the duration of each of those aid schemes with respect to the date from which the future CAP Strategic Plans of the Member States have legal effects.	referred to in points (a) to (e) of Article 39 of Regulation (EU) .../... [CAP Strategic Plan Regulation]. To ensure coherence, continuity and a smooth transition between those aid schemes of Regulation (EU) No 1308/2013 and the sectoral types of interventions of Regulation (EU) .../... [CAP Strategic Plan Regulation], rules should be laid down regarding the duration of each of those aid schemes with respect to the date from which the future CAP Strategic Plans of the Member States have legal effects.		
Recital 17				
28	(17) As regards the aid scheme in the olive oil and table olives sector, the existing work programmes drawn up for the period running from 1 April 2018 until 31 March 2021 should be extended until 31 December 2021. For aid schemes in the fruit and vegetables sector rules should be laid down regarding the modification or replacement of operational programmes.	(17) AM 17 As regards the aid scheme in the olive oil and table olives sector, the existing work programmes drawn up for the period running from 1 April 2018 until 31 March 2021 should be extended until 31 December 2021 the end of the transitional period . For aid schemes in the fruit and vegetables sector, rules should be laid down regarding the modification or replacement of operational programmes. The recognised		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>producer organisations in the fruit and vegetable sector should also have the possibility to maintain the operational programme until it comes to an end.</i>		
Recital 18				
29	(18) With the view to ensuring continuity as regards the aid schemes in the wine sector and the apiculture sector, rules need to be laid down that allow those aid schemes to continue to be implemented until the end of their respective programming periods. For this period certain provisions of Regulation (EU) No 1306/2013 should therefore continue to apply in relation to expenditure incurred and payments made for operations implemented pursuant to Regulation (EU) No 1308/2013 after 31 December 2021 and until the end of those aid schemes.	(18) AM 18 With the view to ensuring continuity as regards the aid schemes in the fruit and vegetable sector, the wine sector and the apiculture sector, rules need to be laid down that allow those aid schemes to continue to be implemented until the end of their respective programming periods. For this period certain provisions of Regulation (EU) No 1306/2013 should therefore continue to apply in relation to expenditure incurred and payments made for operations implemented pursuant to Regulation (EU) No 1308/2013 after 31 December 2021 and until the end of those aid schemes and of the operational programmes.		
Recital 19				
30	(19) In order to limit a significant	(19) AM 19	(19) In order to limit a significant	

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	carry-over of commitments from the current programming period for rural development to the CAP Strategic Plans, the duration of new multiannual commitments in relation to agri-environment-climate, organic farming and forest-environment should be limited to a period of maximum 3 years. The extension of existing commitments should be limited to one year.	In order to limit a significant carry-over of commitments from the current programming period for rural development to the CAP Strategic Plans, the duration of new multiannual commitments in relation to agri-environment-climate, organic farming and forest-environment animal welfare should, <i>as a general rule</i> , be limited to a period of maximum 3 of five years. Once Regulation (EU) .../... [CAP Strategic Plan Regulation] applies, the rules concerning those commitments should be adapted in accordance with that Regulation. The extension of existing commitments should be limited to one year.	carry-over of commitments from the current programming period for rural development to the CAP Strategic Plans, the duration of new multiannual commitments in relation to agri-environment-climate, organic farming and forest-environment animal welfare should be limited to a period of maximum 3 years. The extension of existing commitments should be limited to one year.	
Recital 20				
31	(20) The EAFRD should be able to support Community-led local development set up in accordance with the new rules laid down by Regulation (EU) XXXX/XXXX [New CPR]. However, in order to avoid unspent funds for Community-led local development in the programming year 2021, Member States that decide to extend their rural development	(20) AM 20 The EAFRD should be able to support Community-led local development set up in accordance with the new rules laid down by Regulation (EU) XXXX/XXXX [New CPR]. However, in order to avoid unspent funds for Community-led local development in the programming year 2021 or, where applicable, the		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	programmes to 31 December 2021 and that also make use of the possibility to transfer amounts from direct payments to rural development, should be able to apply the 5% minimum allocation for Community-led local development only to the EAFRD contribution to the rural development extended to 31 December 2021 calculated before the transfer of amounts from direct payment has been done.	<i>programming year 2022</i> , Member States that decide to extend their rural development programmes to 31 December 2021 and that also make use of the possibility to transfer amounts from direct payments to rural development, should be able to apply the 5% minimum allocation for Community-led local development only to the EAFRD contribution to the rural development extended to 31 December 2021 <i>or, where applicable, 31 December 2022</i> , calculated before the transfer of amounts from direct payment has been done.		
Recital 21				
32	(21) In order to ensure continuity in the transitional period, the reserve for crises in the agricultural sector should be maintained for 2021 and the relevant amount of the reserve for 2021 should be included.	(21) <i>AM 21</i> In order to ensure continuity in the transitional period, the reserve for crises in the agricultural sector should be maintained for 2021 and, <i>where applicable, for 2022, and</i> the relevant amount of the reserve for 2021 <i>and, where applicable, for 2022</i> , should be included.		
Recital 22				
33				

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	(22) As regards prefinancing arrangements from the EAFRD, it should be made clear that where Member States decide to extend the 2014–2020 period to 31 December 2021, this should not lead to any additional prefinancing granted for the programmes concerned.	(22) AM 22 As regards prefinancing arrangements from the EAFRD, it should be made clear that where Member States decide to extend the 2014–2020 period to 31 December 2021 <i>or, where applicable, 31 December 2022</i> , this should not lead to any additional prefinancing granted for the programmes concerned.		
Recital 23				
34	(23) Article 11 of Regulation (EU) No 1307/2013 currently only provides for a notification obligation for Member States as regards their decisions and the estimated product related to the reduction of the part of the amount of direct payments to be granted to a farmer for a given calendar year exceeding EUR 150 000 for the years 2015 to 2020. With a view to ensuring a continuation of the existing system, Member States should also notify their decisions and the estimated product of reduction for calendar year 2021.	(23) AM 23 Article 11 of Regulation (EU) No 1307/2013 currently only provides for a notification obligation for Member States as regards their decisions and the estimated product related to the reduction of the part of the amount of direct payments to be granted to a farmer for a given calendar year exceeding EUR 150 000 for the years 2015 to 2020. With a view to ensuring a continuation of the existing system, Member States should also notify their decisions and the estimated product of reduction for calendar year 2021 <i>and, where applicable, calendar year 2022</i> .		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Recital 24				
35	(24) Article 14 of Regulation (EU) No 1307/2013 allows Member States to transfer funds between direct payments and rural development as regards calendar years 2014 to 2020. In order to ensure that Member States may keep their own strategy, the flexibility between pillars should be made available also for calendar year 2021 (i.e. financial year 2022).	(24) AM 24 Article 14 of Regulation (EU) No 1307/2013 allows Member States to transfer funds between direct payments and rural development as regards calendar years 2014 to 2020. In order to ensure that Member States may keep their own strategy, the flexibility between pillars should be made available also for calendar year 2021 (i.e. financial year 2022) and, where applicable, calendar year 2022 (i.e. financial year 2023).		
Recital 25				
36	(25) In order to allow the Commission to be able to set the budgetary ceilings in accordance with Articles 22(1), 36(4), 42(2), 47(3), 49(2), 51(4) and 53(7) of Regulation (EU) No 1307/2013, it is necessary that Member States notify their decisions on financial allocations by scheme for calendar year 2021 by 1 August 2020.	(25) AM 25 In order to allow the Commission to be able to set the budgetary ceilings in accordance with Articles 22(1), 36(4), 42(2), 47(3), 49(2), 51(4) and 53(7) of Regulation (EU) No 1307/2013, it is necessary that Member States notify their decisions on financial allocations by scheme for calendar year 2021 by 1 August 2020 and, where applicable, their decisions on financial allocations by scheme	(25) In order to allow the Commission to be able to set the budgetary ceilings in accordance with Articles 22(1), 36(4), 42(2), 47(3), 49(2), 51(4) and 53(7) of Regulation (EU) No 1307/2013, it is necessary that Member States notify their decisions on financial allocations by scheme for calendar year 2021 by 1 August [dd/mm] 2020.	Council mandate: footnote on the date: "To be adjusted depending on the likely time for adoption of this regulation."

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>for calendar year 2022 by 1 August 2021.</i>		
Recital 25a				
36a		<i>(25a) AM 26 Member States should be able to continue to use transitional national aid during the period of application of this Regulation. In order to reduce the competitive differences between farmers in the Member States as a result of differences in payment per hectare, Member States should maintain transitional national aid for the duration of the transitional period.</i>		
Recital 26				
37	(26) Article 22(5) of Regulation (EU) No 1307/2013 provides for a linear adjustment of the value of entitlements in case of a change in the ceiling for the basic payment scheme from one year to the following due to certain decisions taken by Member States and affecting the ceiling for the basic payment scheme. The extension of Annex II to that Regulation on			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	national ceilings after calendar year 2020 and the possible annual changes from that date might have an impact on the ceiling for the basic payment scheme. Therefore, for Member States to be able to respect the obligation of equality of the sum of the value of entitlements and reserve(s) with the ceiling for the basic payment scheme laid down in Article 22(4) of that Regulation, it is appropriate to provide for a linear adjustment to adapt to the extension of or the changes in that Annex II during the transitional period. Moreover, to provide greater flexibility to Member States, it appears appropriate to allow Member States to adapt the value of entitlements or of the reserve, possibly with different rates of adjustment.			
Recital 27				
38	(27) In accordance with the current legal framework, Member States notified in 2014 their decisions up to calendar year 2020, on the division of the annual national ceiling for the basic payment scheme between the	(27) AM 27 In accordance with the current legal framework, Member States notified in 2014 their decisions up to calendar year 2020, on the division of the annual national ceiling for the basic payment		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	regions and the possible annual progressive modifications for the period covered by Regulation (EU) No 1307/2013. It is necessary that Member States also notify those decisions for calendar year 2021.	scheme between the regions and the possible annual progressive modifications for the period covered by Regulation (EU) No 1307/2013. It is necessary that Member States also notify those decisions for calendar year 2021 <i>and, where applicable, calendar year 2022.</i>		
Recital 28				
39	(28) The internal convergence mechanism is the core process for a more equitable distribution of direct income support among farmers. Significant individual differences based on old historic references become more and more difficult to justify. In Regulation (EU) No 1307/2013, the basic model of internal convergence consists in the application by Member States of a uniform flat rate for all payment entitlements, at national or regional level, from 2015. However, for the sake of ensuring a smoother transition to a uniform value, a derogation was set out allowing Member States to differentiate the values of payment entitlements by applying partial convergence, also called the	(28) AM 28 The internal convergence mechanism is the core process for a more equitable distribution of direct income support among farmers. Significant individual differences based on old historic references become more and more difficult to justify. In Regulation (EU) No 1307/2013, the basic model of internal convergence consists in the application by Member States of a uniform flat rate for all payment entitlements, at national or regional level, from 2015. However, for the sake of ensuring a smoother transition to a uniform value, a derogation was set out allowing Member States to differentiate the values of payment entitlements by applying partial		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	‘tunnel model’, between 2015 and 2019. Some Member States made use of this derogation. To continue the process towards a more equitable distribution of direct payments, Member States can further converge towards a national or regional average after 2019 instead of going to a uniform flat rate or keeping the value of entitlements at their 2019 level. They should notify annually their decision for the following year.	convergence, also called the ‘tunnel model’, between 2015 and 2019. Some Member States made use of this derogation. To continue the process towards a more equitable distribution of direct payments, Member States can should further converge towards a national or regional average after 2019 instead of going to a uniform flat rate or keeping the value of entitlements at their 2019 level . They should notify annually their decision for the following year.		
Recital 29				
40	(29) Article 30 of Regulation (EU) No 1307/2013 provides for the annual progressive modifications in the value of the payment entitlements allocated from the reserve to reflect the annual steps of the national ceiling set in Annex II to that Regulation, reflecting a “multiannual” management of the reserve. Those rules should be adapted so to reflect that it is possible to amend both the value of all allocated entitlements and of the reserve to adjust to a change in the amount in that Annex II between	(29) AM 29 Article 30 of Regulation (EU) No 1307/2013 provides for the annual progressive modifications in the value of the payment entitlements allocated from the reserve to reflect the annual steps of the national ceiling set in Annex II to that Regulation, reflecting a “multiannual” management of the reserve. Those rules should be adapted so to reflect that it is possible to amend both the value of all allocated entitlements and of the reserve to adjust to a change in the		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	two years. Moreover, in some Member States not having reached a flat rate by 2019, internal convergence is implemented on an annual basis. For calendar years 2020 and 2021, only the value of the payment entitlement of the current year needs to be determined in the year of allocation. The unit value of entitlements to be allocated from the reserve in a given year should be calculated after possible adjustment of the reserve in accordance with Article 22(5) of that Regulation. In any subsequent year, the value of the payment entitlements allocated from the reserve should be adapted in accordance with that Article 22(5).	amount in that Annex II between two years. Moreover, in some Member States not having reached a flat rate by 2019, internal convergence is implemented on an annual basis. For calendar years 2020 and 2021 and, where applicable, calendar year 2022 , only the value of the payment entitlement of the current year needs to be determined in the year of allocation. The unit value of entitlements to be allocated from the reserve in a given year should be calculated after possible adjustment of the reserve in accordance with Article 22(5) of that Regulation. In any subsequent year, the value of the payment entitlements allocated from the reserve should be adapted in accordance with that Article 22(5).		
Recital 30				
41	(30) Article 36 of Regulation (EU) No 1307/2013 provides the application of the single area payment scheme (SAPS) until 31 December 2020. The CAP Strategic Plan Regulation (EU) .../... [CAP Strategic Plan Regulation] allows Member States	(30) AM 30 Article 36 of Regulation (EU) No 1307/2013 provides the application of the single area payment scheme (SAPS) until 31 December 2020. The CAP Strategic Plan Regulation (EU) .../... [CAP Strategic Plan Regulation] allows Member States		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	to implement a basic income support with the same modalities, i.e. without the allocation of payment entitlements based on historic references. Therefore, it is appropriate to allow the prolongation of SAPS in 2021.	to implement a basic income support with the same modalities, i.e. without the allocation of payment entitlements based on historic references. Therefore, it is appropriate to allow the prolongation of SAPS in 2021 <i>and, where applicable, in 2022.</i>		
Recital 31				
42	(31) For the sake of legal certainty, it should be clarified that Articles 41 and 42 of Regulation (EU) No 1307/2013 allow Member States to review, on an annual basis, their decisions on the redistributive payment.			
Recital 31a				
42a			(31a) Article 52(10) of Regulation (EU) No 1307/2013 empowers the Commission to adopt delegated acts allowing Member States to decide that voluntary coupled support can continue to be paid until 2020 on the basis of the production units for which such support was granted in a past reference period. This aims at ensuring the	

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
			greatest possible consistency between Union schemes targeting sectors that can be marked by structural market imbalances. It is therefore appropriate to prolong this empowerment to also cover 2021.	
Recital 32				
43	(32) Regulations (EU) No 1305/2013, (EU) No 1306/2013, (EU) No 1307/2013, (EU) No 1308/2013, (EU) No 228/2013 and (EU) No 229/2013 should therefore be amended accordingly.			
Recital 33				
44	(33) As regards the clarification on convergence from the year 2020, point 6 of Article 10 should apply retroactively from 1 January 2020.			
Recital 34				
45	(34) Furthermore, the amendments to Regulations (EU) No 228/2013 and (EU) No 229/2013 should apply from 1 January 2021 in line with Regulation (EU)	(34) Furthermore, the amendments to AM 31 The financial allocations provided for in Regulations (EU) No 228/2013 and (EU) No 229/2013		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	.../...[Regulation laying down the multiannual financial framework for the years 2021 to 2027],	should apply from 1 January 2021 in line with Regulation (EU) .../...[Regulation laying down the multiannual financial framework for the years 2021 to 2027]᠖.		
Recital 34a				
45a		<p><i>(34a) AM 32</i></p> <p><i>Given their very small size and their insularity, local markets in the outermost regions, as referred to in Article 349 TFEU, are particularly vulnerable to price fluctuations linked to import flows from the rest of the Union or from third countries. Therefore, the interbranch organisations, recognised under Article 157 of Regulation (EU) No 1308/2013, particularly in the livestock sectors, take collective measures, in particular for compiling data and disseminating information, designed to ensure that local production remains competitive on the local market in question. To that end, notwithstanding Articles 28, 29 and 110 TFEU, and without prejudice to Articles 164 and 165 of Regulation (EU) No 1308/2013, it is appropriate to allow the Member State</i></p>		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p><i>concerned, in the context of extended interbranch agreements and after consultation with the stakeholders concerned, to make individual operators or groups of economic operators who are not members of the interbranch organisation but which operate on the local market in question, irrespective of their origin, pay that organisation all or part of the financial contributions paid by its members, including in cases where the proceeds of these contributions fund measures to maintain only local production or where the contributions are levied at a different stage in the marketing process.</i></p>		
Recital 34b				
45b		<p><i>(34b) AM 33 Due to their geographical situation, in particular their remoteness, insularity, small size, difficult topography and climate, the outermost regions, as referred to in Article 349 TFEU, are faced with specific socio-economic problems related to the supply of food and agricultural products essential for consumption or</i></p>		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p><i>agricultural production. Specific measures in the agricultural sector, to remedy the difficulties caused by the specific situation, as provided for in that Article, were established in Regulation (EU) No 228/2013. In order to respect the continuity principle, this Regulation advocates respecting the maintenance of the budget during the transitional period. For the Programme of Options Specifically Relating to Remoteness and Insularity (POSEI) scheme and for the specific measures for agriculture in favour of the smaller Aegean islands, it is appropriate to reinstate the financial allocations at their current levels provided for in Regulations (EU) No 228/2013 and (EU) No 229/2013.</i></p>		
Recital 34c				
45c		<p><i>(34c) AM 34 In the event that a proposal for a Council Regulation laying down the multiannual financial framework for the years 2021 to 2027 (MFF Regulation) and the related proposal for a Regulation of the European Parliament and</i></p>		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p><i>of the Council (CAP Strategic Plan Regulation) have not been adopted and published in the Official Journal of the European Union by 30 October 2020, the transitional period originally proposed in this Regulation ending on 31 December 2021 should, as a last resort, be extended by a further year to 31 December 2022. In that event, the corresponding transitional rules and conditions applicable to the original transitional period should continue to apply during the extended transitional period and the budget allocations and applicable timeframes should be adapted accordingly. This should provide sufficient incentive and allow the European Parliament and the Council to successfully adopt the new legislative framework for the CAP, while at the same time ensure the necessary stability for the beneficiaries.</i></p>		
Formula				
46	HAVE ADOPTED THIS REGULATION:			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Title I				
47	Title I Transitional Provisions			
Title I, Chapter I				
48	Chapter I Continued application of Regulation (EU) No 1303/2013 for the programming year 2021 and extension of certain periods under Regulations (EU) No 1303/2013 and (EU) No 1310/2013	Chapter I AM 36 Continued application of Regulation (EU) No 1303/2013 for the programming year 2021 during the transitional period and extension of certain periods under Regulations (EU) No 1303/2013 and (EU) No 1310/2013		
Article -1				
48a		Article -1 AM 35 Transitional period		
Article -1(1)				
48b		1. For the purpose of this Regulation, ‘transitional period’ means the period starting on 1 January 2021 and ending on 31 December 2021.		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article -1(2)				
48c		<p><i>2. By way of derogation from paragraph 1 of this Article and only in the event that the proposal for a Council Regulation laying down the multiannual financial framework for the years 2021 to 2027 and the 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 have not been adopted and published in the Official Journal of the European Union by 30 October 2020, the transitional period for the purpose of this Regulation shall be extended to 31 December 2022.</i></p>		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article 1				
49	Article 1 Extension of the period for programmes supported by the EAFRD			Council mandate: footnote on Article 1: "The fact that the amendment of the RDP shall not count as an amendment in relation to the maximum number of programme amendments laid down on the basis of Article 12 of Reg. 1305/2013 in Reg. 808/2014 will be solved through an amendment of Reg. 808/2014. The same is valid for the deadline for the submission of programme amendments to the Commission in Reg. 808/2014."
Article 1(1), first subparagraph				
50	1. For programmes supported by the European Agricultural Fund for Rural Development (EAFRD), Member States that risk, due to the lack of financial resources, not to be able to undertake new legal commitments in accordance with Regulation (EU) No 1305/2013, may extend the period laid down in Article 26(1) of Regulation (EU) No 1303/2013 to 31 December 2021.	1. AM 37 For programmes supported by the European Agricultural Fund for Rural Development (EAFRD), Member States that risk, due to the lack of financial resources, not to be able to undertake new legal commitments in accordance with Regulation (EU) No 1305/2013, may extend the period laid down in Article 26(1) of Regulation (EU) No 1303/2013 to 31 December		Council mandate: The text of the Council mandate maintained one-year period, covering only 2021. However, the compromise package included the Council statement on the duration where it is set out that: - a one year transition will most likely not be sufficient, given the state of play of both the MFF negotiations and the legislative

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p>2021the transitional period referred to in Article -1 of this Regulation.</p>		<p>procedure on the CAP reform; - the Council will revert to this issue at a later stage.</p> <p>2-year option: 1. For programmes supported by the European Agricultural Fund for Rural Development (EAFRD), Member States may extend the period laid down in Article 26(1) of Regulation (EU) No 1303/2013 to 31 December 2022.</p> <p>TM: 12.6.2020: Council: The COM proposal envisaged that MS may extend their RDP until the end of 2021. To be precise, having this provision means that MS can decide to use new money (2021 EAFRD funds) under old rules, by extending RDP to 2021. It is optional. At the same time, COM proposed the possibility to carry those funds over to the following four years in four equal tranches in the proposal for the so-called MFF regulation in the case that there is no programme into force. To be precise, it is provided in Article 8 of that proposed Regulation. It is a horizontal provision for all programmes under shared</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>management (not only EAFRD). For Member States that do not decide to make use of the possibility provided in Article 1, Article 8 of the current MFF Regulation proposal shall apply to the allocation not used for year 2021.</p> <p>MSs can decide whether they want to use the 2021 allocation in accordance with old rules straight away via RDP amendment or from 2022 in accordance with the new CAP framework and Member States' Strategic Plans. Having in mind that we are going from a compliance system to a performance system and New Delivery Model, the complexity of setting up new IT systems, national legal frameworks and the time needed for the adoption of strategic plans, it is clear that we cannot start with the new rules and new system from 1 January 2022. So we are coming to the two-year transition issue, and the allocation for 2022. In the MFF Regulation proposal we do not have the possibility to carry the 2022 allocation over to the following years. If we say that we are going into a two-year transition, it means</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>that strategic plans may come into force only after 1 January 2023. What does that mean in practise? It means that, if we don't have a valid programme in 2022, the national allocations for 2022 are lost. If we are going for a two-year transition, then we perhaps need a two-year extension of old rules and current RDPs. We can call it compulsory or mandatory extension and it should be provided by this act, not by notification. We need legal certainty, not only for CAP beneficiaries but also for national administrations, we have to allow them to prepare for the next period.</p> <p>T2: Council and EP agreed on the need of a two-year transitional period in principle but further work at the technical level is needed. COM objected to a two year transitional period (for Article 1 and any other Article for which a two year transition triggers adaptations)</p>
Article 1(1), first subparagraph a				
50a				TM 27.5.2020:

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p>AM 38</p> <p><i>Member States that decide to make use of the possibility provided for in the first subparagraph may compensate for any reductions in the overall allocations in the EAFRD for the next multiannual financial framework (MFF) period with a corresponding increase in their national co-financing.</i></p>		<p>COM: AM 38 is not necessary as its already in the Rural Development regulation. To be further discussed.</p> <p>TM 3.6.2020: Council: Maintaining its position, this possibility is already provided in basic RD act. Also, this AM is prejudging on-going MFF negotiations. COM: Maintaining its position. Article 59 can be used also in other cases. EP: EP will propose new wording.</p> <p>TM 3.6.2020: New text proposed by EP: <i>As referred to in Article 59 of the Regulation (EU) No 1305/2013, Member States that decide to make use of the possibility provided for in the first subparagraph of this Article may compensate for any reductions in the overall allocations in the EAFRD for the next multiannual financial framework (MFF) period with a corresponding increase in their national co-financing.</i></p> <p>TM:12.6.2020:</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>EP compromise text: <i>As referred to in Article 59 of the Regulation (EU) No 1305/2013, Member States that decide to make use of the possibility provided for in the first subparagraph of this Article have the option to address may compensate for any reductions in the overall allocations in the EAFRD for the next multiannual financial framework (MFF) period with a corresponding increase in their national co-financing.</i></p> <p>TM: 12.6.2020: Council: have nothing against the EP compromise proposal in substance, our only objection is that we do not need these provisions because they are already provided in Reg. 1305/2013 EP: To be discussed at the political trilogue.</p> <p>T2: EP withdraws AM 38</p>
Article 1(1), second subparagraph				
51	Member States that decide to make use of the possibility provided in the first subparagraph shall notify the Commission of their decision within 10 days after the entry into	AM 39 Member States that decide to make use of the possibility provided in the first subparagraph shall notify the Commission of their decision	Member States that decide to make use of the possibility provided in the first subparagraph shall notify the Commission of their decision within [10] 40 days after the entry	Council mandate: footnote on 10 days: "To be discussed at a later stage if there is any margin to extend this deadline."

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	force of this Regulation. Where Member States have submitted a set of regional programmes in accordance with Article 6 of Regulation (EU) No 1305/2013, that notification shall also contain information on which of the regional programmes are to be extended and on the corresponding budgetary allocation within the annual breakdown for the year 2021 as set out in Annex I to Regulation (EU) No 1305/2013.	within 10 days two weeks after the entry into force of this Regulation. Where Member States have submitted a set of regional programmes in accordance with Article 6 of Regulation (EU) No 1305/2013, that notification shall also contain information on which of the regional programmes are to be extended and on the corresponding budgetary allocation within the annual breakdown for the year 2021 and, where Article - 1(2) of this Regulation applies, for the year 2022 , as set out in Annex I to Regulation (EU) No 1305/2013.	into force of this Regulation. Where Member States have submitted a set of regional programmes in accordance with Article 6 of Regulation (EU) No 1305/2013, that notification shall also contain information on which of the regional programmes are to be extended and on the corresponding budgetary allocation within the annual breakdown for the year 2021 as set out in Annex I to Regulation (EU) No 1305/2013.	TM 27.5.2020: Council, EP: linked to the time of adoption of the Transitional Regulation. Decision needs to be taken at the end of negotiations. Dates should be adjusted later on, for technical reasons.
Article 1(1), third subparagraph				
52	Where the Commission considers that an extension of the period under the first subparagraph is not justified, it shall inform the Member State thereof within 6 weeks after receipt of the notification referred to in the second subparagraph.	AM 40 Where the Commission considers that an extension of the period under the first subparagraph is not justified, it shall inform the Member State thereof within 6 four weeks after receipt of the notification referred to in the second subparagraph. The Commission shall base the evaluation of the request for extension on clear and objective criteria in accordance with	Where the Commission considers that an extension of the period under the first subparagraph is not justified, it shall inform the Member State thereof within 6 3 weeks after receipt of the notification referred to in the second subparagraph. In that case, the Member State concerned shall inform the Commission within 3 weeks whether it withdraws its decision or whether it maintains its decision,	TM 27.5.2020: Council: positions are quite close, some drafting alignment may be needed. Do we need objective criteria? Council and COM did not have criteria but the EP did. EP: will check and come back on this, will find a wording. TM:3.6.2020 Council: The discussion here might be obsolete considering the

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p><i>Regulation (EU) No 1305/2013, which shall be communicated to the Member State concerned. The Commission shall provide the Member State concerned with the reasons justifying its refusal of the extension, as well as with, if possible, specific recommendations as to how to improve the notification in order to make it applicable. The Member State concerned may, within four weeks of being provided with such recommendations by the Commission, submit an updated notification explaining how it will implement the Commission's recommendations on the applicability of the extension.</i></p>	<p>providing its reasons for it.</p>	<p>limitations of the two years transitional period. Council did not ask for objective criteria and they are not provided in Regulation (EU) no 1305/2013.</p> <p>COM: OK with deletion of the reference and fine tuning with the wording. COM will propose a new wording. Instate of "clear objective criteria", the term "justified" could be used.</p> <p>TM:3.6.2020 EP compromise proposal: Where the Commission considers that an extension of the period under the first subparagraph is not justified, it shall inform the Member State thereof within sixfour weeks after receipt of the notification referred to in the second subparagraph. <i>The Commission shall base the evaluation of the notification of an extension on clear and objective criteria in accordance with Regulation (EU) No 1305/2013, which shall be communicated to the Member State concerned. In case of negative evaluation, the Member State concerned shall inform the</i></p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p><i>Commission within three weeks whether it withdraws its decision or whether it maintains its decision, providing its reasons for maintaining it.</i></p> <p>TM:3.6.2020 Council compromise proposal (still to be checked): Where the Commission considers that an extension of the period under the first subparagraph is not justified, it shall inform the Member State thereof within 63 weeks after receipt of the notification referred to in the second subparagraph. <i>The Commission shall base the evaluation of the notification of an extension on clear and objective criteria in accordance with Regulation (EU) No 1305/2013, which shall be communicated to the Member State concerned. In case of negative evaluation, the Member State concerned shall inform the Commission within three weeks whether it withdraws its decision or whether it maintains its decision, providing its reasons for maintaining it.</i></p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>TM: 12.6.2020: Commission compromise text: <i>Where the Commission considers, based on an objective evaluation of the financial resources of the Member State concerned, that an extension of the period under the first subparagraph is not justified, it shall inform the Member State thereof within four weeks after receipt of the notification referred to in the second subparagraph. In case of such negative evaluation, the Member State concerned shall inform the Commission within three weeks after receipt of the information whether it withdraws its decision or whether it maintains its decision, providing its reasons for maintaining it.</i></p> <p>TM: 12.6.2020: Council and EP accept COM compromise proposal.</p> <p>T2: A-item. COM compromise text was endorsed (PM: In case of 2-year transition and 2 year compulsory RDP extension, this provision will not be needed any more.)</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article 1(1), fourth subparagraph				
53	<p>The notification referred to in the second subparagraph shall be without prejudice to the need to submit a request to amend a rural development programme for the year 2021 as referred to in Article 11(1)(a) of Regulation (EU) No 1305/2013. Such an amendment shall aim at maintaining at least the same overall level of the EAFRD expenditure for the measures referred to in Article 59(6) of that Regulation.</p>	<p>AM 41 The notification referred to in the second subparagraph shall be without prejudice to the need to submit a request to amend a rural development programme for the year 2021 and, where Article-1(2) of this Regulation applies, for the year 2022, as referred to in point (a) of Article 11 of Regulation (EU) No 1305/2013. Such an amendment shall aim at maintaining at least the same overall level not be taken into account for the limit of annual modifications as provided for in the rules adopted on the basis of Article 12 of Regulation (EU) No 1305/2013. That amendment shall guarantee the same percentage of the EAFRD expenditure for the measures referred to in Article 59(6) of that Regulation Regulation (EU) No 1305/2013.</p>	<p>The notification referred to in the second subparagraph shall be without prejudice to the need to submit a request to amend a rural development programme for the year 2021 as referred to in Article 11(1)(a) 11(a) of Regulation (EU) No 1305/2013. Such an amendment shall aim at maintaining at least the same overall level share of the EAFRD contribution reserved-expenditure for the measures referred to in Article 59(6) of that Regulation.</p>	<p>27.5.2020: All three institutions agree that there should be no backsliding on environment. COM will have to check the wording ("share") and will come up with a possible compromise wording. 'share' refers to part/percentage of the EAFRD contribution.</p> <p>TM: 3.6.2020: Council: Expenditure on the programme level is only known at the end of programming period; reservation is known in advance, in planning time, at the time of Programme approval/amendment. It is amount fixed in financial plan of RDP. COM: Reference to percentage could be problematic.</p> <p>TM 3.6.2020: Agreement on the following compromise text: The notification referred to in the second subparagraph shall be without prejudice to the need to submit a request to amend a rural development programme for the year 2021 as referred to in Article</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>11(1)(a)11(a) of Regulation (EU) No 1305/2013. Such an amendment shall aim at maintaining guarantee at least the same overall level share of the EAFRD contribution reserved expenditure for the measures referred to in Article 59(6) of that Regulation.</p> <p>A item: to be endorsed at the next political trilogue.</p> <p>T2: A-item compromise text was endorsed</p>
Article 1(2), first subparagraph				
54	<p>2. For Member States that do not decide to make use of the possibility provided in paragraph 1 of this Article, Article [8] of Regulation (EU) .../[Regulation laying down the multiannual financial framework for the years 2021 to 2027] shall apply to the allocation not used for the year 2021 as set out in Annex I to Regulation (EU) No 1305/2013.</p>	<p>2. AM 42</p> <p>For Member States that do not decide to make use of the possibility provided in paragraph 1 of this Article, Article [8] of Regulation (EU)-.../[Regulation laying down the multiannual financial framework for the years 2021 to 2027] shall apply to the allocation not used for the year 2021 and, where Article -1(2) of this Regulation applies, for the year 2022, as set out in Annex I to Regulation (EU) No 1305/2013.</p>		<p>TM: 12.6.2020: Council: AM 42 cannot be accepted due to technical and legal reasons. This possibility exists only for 2021, not for 2022, this possibility is not provided in Article 8 of MFF Regulation proposal. COM: Yes, applies only for 2021.</p> <p>T2: not discussed – 2-year extension relevant</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article 1(2), second subparagraph				
55	Where a Member State decides to make use of the possibility provided in paragraph 1 only with regard to certain regional programmes, the allocation referred to in the first subparagraph of this paragraph shall be the amount set out for that Member State for 2021 in Annex I to Regulation (EU) No 1305/2013 minus the budgetary allocations notified in accordance with the first subparagraph of paragraph 2 for the regional programmes that are extended.	AM 43 Where a Member State decides to make use of the possibility provided in paragraph 1 only with regard to certain regional programmes, the allocation referred to in the first subparagraph of this paragraph shall be the amount set out for that Member State for 2021 2021 and, where Article -1(2) of this Regulation applies, for 2022, in Annex I to Regulation (EU) No 1305/2013 minus the budgetary allocations notified in accordance with the first subparagraph of paragraph 2 for the regional programmes that are extended.	Where a Member State decides to make use of the possibility provided in paragraph 1 only with regard to certain regional programmes, the allocation referred to in the first subparagraph of this paragraph shall be the amount set out for that Member State for 2021 in Annex I to Regulation (EU) No 1305/2013 minus the budgetary allocations notified in accordance with the first second subparagraph of paragraph 2 1 for the regional programmes that are extended.	TM: 3.6 2020: EP can agree to with the Council text. COM can also agree to the Council text (correction). A-item: to be endorsed at the next political trilogue (PM: In case of 2 year transition, this provision will not be needed any more.) T2: Council text was endorsed as an A-item (PM: In case of 2-year transition and 2 year compulsory RDP extension, this provision will not be needed any more.)
Article 2				
56	Article 2 Continued application of Regulation (EU) No 1303/2013 to programmes		Article 2 Continued application of Regulation (EU) No 1303/2013 to programmes supported by the EAFRD	TM: 12.6.2020: EP can agree with the Council text. T2: A-item Council text was endorsed
Article 2(1)				

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
57	1. Regulation (EU) No 1303/2013 shall continue to apply to programmes supported by the EAFRD under the 2014–2020 programming period and to the programmes for which Member States decide to extend the 2014–2020 period in accordance with Article 1(1) of this Regulation.			
Article 2(2)				
58	2. For programmes for which Member States decide to extend the 2014–2020 period in accordance with Article 1(1) of this Regulation, the references to time periods or deadlines in Articles 50(1), 51(1), 57(2), 65(2) and (4), and the first paragraph of Article 76 of Regulation (EU) No 1303/2013 shall be extended for one year.	2. AM 44 For programmes for which Member States decide to extend the 2014–2020 period in accordance with Article 1(1) of this Regulation, the references to time periods or deadlines in Articles 50(1), 51(1), 57(2), 65(2) and (4), and the first paragraph of Article 76 of Regulation (EU) No 1303/2013 shall be extended for one year the duration of the transitional period referred to Article -1 of this Regulation.		TM 12.6.2020: Council: 2 year issue – see row 50 T2: not discussed – 2-year extension relevant
Article 2(2a)				
58a			2a For programmes for which Member States decide to extend	TM 27.5.2020: EP: Council text not yet discussed, looks like a technical issue but will

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
			the 2014–2020 period in accordance with Article 1(1) of this Regulation, Member States shall amend their targets established in the context of the performance framework set out in Annex II to Regulation (EU) No 1303/2013 to establish targets for 2024. For these programmes, references to targets for 2023 in implementing acts adopted on the basis of Article 22 (7) of Regulation (EU) No 1303/2013 or on the basis of Article 8(3), 67, 75(5) and 76(1) of Regulation (EU) No 1305/2013 shall be read as references to targets for 2024.	discuss. TM: 3.6 2020: EP can agree with the Council text. COM can also agree with the Council text (correction). A item: to be endorsed at the next political trilogue. T2: A-item Council text was endorsed
Article 2(3)				
59	3. For Member States that decide to extend the 2014–2020 period in accordance with Article 1(1) of this Regulation, the Partnership Agreement drawn up for the period from 1 January 2014 to 31 December 2020 in accordance with Regulation (EU) No 1303/2013 shall continue to be used as a strategic document by Member States and the Commission with regard to the implementation of support granted by the EAFRD for	3. AM 45 For Member States that decide to extend the 2014–2020 period in accordance with Article 1(1) of this Regulation, the Partnership Agreement drawn up for the period from 1 January 2014 to 31 December 2020 in accordance with Regulation (EU) No 1303/2013 shall continue to be used as a strategic document by Member States and the Commission with regard to the implementation of		TM 12.6.2020: Council: Among others, also 2 year issue – see row 50 T2: not discussed – 2-year extension relevant

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	the year 2021.	support granted by the EAFRD for the year 2021 <i>during the transitional period.</i>		
Article 2(4)				
60	4. The final date by which the Commission is to prepare a synthesis report outlining the main conclusions of ex-post evaluations of the EAFRD set in Article 57(4) of Regulation (EU) No 1303/2013 shall be 31 December 2026.			
Article 3				
61	Article 3 Eligibility of certain types of expenditure in 2021	Article 3 AM 46 Eligibility of certain types of expenditure in 2021 <i>during the transitional period</i>		TM 12.6.2020: Council: 2 year issue – see row 50 T2: not discussed – 2-year extension relevant
Article 3, first paragraph, introductory part				
62	Without prejudice to Article 65(2) of Regulation (EU) No 1303/2013, to Article 2(2) of this Regulation and to Article 38 of Regulation (EU) No 1306/2013, the expenditure referred to in Article 3(1) of Regulation (EU) No	AM 47 Without prejudice to Article 65(2) of Regulation (EU) No 1303/2013, to Article 2(2) of this Regulation and to Article 38 of Regulation (EU) No 1306/2013, the expenditure referred to in Article		TM 12.6.2020: Council: 2 year issue – see row 50 T2: not discussed – 2-year extension relevant

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	1310/2013 and in Article 16 of Delegated Regulation (EU) No 807/2014 shall be eligible for an EAFRD contribution from the 2021 allocation for programmes supported by the EAFRD for which Member States decide to extend the 2014–2020 period in accordance with Article 1(1) of this Regulation, subject to the following conditions:	3(1) of Regulation (EU) No 1310/2013 and in Article 16 of Delegated Regulation (EU) No 807/2014 shall be eligible for an EAFRD contribution from the 2021 allocation transitional period allocations for programmes supported by the EAFRD for which Member States decide to extend the 2014–2020 period in accordance with Article 1(1) of this Regulation, subject to the following conditions:		
Article 3(1), point(a)				
63	(a) such expenditure is provided for in the respective rural development programme for 2021;	(a) AM 48 such expenditure is provided for in the respective rural development programme for 2021 the years covered by the transitional period ;		TM 12.6.2020: Council: 2 year issue – see row 50 T2: not discussed – 2-year extension relevant
Article 3(1), point(b)				
64	(b) the EAFRD contribution rate of the corresponding measure under Regulation (EU) No 1305/2013, as set out in Annex I to Regulation (EU) No 1310/2013 and in Annex I to Delegated Regulation (EU) No 807/2014, applies;			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article 3(1), point(c)				
65	(c) the system referred to in Article 67(2) of Regulation (EU) No 1306/2013 applies to the legal commitments undertaken under measures that correspond to support granted in accordance with points (a) and (b) of Article 21(1) and Articles 28 to 31, 33, 34 and 40 of that Regulation and the relevant operations are clearly identified; and		(c) the system referred to in Article 67(2) of Regulation (EU) No 1306/2013 applies to the legal commitments undertaken under measures that correspond to support granted in accordance with points (a) and (b) of Article 21(1) and Articles 28 to 31, 33, 34 and 40 of Regulation (EU) No 1305/2013 that Regulation and the relevant operations are clearly identified; and	<p>TM 27.5.2020: Council text acceptable for the EP. T2: A-item</p> <p>TM: 3.6 2020: EP can agree to with the Council text. COM can also agree with the Council text (correction). A item: to be endorsed at the next political trilogue.</p> <p>T2: Council text was endorsed as an A-item</p>
Article 3(1), point(d)				
66	(d) the payments for the legal commitments referred to in point (c) are made within the period laid down in Article 75 of Regulation (EU) No 1306/2013.			
Title I, Chapter II				
67	Chapter II Application of Articles 25 to 28 of Regulation (EU) [NEW CPR] for the programming year 2021	Chapter II AM 49 Application of Articles 25 to 28 of Regulation (EU) [NEW CPR] for		<p>TM 12.6.2020: Council: 2 year issue – see row 50</p> <p>T2: not discussed – 2-year</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		the programming year 2021 <i>and, where applicable, 2022</i>		extension relevant
Article 4				
68	Article 4 Community-led local development			
Article 4, first paragraph				
69	For programmes supported by the EAFRD in the 2014–2020 period and for the programmes for which Member States decide to extend the 2014-2020 period in accordance with Article 1(1) of this Regulation, the EAFRD may support multi-funded community-led local development in accordance with Articles 25 to 28 of Regulation (EU) [NEW CPR].		For programmes supported by the EAFRD in the 2014–2020 period and for the programmes for which Member States decide to extend the 2014-2020 period in accordance with Article 1(1) of this Regulation, the EAFRD may support multi-funded community-led local development in accordance with Articles 25 to 28 of Regulation (EU) [NEW CPR].	<p>TM 12.6.2020: Council: Agreement on the substance. Provision whose presence is conditional upon the new CPR having been adopted before the present regulation. If the new CPR has been adopted when this regulation is finalised, the precise reference to the new CPR articles and to the CPR itself will be introduced (Council mandate from 6 April); if CPR has not been adopted by the adoption of the Transitional Regulation, Article 4 will be deleted in the course of finalisation.</p> <p>EP can accept the Council text. Footnote: In case the CPR will not be adopted by the adoption of the Transitional Regulation, this Council text is not needed any</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>more.</p> <p>T2: A-item Council text was endorsed (text acceptable in a case the new CPR is adopted by the time of adoption of TR, otherwise this provision should be excluded from this act)</p>
Article 4, first paragraph, point(a)				
69a			<p>(a) multi-funded community-led local development in accordance with Articles 25 to 28 of Regulation (EU) [NEW CPR]; and</p>	<p>TM 27.5.2020: EP: will check.</p> <p>TM 3.6.2020 EP: Reference to new CPR could be problematic. Possible reference to current CPR, with possibility of adaptation with the new CPR?</p> <p>Council: There is still a possibility of CPR being adopted this year. Council Legal service in principle shares the view of EP legal service.</p> <p>COM: This Article was proposed on the assumption that the new CPR would be adopted in 2020 and be applicable in 2021. It is aimed to the new CPR, so a reference to the current regulation will not work. To be checked how this would work depending on the timing of the adoption of the new CPR.</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>Institutions agree on the substance, legal services should explore the possibility for correct legal references.</p> <p>TM 12.6.2020: see row 69</p> <p>T2: A-item Council text was endorsed (text acceptable in a case the new CPR is adopted by the time of adoption of TR, otherwise this provision should be excluded from this act and would need to be re-integrated with another legal act once it is clear when the new CPR Regulation would apply (through which act this should be done is still to be seen depending on the timing of adoption of the new CPR Regulation)</p>
Article 4, first paragraph, point(b)				
69b			<p>(b) capacity building and preparatory actions supporting the design and the future implementation of the community-led local strategies in accordance with Article 28 (1) (a) of Regulation (EU) [NEW CPR].</p>	<p>TM 12.6.2020: see row 69</p> <p>T2: A-item Council text was endorsed (text acceptable in a case the new CPR is adopted by the time of adoption of TR, otherwise this provision should be excluded from this act and would need to be</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				re-integrated with another legal act once it is clear when the new CPR Regulation would apply (through which act this should be done is still to be seen depending on the timing of adoption of the new CPR Regulation)
Title I, Chapter III				
70	Chapter III Payment entitlements for direct payments to farmers			
Article 5				
71	Article 5 Definitive payment entitlements			
Article 5(1)				
72	1. Payment entitlements allocated to farmers before 1 January 2020 shall be considered legal and regular as from 1 January 2021. The value of those entitlements to be considered legal and regular shall be the value for calendar year 2020 valid on 31 December 2020. This is without prejudice to the relevant articles of Union law concerning the value of payment	1. AM 50 Payment entitlements allocated to farmers before 1 January 2020 shall be considered legal and regular as from 1 January 2021 2020 . The value of those entitlements to be considered legal and regular shall be the value for calendar year 2020 2019 valid on 31 December 2020 2019 . This is without prejudice to the relevant		TM 27.5.2020: EP: a possible way out may be a derogation? EP has a compromise in mind, will check it with the EP legal service. Will propose a text when this issue is discussed next time. Council: open to find a solution, political question. COM: Legal issue related to retroactivity (preventing farmers

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	entitlements for calendar years 2021 onwards, in particular Article 22(5) and 25(12) of Regulation (EU) No 1307/2013.	articles of Union law concerning the value of payment entitlements for calendar years 2021 2020 onwards, in particular Article 22(5) and 25(12) of Regulation (EU) No 1307/2013.		<p>from certain rights). Council LS also warned of legal issue for farmers.</p> <p>TM 10.6.2020: EP compromise text: <i>(1a) By way of derogation from paragraph 1 Member States, where the number of payment entitlements is established in accordance with <u>Article 24 (6) of Regulation (EU) No 1307/2013</u> and where in accordance with Article 25 (3) of that Regulation all payment entitlements have a uniform unit value for claim year 2019, <u>may decide</u> that payment entitlements allocated to farmers before 1 January 2020 shall be considered legal and regular as from 1 January 2020. The value of those entitlements to be considered legal and regular shall be the value for calendar year 2019 valid on 31 December 2019.</i></p> <p>CLS: Concerns on equal treatment between MSs. COM: We are also worried of equal treatment of beneficiaries. We share CLS concerns. This article already provides flexibility. EP: There have already been some</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>court cases in Austria, complaints were not valid, deadline expired.</p> <p>EP legal service: No legal problem with this provision. Amnesty clause refers to past, not to the future. I understand you want flexibility and to leave 2020 open. But no reason to keep it open and to keep uncertainty for Alpine farmers who are fragile category. Legitimate expectation arguments sounds strange, it's the other way round. No significant risk to have this challenged by the court. Ready to discuss with the CLS and COM.</p> <p>Is it clear that it is feasible from direct payment regulation 1307/2013 point of view. (link between articles 25(3) and 24(6)).</p> <p>Council: Legal point, hope will be clarified between CLS and EP legal service. Also a political decision.</p> <p>COM: Discrimination between MSs, not just between farmers.</p> <p>EP legal service: Can we reflect that special treatment will only concern only payments covered in Article 24(6). If this is technically feasible, COM? Austrian problem, is only limited to these payments. This would help to frame better from the legal perspective.</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>COM: The issue and thus the amnesty concerns all entitlements, not only those of farmers in alpine pastures. EP legal service, CLS and COM agreed to work on a new text at the technical level.</p> <p>COM: NB: If the derogation is maintained, the following should be added at the end of the paragraph (this is to ensure the following adjustments to the value of entitlements, which are necessary to respect the ceilings): <i>This is without prejudice to the relevant articles of Union law concerning the value of payment entitlements for calendar years 2020 onwards, in particular Article 22(5) and 25(12) of Regulation (EU) No 1307/2013.]</i></p> <p>TM 12.6.2020. EP revised proposal: <i>Without prejudice to legal remedies open to beneficiaries under national law, the Commission shall consider legal and regular payment entitlements allocated to farmers before 1 January 2020 in those cases in which the number of those</i></p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p><i>entitlements has been established in accordance with Article 24 (6) of Regulation (EU) No 1307/2013. The number and value of those entitlements to be considered legal and regular shall be the number and value for calendar year 2019 valid on 31 December 2019.</i></p> <p>Council: Views differ on the legality of this proposal and efforts are under way to identify a legally sound alternative.</p> <p>COM: Problems could be more substantial, not only fine tuning. Substance is very problematic and this drafting is not providing solution.</p> <p>EP: Adding a recital would provide the needed solution in a package with the provided text. Fine for the EP legal service.</p> <p>EP, Council: Political discussion on principle and legally sound solution including the possible recital to be provided at the technical level.</p> <p>T2: Agreement in principle, provided that a legally sound text can be found. COM political and</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				legal concerns and did not agree.
Article 5(2)				
73	<p>2. Paragraph 1 shall not apply to payment entitlements allocated to farmers on the basis of factually incorrect applications, except in cases where the error could not reasonably have been detected by the farmer.</p>	<p>2. AM 51 Paragraph 1 shall not apply to payment entitlements allocated to farmers on the basis of factually incorrect applications or in violation of the rule on conflict of interests, as laid down in Article 61 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council¹, except in cases where the error could not reasonably have been detected by the farmer.</p> <p><i>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).</i></p>		<p>TM 27.5.2020: COM: no need for AM 51, already covered in the Financial Regulation. Council, EP: maybe lets check with legal services of three institutions.</p> <p>TM 10.6.2020: EP: More transparency is what we are targeting with this AM. COM: Rules on conflict already exist. MSs should have systems to detect a conflict of interest. In case of agriculture there is a specific requirement on paying agencies, that they should be aware of conflict of interest. First such conflict needs to be prevented. If conflict has happened, need to act. We aim at covering general wrong application of rules. Also rules of maladministration of funds. Conflict of interest is a particular concern in some MSs. But if MSs apply SAPSs, this article would not apply. It only applies to the payment entitlements (BPS). EP: Maybe a recital could be a solution? To tackle political</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>demand. COM: In case its the farmers fault, the amnesty clause would not apply.</p> <p>EP: Will possibly provide a recital.</p> <p>TM: 12.6.2020: EP ready to withdraw AM 51.</p> <p>T2: A-item – EP withdraws AM 51</p>
Article 5(3)				
74	3. Paragraph 1 of this Article shall not prejudice the Commission's power to take decisions referred to in Article 52 of Regulation (EU) No 1306/2013 in relation to expenditure incurred for payments granted in respect of calendar years up to 2020 included.			
Title I, Chapter IV				
75	Chapter IV Transitional provisions relating to Regulations (EU) No 1305/2013, (EU) No 1306/2013 and (EU) No 1308/2013 and the implementation of the CAP Strategic Plans		Chapter IV Transitional provisions relating to Regulations (EU) No 1305/2013, (EU) No 1306/2013 and (EU) No 1308/2013 and the implementation of the CAP Strategic Plans Rural	<p>TM: 12.6.2020: EP ready to accept Council text. COM also ready to accept Council text.</p> <p>T2: A-item Council text was</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
			development	endorsed
Article 6				
75a			<p>Article 6</p> <p>Eligibility of expenditure incurred under Regulation (EU) No 1305/2013, and certain types of expenditure incurred under Regulation (EC) No 1698/2005 and Regulation (EC) No 1257/1999</p>	<p>EP could accept the Council text.</p> <p>T2: A-item Council text was endorsed</p>
Article 6(1)				
75b			<p>Expenditure relating to legal commitments to beneficiaries incurred under Regulation (EU) No 1305/2013, and of certain types of expenditure incurred under Regulation (EC) No 1698/2005 and Regulation (EC) No 1257/1999 may be eligible for a contribution from the EAFRD in the period 2022-2027 from 1 January 2022, subject to the conditions to be determined in accordance with the CAP legal framework applicable in the period 2022-2027.</p>	<p>EP could accept the Council text.</p> <p>T2: A-item Council text was endorsed</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Title I, Chapter IV, Section 1				
76	Section 1 Rural Development		Section 1 Rural Development	EP could accept the Council text (deletion). T2: A-item Council proposal was endorsed
Article 6				
77	Article 6 Eligibility of certain types of expenditure in the CAP Strategic Plan period		Article 6 Eligibility of certain types of expenditure in the CAP Strategic Plan period	TM 27.5.2020: Council, EP, COM: On Articles 6 and 7, an exchange of views of legal services of the three institutions needed. TM 3.6.2020 EP: Could agree with the Council proposal if the deleted provisions are included in the SPR regulation. T2: A-item Council proposal was endorsed
Article 6(1), introductory part				
78	1. Expenditure relating to legal commitments to beneficiaries incurred under the measures referred to in Articles 23, 39 and 43 of Council Regulation (EC) No 1698/2005 ¹ which are receiving support under Regulation (EU) No 1305/2013 shall continue to be	1. AM 52 Expenditure relating to legal commitments to beneficiaries incurred under the measures referred to in Articles 23, 39 and 43 of Council Regulation-(EC) No 1698/2005 ¹ which are receiving support under Regulation (EU) No	1. Expenditure relating to legal commitments to beneficiaries incurred under the measures referred to in Articles 23, 39 and 43 of Council Regulation (EC) No 1698/2005¹ which are receiving support under Regulation (EU) No 1305/2013 shall continue to be	EP could accept the Council text (deletion). T2: A-item Council proposal was endorsed

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	<p>eligible for an EAFRD contribution in the period 2022-2027 covered by the CAP Strategic Plan, subject to the following conditions:</p> <p>1. Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 277, 21.10.2005, p. 1).</p>	<p>1305/2013 shall continue to be eligible for an EAFRD contribution in the period 2022-2027 <i>or, where Article -1(2) of this Regulation applies, 2023-2027</i>, covered by the CAP Strategic Plan, subject to the following conditions:</p> <p>1. Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 277, 21.10.2005, p. 1).</p>	<p>eligible for an EAFRD contribution in the period 2022-2027 covered by the CAP Strategic Plan, subject to the following conditions:</p> <p>1. Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 277, 21.10.2005, p. 1).</p>	
Article 6(1), point(a)				
79	<p>(a) such expenditure is provided for in the respective CAP Strategic Plan for 2022- 2027 in accordance with Regulation (EU) [CAP Plan Regulation] and complies with Regulation (EU) [HzR];</p>	<p>(a) AM 53 such expenditure is provided for in the respective CAP Strategic Plan for 2022- 2027 <i>or, where Article -1(2) of this Regulation applies, 2023-2027</i>, in accordance with Regulation (EU) [CAP Plan Regulation] and complies with Regulation (EU) [HzR];</p>	<p>(a) such expenditure is provided for in the respective CAP Strategic Plan for 2022- 2027 in accordance with Regulation (EU) [CAP Plan Regulation] and complies with Regulation (EU) [HzR];</p>	<p>EP could accept the Council text (deletion).</p> <p>T2: A-item Council proposal was endorsed</p>
Article 6(1), point(b)				
80	<p>(b) the EAFRD contribution rate of the corresponding intervention set in the CAP Strategic Plan in accordance with Regulation (EU) [CAP Strategic Plan Regulation],</p>		<p>(b) the EAFRD contribution rate of the corresponding intervention set in the CAP Strategic Plan in accordance with Regulation (EU) [CAP Strategic Plan Regulation],</p>	<p>EP could accept the Council text (deletion).</p> <p>T2: A-item Council proposal was endorsed</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	applies; If there is no corresponding intervention, the EAFRD contribution rate established in the CAP Strategic Plan pursuant to Article 85(2)(d) of Regulation (EU) No [CAP Strategic Plan Regulation] shall apply;		applies; If there is no corresponding intervention, the EAFRD contribution rate established in the CAP Strategic Plan pursuant to Article 85(2)(d) of Regulation (EU) No [CAP Strategic Plan Regulation] shall apply;	
Article 6(1), point(c)				
81	(c) the integrated system referred to in Article 63 (2) of Regulation (EU) [HzR] applies to the legal commitments undertaken under measures that correspond to the area- and animal-based types of interventions listed in Chapters II and IV of Title III of Regulation (EU) [CAP Strategic Plan Regulation] and the relevant operations are clearly identified; and		(c) the integrated system referred to in Article 63 (2) of Regulation (EU) [HzR] applies to the legal commitments undertaken under measures that correspond to the area- and animal-based types of interventions listed in Chapters II and IV of Title III of Regulation (EU) [CAP Strategic Plan Regulation] and the relevant operations are clearly identified; and	EP could accept the Council text (deletion). T2: A-item Council proposal was endorsed
Article 6(1), point(d)				
82	(d) the payments for the legal commitments referred to in point (c) are made within the period laid down in Article 42 of Regulation (EU) [HzR].		(d) the payments for the legal commitments referred to in point (c) are made within the period laid down in Article 42 of Regulation (EU) [HzR].	EP could accept the Council text (deletion). T2: A-item Council proposal was endorsed

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article 6(1a)				
82a		<p>AM 54 <i>The first subparagraph shall also apply to legal commitments to beneficiaries undertaken under corresponding measures provided for in Regulation (EC) No 1257/1999, which are receiving support under Regulation (EU) No 1305/2013.</i></p>		<p>EP could be ready to withdraw AM 54.</p> <p>T2: A-item EP withdraws AM 54</p>
Article 6(2), introductory part				
83	<p>2. Expenditure relating to legal commitments to beneficiaries incurred under the multiannual measures referred to in Articles 28, 29, 33 and 34 of Regulation (EU) No 1305/2013 and expenditure relating to legal commitments for a time period going beyond 1 January 2024, or beyond 1 January 2025 in Member States that have decided to extend the 2014-2020 period in accordance with Article 1(1) of this Regulation, under Articles 14 to 18, points (a) and (b) of Article 19(1), Article 20, Articles 22 to 27, 35, 38, 39 and 39a of Regulation (EU) No 1305/2013 and under Article 35 of</p>	<p>2. AM 55 <i>Subject to the conditions set out in the second subparagraph, the following expenditures shall be eligible for an EAFRD contribution in the period 2022-2027 or, where Article -1(2) of this Regulation applies, 2023-2027, covered by the CAP Strategic Plan:</i></p> <p>(a) expenditure relating to legal commitments to beneficiaries incurred under the multiannual measures referred to in Articles 28, 29, 33 and 34 of Regulation (EU) No 1305/2013 and;</p> <p>(b) expenditure relating to legal commitments for a time</p>	<p>2. Expenditure relating to legal commitments to beneficiaries incurred under the multiannual measures referred to in Articles 28, 29, 33 and 34 of Regulation (EU) No 1305/2013 and expenditure relating to legal commitments for a time period going beyond 1 January 2024, or beyond 1 January 2025 in Member States that have decided to extend the 2014-2020 period in accordance with Article 1(1) of this Regulation, under Articles 14 to 18, points (a) and (b) of Article 19(1), Article 20, Articles 22 to 27, 35, 38, 39 and 39a of Regulation (EU) No 1305/2013 and under Article 35 of</p>	<p>EP could accept the Council text (deletion) and could be ready to withdraw AM 55 (which continues in rows 83a, 84).</p> <p>T2: A-item Council proposal was endorsed. EP withdraws AM 55.</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	Regulation (EU) No 1303/2013 shall be eligible for an EAFRD contribution in the period 2022-2027 covered by the CAP Strategic Plan, subject to the following conditions :	period going beyond 1 January 2024, or beyond 1 January 2025, in Member States that have decided to extend the 2014-2020 period in accordance with Article 1(1) of this Regulation, underreferred to in Articles 14 to 18, points (a) and (b) of Article 19(1), Article 20, Articles Articles 20 , 22 to 27, 35, 38, 39 and 39a of Regulation (EU) No 1305/2013 and under Article 35 of Regulation (EU) No 1303/2013 shall be eligible for an EAFRD contribution in the period 2022-2027 covered by the CAP Strategic Plan, subject to the following conditions :-.	Regulation (EU) No 1303/2013 shall be eligible for an EAFRD contribution in the period 2022-2027 covered by the CAP Strategic Plan, subject to the following conditions :-	
Article 6(2), point(-a)				
83a		<i>The conditions for eligibility for an EAFRD contribution in the period 2022-2027 or, where Article -1(2) of this Regulation applies, 2023-2027, covered by the CAP Strategic Plan, referred to in the first subparagraph, are as follows:</i>		EP could be ready to withdraw AM 55. T2: A-item Council proposal was endorsed. EP withdraws AM 55.
Article 6(2), point(a)				
84	(a) such expenditure is provided	(a) such expenditure is provided	(a) such expenditure is provided	EP could accept the Council text (deletion) and could be ready to

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	for in the respective CAP Strategic Plan for 2022-2027 in accordance with Regulation (EU) [CAP Strategic Plan Regulation] and complies with Regulation (EU) [HzR];	for in the respective CAP Strategic Plan for 2022-2027 <i>or, where Article -1(2) of this Regulation applies, 2023-2027</i> , in accordance with Regulation (EU) [CAP Strategic Plan Regulation] and complies with Regulation (EU) [HzR];	for in the respective CAP Strategic Plan for 2022-2027 in accordance with Regulation (EU) [CAP Strategic Plan Regulation] and complies with Regulation (EU) [HzR];	withdraw AM 55. T2: A-item Council proposal was endorsed. EP withdraws AM 55.
Article 6(2), point(b)				
85	(b) the EAFRD contribution rate of the corresponding intervention set in the CAP Strategic Plan in accordance with Regulation (EU) [CAP Strategic Plan Regulation], applies;	(b) the EAFRD contribution rate of the corresponding intervention set in the CAP Strategic Plan in accordance with Regulation (EU) [CAP Strategic Plan Regulation], applies;	(b) the EAFRD contribution rate of the corresponding intervention set in the CAP Strategic Plan in accordance with Regulation (EU) [CAP Strategic Plan Regulation], applies;	EP could accept the Council text (deletion) T2: A-item Council proposal was endorsed. EP withdraws AM 55.
Article 6(2), point(c)				
86	(c) the integrated system referred to in Article 63(2) of Regulation (EU) [HzR] applies to the legal commitments undertaken under measures that correspond to the area- and animal-based types of interventions listed in Chapters II and IV of Title III of Regulation (EU) [CAP Strategic Plan Regulation] and the relevant operations are clearly identified; and	(c) the integrated system referred to in Article 63(2) of Regulation (EU) [HzR] applies to the legal commitments undertaken under measures that correspond to the area- and animal-based types of interventions listed in Chapters II and IV of Title III of Regulation (EU) [CAP Strategic Plan Regulation] and the relevant operations are clearly identified; and	(c) the integrated system referred to in Article 63(2) of Regulation (EU) [HzR] applies to the legal commitments undertaken under measures that correspond to the area- and animal-based types of interventions listed in Chapters II and IV of Title III of Regulation (EU) [CAP Strategic Plan Regulation] and the relevant operations are clearly identified; and	EP could accept the Council text (deletion). T2: A-item Council proposal was endorsed. EP withdraws AM 55.

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article 6(2), point(d)				
87	(d) the payments for the legal commitments referred to in point (c) are made within the period laid down in Article 42 of Regulation (EU) [HzR].	(d) the payments for the legal commitments referred to in point (c) are made within the period laid down in Article 42 of Regulation (EU) [HzR].	(d) the payments for the legal commitments referred to in point (c) are made within the period laid down in Article 42 of Regulation (EU) [HzR].	EP could accept the Council text (deletion). T2: A-item Council proposal was endorsed. EP withdraws AM 55.
Title I, Chapter IV, Section 2				
88	Section 2 aid schemes referred to in Articles 29 to 60 of Regulation (EU) No 1308/2013		Section 2 aid schemes referred to in Articles 29 to 60 of Regulation (EU) No 1308/2013	EP could accept the Council text (deletion). T2: A-item Council proposal was endorsed. EP withdraws AM 55.
Article 7				
89	Article 7 Extended application of the aid schemes referred to in Articles 29 to 60 of Regulation (EU) No 1308/2013 and of Regulation (EU) No 1306/2013		Article 7 Extended application of the aid schemes referred to in Articles 29 to 60 of Regulation (EU) No 1308/2013 and of Regulation (EU) No 1306/2013	TM 27.5.2020: Council, EP, COM: On Articles 6 and 7, an exchange of views of legal services of the three institutions needed. TM 10.6.2020: EP demands are covered in Article 11. TM: 12.6.2020: EP could withdraw AM 56-61 (rows 89-98) since these AMs will be integrated into Article 11. See row 88.

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				T2: A-item Council proposal was endorsed
Article 7(1)				
90	<p>1. The work programmes to support the olive oil and table olives sector referred to in Article 29 of Regulation (EU) No 1308/2013, drawn up for the period running from 1 April 2018 until 31 March 2021, shall be extended and shall end on 31 December 2021. The relevant producer organisations recognised under Article 152 of Regulation (EU) No 1308/2013, the relevant associations of producer organisations recognised under Article 156 of that Regulation and the relevant interbranch organisations recognised under Article 157 of that Regulation shall modify their work programmes to take account of this extension. The modified work programmes shall be notified to the Commission by 31 December 2020.</p>	<p>1. AM 56 The work programmes to support the olive oil and table olives sector referred to in Article 29 of Regulation (EU) No 1308/2013, drawn up for the period running from 1 April 2018 until 31 March 2021, shall be extended and shall end on 31 December 2021 at the end of the transitional period. The relevant producer organisations recognised under Article 152 of Regulation (EU) No 1308/2013, the relevant associations of producer organisations recognised under Article 156 of that Regulation and the relevant interbranch organisations recognised under Article 157 of that Regulation shall modify their work programmes to take account of this extension. The modified work programmes shall be notified to the Commission by 31 December 2020, or, where Article -1(2) of this Regulation applies, by 31 December 2021.</p>	<p>1. The work programmes to support the olive oil and table olives sector referred to in Article 29 of Regulation (EU) No 1308/2013, drawn up for the period running from 1 April 2018 until 31 March 2021, shall be extended and shall end on 31 December 2021. The relevant producer organisations recognised under Article 152 of Regulation (EU) No 1308/2013, the relevant associations of producer organisations recognised under Article 156 of that Regulation and the relevant interbranch organisations recognised under Article 157 of that Regulation shall modify their work programmes to take account of this extension. The modified work programmes shall be notified to the Commission by 31 December 2020.</p>	<p>TM 10.6.2020: EP can agree with the Council text in principle.</p> <p>TM: 12.6.2020: EP could withdraw AM 56-61 (rows 89-98) since these AMs will be integrated into Article 11. See row 88.</p> <p>T2: A-item Council proposal was endorsed. EP withdraws AM 56.</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article 7(2), first subparagraph, introductory part				
91	2. Recognised producer organisation in the fruit and vegetables sector having an operational programme as referred to in Article 33 of Regulation (EU) No 1308/2013 that has been approved by a Member State for a duration beyond 31 December 2021 shall, by 15 September 2021, submit a request to that Member State to the effect that its operational programme:	2. AM 57 Recognised producer organisation in the fruit and vegetables sector having an operational programme as referred to in Article 33 of Regulation (EU) No 1308/2013 that has been approved by a Member State for a duration beyond 31 December 2021 shall the end of the transitional period may , by 15 September 2021, submit a request to that Member State to the effect that its operational programme:	2. Recognised producer organisation in the fruit and vegetables sector having an operational programme as referred to in Article 33 of Regulation (EU) No 1308/2013 that has been approved by a Member State for a duration beyond 31 December 2021 shall, by 15 September 2021, submit a request to that Member State to the effect that its operational programme:	TM 10.6.2020: EP can agree with the Council text in principle. TM: 12.6.2020: EP could withdraw AM 56-61 (rows 89-98) since these AMs will be integrated into Article 11. See row 88. T2: A-item Council proposal was endorsed. EP withdraws AM 57.
Article 7(2), first subparagraph, point(a)				
92	(a) be modified to meet the requirements of Regulation (EU) [CAP Strategic Plan Regulation]; or		(a) be modified to meet the requirements of Regulation (EU) [CAP Strategic Plan Regulation]; or	TM 10.6.2020: EP can agree with the Council text in principle. TM: 12.6.2020: EP could withdraw AM 56-61 (rows 89-98) since these AMs will be integrated into Article 11. See row 88. T2: A-item Council proposal was

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				endorsed.
Article 7(2), first subparagraph, point(b)				
93	(b) be replaced by a new operational programme approved under Regulation (EU) [CAP Strategic Plan Regulation].		(b) be replaced by a new operational programme approved under Regulation (EU) [CAP Strategic Plan Regulation].	<p>TM 10.6.2020: EP can agree with the Council text in principle.</p> <p>TM: 12.6.2020: EP could withdraw AM 56-61 (rows 89-98) since these AMs will be integrated into Article 11.</p> <p>See row 88.</p> <p>T2: A-item Council proposal was endorsed</p>
Article 7(2), second subparagraph				
94	Where a recognised producer organisation does not submit such request by 15 September 2021, its operational programme approved under Regulation (EU) No 1308/2013 shall end on 31 December 2021.	<p>AM 58</p> <p>Where a recognised producer organisation does not submit such request, paragraph 6 applies to-by 15 September 2021, its operational programme approved under Regulation (EU) No 1308/2013 shall end on 31 December 2021 until that programme ends.</p>	Where a recognised producer organisation does not submit such request by 15 September 2021, its operational programme approved under Regulation (EU) No 1308/2013 shall end on 31 December 2021.	<p>TM 10.6.2020: EP can agree with the Council text in principle.</p> <p>TM: 12.6.2020: EP could withdraw AM 56-61 (rows 89-98) since these AMs will be integrated into Article 11.</p> <p>See row 88.</p> <p>T2: A-item Council proposal was</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				endorsed. EP withdraws AM 58.
Article 7(3)				
95	3. The support programmes in the wine sector referred to in Article 40 of Regulation (EU) No 1308/2013 shall end on 15 October 2023. Articles 39 to 54 of Regulation (EU) No 1308/2013 shall continue to apply after 31 December 2021 as regards expenditure incurred and payments made for operations implemented pursuant to that Regulation before 16 October 2023 within the aid scheme referred to in Articles 39 to 52 of that Regulation.	3. AM 59 The support programmes in the wine sector referred to in Article 40 of Regulation (EU) No 1308/2013 shall end on 15 October 2023. Articles 39 to 54 of Regulation (EU) No 1308/2013 shall may continue to apply after 31 December 2021 as regards expenditure incurred and payments made for beyond the end of the transitional period to the operations implementedselected pursuant to that Regulation before 16 October 2023, as regards expenditure incurred and payments made within the aid scheme referred to in Articles 39 to 52 of that Regulation.	3. The support programmes in the wine sector referred to in Article 40 of Regulation (EU) No 1308/2013 shall end on 15 October 2023. Articles 39 to 54 of Regulation (EU) No 1308/2013 shall continue to apply after 31 December 2021 as regards expenditure incurred and payments made for operations implemented pursuant to that Regulation before 16 October 2023 within the aid scheme referred to in Articles 39 to 52 of that Regulation.	TM 10.6.2020: EP can agree with the Council text in principle. TM: 12.6.2020: EP could withdraw AM 56-61 (rows 89-98) since these AMs will be integrated into Article 11. See row 88. T2: A-item Council proposal was endorsed. EP withdraws AM 59.
Article 7(4)				
96	4. The national programmes in the apiculture sector referred to in Article 55 of Regulation (EU) No 1308/2013 shall end on 31 July 2022. Articles 55, 56 and 57 of Regulation (EU) No 1308/2013 shall continue to apply after 31	4. AM 60 The national programmes in the apiculture sector referred to in Article 55 of Regulation (EU) No 1308/2013 shall end on 31 July 2022. Articles 55, 56 and 57 of Regulation (EU) No 1308/2013	4. The national programmes in the apiculture sector referred to in Article 55 of Regulation (EU) No 1308/2013 shall end on 31 July 2022. Articles 55, 56 and 57 of Regulation (EU) No 1308/2013 shall continue to apply after 31	TM 10.6.2020: EP can agree with the Council text in principle. TM: 12.6.2020: EP could withdraw AM 56-61 (rows 89-98) since these

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	December 2021 as regards expenditure incurred and payments made for operations implemented pursuant to that Regulation before 1 August 2022 within the aid scheme referred to in Article 55 of that Regulation.	shall may continue to apply after 31 December 2021 as regards expenditure incurred and payments made for beyond the end of the transitional period to the operations implemented pursuant to selected under that Regulation before 1 August 2022, as regards expenditure incurred and payments made within the aid scheme referred to in Article 55 of that Regulation.	December 2021 as regards expenditure incurred and payments made for operations implemented pursuant to that Regulation before 1 August 2022 within the aid scheme referred to in Article 55 of that Regulation.	AMs will be integrated into Article 11. See row 88. T2: A-item Council proposal was endorsed. EP withdraws AM 60.
Article 7(5)				
97	5. As from the date from which a CAP Strategic Plan has legal effects in accordance with Article 106(7) of Regulation (EU)/..... [CAP Strategic Plan Regulation], the sum of the payments made in a financial year within each of the aid schemes referred to in Articles 29 to 31 and Articles 39 to 60 of Regulation (EU) No 1308/2013; and within each of the sectoral types of interventions referred to in points (b) to (e) of Article 39 of Regulation (EU)/..... [CAP Strategic Plan Regulation] shall not exceed the financial allocations laid down for each financial year for each of the sectoral types of		5. As from the date from which a CAP Strategic Plan has legal effects in accordance with Article 106(7) of Regulation (EU)/..... [CAP Strategic Plan Regulation], the sum of the payments made in a financial year within each of the aid schemes referred to in Articles 29 to 31 and Articles 39 to 60 of Regulation (EU) No 1308/2013; and within each of the sectoral types of interventions referred to in points (b) to (e) of Article 39 of Regulation (EU)/..... [CAP Strategic Plan Regulation] shall not exceed the financial allocations laid down for each financial year for each of the sectoral types of	TM 10.6.2020: EP can agree with the Council text in principle. See row 88. T2: A-item Council proposal was endorsed

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	interventions referred to in points (b) to (e) of Article 39 Regulation (EU) .../.... [CAP Strategic Plan Regulation].		interventions referred to in points (b) to (e) of Article 39 Regulation (EU) .../.... [CAP Strategic Plan Regulation].	
Article 7(6)				
98	6. With regard to the aid schemes referred to in paragraphs 3 and 4 of this Article, Articles 7(3), 9, 21, 43, 51, 52, 54, 59, 67, 68, 70 to 75, 77, 91 to 97, 99, 100, 102(2), 110 and 111 of Regulation (EU) No 1306/2013 and the relevant provisions of delegated and implementing acts related to those Articles shall continue to apply after 31 December 2021 in relation to expenditure incurred and payments made for operations implemented pursuant to Regulation (EU) No 1308/2013 after that date and until the end of the aid schemes referred to in paragraphs 3 and 4 of this Article.	6. AM 61 With regard to the aid schemes referred to in paragraphs 2, 3 and 4 of this Article, Articles 7(3), 9, 21, 43, 51, 52, 54, 59, 67, 68, 70 to 75, 77, 91 to 97, 99, 100, 102(2), 110 and 111 of Regulation (EU) No 1306/2013 and the relevant provisions of delegated and implementing acts related to those Articles shall continue to apply after 31 December 2021 the end of the transitional period in relation to expenditure incurred and payments made for operations implemented pursuant to Regulation (EU) No 1308/2013 after that date and until the end of the aid schemes referred to in paragraphs 3 and 4 of this Article and until the end of the operational programmes referred in paragraph 2 of this Article, where applicable.	6. With regard to the aid schemes referred to in paragraphs 3 and 4 of this Article, Articles 7(3), 9, 21, 43, 51, 52, 54, 59, 67, 68, 70 to 75, 77, 91 to 97, 99, 100, 102(2), 110 and 111 of Regulation (EU) No 1306/2013 and the relevant provisions of delegated and implementing acts related to those Articles shall continue to apply after 31 December 2021 in relation to expenditure incurred and payments made for operations implemented pursuant to Regulation (EU) No 1308/2013 after that date and until the end of the aid schemes referred to in paragraphs 3 and 4 of this Article.	TM 10.6.2020: EP can agree with the Council text in principle. TM: 12.6.2020: EP could withdraw AM 56-61 (rows 89-98) since these AMs will be integrated into Article 11. See row 88. T2: A-item Council proposal was endorsed. EP withdraws AM 61.

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Title II				
99	Title II Amendments			
Article 8				
100	Article 8 Amendments to Regulation (EU) No 1305/2013			
Article 8, first paragraph, introductory part				
101	Regulation (EU) No 1305/2013 is amended as follows:			
Article 8, first paragraph, point(-a), introductory part				
101a		<i>(-1) AM 62</i> <i>In Article 17, the</i> <i>following paragraph is added:</i>		<p>TM 27.5.2020: COM: will check AM 62 (lack of financial resources)</p> <p>TM 3.6.2020 COM: Is seems to invite to overbooking Therefore, it seems problematic. COM will send comments. As regards the second sentence, is this an option or an obligation for MS?</p> <p>1st sentence: This is regulated in Art. 65(2) of the current CPR. There is no need to restate it.</p> <p>2nd sentence: If an application for</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>support is not selected because of insufficient funding, the beneficiary has to resubmit the application during the following call. Otherwise we would have non-selected applications under previous calls carried over to the following ones.</p> <p>Council: Similar views as the Commission. Overbooking already exists as a technical solution without having specific provision on it. It might be useful in case some MS do not extend their RDPs.</p> <p>Council will check. Question to COM could there be any legal problem? Would this be needed considering limitations of two years transitional period? This is policy choice to be discussed on political level.</p> <p>EP: The aim is to be able to use new money. Revisit once there is more clarity on the duration of transition.</p> <p>TM 12.6.2020.</p> <p>Council: In case of 2 year transition, this provision is not needed, Currently we cannot close the issue.</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>COM: This is not just 2 year issue. Need for more clarity in the text to achieve the objective of this provision.</p> <p>EP: The clarity is there, political discussion is needed on the content and the result needs to be adapted to two years transition.</p> <p>T2: EP withdraws AM 62.</p>
Article 8, first paragraph, point(-a), amending provision, paragraph				
101b		<p>"</p> <p><i>6a. Member States may continue to undertake new legal commitments in relation to beneficiaries during the transitional period referred to in Article -1 of Regulation (EU) .../... of the European Parliament and of the Council [Transitional Regulation]. Applications for support submitted before 2021 and not approved due to lack of financial allocation for such support in the programme concerned shall continue to be eligible during that transitional period.</i></p> <p>"</p>		<p>T2: EP withdraws AM 62.</p> <p>See row 101a</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article 8(1), point(1), introductory part				
102	(1) in Article 28(5), the following second subparagraph is added:			
Article 8(1), point(1), Amending Provision, first paragraph				
103	<p>‘</p> <p>For new commitments to be undertaken from 2021 Member States shall determine a shorter period of one to three in their rural development programmes. If Member States provide for an annual extension of commitments after the termination of the initial period in accordance with the first subparagraph, from 2021 the extension shall not go beyond one year. As from 2021, for new commitments directly following a commitment performed in the initial period, Member States shall determine a period of one year in their rural development programmes.;</p> <p>’</p>	<p>‘</p> <p>AM 63</p> <p>For new commitments to be undertaken from 2021the start of the transitional period referred to in Article -1 of Regulation (EU) ... /... [Transitional Regulation], Member States shall determine a shorter period of one to threefive years in their rural development programmes. However, where necessary in order to achieve or maintain the environmental and climate benefits sought, Member States may determine a longer period for new commitments. In that case, Member States shall take into account that those commitments need to be adapted in the preparation and content of the CAP strategic plan. If Member States provide for an annual extension of existing commitments after the termination of the initial period in accordance with the first</p>	<p>‘</p> <p>‘For new commitments to be undertaken from 2021 Member States shall determine a shorter period of one to three years in their rural development programmes. If Member States provide for an annual extension of commitments after the termination of the initial period in accordance with the first subparagraph, from 2021 the extension shall not go beyond one year. As from 2021, for new commitments directly following a commitment performed in the initial period, Member States shall determine a period of one year in their rural development programmes.;</p>	<p>TM 27.5.2020: EP will check AM 63 with its legal service.</p> <p>TM 3.6.2020:</p> <p>Council: Will come back. Similar proposal, but a bit more restricted in terms of commitments covered. Will have to check in the Council which might be divided on the issue.</p> <p>COM: Idea was not to have commitments going too deep in the new programming period. Reference to new CAP could be problematic (the same as Art 6). Prefer the approach of the Council. Adjustment to the new legal framework is covered by Article 48 of RD regulation. 1-3 years general rule and the derogation is flexible enough to cater to the needs of all MS.</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p>subparagraph, from 2021 the extension shall not go beyond one year <i>from the start of the transitional period. Should the support to the beneficiary fall below the level granted. As from 2021, for new commitments directly following a commitment performed in the initial previous planning</i> period, Member States shall determine a period of one year in their rural development programmes <i>State may provide that beneficiary with the possibility to opt out of the legal commitments before its original termination.</i></p>		<p>EP: sees AGRIENVI, Organic and Animal welfare as a package. Pending the agreement could Council consider accepting the Councils wording with inclusion of 1-5 years in the general rule. Same would apply in organic and Animal welfare.</p> <p>TM 3.6.2020: EP compromise proposal: For new commitments to be undertaken from 2021 <i>the start of the transitional period referred to in Article -1 of Regulation (EU) ... /... [Transitional Regulation],</i> Member States shall determine a shorter period of one to three <i>five</i> years in their rural development programmes. <i>However, where necessary in order to achieve or maintain the environmental and climate benefits sought, Member States may determine a longer period for new commitments. In that case, Member States shall take into account that those commitments need to be adapted in the preparation and content of the CAP strategic plan.</i> If Member States provide for an annual extension of <i>existing</i> commitments</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>after the termination of the initial period in accordance with the first subparagraph, from 2021 the extension shall not go beyond one year <i>from the start of the transitional period.</i></p> <p>Council: can not accept the EP compromise proposal. In case of 1-5 years as a general rule the derogation for additional 2 years is perhaps not needed. It is not certain that EP revised proposal will pass the Council for the same reasons the Commission already explained. Council is not looking toward general exemption for all types of multi-annual commitments. Council does not have the mandate to provide derogation for the animal welfare measure, so at this moment we still cannot treat this question as a package.</p> <p>To be discussed further. Focused questions for political level should be prepared.</p> <p>TM: 12.6.2020: EP can withdraw AM 63 and 64</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				and accept Council text, in exchange for AM 66 (new proposal on animal welfare based on the Council text for the AECM multiannual commitments). T2: Agreement on Council text and EP withdraws AM 63.
Article 8(1), point(1), Amending Provision, second paragraph				
103a			By way of derogation from the first sentence of the second subparagraph of paragraph 5, for new commitments to be undertaken in 2021, Member States may determine a longer period than three years in their rural developments programmes based on the nature of the commitments and the environmental-climate objectives sought.'	TM 27.5.2020: EP will check with its legal service. TM: 12.6.2020: EP can withdraw AM 63 and 64 and accept Council text, in exchange for AM 66 (new proposal on animal welfare based on the Council text for the AECM multiannual commitments). T2: Agreement on Council text.
Article 8(1), point(2), introductory part				
104	(2) in Article 29(3), the following second subparagraph is added:			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	Article 8(1), point(2), Amending Provision, first paragraph			
105	<p>‘</p> <p>For new commitments to be undertaken from 2021, Member States shall determine a shorter period of one to three years in their rural development programmes. If Member States provide for an annual extension for the maintenance of organic farming after the termination of the initial period in accordance with the first subparagraph, from 2021 the extension shall not go beyond one year. As from 2021, for new commitments concerning maintenance that directly follow the commitment performed in the initial period, Member States shall determine a period of one year in their rural development programmes.;</p> <p>’</p>	<p>‘</p> <p>AM 64</p> <p>For new commitments to be undertaken from 2021<i>the start of the transitional period referred to in Article -1 of Regulation (EU) .../... [Transitional Regulation]</i>, Member States shall determine a shorter period of one to three<i>five</i> years in their rural development programmes. However, Member States shall take into account that those commitments need to be adapted in the preparation and content of the CAP strategic plan and need to maintain the environmental and climate benefits sought. If Member States provide for an annual extension for the maintenance of organic farming<i>existing commitments</i> after the termination of the initial period in accordance with the first subparagraph, from 2021 the extension shall not go beyond one year. As from 2021, for new commitments concerning maintenance that directly follow the commitment performed in the initial period, Member States shall determine a period of one year in their rural development programmes.;</p> <p><i>Should the support to the</i></p>	<p>‘</p> <p>For new commitments to be undertaken from 2021, Member States shall determine a shorter period of one to three years in their rural development programmes. If Member States provide for an annual extension for the maintenance of organic farming after the termination of the initial period in accordance with the first subparagraph, from 2021 the extension shall not go beyond one year. As from 2021, for new commitments concerning maintenance that directly follow the commitment performed in the initial period, Member States shall determine a period of one year in their rural development programmes.;</p>	<p>TM: 12.6.2020: EP can withdraw AM 63 and 64 and accept Council text, in exchange for AM 66 (new proposal on animal welfare based on the Council text for the AECM multiannual commitments).</p> <p>T2: Agreement on Council text and EP withdraws AM 64.</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>beneficiary fall below the level granted in the initialprevious planning period, the Member States shall determine a period of one year in their rural development programmes. State may provide that beneficiary with the possibility to opt out of the legal commitments before its original termination.</i> ÷		
Article 8(1), point(2), Amending Provision, second paragraph				
105a			By way of derogation from the first sentence of the second subparagraph of paragraph 3, for new commitments to be undertaken in 2021, where support is granted for conversion to organic farming Member States may determine a longer period than three years in their rural developments programmes’;	<p>Council: The Council mandate already provides option to undertake commitments of 5-7 years for conversion to organic farming.</p> <p>TM: 12.6.2020: EP can withdraw AM 63 and 64 and accept Council text, in exchange for AM 66 (new proposal on animal welfare based on the Council text for the AECM multiannual commitments).</p> <p>T2: EP accepts Council text.</p>
Article 8, first paragraph, point(2a), introductory part				

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
105b		<i>(2a) AM 65 in Article 31, paragraph 5 is replaced by the following:</i>		See row 105c
Article 8, first paragraph, point(2a), amending provision, paragraph				
105c		<p>"</p> <p><i>5. In addition to the payments provided for in paragraph 2, Member States may grant payments under this measure between 2014 and 2020 to beneficiaries in areas which were eligible under Article 36(a)(ii) of Regulation (EC) No 1698/2005 during the 2007-2013 programming period. For beneficiaries in areas that are no longer eligible following the new delimitation referred to in Article 32(3), those payments shall be degressive over a maximum period of four years. That period shall start on the date that the delimitation in accordance with Article 32(3) is completed and at the latest in 2019. Those payments shall start at no more than 80 % of the average payment fixed in the programme for the programming period 2007-2013 in accordance with Article 36(a)(ii)</i></p>		<p>TM 27.5.2020: Council: policy choice, legal analysis needed.</p> <p>TM 3.6.2020</p> <p>Council: As a policy choice, the political issue to be discussed at the trilogue. At the technical level, we should explore a possible solution to ensure the degressivity of payment during transitional period, especially in the case of 2-years transition.</p> <p>COM: can not accept. This is not compatible with the current system of degresivity and would favour those farmers in MS which are late. In those MS which started phasing-out payments later than others, and which therefore have now a shorter phasing-out period for farmers no longer eligible, the respective</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p><i>of Regulation (EC) No 1698/2005, and shall end at the latest at the end of the transitional period referred to in Article -1 of Regulation (EU).../...</i> <i>[Transitional Regulation] at no more than 20 %. When the application of degressivity results in the level of the payment reaching EUR 25, the Member State can continue payments at this level until the phasing out period is completed.</i></p> <p><i>By way of derogation from the first subparagraph, where degressive payments start only in the year 2019, those payments shall start at no more than 80 % of the average payment fixed in the 2014-2020 programming period. The payment level shall be established in such a way that the end-level in 2020 is half of the starting level. Member States may continue their support at that level during the transitional period referred to in Article -1 of Regulation (EU).../...</i> <i>[Transitional Regulation].</i></p> <p><i>Following completion of the delimitation, beneficiaries in the</i></p>		<p>beneficiaries were granted and could benefit from the full amount according to the former designation during a much longer period compared to the Member States with early new designation. A late approval of the CAP Strategic Plan Regulation has no influence on the provisions concerning phasing-out payments; hence, there are no transitional arrangements to be considered.</p> <p>EP: Could COM help with the possible redrafting of the text, to make it legally acceptable?</p> <p>TM 12.6.2020: Council and EP: If co-legislators decide to go into the direction suggested by the EP, technical work is needed to ensure degressivity of payments. To be further discussed at the political level. COM: Acknowledged the need to have technical adaptation if this approach is chosen.</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>areas that remain eligible shall receive full payment under this measure.</i>	"	T2: Agreement in principle, provided that degressivity of payments is ensured – text to be provided on the technical level. COM raised political concerns and did not agree.
Article 8(1), point(3), introductory part				
106	(3) in Article 33(2), the following third subparagraph is added:			
Article 8(1), point(3), Amending Provision, first paragraph				
107	‘ For new commitments to be undertaken as from 2021 Member States shall determine a shorter period of one to three years in their rural development programmes. If Member States provide for an annual renewal of commitments after the termination of the initial period in accordance with the first subparagraph, as from 2021 the renewal shall not go beyond one year.;’	‘ AM 66 For new commitments to be undertaken as from 2021 the start of the transitional period , Member States shall determine a shorter period of one to three five years in their rural development programmes. If However, where necessary in order to achieve or maintain the animal welfare benefits sought , Member States provide for an annual renewal of may determine a longer period for new commitments. In that event, Member States shall take into account that those commitments after the terminationneed to be adapted in’		TM 27.5.2020: EP will check with its legal service (including on animal welfare). COM: Will clarify its proposal COM: Animal welfare measures are usually shorter, is there a specific reason why longer duration is needed? TM 12.6.2020: EP compromise text: For new commitments to be undertaken as from 2021 Member States shall determine a shorter period of one to three years in their rural development programmes. If Member States provide for an annual renewal of commitments after the termination of the initial

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p><i>the preparation and content of the initial period in accordance with the first subparagraph, as from 2021 the renewal shall not go beyond one year</i> CAP strategic plan. Member States may provide for a renewal of commitments after the termination of the initial period in accordance with the first subparagraph.;</p>		<p>period in accordance with the first subparagraph, as from 2021 the renewal shall not go beyond one year.;</p> <p>By way of derogation from the first sentence of the third subparagraph of paragraph 2, for new commitments to be undertaken in 2021, Member States may determine a longer period than three years in their rural development programmes based on the nature of the commitments and the animal welfare benefits sought.'</p> <p>TM: 12.6.2020: Council: Perhaps, we can already now confirm that the EP compromise text is probably acceptable at the technical level, but we have to check it at the political level.</p> <p>T2: Agreement on EP compromise text provided on 12.06. (see above)</p>
Article 8, first paragraph, point(3a), introductory part				
107a		<p>(3a) AM 67 In Article 38(3), the second subparagraph is replaced by the</p>		<p>TM: 12.6.2020:</p> <p>T2: AM 67 accepted. See row 107b</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>following:</i>		
Article 8, first paragraph, point(3a), amending provision, paragraph				
107b		<p>"</p> <p><i>Support under point (b) of Article 36(1) shall only be granted to cover for loss caused by the outbreak of adverse climatic events, an animal or plant disease, a pest infestation, or a measure adopted in accordance with Directive 2000/29/EC to eradicate or contain a plant disease or pest or an environmental incident, which destroy more than 20 % of the average annual production of the farmer in the preceding three-year period or a three-year average based on the preceding five-year period, excluding the highest and lowest entry. Indexes may be used in order to calculate the annual production of the farmer. The calculation method used shall permit the determination of the actual loss of an individual farmer in a given year.</i></p> <p>"</p>		<p>TM 27.5.2020: EP: was already discussed in the Omnibus Regulation, related to market measures and also COVID-19. Priority for the EP. Political point. COM: did not foresee this provision.</p> <p>TM 3.6.2020</p> <p>EP: Political question</p> <p>Council: This AM is a new element which goes beyond the Transitional Regulation COM: this would be against the principle of continuity of the current rules. Political question.</p> <p>TM: 12.6.2020: Council, EP: To be further checked at the political level.</p> <p>T2: Agreement in principle with adaptation of the text on the technical level for ensuring MS voluntary application of the decreased percentage. To be</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				prepared on the technical level as an A-item for the 3rd trilogue.
Article 8, first paragraph, point(3b), introductory part				
107c		<i>(3b) AM 68 In Article 39, paragraph 1 is replaced by the following:</i>		See row 107d
Article 8, first paragraph, point(3b), amending provision, paragraph				
107d		<p>"</p> <p><i>1. Support under point (c) of Article 36(1) shall only be granted where the drop of income exceeds 20 % of the average annual income of the individual farmer in the preceding three-year period or a three-year average based on the preceding five-year period excluding the highest and lowest entry. Income for the purposes of point (c) of Article 36(1) shall refer to the sum of revenues the farmer receives from the market, including any form of public support, deducting input costs. Payments by the mutual fund to farmers shall compensate for less than 70 % of the income lost in the year the producer becomes eligible to receive this assistance. Indexes may be used to calculate</i></p>		<p>TM 3.6.2020: Council: The AM is going beyond the transitional regulation and the principle of continuity of the current rules - Political question. At the technical level, we ask whether the second percentage in the AM (70%) should be 80% instated. EP: Should be kept 70 in order to comply with WTO rules (to qualify for a green box).</p> <p>Council: Change in the initial % might already triggers the change in the WTO.</p> <p>TM: 12.6.2020: Council can agree to keep 70% as it stand in the current proposal on the CAP SP Regulation. Council, EP: To be further checked</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>the annual loss of income of the farmer.</i> "		at the political level. T2: Agreement in principle with adaptation of the text on the technical level to explore wording for referencing MS voluntary application of the percentage. To be prepared on the technical level as an A-item for the 3rd trilogue.
Article 8(1), point(4), introductory part				
108	(4) in Article 42, paragraph 1 is replaced by the following:			
Article 8(1), point(4), Amending Provision(1), first subparagraph				
109	1. In addition to the tasks referred to in Article 34 of Regulation (EU) No 1303/2013 and, where applicable referred to in Article 27 of Regulation (EU) [NEW CPR] of the European Parliament and of the Council* local action groups may also perform additional tasks delegated to them by the Managing Authority and/or paying agency.			
Article 8(1), point(4), Amending Provision(1), second subparagraph				
110				

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text

Article 8(1), point(4), Amending Provision(1), third subparagraph				
111	* Regulation (EU) [NEW CPR] of the European Parliament and of the Council of [...] [...] (OJ);			
Article 8(1), point(5), introductory part				
112	(5) in Article 44, the introductory sentence is replaced by the following:			
Article 8(1), point(5), Amending Provision, first paragraph				
113	‘ The support referred to in point (c) of Article 35 (1) of Regulation (EU) No 1303/2013 and, where applicable referred to in Article 28 of Regulation (EU) [NEW CPR], shall be granted to;’			
Article 8, first paragraph, point(5a), introductory part				
113a		(5a) AM 69		T2: Agreement in principle with adaptation of the text on the

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>In Article 51(2), the following subparagraph is added:</i>		technical level (see row 113b).
Article 8, first paragraph, point(5a), amending provision, paragraph				
113b		<p>"</p> <p><i>In the event that a Member State decides to make use of the possibility referred to in Article 1(1) of Regulation (EU) .../... [Transitional Regulation], that Member State may decide to increase the 4 % limit referred to in this paragraph to up to 6 % for the duration of the transitional period referred to in Article -1 of that Regulation. The amount of such increase shall be compensated for by a lower percentage of technical assistance in the years 2022-2027 or, where Article -1(2) of that Regulation applies, in the years 2023-2027.</i></p>		<p>TM 27.5.2020:</p> <p>EP: COM, is there a better way to deal with the EP request.</p> <p>COM: need to understand how the proposal would work given the fact that the calculation of the % for TA is made over the whole period and not annually, how would a 6% limit work only in one year.</p> <p>TM 3.6.2020</p> <p>EP: In the event that a Member State decides to make use of the possibility referred to in Article 1(1) of Regulation (EU) .../... [Transitional Regulation], that Member State may decide to increase the 4 % limit referred to in this paragraph to up to 6 % for the duration of the transitional period referred to in Article -1 of that Regulation. The amount of such increase shall be compensated for by a lower percentage of technical assistance in the years 2022-2027 or, where Article -1(2) of that Regulation applies, in the years 2023-2027.</p> <p>Recital: Explaining that the</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>additional expense could be deducted in the next CAP reform"</p> <p>TM 3.6.2020 Council: It is a policy choice. In the hypothetical case where this would be accepted, the percentage should be adapted (5.22%, rounded to 5%) in the case of 2-year transition. Difficult to move here. Perhaps, there is possibility to limit this only to MS which have smaller national RD envelopes? More money for an administration means less money for farmers and other CAP beneficiaries.</p> <p>COM: Can not see the link with the transition. Other funds also apply 4 %. Keep in mind that the absolute figures from the MFF could be higher as initially. No need for the recital.</p> <p>TM: 12.6.2020: EP compromise text: <i>In the event that a Member State decides to make use of the possibility referred to in Article 1(1) of Regulation (EU) .../... [Transitional Regulation], that Member State may decide to increase the 4 % limit referred to</i></p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p><i>in this paragraph to up to 5 %6 for the duration of the transitional period referred to in Article -1 of that Regulation. The amount of such increase shall be compensated for by a lower percentage of technical assistance in the years 2022-2027 or, where Article 1(2) of that Regulation applies, in the years 2023-2027.</i></p> <p>Recital: Explaining that the additional expense could be deducted in the next CAP reform</p> <p>Council: If co-legislators decide to move to the direction suggested by the EP, it should be limited to the MS with relatively small financial envelopes, as it stands in the current Council text of the proposal on the CPR. First we need a decision on principle (threshold), and then to adjust the text. Its not clear how deductions from the next CAP will work.</p> <p>EP: to be further discussed in political trilogue</p> <p>T2: Agreement reached only on the ring-fencing (up to 5%) and to delegate the work to technical level to adapt the text taking</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				into account decision that this provision would be beneficial only to certain Member States with the smaller financial envelopes following approach taken in SPR for the following programming period. To be prepared as an A-item for 3 rd trilogue. COM did not agree, but showed openness to work on the idea of increase for Member States with a smaller financial allocation.
Article 8(1), point(6), introductory part				
114	(6) Article 58 is amended as follows:			
Article 8(1), point(6)(a), introductory part				
115	(a) in paragraph 1, the following second subparagraph is added:			
Article 8(1), point(6)(a), Amending Provision, first paragraph				
116	‘ Without prejudice to paragraphs 5,	‘ <i>AM 70</i>	‘ ‘Without prejudice to paragraphs 5,	TM: 12.6.2020: MFF question

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	<p>6 and 7, the total amount of Union support for rural development under this Regulation for the period from 1 January 2021 to 31 December 2021 shall be maximum EUR 11 258 707 816, in current prices, in accordance with the multiannual financial framework for the years 2021 to 2027.;</p>	<p>Without prejudice to paragraphs 5, 6 and 7, the total amount of Union support for rural development under this Regulation for the <i>transitional</i> period from 1 January 2021 to 31 December 2021 <i>as referred to in Article -1 of Regulation (EU) .../...</i> [Transitional Regulation], shall be maximum EUR 11 258 707 816[*],¹ in current prices, in accordance with the multiannual financial framework for the years 2021 to 2027.;</p> <p><i>1. *In its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament’s position with a view to an agreement (P8_TA(2018)0449), the European Parliament took a position in favour of maintaining the financing of the CAP for the EU-27 at the level of the 2014-2020 budget in real terms, while budgeting the initial amount of the agricultural reserve, namely EUR 383 255 million in 2018 prices (EUR 431 946 million in current prices). The figures provided for in this Regulation should therefore be calculated on the basis of the figures agreed for the MFF 2021-2027 or, should that MFF not be adopted in time, on the basis of extended 2020 ceilings and provisions in accordance with Article 312(4) TFEU.</i></p>	<p>6 and 7, the total amount of Union support for rural development under this Regulation for the period from 1 January 2021 to 31 December 2021 shall be maximum EUR [11 258 707 816], in current prices, in accordance with the multiannual financial framework for the years 2021 to 2027.’;</p>	
Article 8(1), point(6)(b), introductory part				

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
117	(b) paragraph 7 is replaced by the following:			
Article 8(1), point(6)(b), Amending Provision(7), first subparagraph				
118	<p>‘</p> <p>7. In order to take account of the developments relating to the annual breakdown referred to in paragraph 4, including the transfers referred to in paragraphs 5 and 6 and the transfers resulting from the application of Article 1 of Regulation (EU) XXXX/XXXX of the European Parliament and of the Council* [This Regulation], to make technical adjustments without changing the overall allocations, or to take account of any other change provided for by a legislative act after the adoption of this Regulation, the Commission shall be empowered to adopt delegated acts, in accordance with Article 83 of this Regulation, to review the ceilings set out in Annex I to this Regulation.</p>			
Article 8(1), point(6)(b), Amending Provision(7), second subparagraph				
119	-----			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article 8(1), point(6)(b), Amending Provision(7), third subparagraph				
120	* Regulation (EU) [...] of the European Parliament and of the Council of [...] [...] (OJ); ,			
Article 8(1), point(7), introductory part				
121	(7) in Article 59(5), the following second subparagraph is added:		(7) in Article 59(5), the following second subparagraph is added is replaced by the following:	TM: 12.6.2020: EP can agree with the Council text COM: If Article 4 would be taken off the Regulation (because new CPR is not adopted on time), this Council text should also be taken off. T2: A-item Council text was endorsed (see row 121)
Article 8(1), point(7), Amending Provision, first paragraph -a				
121a			‘ At least 5% and in the case of Croatia 2,5% of the total EAFRD contribution to the rural development programme shall be reserved for LEADER and Community-led local development referred to in	TM 27.5.2020: EP: Council explanation understandable. TM 3.6.2020 Council: Correction of the COM proposal. COM: this was drafting mistake, this is needed for completeness of

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
			Article 4 of Regulation (EU) XXXX/XXXX of the European Parliament and of the Council* [This Regulation].	<p>the new CLLD programmes.</p> <p>EP can agree with the Council text. A item: to be endorsed at the next political trilogue.</p> <p>TM 12.6.2020: PM: If we delete Article 4, no need for this Council text. COM: If Article 4 would be taken off the Regulation (because new CPR is not adopted on time), this Council text should also be taken off. EP can agree with the Council text</p> <p>T2: A-item Council text was endorsed (PM: in the case of excluding Article 4, Council text under row 121 and 121a should be also excluded and would need to be re-integrated with another legal act once it is clear when the new CPR Regulation would apply (through which act this should be done is still to be seen depending on the timing of adoption of the new CPR Regulation)</p>
Article 8(1), point(7), Amending Provision, first paragraph				
122	‘ When Member States make use of the possibility provided for in the			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	sixth subparagraph of Article 14(1) of Regulation (EU) No 1307/2013, the percentages laid down in the first subparagraph of this paragraph shall apply to the total EAFRD contribution to the rural development programme without the additional support made available in accordance with the sixth subparagraph of Article 14(1) of Regulation (EU) No 1307/2013;			
Article 8(1), point(8), introductory part				
123	(8) in Article 75 (1), the following second subparagraph is added:			
Article 8(1), point(8), Amending Provision, first paragraph				
124	‘ For programmes for which a Member State decides to extend the 2014–2020 period in accordance with Article 1(1) of Regulation (EU) [XXXX/XXXX] [This Regulation], that Member State shall submit to the Commission the annual implementation report pursuant to the first subparagraph of this paragraph until 31 December		‘ For programmes for which a Member State decides to extend the 2014–2020 period in accordance with Article 1(1) of Regulation (EU) [XXXX/XXXX] [This Regulation], that Member State shall submit to the Commission the annual implementation report pursuant to the first subparagraph of this paragraph until 30 June 31	TM 27.5.2020: EP: Council explanation was sufficient, technical TM 3.6.2020 EP can agree with the COM can also agree to Council text. (correction) T2: A-item Council text was endorsed

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	2025.;		December 2025.;	
Article 8(1), point(9), introductory part				
125	(9) in Article 78, the following second subparagraph is added:			
Article 8(1), point(9), Amending Provision, first paragraph				
126	<p>‘</p> <p>For programmes for which a Member State decides to extend the 2014–2020 period in accordance with Article 1(1) of Regulation (EU) [XXXX/XXXX] [This Regulation], that Member State shall submit to the Commission the ex post evaluation report pursuant to the first subparagraph of this paragraph until 31 December 2025.;</p> <p>’</p>			
Article 8, first paragraph, point(9a), introductory part				
126a		<p>(9a) AM 71</p> <p><i>The following Article is added to the end of Title VIII:</i></p>		<p>TM: 12.6.2020:</p> <p>EP can withdraw AM 71 since the same provision is provided under the CMO Regulation (see AM 107, row 211l)</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				T2: A-item – EP withdraws AM 71
Article 8, first paragraph, point(9a), amending provision, paragraph				
126b		<p>"</p> <p>Article 82a</p> <p>National fiscal measures</p> <p>In order to limit the effects of income variability, Articles 107, 108 and 109 TFEU shall not apply to national fiscal measures whereby Member States decide to deviate from general tax rules by allowing for the income tax base applied to farmers to be calculated on the basis of a multiannual period, including by deferring part of the tax base, or by allowing the exclusion of amounts placed in a dedicated agricultural savings account.</p> <p>"</p>		<p>TM 27.5.2020:</p> <p>EP: AM 71 is linked to COVID-19 and state aid, priority AM for the EP, political.</p> <p>Council: understand this AM but the problem is that this is not the right place to regulate this. This AM might be considered as a new element which goes beyond the Transitional Regulation and the principle of continuity of the current rules.</p> <p>COM asked for clarification on COM addition final part on savings accounts</p> <p>TM 3.6.2020</p> <p>EP: The correct place is in the CMO.</p> <p>To be discussed in the next technical meeting.</p> <p>TM: 12.6.2020:</p> <p>EP can withdraw AM 71 since the same provision is provided under the CMO Regulation (see AM 107, row 211l)</p> <p>T2: A-item – EP withdraws AM 71</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article 8(1), point(10)				
127	(10) Annex I is amended in accordance with Annex I to this Regulation.			
Article 9				
128	Article 9 Amendments to Regulation (EU) No 1306/2013			
Article 9, first paragraph, introductory part				
129	Regulation (EU) No 1306/2013 is amended as follows:			
Article 9, first paragraph, point(-a), introductory part				
129a		<i>(-1) AM 72</i> <i>Article 25 is replaced by the following:</i>		TM 27.5.2020: EP, Council: MFF issue TM: 12.6.2020: EP insists on political discussion on AM 72.
Article 9, first paragraph, point(-a), amending provision, paragraph				
129b		" <i>Article 25</i> <i>Reserve for crises in the agricultural sector</i>		TM: 12.6.2020: MFF related EP insists on political discussion on AM 72.

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p><i>A reserve intended to provide additional support for the agricultural sector in the case of major crises affecting the agricultural production or distribution ("the reserve for crises in the agricultural sector") shall be established at the beginning of each year in the EAGF.</i></p> <p><i>The total amount of the reserve shall be EUR 2800 million with equal annual instalments of EUR 400 million (at 2011 prices) for the period 2014-2020 and shall be included under Heading 2 of the Multiannual Financial Framework as set out in the Annex to Regulation (EU, Euratom) No1311/2013.</i></p> <p><i>For 2021, the amount of the reserve shall be EUR 400 million (at 2011 prices) in addition to the EAGF and EAFRD budgets and shall be included under Heading 3 of the Multiannual Financial Framework as set out in the Annex to Council Regulation (EU) .../... *¹[MFF].</i></p> <p><i>At the beginning of the years following 2021, the amount of the reserve shall be at least equal to the initial amount allocated in</i></p>		<p>T2: trilogue parties took note of the EP presentation. EP asked for a political statement.</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p><i>2021 and shall be adjusted through the annual budgetary procedure or during the year, where appropriate, in view of market crisis developments or perspectives in the current or following year and taking into account available revenues assigned to the EAGF or margins of available appropriations under the EAGF sub-ceiling.</i></p> <p><i>Where those available appropriations are not sufficient, financial discipline may be used as a last resort to finance the reserve up to the amount of the year 2021 referred to in the third paragraph of this Article.</i></p> <p><i>By way of derogation from point (d) of Article 12(2) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council*, non-committed appropriations of the reserve shall be carried over without time limitation to finance the reserve in the following financial years.</i></p> <p style="text-align: right;"><i>"</i></p> <p><i>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)</i></p>		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>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)."</i>		
Article 9(1), point(1), introductory part				
130	(1) in Article 25, the following third subparagraph is added:	(1) <i>in Article 25, the following third subparagraph is added: AM 73</i>		TM: 12.6.2020: MFF related EP insists on political discussion on AM 73. T2: trilogue parties took note of the EP presentation. EP asked for a political statement.
Article 9(1), point(1), Amending Provision, first paragraph				
131	‘ For 2021, the amount of the reserve shall be EUR 400 million (at 2011 prices) and shall be included under Heading 3 of the Multiannual Financial Framework as set out in the Annex to Council Regulation (EU) [xxxx/xxxx]*[MFF].	‘ <i>For 2021, the amount of the reserve shall be EUR 400 million (at 2011 prices) and shall be included under Heading 3 of the Multiannual Financial Framework as set out in the Annex to Council Regulation (EU) [xxxx/xxxx]*[MFF].</i>	‘ For 2021, the amount of the reserve shall be EUR [400] 400 million (at 2011 prices) and shall be included under Heading 3 of the Multiannual Financial Framework as set out in the Annex to Council Regulation (EU) [xxxx/xxxx]*[MFF].	TM: 12.6.2020: MFF related EP insists on political discussion on AM 73. T2: trilogue parties took note of the EP presentation. EP asked for a political statement.
Article 9(1), point(1), Amending Provision, second paragraph				
132				

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	-----	-----		
Article 9(1), point(1), Amending Provision, third paragraph				
133	* Council Regulation (EU) [...] of [...] [laying down the multiannual financial framework for the years 2021 to 2027 (OJ);	* Council Regulation (EU) [...] of [...] [laying down the multiannual financial framework for the years 2021 to 2027 (OJ);		TM: 12.6.2020: MFF related EP insists on political discussion on AM 73. T2: trilogue parties took note of the EP presentation. EP asked for a political statement.
Article 9(1), point(2), introductory part				
134	(2) Article 33 is replaced by the following:			
Article 9(1), point(2), Amending Provision, first paragraph				
135	Article 33			
Article 9(1), point(2), Amending Provision, second paragraph				
136	Budget commitments			
Article 9(1), point(2), Amending Provision, third paragraph				
137	As regards the Union's budget			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	commitments for rural development programmes, Article 76 of Regulation (EU) No 1303/2013, where applicable in conjunction with Article 2(2) of Regulation (EU) [XXXX/XXXX] of the European Parliament and of the Council* [This Regulation] shall apply.			
Article 9(1), point(2), Amending Provision, fourth paragraph				
138	* Regulation (EU) [...] of the European Parliament and of the Council of [...] [...] (OJ); ,			
Article 9(1), point(3), introductory part				
139	(3) in Article 35, the following paragraph 5 is added:			
Article 9(1), point(3), Amending Provision(5)				
140	‘ 5. For programmes for which Member States decide to extend the 2014–2020 period in accordance with Article 1(1) of Regulation (EU) [XXXX/XXXX] [This Regulation], no pre-financing	‘ 5. AM 74 For programmes for which Member States decide to extend the 2014–2020 period in accordance with Article 1(1) of Regulation (EU) [XXXX/XXXX]		TM: 12.6.2020: MFF issue.

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	shall be granted for the 2021 allocation.;	[This Regulation], no pre-financing shall be granted for the 2021 allocation <i>allocations during the transitional period referred to in Article -1 of Regulation (EU) .../... [Transitional Regulation].</i>		
Article 9(1), point(4), introductory part				
141	(4) in Article 37, paragraph 1 is replaced by the following:			
Article 9(1), point(4), Amending Provision(1)				
142	1. After receiving the last annual progress report on the implementation of a rural development programme, the Commission shall pay the balance, subject to the availability of resources, on the basis of the financial plan in force, the annual accounts for the last execution year for the relevant rural development programme and of the corresponding clearance decision. Those accounts shall be presented to the Commission no later than six months after the final eligibility date of expenditure as referred to in			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	Article 65(2) of Regulation (EU) No 1303/2013, where applicable in conjunction with Article 2(2) of Regulation (EU) [XXXX/XXXX] [This Regulation]. They shall cover the expenditure effected by the paying agency up to the last eligibility date of expenditure.;			
Article 9(1), point(5), introductory part				
143	(5) in Article 38, paragraph 2 is replaced by the following:			
Article 9(1), point(5), Amending Provision(2)				
144	2. The part of budget commitments that is still open on the last eligibility date for expenditure as referred to in Article 65(2) of Regulation (EU) No 1303/2013, and where applicable in conjunction with Article 2(2) of Regulation (EU) [XXXX/XXXX] [This Regulation], for which no declaration of expenditure has been made within six months of that date shall be automatically decommitted..			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	,			
Article 10				
145	Article 10 Amendments to Regulation (EU) No 1307/2013			
Article 10, first paragraph, introductory part				
146	Regulation (EU) No 1307/2013 is amended as follows:			
Article 10(1), point(1), introductory part				
147	(1) in Article 11(6), the following fourth subparagraph is added:			
Article 10(1), point(1), Amending Provision, first paragraph				
148	‘ For the year 2021, Member States shall notify the Commission of the decisions taken in accordance with this Article and of any estimated product of reductions by 1 August 2020.; ’	‘ AM 75 <i>For every year of the transitional period referred to in Article -1 of Regulation (EU).../2020 of the European Parliament and of the Council [Transitional Regulation]</i> <i>For the year 2021,</i> Member States shall notify the Commission of the decisions taken	‘ For the year 2021, Member States shall notify the Commission of the decisions taken in accordance with this Article and of any estimated product of reductions by 4 August [dd/mm] 2020.; ’	‘ Council mandate: footnote on the date: "To be adjusted depending on the likely time for adoption of this regulation." ’ TM 10.6.2020: Technical but to be treated at the end as related to timetable of

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		in accordance with this Article and of any estimated product of reductions by 1 August 2020 <i>of the preceding year.</i>		adoption. COM: The delays in adoption of the transitional regulation trigger further technical changes regarding DP notifications going beyond what is currently in the table (more details coming). TM 12.6.2020: COM: The delays in adoption of the transitional regulation trigger further technical changes regarding DP notifications going beyond what is currently in the table. DP decisions (annual reviews, first introduction of redistributive payment...) are indeed usually notified on 1 August N for the following year, which will not be possible this year due to the absence of transitional text by 1 August 2020. So further changes in the text are necessary (COM will send drafting suggestions).
Article 10(1), point(2), introductory part				
149	(2) Article 14 is amended as follows:			
Article 10(1), point(2)(a), introductory part				

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
150	(a) in paragraph 1, the following seventh subparagraph is added:			
Article 10(1), point(2)(a), Amending Provision, first paragraph				
151	<p>‘</p> <p>By 1 August 2020, Member States may decide to make available, as additional support financed under the EAFRD in financial year 2022, up to 15 % of their annual national ceilings for the calendar year 2021 set out in Annex II to this Regulation. As a result, the corresponding amount shall no longer be available for granting direct payments. That decision shall be notified to the Commission by 1 August 2020 and shall set out the percentage chosen.;</p> <p>’</p>	<p>‘</p> <p>AM 76</p> <p>By 31 DecemberBy 1 August 2020, Member States may decide to make available, as additional support financed under the EAFRD in financial year 2022, up to 15 % of their annual national ceilings for the calendar year 2021 set out in Annex II to this Regulation. As a result, the corresponding amount shall no longer be available for granting direct payments. That decision shall be notified to the Commission by 1 August31 December 2020 and shall set out the percentage chosen.;</p> <p>’</p>	<p>‘</p> <p>By 1 August[dd/mm] 2020, Member States may decide to make available, as additional support financed under the EAFRD in financial year 2022, up to 15 % of their annual national ceilings for the calendar year 2021 set out in Annex II to this Regulation. As a result, the corresponding amount shall no longer be available for granting direct payments. That decision shall be notified to the Commission by 1 August[dd/mm] 2020 and shall set out the percentage chosen.;</p> <p>’</p>	<p>‘</p> <p>Council mandate: footnote on the dates: "To be adjusted depending on the likely time for adoption of this regulation."</p> <p>’</p> <p><i>COM comment</i> TM 27.5.2020: Council, EP: positions close, related to timetable of adoption of transitional regulation. COM: OK but should be as close as possible to the publication date of transitional regulation + warning that other technical changes in DP notifications necessary (“cascade effect”). Technical but to be treated at the end as related to timetable of adoption TM 10.6.2020: Council, EP, COM: Dates need to be adjusted at the later stage.</p>
Article 10(1), point(2)(aa), introductory part				
151a				

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>(aa) AM 77 in paragraph 1, the following subparagraph is added:</i>		
Article 10(1), point(2)(aa), amending provision, paragraph				
151b		<p>"</p> <p><i>Where Article -1(2) of Regulation (EU) .../... [Transitional Regulation] applies, Member States may decide by 31 December 2020, to make available, as additional support financed under the EAFRD in financial year 2023, up to 15 % of their annual national ceilings for the calendar year 2022 set out in Annex II to this Regulation. As a result, the corresponding amount shall no longer be available for granting direct payments. That decision shall be notified to the Commission by 31 December 2020 and shall set out the percentage chosen.</i></p> <p>"</p>		
Article 10(1), point(2)(b), introductory part				
152	(b) in paragraph 2, the following seventh subparagraph is added:			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article 10(1), point(2)(b), Amending Provision, first paragraph				
153	<p>‘</p> <p>By 1 August 2020, Member States which do not take the decision referred to in paragraph 1 for financial year 2022, may decide to make available as direct payments up to 15 %, or in the case of Bulgaria, Estonia, Spain, Latvia, Lithuania, Poland, Portugal, Romania, Slovakia, Finland and Sweden up to 25 %, of the amount allocated to support financed under the EAFRD in financial year 2022 by Union legislation adopted after the adoption of Council Regulation (EU) [xxxx/xxxx]*[MFF]. As a result, the corresponding amount shall no longer be available for support financed under the EAFRD. That decision shall be notified to the Commission by 1 August 2020 and shall set out the percentage chosen.</p>	<p>‘</p> <p>AM 78</p> <p>By 31 DecemberBy 1 August 2020, Member States which do not take the decision referred to in paragraph 1 for financial year 2022, may decide to make available as direct payments up to 15 %, or in the case of Bulgaria, Estonia, Spain, Latvia, Lithuania, Poland, Portugal, Romania, Slovakia, Finland and Sweden up to 25 %, of the amount allocated to support financed under the EAFRD in financial year 2022 by Union legislation adopted after the adoption of Council Regulation (EU) [xxxx/xxxx]*[MFF]. As a result, the corresponding amount shall no longer be available for support financed under the EAFRD. That decision shall be notified to the Commission by 1 August31 December 2020 and shall set out the percentage chosen.</p>	<p>‘</p> <p>By 1 August[dd/mm] 2020, Member States which do not take the decision referred to in paragraph 1 for financial year 2022, may decide to make available as direct payments up to 15 %, or in the case of Bulgaria, Estonia, Spain, Latvia, Lithuania, Poland, Portugal, Romania, Slovakia, Finland and Sweden up to 25 %, of the amount allocated to support financed under the EAFRD in financial year 2022 by Union legislation adopted after the adoption of Council Regulation (EU) [xxxx/xxxx]*[MFF]. As a result, the corresponding amount shall no longer be available for support financed under the EAFRD. That decision shall be notified to the Commission by 1 August[dd/mm] 2020 and shall set out the percentage chosen.</p>	<p>‘</p> <p>Council mandate: footnote on the dates: "To be adjusted depending on the likely time for adoption of this regulation." TM 10.6.2020: Technical but to be treated at the end as related to timetable of adoption.</p>
Article 10(1), point(2)(b), Amending Provision, second paragraph				
154	-----	-----		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article 10(1), point(2)(b), Amending Provision, third paragraph				
155	* Council Regulation (EU) [...] of [...] [laying down the multiannual financial framework for the years 2021 to 2027 (OJ).; ,	*—— Council Regulation (EU) [...] of [...] [laying down the multiannual financial framework for the years 2021 to 2027 (OJ).;’ ,		
Article 10(1), point(2)(ba), introductory part				
155a		<i>(ba) AM 79 in paragraph 2, the following subparagraph is added:</i>		
Article 10(1), point(2)(ba), amending provision, paragraph				
155b		" <i>Where Article -1(2) of Regulation (EU) .../... [Transitional Regulation] applies, Member States which do not take the decision referred to in paragraph 1 of this Article for financial year 2023, may by 31 December 2020 decide to make available as direct payments up to 15 % or, in the case of Bulgaria, Estonia, Spain, Latvia, Lithuania, Poland, Portugal, Romania, Slovakia, Finland and Sweden, up to 25 %,</i>		TM: 12.6.2020: Council: To be treated at the end as it is related to the timetable of adoption.

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>of the amount allocated to support financed under the EAFRD in financial year 2023 by Union legislation adopted after the adoption of Council Regulation (EU) .../... [MFF]. As a result, the corresponding amount shall no longer be available for support financed under the EAFRD. That decision shall be notified to the Commission by 31 December 2020 and shall set out the percentage chosen.</i> "		
Article 10(1), point(3), introductory part				
156	(3) the following Article 15a is added at the end of Chapter 1:			
Article 10(1), point(3), Amending Provision, first paragraph				
157	‘ Article 15a			
Article 10(1), point(3), Amending Provision, second paragraph				
158	Notifications for calendar year 2021	‘ AM 80 Notifications for calendar year 2021 years during the transitional		TM 12.6.2020 Council: 2 years issue, see row 50.

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>period</i>		
Article 10(1), point(3), Amending Provision, third paragraph				
159	For calendar year 2021 Member States shall notify the percentages of the annual national ceiling referred to in Articles 22(2), 42(1), 49(1), 51(1) and 53(6) by 1 August 2020.;	AM 81 For every For calendar year 2021 of the transitional period , Member States shall notify the percentages of the annual national ceiling referred to in Articles 22(2), 42(1), 49(1), 51(1) and 53(6) by 1 August 2020 of the preceding year .;	For calendar year 2021 Member States shall notify the percentages of the annual national ceiling referred to in Articles 22(2), 36(4) , 42(1), 49(1), 51(1) and 53(6) by 1 August [dd/mm] 2020.;	Council mandate: footnote on the date: "To be adjusted depending on the likely time for adoption of this regulation." TM 10.6.2020: Technical but to be treated at the end as related to timetable of adoption.
Article 10(1), point(4), introductory part				
160	(4) in Article 22(5), the following second subparagraph is added:			
Article 10(1), point(4), Amending Provision, first paragraph				
161	For calendar year 2021, if the ceiling for a Member State set by the Commission pursuant to paragraph 1 is different from that of the previous year as a result of a change in the amount set out in Annex II or as a result of any decision taken by that Member	AM 82 For every For calendar year 2021 of the transitional period , if the ceiling for a Member State set by the Commission pursuant to paragraph 1 is different from that of the previous year as a result of a change in the amount set out in		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	State in accordance with paragraph 3 of this Article, Article 14(1) or (2), Article 42(1), Article 49(1), Article 51(1), or Article 53, that Member State shall linearly reduce or increase the value of all payment entitlements and/or reduce or increase the national reserve or regional reserves in order to ensure compliance with paragraph 4 of this Article.;	Annex II or as a result of any decision taken by that Member State in accordance with paragraph 3 of this Article, Article 14(1) or (2), Article 42(1), Article 49(1), Article 51(1), or Article 53, that Member State shall linearly reduce or increase the value of all payment entitlements and/or reduce or increase the national reserve or regional reserves in order to ensure compliance with paragraph 4 of this Article.;		
Article 10(1), point(5), introductory part				
162	(5) in Article 23(6), the following fourth subparagraph is added:			
Article 10(1), point(5), Amending Provision, first paragraph				
163	‘ For calendar year 2021, Member States applying the first subparagraph of paragraph 1 shall notify the Commission by 1 August 2020 of the decisions referred to in paragraph 2 and 3.;’	‘ AM 83 <i>For every For</i> calendar year <i>2021of the transitional period,</i> Member States applying the first subparagraph of paragraph 1 shall notify the Commission by 1 August <i>2020of the preceding year</i> of the decisions referred to in paragraph paragraphs 2 and 3.;	‘ For calendar year 2021, Member States applying the first subparagraph of paragraph 1 shall notify the Commission by 4 August August [dd/mm] 2020 of the decisions referred to in paragraph 2 and 3.;	‘ Council mandate: footnote on the date: "To be adjusted depending on the likely adoption of this regulation." TM 10.6.2020: Technical but to be treated at the end as related to timetable of adoption.’

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article 10(1), point(6), introductory part				
164	(6) in Article 25, the following paragraph 11 is added:			
Article 10(1), point(6), Amending Provision(11), first subparagraph, introductory part				
165	<p>11. After having applied the adjustment referred to in Article 22(5), Member States that have made use of the derogation provided for in paragraph 4 of this Article may decide that payment entitlements held by farmers on 31 December 2019 having a value lower than the national or regional unit value for the year 2020 as calculated in accordance with the second subparagraph of this paragraph have their unit value increased towards the national or regional unit value in the year 2020. The increase shall be calculated under the following conditions:</p>	<p>11. AM 84 After having applied the adjustment referred to in Article 22(5), Member States that have made use of the derogation provided for in paragraph 4 of this Article may decide shall ensure that payment entitlements held by farmers on 31 December 2019 and, where Article -1(2) of Regulation (EU) .../... [Transitional Regulation] applies, 31 December 2020, having a value lower than the national or regional unit value for the subsequent year of the transitional period year 2020 as calculated in accordance with the second subparagraph of this paragraph have their unit value increased towards the national or regional unit value in the year</p>		<p>TM 27.5.2020: EP: request to have <i>COM</i>: compulsory internal convergence. Political point for the EP. Council: we did not touch this issue <i>COM addition</i>: Council raised the issue of retroactivity of compulsory internal convergence from 2020. COM explained intention of continuity, no anticipation of the reform, no controversial elements for adoption. Political point</p> <p>TM: 10.6.2020: Council: AM 84-88. The Council maintained the COM proposal to have voluntary internal convergence. EP: EP text is clear, it's a political point. Hard to understand</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		2020 <i>corresponding year</i> . The increase shall be calculated under the following conditions:		<p>reasoning for the initial COM proposal. We haven't heard good arguments.</p> <p>COM: Its about the continuity, since in 2019 the internal convergence (tunnel) stopped We wanted to give flexibility for MSs to decide on it. If the relevant EP AM will be accepted, then we will have an issue of retroactivity. We should leave flexibility for MSs. Allow to do it but not to impose it to MSs.</p> <p>For claim year 2020, beneficiaries have already submitted an application. So now is too late to have this provision in the Transitional Regulation.</p> <p>EP: In case of 2 years transition, this point becomes even more important.</p> <p>Council: Political decision to be taken.</p> <p>TM: 12.6.2020: Council, EP: To be discussed at the political level.</p> <p>T2: EP withdraws AM 84.</p>
Article 10(1), point(6), Amending Provision(11), first subparagraph, point(a)				
166				

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	(a) the calculation method for the increase decided by the Member State is based on objective and non-discriminatory criteria;			
Article 10(1), point(6), Amending Provision(11), first subparagraph, point(b)				
167	(b) to finance the increase, all or part of the owned or leased-in payment entitlements held by farmers on 31 December 2019 having a value higher than the national or regional unit value in the year 2020 as calculated in accordance with the second subparagraph shall be reduced. That reduction shall apply to the difference between the value of those entitlements and the national or regional unit value in the year 2020. The application of that reduction shall be based on objective and non-discriminatory criteria, which may include the fixing of a maximum decrease.	(b) AM 85 to finance the increase, all or part of the owned or leased-in payment entitlements held by farmers on 31 December 2019 and, where Article -1(2) of the Regulation (EU) .../... [Transitional Regulation] applies, 31 December 2020 , having a value higher than the national or regional unit value in the subsequent year of the transitional period year 2020 as calculated in accordance with the second subparagraph shall be reduced. That reduction shall apply to the difference between the value of those entitlements and the national or regional unit value in the corresponding year 2020 . The application of that reduction shall be based on objective and non-discriminatory criteria, which may include the fixing of a maximum decrease.		TM: 12.6.2020: Council, EP: To be discussed at the political level. T2: EP withdraws AM 85.
Article 10(1), point(6), Amending Provision(11), second subparagraph				

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
168	The national or regional unit value for the year 2020 referred to in the first subparagraph shall be calculated by dividing the national or regional ceiling for the basic payment scheme set in accordance with Article 22(1) or 23(2) for the year 2020, excluding the amount of the national or regional reserve(s), by the number of the owned or leased-in payment entitlements held by farmers on 31 December 2019.	AM 86 The national or regional unit value for the year 2020 years during the transitional period referred to in the first subparagraph shall be calculated by dividing the national or regional ceiling for the basic payment scheme set in accordance with Article 22(1) or 23(2) for the year 2020 in question , excluding the amount of the national or regional reserve(s), by the number of the owned or leased-in payment entitlements held by farmers on 31 December 2019 of the preceding year .		TM: 12.6.2020: Council, EP: To be discussed at the political level. T2: EP withdraws AM 86.
Article 10(1), point(6), Amending Provision(11), third subparagraph				
169	By way of derogation from the first subparagraph, Member States that have made use of the derogation provided for in paragraph 4 may decide to keep the value of payment entitlements calculated in accordance with that paragraph subject to the adjustment referred to in Article 22(5).	By way of derogation from the first subparagraph, Member States that have made use of the derogation provided for in paragraph 4 may decide to keep the value of payment entitlements calculated in accordance with that paragraph subject to the adjustment referred to in Article 22(5). AM 87		TM: 12.6.2020: Council, EP: To be discussed at the political level. T2: EP withdraws AM 87.
Article 10(1), point(6), Amending Provision(11), fourth subparagraph				

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
170	Member States shall inform farmers in due time of the value of their payment entitlements as calculated in accordance with this paragraph.;			
Article 10(1), point(7), introductory part				
171	(7) in Article 25, the following paragraph 12 is added:			
Article 10(1), point(7), Amending Provision(12)				
172	‘ 12. For calendar year 2021, Member States may decide to apply further internal convergence by applying paragraph 11 to the respective year.;	‘ 12. AM 88 <i>For the whole of the period of application of this Regulation</i> For calendar year 2021 , Member States may decide to shall apply further internal convergence by applying paragraph 11 to the respective year.;		TM: 12.6.2020: Council, EP: To be discussed at the political level. T2: EP withdraws AM 88.
Article 10(1), point(8), introductory part				
173	(8) Article 29 is replaced by the following:			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article 10(1), point(8), Amending Provision, first paragraph				
174	Article 29			
Article 10(1), point(8), Amending Provision, second paragraph				
175	Notifications concerning the value of payment entitlements and convergence			
Article 10(1), point(8), Amending Provision, third paragraph				
176	For calendar year 2020, Member States shall notify their decisions referred to in Article 25(11) by [OPOCE within one month after entry into force of this Transitional Regulation].			
Article 10(1), point(8), Amending Provision, fourth paragraph				
177	For calendar year 2021, Member States shall notify their decisions referred to in Article 25(12) by 1 August 2020.;		For calendar year 2021, Member States shall notify their decisions referred to in Article 25(12) by 1 August [dd/mm] 2020.;	<p>Council mandate: footnote on the date: "To be adjusted depending on the likely adoption of this regulation."</p> <p>TM 10.6.2020: Technical but to be treated at the end as related to timetable of adoption.</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				,
Article 10, first paragraph, point(8a), introductory part				
177a		<i>AM 89 Where Article -1(2) of Regulation (EU) .../... [Transitional Regulation] applies, Member States shall notify, for calendar year 2022, any decisions referred to in Article 25(12) of this Regulation by 1 August 2021.</i>		TM: 12.6.2020: Council, EP: Technical but to be treated at the end as related to timetable of adoption.
Article 10(1), point(9), introductory part				
178	(9) in Article 30(8), the following fourth subparagraph is added:			
Article 10(1), point(9), Amending Provision, first paragraph				
179	‘ For allocations from the reserve in 2021, the amount of the reserve to be excluded in accordance with the second subparagraph shall be adjusted in accordance with the second subparagraph of Article 22(5). For allocations from the reserve in 2021, the third subparagraph of this paragraph	‘ <i>AM 90</i> For allocations from the reserve in 2021, <i>and, where Article -1(2) of Regulation (EU) .../...</i> [Transitional Regulation] applies, <i>for allocations from the reserve in 2022</i> , the amount of the reserve to be excluded in accordance with the second subparagraph shall be		TM: 12.6.2020: Council: Related to 2 years transitional period.

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	shall not apply.;	adjusted in accordance with the second subparagraph of Article 22(5). For allocations from the reserve in 2021 <i>and, where Article -1(2) of Regulation (EU) .../... [Transitional Regulation] applies, for allocations from the reserve in 2022</i> , the third subparagraph of this paragraph shall not apply.;		
Article 10(1), point(10), introductory part				
180	(10) in Article 36(1), the following second subparagraph is inserted:			
Article 10(1), point(10), Amending Provision, first paragraph				
181	Member States applying in 2020 the single area payment scheme shall continue to do so after 31 December 2020.;			
Article 10(1), point(10a), introductory part				
181a		<i>(10a) AM 91 In Article 37(1), the following subparagraph is added:</i>	(10a) in Article 37(1), the following subparagraph is added:	TM 10.6.2020: Council: AM 91-92 - Council and EP are close. COM: TNA should not continue, if it will, keep degressivity.

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>EP: Council text can be acceptable but correct to 2 year transition.</p> <p>Preliminarily agreed at the technical level by the EP and Council but the only open issue seems to be related to 2 years. COM does not share this view.</p> <p>TM: 12.6.2020: Council, EP: Agree on the content and possible adaptation to two years. COM doesn't agree with the substance. Should be discussed on the political level.</p> <p>T2: Agreement on Council text (which covers AM 91) In the case of two year transition possibility of granting TNA support is maintained (50% in 2021 and 2022)</p>
Article 10(1), point(10a), Amending Provision, first paragraph				
181b		<p>"</p> <p><i>Member States granting transitional national aid in 2020 may continue to do so until the end of the transitional period referred to in Article -1 of Regulation (EU) .../...</i></p>	<p>"</p> <p>Member States granting transitional national aid in the period 2015-2020 may decide to grant transitional national aid in 2021.'</p> <p>"</p>	<p>TM 10.6.2020: EP, Council: In case of 2 years transition, possibility of granting TNA has to be maintained in 2022. COM: Does not share this view.</p> <p>TM: 12.6.2020:</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>[Transitional Regulation].</i> "		Council, EP: Agree on the content and possible adaptation to two years. COM doesn't agree with the substance. Should be discussed on the political level. T2: Agreement on Council text (which covers AM 91) In the case of two year transition possibility of granting TNA support is maintained also in 2022.
Article 10(1), point(10b), introductory part				
181c		<i>(10b) AM 92 In Article 37(4), the following indents are added:</i>	(10b) in Article 37(4), the last indent is replaced by the following:	TM 27.5.2020: EP, Council: positions on the transitional national aid are quite close. COM: not in favour of extension of TNA TM: 12.6.2020: Council, EP: Agree on the content and possible adaptation to two years. COM doesn't agree with the substance. Should be discussed on the political level. T2: Agreement on Council text (which covers AM 92)
Article 10(1), point(10b), Amending Provision, first paragraph				
181d		"	"	TM 10.6.2020: EP: In case of 2 years transition,

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		- 50 % in 2021, - where Article -1(2) of Regulation (EU) .../... [Transitional Regulation] applies, 50 % in 2022. "	- 50% in 2020 and 2021. "	the current level has to be maintained in 2022. COM: Degressivity is key for us in case of 2 years transitional period. Its state aid question. TM: 12.6.2020: Council, EP: Agree on the content and possible adaptation to two years. COM doesn't agree with the substance. Should be discussed on the political level. T2: Agreement on Council text (which covers AM 92) In the case of two year transition level of support is maintained on 50%.
Article 10(1), point(11), introductory part				
182	(11) in Article 41(1), the following third subparagraph is added:			
Article 10(1), point(11), Amending Provision, first paragraph				
183	‘ Member States may review their decision referred to in the first subparagraph by 1 August of the year preceding the year of application. They shall notify the Commission of any such decision by that date.;		‘ Member States may review their decision referred to in the first subparagraph by 1 August of the year preceding the year of application. They shall notify the Commission of any such decision by that date.;	‘ Council mandate: footnote on the date: "To be adjusted depending on the likely time for adoption of this regulation." TM 10.6.2020:

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				Technical but to be treated at the end as related to timetable of adoption.
Article 10(1), point(12), introductory part				
184	(12) in Article 42(1), the following second subparagraph is added:			
Article 10(1), point(12), Amending Provision, first paragraph				
185	‘ Member States may review their decision referred to in the first subparagraph by 1 August of the year preceding the year of application. They shall notify the Commission of any such decision by that date.;’		‘ Member States may review their decision referred to in the first subparagraph by 1 August[dd/mm] of the year preceding the year of application. They shall notify the Commission of any such decision by that date.;’	‘ Council mandate: footnote on the date: "To be adjusted depending on the likely time for adoption of this regulation." TM 10.6.2020: Technical but to be treated at the end as related to timetable of adoption.’
Article 10(1), point(12a), introductory part				
185a			(12a) in Article 52, the paragraph 10 is replaced by the following:	See row 185b TM: 12.6.2020: Council: need to adjust it with 2 years. T2: A-item, Council text was endorsed.

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article 10(1), point(12a), Amending Provision, first paragraph				
185b			<p>"</p> <p>The Commission is empowered to adopt delegated acts in accordance with Article 70 supplementing this Regulation as regards measures in order to avoid beneficiaries of voluntary coupled support suffering from structural market imbalances in a sector. Those delegated acts may allow Member States to decide that such support may continue to be paid until 2021 on the basis of the production units for which voluntary coupled support was granted in a past reference period.</p> <p>"</p>	<p>TM 27.5.2020: COM: no problem with this Council text TM 10.6.2020: Council: need to adjust it with 2 years.</p> <p>TM 12.6.2020</p> <p>T2: A-item, Council text was endorsed.</p>
Article 10(1), point(13), introductory part				
186	(13) in Article 58, paragraph 3 is replaced by the following:			
Article 10(1), point(13), Amending Provision(3), first subparagraph, introductory part				
187	‘ 3. The amount of the crop-specific		‘ 3. The amount of the crop-specific	TM 27.5.2020: Council, COM: minor editorial

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	payment per hectare of eligible area shall be calculated for 2020 by multiplying the yields established in paragraph 2 with the following reference amounts:		payment for cotton per hectare of eligible area shall be calculated for 2020 by multiplying the yields established in paragraph 2 with the following reference amounts:-	change EP: Council text acceptable for the EP. T2: A-item, Council text was endorsed.
Article 10(1), point(13), Amending Provision(3), first subparagraph, first indent				
188	- Bulgaria: EUR 649,45,			
Article 10(1), point(13), Amending Provision(3), first subparagraph, second indent				
189	- Greece: EUR 234,18,			
Article 10(1), point(13), Amending Provision(3), first subparagraph, third indent				
190	- Spain: EUR 362,15,			
Article 10(1), point(13), Amending Provision(3), first subparagraph, fourth indent				
191	- Portugal: EUR 228,00.			
Article 10(1), point(13), Amending Provision(3), second subparagraph, introductory part				
192	The amount of the crop-specific payment per hectare of eligible area shall be calculated for 2021 by multiplying the yields established		The amount of the crop-specific payment for cotton per hectare of eligible area shall be calculated for 2021 by multiplying the yields	TM 27.5.2020: Council, COM: minor editorial change EP: ok for us

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	in paragraph 2 with the following reference amounts:		established in paragraph 2 with the following reference amounts:	T2: A-item, Council text was endorsed.
Article 10(1), point(13), Amending Provision(3), second subparagraph, first indent				
193	- Bulgaria: EUR 624,11,	<p>‘</p> <p>- AM 93</p> <p>Bulgaria: EUR 624,11^{X*1}</p> <p><i>1. *In its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament’s position with a view to an agreement (P8_TA(2018)0449), the European Parliament took a position in favour of maintaining the financing of the CAP for the EU-27 at the level of the 2014-2020 budget in real terms, while budgeting the initial amount of the agricultural reserve, namely EUR 383 255 million in 2018 prices (EUR 431 946 million in current prices). The figures provided for in this Regulation should therefore be calculated on the basis of the figures agreed for the MFF 2021-2027 or, should that MFF not be adopted in time, on the basis of extended 2020 ceilings and provisions in accordance with Article 312(4) TFEU.</i></p>	- Bulgaria: EUR [624,11]624,11,	MFF related
Article 10(1), point(13), Amending Provision(3), second subparagraph, second indent				
194	- Greece: EUR 225,04,	<p>- AM 94</p> <p>Greece: EUR 225,04^{X*,1}</p>	- Greece: EUR [225,04]225,04,	MFF related

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p><i>1. *In its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament’s position with a view to an agreement (P8_TA(2018)0449), the European Parliament took a position in favour of maintaining the financing of the CAP for the EU-27 at the level of the 2014-2020 budget in real terms, while budgeting the initial amount of the agricultural reserve, namely EUR 383 255 million in 2018 prices (EUR 431 946 million in current prices). The figures provided for in this Regulation should therefore be calculated on the basis of the figures agreed for the MFF 2021-2027 or, should that MFF not be adopted in time, on the basis of extended 2020 ceilings and provisions in accordance with Article 312(4) TFEU.</i></p>		
Article 10(1), point(13), Amending Provision(3), second subparagraph, third indent				
195	- Spain: EUR 348,03,	<p>- AM 95 Spain: EUR 348,03^X,¹</p> <p><i>1. *In its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament’s position with a view to an agreement (P8_TA(2018)0449), the European Parliament took a position in favour of maintaining the financing of the CAP for the EU-27 at the level of the 2014-2020 budget in real terms, while budgeting the initial amount of the agricultural reserve, namely EUR 383 255 million in 2018 prices (EUR 431 946 million in current prices). The figures provided for in this Regulation should therefore be calculated on the basis of the</i></p>	- Spain: EUR [348,03] 348,03,	MFF related

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>figures agreed for the MFF 2021-2027 or, should that MFF not be adopted in time, on the basis of extended 2020 ceilings and provisions in accordance with Article 312(4) TFEU.</i>		
Article 10(1), point(13), Amending Provision(3), second subparagraph, fourth indent				
196	- Portugal: EUR 219,09.;	<p>- AM 96 Portugal: EUR 219,09^X ^{1.};</p> <p><i>1. *In its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament’s position with a view to an agreement (P8_TA(2018)0449), the European Parliament took a position in favour of maintaining the financing of the CAP for the EU-27 at the level of the 2014-2020 budget in real terms, while budgeting the initial amount of the agricultural reserve, namely EUR 383 255 million in 2018 prices (EUR 431 946 million in current prices). The figures provided for in this Regulation should therefore be calculated on the basis of the figures agreed for the MFF 2021-2027 or, should that MFF not be adopted in time, on the basis of extended 2020 ceilings and provisions in accordance with Article 312(4) TFEU.</i></p>	- Portugal: EUR [219,09]219,09.;	MFF related
Article 10, first paragraph, point(13a)				
196a		AM 97		MFF related

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p><i>Where Article -1(2) of Regulation (EU) .../... [Transitional Regulation] applies, the amount of the crop-specific payment per hectare of eligible area shall be calculated for 2022 by multiplying the yields established in paragraph 2 with the following reference amounts:</i></p> <ul style="list-style-type: none"> – Bulgaria: EUR X*, – Greece: EUR X*, – Spain: EUR X*, – Portugal: EUR X^{*a 1}. <p><i>1. *In its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament’s position with a view to an agreement (P8_TA(2018)0449), the European Parliament took a position in favour of maintaining the financing of the CAP for the EU-27 at the level of the 2014-2020 budget in real terms, while budgeting the initial amount of the agricultural reserve, namely EUR 383 255 million in 2018 prices (EUR 431 946 million in current prices). The figures provided for in this Regulation should therefore be calculated on the basis of the figures agreed for the MFF 2021-2027 or, should that MFF not be adopted in time, on the basis of extended 2020 ceilings and provisions in accordance with Article 312(4) TFEU.</i></p>		
	Article 10(1), point(14)			
197				

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	(14) Annexes II and III are amended in accordance with Annex II to this Regulation.			
Article 11				
198	Article 11 Amendments to Regulation (EU) No 1308/2013			TM 10.6.2020: EP demands are covered in Article 11.
Article 11, first paragraph, introductory part				
199	Regulation (EU) No 1308/2013 is amended as follows:			
Article 11,, point(0), introductory part				
199a			(0) in Article 29 (1), the following second subparagraph is added:	TM 12.6.2020: T2: A-item, Council text was endorsed.
Article 11, point(0), Amending Provision, first paragraph				
199b			" By way of derogation to subparagraph 1, work programmes drawn up for the period running from 1 April 2018 until 31 March 2021, shall be extended and shall end on 31	" Council mandate: footnote on the date: "To be adjusted depending on the likely adoption of this regulation." "

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
			<p>December 2021. The relevant producer organisations recognised under Article 152 of this Regulation, the relevant associations of producer organisations recognised under Article 156 of this Regulation and the relevant interbranch organisations recognised under Article 157 of this Regulation shall modify their work programmes to take account of this extension. The modified work programmes shall be notified to the Commission by [31 December 2020];</p>	<p>TM 10.6.2020: Council: In the case of 2 years transition, possibility of the adoption of new programmes (till 31.12.2022) should be envisaged. EP: Could accept Council text . COM: If we would go for 2 years transition, Council proposal would be acceptable.</p> <p>TM 12.6.2020: T2: A-item (PM: Among others, also 2 year issue – see row 50</p> <p>" T2: Agreement on Council text. In case of two- year transitional period, the text would need to be adapted to ensure possibility of the adoption of new programmes.</p>
Article 11(1), point(1), introductory part				
200	(1) in Article 29, paragraph 2 is replaced by the following:			
Article 11(1), point(1), Amending Provision(2), first subparagraph, introductory part				
201	,			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	2. The Union financing of the work programmes referred to in paragraph 1 shall be for 2020:			
Article 11(1), point(1), Amending Provision(2), first subparagraph, point(a)				
202	(a) EUR 11 098 000 for Greece;			
Article 11(1), point(1), Amending Provision(2), first subparagraph, point(b)				
203	(b) EUR 576 000 for France;			
Article 11(1), point(1), Amending Provision(2), first subparagraph, point(c)				
204	(c) EUR 35 991 000 for Italy.			
Article 11(1), point(1), Amending Provision(2), second subparagraph, introductory part				
205	The Union financing for the work programmes referred to in paragraph 1 shall be for 2021:			
Article 11(1), point(1), Amending Provision(2), second subparagraph, point(a)				
206	(a) EUR 10 666 000 for Greece;	‘ (a) AM 98 EUR X * EUR 10 666 000 for Greece;	(a) EUR [10 666 000] for Greece;	MFF related

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p><i>1. *In its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament's position with a view to an agreement (P8_TA(2018)0449), the European Parliament took a position in favour of maintaining the financing of the CAP for the EU-27 at the level of the 2014-2020 budget in real terms, while budgeting the initial amount of the agricultural reserve, namely EUR 383 255 million in 2018 prices (EUR 431 946 million in current prices). The figures provided for in this Regulation should therefore be calculated on the basis of the figures agreed for the MFF 2021-2027 or, should that MFF not be adopted in time, on the basis of extended 2020 ceilings and provisions in accordance with Article 312(4) TFEU.</i></p>		
Article 11(1), point(1), Amending Provision(2), second subparagraph, point(b)				
207	(b) EUR 554 000 for France;	<p>(b) AM 99 EUR X¹EUR 554 000 for France;</p> <p><i>1. *In its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament's position with a view to an agreement (P8_TA(2018)0449), the European Parliament took a position in favour of maintaining the financing of the CAP for the EU-27 at the level of the 2014-2020 budget in real terms, while budgeting the initial amount of the agricultural reserve, namely EUR 383 255 million in 2018 prices (EUR 431 946 million in current prices). The figures</i></p>	(b) EUR [554 000] for France;	MFF related

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>provided for in this Regulation should therefore be calculated on the basis of the figures agreed for the MFF 2021-2027 or, should that MFF not be adopted in time, on the basis of extended 2020 ceilings and provisions in accordance with Article 312(4) TFEU.</i>		
Article 11(1), point(1), Amending Provision(2), second subparagraph, point(c)				
208	(c) EUR 34 590 000 for Italy.;	<p>(c) EUR 34 590 000 AM 100 EUR X^{*1} for Italy.;</p> <p><i>1. *In its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament's position with a view to an agreement (P8_TA(2018)0449), the European Parliament took a position in favour of maintaining the financing of the CAP for the EU-27 at the level of the 2014-2020 budget in real terms, while budgeting the initial amount of the agricultural reserve, namely EUR 383 255 million in 2018 prices (EUR 431 946 million in current prices). The figures provided for in this Regulation should therefore be calculated on the basis of the figures agreed for the MFF 2021-2027 or, should that MFF not be adopted in time, on the basis of extended 2020 ceilings and provisions in accordance with Article 312(4) TFEU.</i></p>	(c) EUR [34 590 000] for Italy.;	MFF related
Article 11(1), point(1), Amending Provision(2), second subparagraph a				
208a		AM 101		MFF related

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p><i>Where Article -1(2) of Regulation (EU) .../... [Transitional Regulation] applies, the Union financing for the work programmes referred to in paragraph 1 shall, for 2022, be:</i></p> <p><i>(a) EUR X^{*1} for Greece;</i></p> <p><i>(b) EUR X[*] for France; and</i></p> <p><i>(c) EUR X[*] for Italy.</i></p> <p><i>1. *In its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament’s position with a view to an agreement (P8_TA(2018)0449), the European Parliament took a position in favour of maintaining the financing of the CAP for the EU-27 at the level of the 2014-2020 budget in real terms, while budgeting the initial amount of the agricultural reserve, namely EUR 383 255 million in 2018 prices (EUR 431 946 million in current prices). The figures provided for in this Regulation should therefore be calculated on the basis of the figures agreed for the MFF 2021-2027 or, should that MFF not be adopted in time, on the basis of extended 2020 ceilings and provisions in accordance with Article 312(4) TFEU.</i></p>		
Article 11, first paragraph, point(1a), introductory part				
208b			(1a) in Article 33(1), the following third and fourth subparagraphs are added:	<p>TM 27.5.2020:</p> <p>Council: related to fruit and vegetables programmes</p> <p>EP: explanation is clear</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>COM: have problems with this Council text (not carry-over but you have a dual approach now)</p> <p>TM 12.6.2020 EP can agree with the Council text.</p> <p>T2: Agreed as an A-item.</p>
Article 11, first paragraph, point(1a), Amending Provision, a				
208c			<p>"</p> <p>‘Operational programmes for which an extension in line with the maximum duration of five years referred to in the first subparagraph is to be approved after the entry into force of Regulation EU [XXXX/XXXX] [Transitional regulation] may only be extended until 31 December 2021.</p>	<p>TM: 10.6.2020: EP: Council text could be acceptable. But need to adjusted as regards 2 years transitional period. COM: row 208c Council proposal could be acceptable Council: In case of 2 years transition, programmes perhaps should be extended till 31.12.2022.</p> <p>TM 12.6.2020 EP can agree with the Council text.</p> <p>T2: Agreed as an A-item (PM: but pending possible adjustments to the 2 year transition.)</p>
Article 11, first paragraph, point(1a), Amending Provision, b				
208d			<p>By way of derogation to the first subparagraph, new operational programmes that are approved after the entry into force of</p>	<p>TM: 10.6.2020: COM: row 208d: risk of having old and new systems running in parallel. MSs should be aware of this. Running of up to 3 years a full</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
			<p>Regulation EU [XXXX/XXXX] [Transitional regulation] shall have a maximum duration of three years.’;</p>	<p>set of two systems with management and controls applied differently.</p> <p>In addition, producer organisations (POs) – with new programmes will be submitted to old rules. Especially, they will be not submitted to new environmental obligations, while the other POs under new rules will do.</p> <p>Council: MSs are aware of the risk of having a double system and possible different treatment of POs. But we cannot put aside approved POs who want to start new operational programme during the transitional period. They cannot wait till the adoption of the national strategic plans. Council wanted to ensure here that approved POs can start new operational programmes during the transitional period before national strategic plans are in place. If we don’t regulate this, there is also a risk.</p> <p>EP: To be checked</p> <p>TM 12.6.2020 EP can agree with the Council text.</p> <p>T2: A-item, Council text was endorsed.</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article 11(1), point(2), introductory part				
209	(2) in Article 58, paragraph 2 is replaced by the following:			
Article 11(1), point(2), Amending Provision(2), first subparagraph				
210	‘ 2. The Union financing for the aid to producer organisations provided for in paragraph 1 shall be for 2020 EUR 2 277 000 for Germany.			
Article 11(1), point(2), Amending Provision(2), second subparagraph				
211	The Union financing for the aid to producer organisations provided for in paragraph 1 shall be for 2021 EUR 2 188 000 for Germany.;	‘ AM 102 The Union financing for the aid to producer organisations provided for in paragraph 1 shall be for 2021 EUR 2 188 000 ^{*1} for Germany.; <u>1. *In its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament’s position with a view to an agreement (P8_TA(2018)0449), the European Parliament took a position in favour of maintaining the financing of the CAP for the EU-27 at the level of the 2014-2020 budget in real terms, while budgeting the initial amount of the agricultural reserve, namely EUR 383 255</u>	The Union financing for the aid to producer organisations provided for in paragraph 1 shall be for 2021 EUR [2 188 000] for Germany.;	MFF related

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>million in 2018 prices (EUR 431 946 million in current prices). The figures provided for in this Regulation should therefore be calculated on the basis of the figures agreed for the MFF 2021-2027 or, should that MFF not be adopted in time, on the basis of extended 2020 ceilings and provisions in accordance with Article 312(4) TFEU.</i>		
Article 11, first paragraph, point(2a), introductory part				
211a			(2a) in Article 68(1), the second sentence of the second subparagraph is replaced by the following:	<p>TM 12.6.2020 EP could agree Council text but pending the 2 years transition.</p> <p>TM 12.6.2020: T2: A-item. Agreement on Council compromise text.</p>
Article 11, first paragraph, point(2a)(i)				
211b			‘Member States may decide to allow producers to submit such a request to convert rights into authorisations until 31 December 2021.’.	<p>TM 27.5.2020: Council: to bridge gap before the CAP SP is in place. EP: we have a similar amendment. COM: understand that this may be needed. See row 211g</p> <p>TM 10.6.2020: Council: The Council text is related to AM 104 and 105. EP: Council text is acceptable but AM 105 is also needed. Its very</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>important that given authorisations will be still valid during the third year after the end of the transitional period.</p> <p>COM: Council text covering AM 104 could be acceptable but AM 105 could be complicated as it is too long period. 3 years gets away from transitional period. We move too far from the transitional period.</p> <p>Council: AM 105 from technical point of view could be acceptable but need to further check. If we extend the deadline for converting rights into authorisations until the end of the transitional period (31.12.2021 or 31.12.2022), we should also extend the validity of granted authorisations accordingly (for 3 years).</p> <p>TM: 12.6.2020: Council compromise text: Member States may decide to allow producers to submit such a request to convert rights into authorisations until 31 December 2021[/2022]. If these authorisations are not used, they shall expire at the 31 December of the 2024[/2025].</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>TM 12.6.2020 EP could agree Council compromise text but pending the 2 years transition.</p> <p>T2: Agreement on Council compromise text in principle, but text related to the expiration of authorisations shall be provided under Article 68(2) of 1308/2013 Regulation instead of Article 68(1). To be prepared on the technical level as an A-item for the 3 trilogue.</p>
Article 11, first paragraph, point(2b)				
211c			(2b) in Article 214a, the following subparagraph is added:	<p>See row 211d</p> <p>T2: Agreement on Council text.</p>
Article 11, first paragraph, point(2c)				
211d			‘In 2021 Finland may continue to grant the national aids referred to in paragraph 1 subject to the same conditions and amounts as authorised by the Commission for year 2020.’;	<p>TM 27.5.2020: EP: Council wording could be fine for the EP (EP has also a similar text). EP: Agrees with Council text but with reference on 2022. (Similar to EP AM 108 in rows</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>211n and 211o) COM: Cannot agree with Council text.</p> <p>TM 12.6.2020: Council compromise text ‘In 2021 [and 2022] Finland may continue to grant the national aids referred to in paragraph 1 subject to the same conditions and amounts as authorised by the Commission for year 2020.’;</p> <p>Council, EP: Agree on the content and possible adaptation to two years. COM doesn’t agree with the substance. Should be discussed on the political level.</p> <p>T2: Agreement on Council text and possible adaptation to two years, where the level of support will be maintained.</p>
Article 11, first paragraph, point(2a), introductory part				
211e		<p><i>AM 103</i> <i>Where Article -1(2) of Regulation (EU) .../... [Transitional Regulation] applies, the Union financing for the aid to producer organisations provided for in</i></p>		

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p><i>paragraph 1 shall, for 2022, be EUR X^{*1} for Germany.</i></p> <p><i>1. *In its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament's position with a view to an agreement (P8_TA(2018)0449), the European Parliament took a position in favour of maintaining the financing of the CAP for the EU-27 at the level of the 2014-2020 budget in real terms, while budgeting the initial amount of the agricultural reserve, namely EUR 383 255 million in 2018 prices (EUR 431 946 million in current prices). The figures provided for in this Regulation should therefore be calculated on the basis of the figures agreed for the MFF 2021-2027 or, should that MFF not be adopted in time, on the basis of extended 2020 ceilings and provisions in accordance with Article 312(4) TFEU.</i></p>		
Article 11, first paragraph, point(2a)				
211f		<p><i>(2a) AM 104 in Article 68, paragraph 1 is replaced by the following:</i></p>		<p>TM 10.6.2020: Council can accept AM 104.</p> <p>See row 211b</p> <p>T2: Agreement under row 211b.</p>
Article 11, first paragraph, point(2a)				
211g		<p><i>"1. Planting rights granted to producers in accordance with</i></p>		<p>TM 10.6.2020: Council can accept AM 104.</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>Article 85h, Article 85i or Article 85k of Regulation (EC) No 1234/2007 before 31 December 2015 which have not been used by those producers and are still valid by that date may be converted into authorisations under this Chapter as from 1 January 2016. Such conversion shall take place upon a request to be submitted by those producers before 31 December 2015. Member States may decide to allow producers to submit such a request to convert rights into authorisations until 31 December of the last year of the transitional period as referred to in Article -1 of Regulation (EU) .../... [Transitional Regulation].”</i>		See row 211k T2: Agreement under row 211b.
Article 11, first paragraph, point(2b)				
211h		<i>(2b) AM 105 in Article 68, paragraph 2 is replaced by the following:</i>		TM 10.6.2020: Council could accept AM 105, to be checked. See row 211b. T2: Agreement under row 211b.
Article 11, first paragraph, point(2b)				
211i		<i>"2. Authorisations granted pursuant to paragraph 1 shall</i>		TM 10.6.2020: Council could accept AM 105, to be checked.

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>have the same period of validity as the planting rights referred to in paragraph 1. If these authorisations are not used, they shall expire at the latest by 31 December 2018, or, where a Member State has taken the decision referred to in the second subparagraph of paragraph 1, at the latest by 31 December of the third year after the end of the transitional period referred to in Article -1 of Regulation (EU) .../... [Transitional Regulation].”</i>		See row 211b. T2: Agreement under row 211b.
Article 11, first paragraph, point(2c)				
211j		<i>(2c) AM 106 In Title II, Chapter III, Section 4, the following Article is added:</i>		TM 27.5.2020: EP: AM 106 would allow to regulate olive oil sector. Extension of old rules to sector currently in crisis, the same system exists already in wine sector. Priority for the EP. Political issue for the EP. Council: This AM might be considered as a new element which goes beyond the Transitional Regulation and the principle of continuity of the current rules. COM: this should not be regulated under the Transitional Regulation. Not continuation of existing rules, this is a novelty for us. Let's see to what extent it is needed and what

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>already exist in current regulation. TM 10.6.2020:</p> <p>Council: AM 106 we have similar text in CAP SP regulation. Text as such could be acceptable at the technical level. The main problem is that it goes beyond the transitional period. Political decision needed - do we introduce it now or we wait for the reform package to be adopted.</p> <p>EP: Strongly ask that this should be extended to olive oil (covid and Airbus related), essential tool without budgetary impact.</p> <p>COM: Not about new rules but about continuity of rules. We take note of the EP comments. Need to adjust drafting, e.g. olive oil and table olives.</p> <p>COM: Will provide an adjusted text.</p> <p>See row 211k</p> <p>T2: AM 106 accepted with text adjustment provided by COM. See row 211k.</p>
Article 11, first paragraph, point(2c)				
211k		<i>“Article 167a</i>		See row 211j

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p><i>Marketing rules to improve and stabilise the operation of the common market in the olive oil sector</i></p> <p><i>1. In order to improve and stabilise the operation of the common market in the olive oil sector, producer Member States may lay down marketing rules to regulate supply. Such rules shall be proportionate to the objective pursued and shall not:</i></p> <p><i>(a) relate to any transaction after the first marketing of the produce concerned;</i></p> <p><i>(b) allow for price fixing, including where prices are set for guidance or recommendation;</i></p> <p><i>(c) render unavailable an excessive proportion of the yield that would otherwise be available.</i></p> <p><i>2. The rules provided for in paragraph 1 shall be brought to the attention of operators by being published in full in an official publication of the Member State concerned.</i></p> <p><i>3. Member States shall notify the Commission of any decisions taken under this Article.”</i></p>		<p>TM 12.6.2020: COM drafting proposal: Marketing rules to improve and stabilise the operation of the common market in the olive oils sector</p> <p>1. In order to improve and stabilise the operation of the common market in the olive oils sector, including the olives from which they derive, producer Member States may lay down marketing rules to regulate supply.</p> <p>Such rules shall be proportionate to the objective pursued and shall not:</p> <p>(a) relate to any transaction after the first marketing of the produce concerned;</p> <p>(b) allow for price fixing, including where prices are set for guidance or recommendation;</p> <p>(c) render unavailable an excessive proportion of the yield production of the marketing year that would otherwise be available.</p> <p>EP: Supports the new proposed wording.</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				To be discussed at the political trilogue. T2: Agreement on compromise text provided on 12.06.2020 as COM compromise text(see above).
Article 11, first paragraph, point(2d)				
211l		<i>(2d) AM 107 In Article 211, the following paragraph is added:</i>		See row 211m T2: compromise text related to the AM 107 agreed. The compromise text is provided in row 211m.
Article 11, first paragraph, point(2d)				
211m		<i>"2a. By way of derogation from paragraph 1 and in order to limit the effects of income variability, by encouraging farmers to build up savings in good years in order to cope with bad years, Articles 107, 108 and 109 TFEU shall not apply to national fiscal measures whereby Member States decide to deviate from general tax rules by allowing for the income tax base applied to farmers to be calculated on the basis of a multiannual period, including by carrying forward</i>		TM 27.5.2020 EP: on AM 107 we will come back on this. TM 10.6.2020: EP: AM 107 - new CAP reform proposed this but we should do it already during the transitional period, due to the current crisis. Can help farmers and bring security. Council: Article 133 CAP SP proposal - council text. EP: This Council text is acceptable. Council: It passed technical level in Council. Goes beyond council mandate but at technical level can

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>part of the tax base including by deferring part of the tax base, or by allowing the exclusion of amounts placed in a dedicated agricultural savings account."</i>		<p>say could be fine.</p> <p>TM 10.6.2020: Compromise text: <i>By way of derogation from paragraph 1, Articles 107, 108 and 109 TFEU shall not apply to national fiscal measures whereby Member States decide to deviate from general tax rules by allowing for the income tax base applied to farmers to be calculated on the basis of a multiannual period with a view to evening out the tax base over a certain number of years.</i></p> <p>COM: This compromise text could be acceptable, similar to CAP reform text (although you advance the reform). Will analyse and give feedback if appropriate.</p> <p>TM 12.6.2020: To be discussed at the political level.</p> <p>T2: Agreement on compromise text provided on 10.06.2020. (see above)</p>
Article 11, first paragraph, point(2e)				
211n				See row 211o

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>(2e) AM 108 In Article 214a, the following paragraph is inserted after the first paragraph:</i>		EP withdraws AM 108 as it is covered in Council text (row 211d). T2: Agreed.
Article 11, first paragraph, point(2e)				
211o		<i>"By way of derogation from the first paragraph and subject to authorisation by the Commission, Finland may, during the transitional period provided for in Article -1 of Regulation (EU) .../... [Transitional Regulation], continue to grant national aid which it granted in 2020 to producers on the basis of this Article. "</i>		TM 10.6.2020: Council: EP and Council have similar positions. COM: These are not current rules because it would have expired on 2020. It's a state aid issue, COM recalls elements of degressivity. EP: Agrees with Council text in row 211d but with reference on 2022. T2: Agreement on Council text (row 211d).
Article 11(1), point(3)				
212	(3) Annex VI is replaced by the text in Annex III to this Regulation.			
Article 11, first paragraph, point(3a)				
212a		<i>(3a) AM 109 In Annex VIII, Part I, Section D,</i>		See row 212b T2: EP withdraws AM 109.

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>the following point is added:</i>		
Article 11, first paragraph, point(3a)				
212b		<p><i>“7a. Notwithstanding points 1 and 3, in specific cases and for duly substantiated reasons and in the presence of homogeneous productive and environmental characteristics, Member States may authorise the processes referred to in Sections B and C to be carried out in a wine-growing zone bordering the zone in which the fresh grapes used were harvested.”</i></p>		<p>TM 27.5.2020 EP: AM 109, linked to COVID-19. Council: This AM might be considered as a new element which goes beyond the Transitional Regulation and the principle of continuity of the current rules. COM: preliminary comments: not continuity of rules. Very technical, less related to COVID-19. We need to check with experts. Not the purpose of this regulation to regulate this issue. Technically unclear how this would work. EP: AM 109 and 110: Question related to wine growing zones. The aim of the AMs is to fight against bureaucracy. Covid context. EP: Covers only wine operation, not food production. Council: This does not represent continuity of current rules. This is very technical, requires discussion by wine experts. In EP we have conservative approach to wine reduction. We go beyond not only transitional period but also beyond our expertise. COM: COM: Oenological operations are referred here</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>(enrichment and acidification/de-acidification), so they should be under control of MS competent authorities within the production zones. Allowing this outside wine makers facilities in the production zone would rise problems from controls point of view (on GI, denomination of origin specification as well). Council: To be further checked. EP: We take note and analyse. Council: at technical level we cannot improve text. To be decided at the political level.</p> <p>TM 12.6.2020: To be discussed at political level.</p> <p>T2: EP withdraws AM.</p>
Article 11, first paragraph, point(3b)				
212c		<p><i>(3b) AM 110 In Annex VIII, Part I, Section D, the following point is added:</i></p>		<p>TM 27.5.2020 See row 212b T2: EP withdraws AM.</p>
Article 11, first paragraph, point(3b)				
212d		<p><i>“7b. In winegrowing regions</i></p>		<p>T2: EP withdraws AM.</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>affected by the area bordering the two winegrowing areas and in the presence of homogeneous productive and environmental characteristics, Member States may, notwithstanding points 1 and 3, authorise the processes referred to in Sections B and C to be carried out in a wine-growing zone bordering the zone in which the fresh grapes used were harvested.”</i>		
Article 12				
213	Article 12 Amendments to Regulation (EU) No 228/2013			
Article 12, first paragraph, introductory part -1, introductory part				
213a		<i>(-1) AM 111 The following Article is inserted:</i>		TM 27.5.2020 EP: AM 111 - a specific request Council: This AM might be considered as a new element which goes beyond the Transitional Regulation and the principle of continuity of the current rules. COM: we don't see the link with the transitional period, don't see why it has to be brought up now. EP tries to impose fees on non-members. Its not a bridge to future

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>CAP but a brand new issue. But in CMO there are some rules already, we will check and might come back in the framework of the market discussion.</p> <p>TM 10.6.2020: Council: AM 111: hard to understand your AM. Could you provide examples. EP: This is strongly demanded in the current economic context. Currently its voluntary for interbranch organisations. Our AM would make it compulsory. COM: AM 111 is a no go for us. Continuity not respected but it's a complete novelty. CMO already provides extension of rules. We speak here interbranch organisations, covers the whole chain (e.g. beef production) and they can make all to apply rules they have made. Can impose private tax outside the organisation, this is existing scheme but AM 111 goes beyond this. Rules created by a private body are extended to others outside of this body. With limited benefits. This creates questions of soundness of proposal and equal treatment. Here we speak about rules of</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				<p>competition not about helping outermost regions. Perhaps EP legal service can look into this</p> <p>EP: Can we get this explanations in writing and references to articles?</p> <p>COM: Can provide this paper/e-mail. But if goes to political level, please tell which are cases that are not covered by current rules?</p> <p>EP: Will try to come back with examples.</p> <p>TM 12.6.2020: To be discussed at political level.</p> <p>T2: EP withdraws AM 111 with a condition of introducing a recital, which underlines the importance of flexibilities to address these specific concerns in Outermost Regions.</p>
Article 12, first paragraph -1 amending provision, paragraph				
213b		<p>"</p> <p><i>Article 22a</i></p> <p><i>Agreements within the trade</i></p> <p><i>1. By way of derogation from Articles 164 and 165 of Regulation (EU) No 1308/2013, where an interbranch organisation recognised pursuant</i></p>		See row 213a

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>to Article 157 of that Regulation, operating in an outermost region and considered to be representative of the production of, or trade in, or processing of one or more products of that region, the Member State concerned may, at the request of that interbranch organisation, make binding for a renewable period of one year agreements, decisions or concerted practices agreed within that organisation for other economic operators acting in the outermost region in question, whether individuals or groups, who do not belong to that organisation.</i>		
Article 12, first paragraph -1, amending provision, paragraph				
213c		<i>2. Where the rules of a recognised interbranch organisation are extended pursuant to paragraph 1, and the activities covered by those rules are in the general economic interest of economic operators whose activities relate to products solely destined for the local market of that outermost region, the Member State may, after consulting the relevant stakeholders, decide that</i>		See row 213a

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>individual economic operators or groups, which are not members of that interbranch organisation but which operate on the market in question, are to pay the organisation all or part of the financial contributions paid by its members to the extent that such contributions are intended to cover costs directly incurred as a result of pursuing the activities in question.</i>		
Article 12, first paragraph -1, amending provision, paragraph				
213d		<i>3. The Member State concerned shall inform the Commission of any agreement the scope of which is extended in accordance with this Article.</i> "		See row 213a
Article 12, first paragraph, introductory part				
214	In Article 30 of Regulation (EU) No 228/2013, paragraphs 1, 2 and 3 are replaced by the following:			
Article 12(1), Amending Provision(1)				
215	,			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	1. The measures provided for in this Regulation shall constitute intervention intended to stabilise the agricultural markets within the meaning of Article 4(1)(a) of Regulation (EU) No 1306/2013 of the European Parliament and of the Council*, with the exception of the measures provided for in Articles 22 and 24 of this Regulation.			
Article 12(1), Amending Provision(2), introductory part				
216	2. In respect of each financial year, the Union shall finance the measures provided for in Chapters III and IV, up to an annual sum of:	<p>'</p> <p><i>2. In respect of each financial year, the Union shall finance the measures provided for in Chapters III and IV, up to an annual sum of:</i></p> <p><i>of AM 112</i></p>		<p>TM: 12.6.2020: EP political issue to be discussed in the political trilogue, since this is not strictly part of MFF. The legislation is in place and will not be replaced, as is the case with CAP. Furthermore, the financing is fixed each year in the budgetary procedure, where the MFF will be taken into account.</p> <p>COM: Cannot see this as not related to the MFF, normal envelope.</p> <p>Council: We cannot discuss on any of the figures, including POSEI. We should not prejudge MFF negotiations.</p> <p>T2: EP asked for a political statement to maintain funding on</p>

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				POSEI, Aegan Islands and French Overseas.
Article 12(1), Amending Provision(2), first indent				
217	- in the French overseas departments: EUR 267 580 000,	- in the French overseas departments: EUR 267 580 000,	- in the French overseas departments: EUR [267 580 000],	MFF related
Article 12(1), Amending Provision(2), second indent				
218	- Azores and Madeira: EUR 102 080 000,	- Azores and Madeira: EUR 102 080 000,	- Azores and Madeira: EUR [102 080 000],	MFF related
Article 12(1), Amending Provision(2), third indent				
219	- Canary Islands: EUR 257 970 000.	- Canary Islands: EUR 257 970 000.	- Canary Islands: EUR [257 970 000].	MFF related
Article 12(1), Amending Provision(3), first subparagraph, introductory part				
220	3. The sums allocated for each financial year to finance the measures provided for in Chapter III may not exceed the following amounts:			
Article 12(1), Amending Provision(3), first subparagraph, first indent				
221	- in the French overseas departments: EUR 25 900 000,	- AM 113 in the French overseas	- in the French overseas departments: EUR [25 900 000],	MFF related EP: to be discussed at political

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		departments: EUR 25 900 000 35 000 000 ,		level together with 216. T2: EP asked for a political statement to maintain funding on POSEI, Aegan Islands and French Overseas.
Article 12(1), Amending Provision(3), first subparagraph, second indent				
222	- Azores and Madeira: EUR 20 400 000,	- Azores and Madeira: EUR 20 400 000 , AM 114	- Azores and Madeira: EUR [20 400 000],	MFF related
Article 12(1), Amending Provision(3), first subparagraph, third indent				
223	- Canary Islands: EUR 69 900 000.	- Canary Islands: EUR 69 900 000 . AM 115	- Canary Islands: EUR [69 900 000].	MFF related
Article 12(1), Amending Provision(3), second subparagraph				
224	The Commission shall adopt implementing acts establishing the requirements in accordance with which Member States may amend the allocation of resources allocated every year to the various products benefiting from the supply arrangements. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).			

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
Article 12(1), Amending Provision(3), third subparagraph				
225	--			
Article 12(1), Amending Provision(3), fourth subparagraph				
226	* Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 (OJ L 347, 20.12.2013, p. 549)..			
Article 13				
227	Article 13 Amendments to Regulation (EU) No 229/2013	Article 13 <i>Amendments to Regulation (EU) No 229/2013</i> AM 116		TM: 12.6.2020: EP political issue to be discussed in the political trilogue, since this is not strictly part of MFF. The legislation is in place and will not be replaced, as is the case with CAP. Furthermore, the financing is

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				fixed each year in the budgetary procedure where the MFF will be taken into account. T2: EP asked for a political statement to maintain funding on POSEI, Aegan Islands and French Overseas.
Article 13, first paragraph, introductory part				
228	In Article 18 of Regulation (EU) No 229/2013, paragraphs 2 and 3 are replaced by the following:	<i>In Article 18 of Regulation (EU) No 229/2013, paragraphs 2 and 3 are replaced by the following:</i>		MFF related T2: EP asked for a political statement to maintain funding on POSEI, Aegan Islands and French Overseas.
Article 13(1), Amending Provision(2)				
229	2. The Union shall finance the measures provided for in Chapters III and IV up to an amount of EUR 23 000 000.	2. <i>The Union shall finance the measures provided for in Chapters III and IV up to an amount of EUR 23 000 000.</i>	2. The Union shall finance the measures provided for in Chapters III and IV up to an amount of EUR [23 000 000].	MFF related T2: EP asked for a political statement to maintain funding on POSEI, Aegan Islands and French Overseas.
Article 13(1), Amending Provision(3)				
230	3. The amount allocated to finance the specific supply arrangements referred to in Chapter III shall not exceed EUR 6 830 000.' .	3. <i>The amount allocated to finance the specific supply arrangements referred to in Chapter III shall not exceed EUR 6 830 000.' .</i>	3. The amount allocated to finance the specific supply arrangements referred to in Chapter III shall not exceed EUR [6 830 000].' .	MFF related T2: EP asked for a political statement to maintain funding on POSEI, Aegan Islands and French

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
				Overseas.
Title III				
231	Title III Final provisions			
Article 14				
232	Article 14 Entry into force and application			
Article 14, first paragraph				
233	This Regulation shall enter into force on the seventh day following that of its publication in the Official Journal of the European Union.			
Article 14, second paragraph, introductory part				
234	However,			
Article 14(2), first indent				
235	- point (6) of Article 10 shall apply from 1 January 2020;			
Article 14(2), second indent				

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
236	- Articles 12 and 13 shall apply from 1 January 2021.			
Article 14, third paragraph				
237	This Regulation shall be binding in its entirety and directly applicable in all Member States.			
Formula				
238	Done at Brussels,			
Formula				
239	For the European Parliament			
Formula				
240	The President			
Formula				
241	For the Council			
Formula				
242				

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	The President			
Annex I, first paragraph, introductory part				
243	Annex I to Regulation (EU) No 1305/2013 is amended as follows:			
Annex I(1), point(1), introductory part				
244	(1) the title is replaced by:			
Annex I(1), point(1), Amending Provision, first paragraph				
245	‘ Part one: Breakdown of union support for rural development (2014 to 2020) ’,			
Annex I(1), point(2), introductory part				
246	(2) below the table the following title and column are added:			
Annex I(1), point(2), Amending Provision, first paragraph				
247	‘ Part two: Breakdown of union support for rural development	‘ <i>AM 117</i> Part two: Breakdown of Union		MFF related

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	(2021)	support for rural development (2021 yearly for the transitional period as provided for in Article -1 of Regulation (EU) .../... [Transitional Regulation])		
Annex I(1), point(2), Amending Provision, second paragraph				
248	(current prices in EUR)			
Annex I(1), point(2), Amending Provision, Table				
249	The element is not present in the annex, as it is not supported. Please consult the original document ,	<p>The element is not present in the annex, as it is not supported. Please consult the original document</p> <p>AM 118 Transitional period as provided for in Article -1 of Regulation (EU) .../... [Transitional Regulation] (yearly^{*1})</p> <p>1. [*]In its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament's position with a view to an agreement (P8_TA(2018)0449), the European Parliament takes a position in favour of maintaining the financing of the CAP for the EU-27 at the level of the 2014-2020 budget in real terms, while budgeting the initial amount of the agricultural reserve, namely EUR 383 255 million in 2018 prices (EUR 431 946 million in current prices). The figures</p>		MFF related ,

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>provided for in this Regulation should therefore be calculated on the basis of the figures agreed for the MFF 2021-2027 or, should that MFF not be adopted in time, on the basis of extended 2020 ceilings and provisions in accordance with Article 312(4) TFEU.</i>		
Annex II, first paragraph, introductory part				
250	Annexes II and III to Regulation (EU) No 1307/2013 are amended as follows:			
Annex II(1), point(1), introductory part				
251	(1) in Annex II, the following column is added:			
Annex II(1), point(1), Amending Provision, Table				
252	‘ The element is not present in the annex, as it is not supported. Please consult the original document ’	‘ The element is not present in the annex, as it is not supported. Please consult the original document AM 119 Transitional period as provided for in Article -1 of Regulation (EU) .../... [Transitional Regulation] (yearly^{*1}) ’ _____		’ MFF related

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>1. *In its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament's position with a view to an agreement (P8_TA(2018)0449), the European Parliament takes a position in favour of maintaining the financing of the CAP for the EU-27 at the level of the 2014-2020 budget in real terms, while budgeting the initial amount of the agricultural reserve, namely EUR 383 255 million in 2018 prices (EUR 431 946 million in current prices). The figures provided for in this Regulation should therefore be calculated on the basis of the figures agreed for the MFF 2021-2027 or, should that MFF not be adopted in time, on the basis of extended 2020 ceilings and provisions in accordance with Article 312(4) TFEU.</i>		
Annex II(1), point(2), introductory part				
253	(2) in Annex III, the following column is added:			
Annex II(1), point(2), Amending Provision, Table				
254	‘ The element is not present in the annex, as it is not supported. Please consult the original document ’	‘ The element is not present in the annex, as it is not supported. Please consult the original document AM 120 Transitional period as provided for in Article -1 of Regulation (EU) .../... [Transitional		MFF related ,

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<p><i>Regulation] (yearly***)¹</i></p> <p><i>1. *In its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament’s position with a view to an agreement (P8_TA(2018)0449), the European Parliament takes a position in favour of maintaining the financing of the CAP for the EU-27 at the level of the 2014-2020 budget in real terms, while budgeting the initial amount of the agricultural reserve, namely EUR 383 255 million in 2018 prices (EUR 431 946 million in current prices). The figures provided for in this Regulation should therefore be calculated on the basis of the figures agreed for the MFF 2021-2027 or, should that MFF not be adopted in time, on the basis of extended 2020 ceilings and provisions in accordance with Article 312(4) TFEU.</i></p> <p><i>**The amounts shall include the expenses relating to the operations committed within the framework of the previous five-year programming period and for which the payments are being made during the current five-year programming period.</i></p>		
Annex III, Amending Provision, first paragraph				
255	ANNEX VI			
Annex III, Amending Provision, second paragraph				
256				

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
	BUDGETARY LIMITS FOR SUPPORT PROGRAMMES REFERRED TO IN ARTICLE 44(1)	<p>‘</p> <p>AM 121</p> <p>BUDGETARY LIMITS FOR SUPPORT PROGRAMMES REFERRED TO IN ARTICLE 44(1)*¹</p> <p>_____</p> <p><i>1. *The amounts shall also include the expenses relating to the operations committed within the framework of the previous five-year programming period and for which the payments are being made during the current five-year programming period.</i></p>		MFF related
Annex III, Amending Provision, Table				
257	The element is not present in the annex, as it is not supported. Please consult the original document	<p>The element is not present in the annex, as it is not supported. Please consult the original document.</p> <p>AM 122</p> <p>2021 onwards*¹</p> <p>_____</p> <p><i>1. *In its resolution of 14 November 2018 on the Multiannual Financial Framework 2021-2027 – Parliament’s position with a view to an agreement (P8_TA(2018)0449), the European Parliament takes a position in favour of maintaining the financing of the CAP for the EU-27 at the level of the 2014-2020 budget in real terms, while budgeting the initial amount of the agricultural reserve, namely EUR 383 255 million in 2018 prices (EUR 431 946 million in current prices). The figures</i></p>		MFF related

	Commission Proposal	EP Mandate (15.5.2020)	Council Mandate (6.4.2020)	Possible compromise text
		<i>provided for in this Regulation should therefore be calculated on the basis of the figures agreed for the MFF 2021-2027 or, should that MFF not be adopted in time, on the basis of extended 2020 ceilings and provisions in accordance with Article 312(4) TFEU.</i>		