



Council of the European Union
General Secretariat

**Interinstitutional files:
2018/0217(COD)**

Brussels, 13 November 2018

WK 11762/2018 ADD 5

LIMITE

**AGRI
AGRIORG
AGRISTR
AGRIFIN
CODEC
CADREFIN**

WORKING PAPER

This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.

WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Financial Agricultural Questions
N° Cion doc.:	9634/18 + COR 1 + ADD 1
Subject:	Proposal for a Regulation on Financing, management and monitoring of the CAP - Comments received from Member States

Following the request from the Presidency on 12 October 2018 (WK 11762/2018 INIT), delegations will find attached the contribution received from the French delegation on Block (6) - Articles 52 and 53.

FRANCE



DATE	MEMBER STATE
13/11/2018	France

TITLE III: FINANCIAL MANAGEMENT OF THE FUNDS

Chapter III: Common provisions

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 43		
Paragraph 1		
Paragraph 2		
Paragraph 3		
Paragraph 4		

TITLE III: FINANCIAL MANAGEMENT OF THE FUNDS

Chapter IV: Clearance of accounts

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 46		
Article 47		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
Article 48		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
Article 49		
Article 50		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
Article 51		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
Article 52	La France s'interroge sur les modalités de mise en œuvre du cadre de performance proposé par la Commission. Elle souhaite que la Commission précise les modalités liées aux réductions et suspensions de paiements.	
<i>Paragraph 1</i>	La France demande à la Commission de fournir des exemples concrets d'application de cet article. La France estime que la méthode d'application des réductions devrait figurer dans l'acte de	

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
	base. De plus, les critères de justification pouvant être mobilisés par les EM ne devraient pas être renvoyés à des actes délégués.	
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
<i>Paragraph 5</i>		
Article 53		
<i>Paragraph 1</i>	La France souhaite que les corrections liées aux systèmes de gouvernance soient mieux encadrées. Pour cela, les systèmes de gouvernance et en particulier les exigences de base UE prévues au titre de l'article 2, doivent être mieux définis. La notion de « déficiences graves » mériterait également d'être précisée dans l'acte de base.	
<i>Paragraph 2</i>	La Commission devrait fournir un exemple d'évaluation des corrections financières en précisant les modalités prévalant à la détermination de l'assiette et du taux de correction.	
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
<i>Paragraph 5</i>		
<i>Paragraph 6</i>		
<i>Paragraph 7</i>		
Article 54		
Article 55		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
Article 56		

TITLE IV: CONTROL SYSTEMS AND PENALTIES

Chapter I: General rules

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 57		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
<i>Paragraph 5</i>		
<i>Paragraph 6</i>		
Article 58		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
Article 59		
Article 60		
Article 61		
Article 62		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		

Regulation on financing, management and monitoring of the CAP

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
<i>Paragraph 4</i>		

TITLE IV: CONTROL SYSTEMS AND PENALTIES

Chapter III: Scrutiny of transactions

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 74		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
Article 75		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
Article 76		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
Article 77		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
Article 78		
<i>Paragraph 1</i>		

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
Article 79		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
<i>Paragraph 5</i>		
<i>Paragraph 6</i>		
Article 80		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
Article 81		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
Article 82		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 83		

TITLE V: COMMON PROVISIONS

Chapter II: Use of the euro

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 91		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
Article 92		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
<i>Paragraph 5</i>		
<i>Paragraph 6</i>		
Article 93		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
Article 94		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		

TITLE V: COMMON PROVISIONS

Chapter III: Reporting

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 95		

TITLE V: COMMON PROVISIONS

Chapter IV: Transparency

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 96		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
Article 97		
Article 98		
Article 99		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		

TITLE VI: DELEGATED ACTS AND IMPLEMENTING ACTS

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 100		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
<i>Paragraph 5</i>		
<i>Paragraph 6</i>		
Article 101		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		

TITLE VII: FINAL PROVISIONS

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 102		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
Article 103		
Article 104		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		