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WORKING PAPER

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CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on Financial Agricultural Questions
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013 - Comments from the Italian delegation

Delegations will find attached comments from the Italian delegation on the voted EP amendments on the proposed Horizontal Regulation.

ANNEX

Proposed Horizontal Regulation:

views of delegations on EP's amendments (doc. 12146/20)

Comments from Member State: ITALY

AM	Article	Acceptable	Not acceptable (explain why not)	Possibly acceptable subject to re-drafting (provide drafting suggestions)	Comments
272	2(1)b		NO		the text of Council general approach is preferable
272	2(1)c & ca-cf		NO		the reference to SPR is sufficient – preferable the text of Council general approach
39	3(1) -a (new)	YES			
40	3(1)a				
41	3(1)a point a (new)	YES			

42	3(1)a point b (new)	(YES)			it is necessary well clarify "market circumstances gravely affecting the holding"
43	3(1)b				
44	3(1)c				
45	3(1)a (new)	YES			
46	6(1)	YES			
47	7(1)		NO		the text of Council general approach is preferable
48	7(1)f				
49	7(1)h				
50	7 a (new)		NO		the role of competent authority is part of art. 9 - the text of Council general approach is preferable
273/rev	8		NO		the amendment of EU Parliament makes the text unclear and Italy disagrees with the possibility established for the accreditation of new paying agencies (administrative reorganization in the Member State). -

					the text of Council general approach is preferable because it provides more clarity
63	9		NO		see the comment on amendment 50
222	10 a (new)		NO		disagreement on a specific article on the Coordination body - the text of Council general approach is preferable
274	11		NO		to appoint a public certification body for the coordination of all certification bodies working in a Member State cannot be an obligation
74	12(1)		NO		Council proposal is preferable
75	12 a (new)		NO		implementing acts are preferred instead of delegation acts
76	14(1) sub 1				
77	14(1) sub 2		NO		Council proposal is preferable
78	14(1) sub 2 a (new)		NO		implementing acts are preferred instead of delegation acts
79 & 242	14(1) sub 3		NO		Council proposal is preferable

80	14(2) sub -1 (new)		NO		Council proposal agrees with EUCO decision
81	14(2) sub 1				Council proposal agrees with EUCO decision, but acceptable the second subparagraph
82 & 244	14(2) sub 1 a (new)		NO		see comment on amendment 81
83	14(2) sub 2				
84 & 247	14(2) sub 3		NO		Council proposal is preferable
85	15(1) sub 1				
86	15(1) sub 1 a (new)	YES			acceptable the threshold of 2.000 euros
87	19(6)		NO		it causes administrative burdens
88	22(2)	YES			
89	22(4)		NO		Council proposal is preferable
90	23(1) point b	YES			
91	23(1) point d				
92	23(2)				
93	29(1) sub 1 point a				EUCO conclusions on MFF have established 1%- Acceptable anyhow

					referring to year 2023 because of 2 years current RD period extension.
94	29(1) sub 1 point b				EUCO conclusions on MFF have established 1%- Acceptable anyhow referring to year 2023 because of 2 years current RD period extension.
95	29(3)		NO		Council proposal is preferable
96	29(4)		NO		Council proposal is preferable
97	30(1)		NO		Council proposal is preferable
98	30(4) point a	YES			
99	31(1)		NO		Council proposal text provides more clarity.
100	31(3)		NO		Council proposal text provides more clarity.
101	32(1)				EUCO conclusions on MFF have established N+2
102	32(3)				EUCO conclusions on MFF have established N+2
103	32(4) sub 1 point a				EUCO conclusions on MFF have established N+2

104	34(2)				
275	35				the amendment does not seem to be in line with the principles of the new delivery model
109	37(2)	YES			
110	37(3)	YES			
276	38				the amendment does not seem to be in line with the principles of the new delivery model
277	38 a (new)				the amendment does not seem to be in line with the principles of the new delivery model
278	39				the amendment does not seem to be in line with the principles of the new delivery model
279	39 a (new)				the amendment does not seem to be in line with the principles of the new delivery model
224	40		NO		Council proposal is preferable – implementing act preferable
121	42(2) sub 2 point a				
122	42(3)		NO		Council proposal is preferable

123	43(2)	YES			
124	44(1) sub 1		NO		Council proposal is preferable
125	44(1) sub 2		NO		Council proposal is preferable
126	45(1) sub 1				
127	46(1)				
282	47				the amendment does not seem to be in line with the principles of the new delivery model
132	48(3)				
280	51				
141	52				the amendment does not seem to be in line with the principles of the new delivery model
281	53				the amendment does not seem to be in line with the principles of the new delivery model
146	53 a (new		NO		the amendment provides again for the implementation of the “50 & 50” rule not considered in the Commission proposal
147	54(1)	YES			
148	54(1 a) (new)				

149	55(1) sub 1				
150	55(1) sub 2				Council proposal is preferable – acceptable only the part on calculation of interest
151	55(1) sub 2 a (new)	YES			
152	55(1) sub 2 b (new)	YES			
226	57		NO		the amendment provides again for the legality ad regularity at beneficiary level
159	57 a (new)		NO		the concept of beneficiary's "good faith" is generic and not easy to establish
160	58(1) sub 2		NO		Member States shall ensure a level of checks, which is financially and administratively proportionate to an effective management of the risks, in form they find most suitable
161	58(4) sub 1 point e		NO		Council proposal is preferable
162	62(3) point a	YES			

163-179	IACS: Arts. 63-73				see following details
164			NO		the claimless system does not require a prefilled claim – the prefilled claim causes administrative burden
166			NO		further details added by amendment, including the cadastral reference, creates problems and burdens for Member States in the development and management of the LPIS
169			NO		this is already possible today for the land used from a beneficiary, but it is not considered useful for the land it could use
170			NO		further details added by amendment creates difficulty for Member States in the development of the claimless system
171			NO		the amendment does not envisage a simplification
174					Council proposal is preferable
175					the percentage of the sample must be defined according to the efficiency of the IACS

					developed at national level
178		YES			
180	78(2)				
181	79	YES			
182-202	Controls / penalties: Arts. 84-87				Council proposal is preferable – see the following details
183			NO		Council proposal is preferable because is the result of a delicate compromise
187			NO		early warning system unnecessary
229	Art. 86 (4)		NO		the concept of intentionality (for the conditionality is too difficult to determine e demonstrate
230	96(1)				
203	100 a (new)	(YES)			clarification should be necessary on this procedure
204	102(1) sub 2 point a				
205	103				