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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 Belgian delegation

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

Proposed Horizontal Regulation:
views of delegations on EP's amendments (doc. 12146/20)

Comments from Member State: [*Belgium*]

AM	Article	Acceptable	Not acceptable (explain why not)	Possibly acceptable subject to re-drafting (provide drafting suggestions)	Comments
272	2(1)b	Acceptable			
272	2(1)c & ca- cf	Acceptable			
39	3(1) -a (new)	Acceptable			
40	3(1)a		Not acceptable		Ok to remove the "serious" but not with the addition of "meteorological conditions".
41	3(1)a point a (new)	Acceptable			

42	3(1)a point b (new)				Not relevant for one beneficiary. If negative market conditions more than one holding is concerned and if needed activate crisis reserve for several market participants.
43	3(1)b	Acceptable			
44	3(1)c	Acceptable			
45	3(1)a (new)	Acceptable			
46	6(1)	Acceptable			
47	7(1)				We are talking here about direct management whereas art 86 referred to technical assistance at MS level.
48	7(1)f	Acceptable			
49	7(1)h	Acceptable			
50	7 a (new)	Acceptable			
273/rev	8			Member States shall not appoint any new additional paying agency after the date of entry into force of this Regulation, except for cases referred to in point (a) of the second subparagraph where constitutional provisions would require regional paying agencies.	...

	8.3.b	Acceptable			
63	9	Acceptable			
222	10 a (new)			(D) Covering the compilation of the entire report	Belgium prefers the wording of agrifin. There it is clearer that this is about the compilation of data and that only this compilation should be covered by a management declaration. 10.A (b) Belgium prefers “to supply “
274	11	Acceptable			
74	12(1)	Acceptable			
75	12 a (new)				Preference for execution regulations
76	14(1) sub 1	Acceptable			
77	14(1) sub 2	Acceptable			
78	14(1) sub 2 a (new)	Acceptable			

79 & 242	14(1) sub 3	Acceptable			
80	14(2) sub -1 (new)	Acceptable			
81	14(2) sub 1		Not acceptable. It is difficult to estimate a maximum amount		
82 & 244	14(2) sub 1 a (new)	Acceptable			
83	14(2) sub 2	Acceptable			
84 & 247	14(2) sub 3	Acceptable			
85	15(1) sub 1	Acceptable			
86	15(1) sub 1 a (new)	Acceptable			
87	19(6)	Acceptable			Greater transparency through procedure art 101
88	22(2)				Should not be at the expense of subsidiarity for control provisions in the Member States
89	22(4)				Should not be at the expense of subsidiarity for control provisions in the Member States

90	23(1) point b	Acceptable			
91	23(1) point d	Acceptable			
92	23(2)	Acceptable			With due regard to the confidentiality of the data
93	29(1) sub 1 point a	Acceptable			
94	29(1) sub 1 point b	Acceptable			
95	29(3)				pre-financing in case of transfer. not too complex ?
96	29(4)	Acceptable			
97	30(1)	Acceptable			
98	30(4) point a	Acceptable			
99	31(1)	Acceptable			
100	31(3)	Acceptable			
101	32(1)	Acceptable			
102	32(3)	Acceptable			
103	32(4) sub 1 point a	Acceptable			

104	34(2)				What is the intention? What is the difference?
275	35				The fact that an expense does not correspond to an output is not immediately seen as an eligibility problem anymore. Belgium would like to have more information on what the EP's proposal on the NDM means?
109	37(2)	Acceptable			OK, although commission does not interfere with payments to beneficiaries
110	37(3)	Acceptable			
276	38	Acceptable			
277	38 a (new)				Belgium would like to have more information on what the EP's proposal on the NDM means? The EP mentions a 35 % discrepancy whereas there has always been mention of a 50% discrepancy. Multi-annual performance review replaces the multiannual performance monitoring In the Council's proposal and what was discussed in the Council working

					groups, we assumed a deviation of 45% in 2025 and 40% in 2027.
278	39				
279	39 a (new)				Belgium would like to have more information on what the EP's proposal on the NDM means? What happens to these funds after the end of the CAP period? Can it then be considered as a bonus for the next CAP period?
224	40				Too much detail in the basic regulation makes it difficult to amend it afterwards.
121	42(2) sub 2 point a	Acceptable			
122	42(3)	Acceptable			
123	43(2)	Acceptable			
124	44(1) sub 1	Acceptable			
125	44(1) sub 2	Acceptable			
126	45(1) sub 1	Acceptable			
127	46(1)				This must include the reasons why the

					commission cannot trust the work of the CB.
282	47		Not acceptable		Not OK. The Commission can help, but it should not take over the responsibility of the Member State. On the other hand, no waste of European resources is important.
132	48(3)	Acceptable			Belgium would like to have more information on what the EP's proposal on the NDM means? Does it mean that annual performance clearance can no longer lead to reductions?
280	51				
141	52				
281	53				Conformity clearance. Rather implementing acts than delegated acts.
146	53 a (new		§ 2 Not Acceptable		2.1 The new delivery model must not lead to an overlapping of two systems: the current one based on the legality and regularity of expenditure and, in addition, a totally new model based on the planning and monitoring of the performance.

					Problem of principle of subsidiarity vis-à-vis level playing field
147	54(1)		Not acceptable		To be determined at MS level
148	54(1 a) (new)		Not acceptable		To be determined at MS level
149	55(1) sub 1		Not acceptable		subsidiarity principle
150	55(1) sub 2	Acceptable			
151	55(1) sub 2 a (new)		Not acceptable		subsidiarity principle.
152	55(1) sub 2 b (new)	Acceptable			
226	57		Art 57.4 not acceptable		It is better to be more neutral. Within each Member State there is a possibility to lodge a complaint. in case of disagreement.
159	57 a (new)				Is superfluous
160	58(1) sub 2		Not acceptable		The new delivery model must not lead to an overlapping of two systems: the current one based on the legality and regularity of expenditure and, in addition, a totally new model based on the

					planning and monitoring of the performance.
161	58(4) sub 1 point e				
162	62(3) point a	Acceptable			
163-179	IACS: Arts. 63-73				
180	78(2)		Not acceptable		This is very complicated to manage and without added value
181	79	Acceptable			
182-202	Controls / penalties: Arts. 84-87				
230	96(1)		Not acceptable		It's better to precise here all the elements to publish instead of making a reference to the CPR and the directive 2013/34/EU
203	100 a (new)	Acceptable			

204	102(1) sub 2 point a	Acceptable			
205	103	Acceptable			

