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CONTRIBUTION

From: General Secretariat of the Council
To: Delegations

Subject: Regulation establishing the conditions for the implementation of Union support under the CAP
- Comments from Belgium on block VI

Belgium

Written questions draft CAP Regulation – Block 6 ‘Implementing acts, delegated acts and final provisions’

27/11/2025

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Article 22 (Measures to resolve specific problems)

General:

- What is the need for article 22 especially for the CAP? Can the Commission clarify which specific problems are referred to here and for which topics of the Regulation the Commission is empowered to adopt an Implementing Act that:
 - derogates from the provisions of the CAP regulation for a period of 12 months?
 - and that becomes immediately applicable prior to the committee procedure referred to in Article 24(3)?

Can the Commission explain the difference between paragraph 1 and paragraph 2 of Article 22: both deal with “to resolve specific problems” and “justifiable in an emergency/on imperative grounds of urgency”?

Paragraph 1:

- On what basis is the maximum validity period of 12 months for the “implementing acts on grounds of urgency” in article 22 (1) established? Why is the option to deviate from the 6-month period laid down in Article 8 of Regulation No. 182/2011 Article 8 being used?
- The implementing act referred to in article 22 (2) becomes immediately applicable and must, in accordance with Article 24(3), be reviewed by Member States within 14 days. If the committee delivers a negative opinion, it must be withdrawn. How will stability and legal certainty for farmers and Member States be guaranteed in this context?

Article 23 (Exercise of the delegation)

Paragraph 2:

- Article 23(2) concerns delegated acts and refers to Article 21(6), which, however, deals with implementing acts.

Article 25 (Entry into force and application)

- To guarantee legal certainty for farmers, this regulation must enter into force prior to the start of the first calendar year of implementation of the next MFF period and therefore before the calendar year in which the next CAP starts. How will be ensured that this regulation is adopted in time to provide a stable framework for the preparation of the NRP plan and to ensure sufficient time for effective communication to farmers so that they fully understand the new CAP?
- Where will be determined how long the provisions of the CAP 2023–2027 will remain in force? What transitional rules will be established and where will they be laid down?