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INFORMATION

From: To:	General Secretariat of the Council Ad hoc Working Party on the Multiannual Financial Framework (AHWP MFF) - National and Regional Partnerships
N° prev. doc.:	11815/25 + COR 1 + REV 1 (en) + ADD1 + ADD 2
Subject:	NRPP proposal (Block 6): MS drafting suggestions and comments

Delegations will find attached MS drafting suggestions and comments on Block 6 of the NRPP proposal.

NRPP proposal (Block 6)

MS drafting suggestions and comments

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Proposal for a	BE (Comments): General comments: - We reserve the right to make more and/or adjusted drafting suggestions in a later stage. - We did not receive answers to all our written questions. Therefore we also reintroduce some questions. - We need clarity on the structure of the proposal, in particular for CAP and CFP, as this has an impact on the drafting of the provisions.
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	IE (Comments): **Drafting suggestions are made without prejudice to IE's future position on these proposals. Where no suggestion is made, this does not infer IE agreement to the proposed text.**

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	PL (Comments): **General remark**: It is proposed to clearly define in articles – by using respective wording - if they refer to only NRP Plan or Interreg Plan, or both. Throughout the document different wording has been used: Plan, Plans, NRP Plan. It is not always clear which Plan/Plans are meant]
establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security for the period 2028-2034 and amending Regulation (EU) 2023/955 and Regulation (EU, Euratom) 2024/2509	DE (Comments): We must ensure that the reduction in administrative burdens is also successful in federal Member States and leads to significant improvements and simplifications compared to the previous system. Any dual structures and inappropriate reporting requirements must be avoided. At the same time, the performance-based nature of NRPPs needs to have real economic impact and induce growth enhancing reforms. The governance of the instrument must therefore ensure, that expected economic effects of national plans on the EU level can be aggregated, evaluated and serve as a basis for recommendations for NRPP amendments. Such aggregate analysis should inform in particular the

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	mid-term review of NRPPs, incl. programming and reform requirements for the second half of the MFF. HU (Comments): General comment regarding CAP: We welcome the opportunity to submit written proposals to the draft regulation. However, we emphasize that proposals included in this document do not revise and pre-empt our opinion on the future of CAP. Hungary has already taken a firm stance on the CAP reform legislation for the period after 2027. We insist on maintaining an independent, two-pillar CAP, which must remain outside the Single Fund; we are fundamentally committed to a two-pillar CAP with its own budget, which must remain outside the NRP Fund. Based on the experience of previous programming periods, a mature, well-functioning CAP system has been established, which, with targeted simplifications, is an excellent and in many respects more advantageous alternative to the CAP under the NRP plan outlined in the Commission's proposal. A significant part of agricultural regulation is currently included in the draft NRP Regulation. We are convinced, that all CAP related rules, including the ones on its implementation and performance, should be

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	regulated in the CAP regulation. Therefore, we ask the Presidency to present a structured analysis of which articles from the NRPP Regulation and the Performance Regulation should be assigned to the CAP regulation in terms of content, in particular those that directly concern agricultural measures and instruments. Putting these articles to the CAP regulation would not presume the heads of states decision on the Single Plan. LV (Comments): The specific NRP provisions applicable to Interreg must be clearly identified, to ensure full clarity and avoid interpretative uncertainty. Herewith Latvia requests to make clear distinction of the articles relevant and not relevant for Interreg plan / chapters.

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TITLE VII **GOVERNANCE OF THE PLAN**	ES (Comments): The NRPs, as the "successors" to the National Recovery Plans of the Recovery and Resilience Facility, are based on a system of milestones and targets around a single country plan. This means that responsibility for management and control only falls to the Member State as the beneficiary of the Plan. This radically changes the governance of a shared management model. In that regard, although regional chapters and regional authorities are possible by this regulation, actually it is not possible to establish a Plan for each Region with complete autonomy and separately from the one of the State, as was the case with the Operational Programs of the Cohesion Policy. Therefore, maintaining the governance structure of a shared management system would require regions to have their own specific financial allocation (which is not guaranteed, as the proposal is based on a system of estimated costs) and their own plan. This would enable them to design their actions based on their own needs, following the place-based approach. PT (Comments):

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	We would like to stress that both COM and PRES should provide clear information on what are the articles of the present regulation that will be applicable to the INTERREG Plan, following the presentation made by the COM in SMOR on 10th of October. In line with comments provided in the context of the Negotiating Box, PT also stands for replacing the reference to “Chapters” with “Programmes”. SE (Comments): Please, see below for comments, drafting suggestions and still some questions from SE at this stage on block 6. We reserve the right to make further drafting suggestions later. SE has not commented on parts of the text in brackets. SI (Comments): In the current period SI has only one programme, one Managing Authority, and one Monitoring Committee for all Cohesion Policy funds for the two NUTS II regions, which do not have an administrative set up (only two Councils with very limited administrative capacity) . The only separate programme is the one for the most deprived (FEAD). In line with the Council conclusions on the future of cohesion adopted in recent years

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	and with the Commission's guidance aimed at achieving the greatest possible simplification, flexibility, and proportionality, Slovenia proposes that the specific characteristics of relatively small MS be taken into account, particularly regarding the requirements for establishing an additional coordination level. The consolidation of all existing funds requires coordination, primarily with the CAP (as the HOME funds are very specific). However, this coordination should not be overly demanding for relatively small Member States with limited administrative capacities. Competences and tasks should be clearly defined, without duplication, and with due regard for existing well-established and well-functioning systems. SI seeks a normative framework that will require the least possible additional financial and administrative burden, taking into account shared management and the responsibilities that Member States already have.

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CHAPTER 1 **Plan authorities and their functions**	ES (Comments): The proposed governance scheme is extremely difficult to apply in a decentralized or federal State, as the NRP's are based on a model of milestones and targets within a single National Plan. For instance, in Spain, most of the objectives affected by the eligibility scope of the NRP are areas of shared competence between the state and the regions. This mean that both sides are equally involved in the legislation and implementation of public policies. Therefore, regional chapters within a single national plan are not a viable option. Regions should have their own plans, as has been the case up to now. Only on this basis will it be possible to establish a system of shared governance with genuine participation by the regions. SI (Comments): The establishment of additional bodies and the adaptation of existing information systems inevitably entail an additional administrative burden and significant costs. Moreover, the time dimension must not be overlooked, as such adaptations require several years, particularly given that the legislation is not yet stable nor sufficiently detailed to support the development of IT systems, with further guidance still forthcoming. Establishing additional bodies—such as a coordination committee—

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	introduces further administrative burdens, financial costs, and additional time needed for coordination or for carrying out specific processes. It is therefore necessary to clearly define the responsibilities of the individual bodies, especially in the case of the CAP and Aid to most deprived (no Monitoring Committee necessary), where changes are occurring compared with the current programming period.

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Article 49 ***Plan authorities***	DE (Comments): We request a clarification in the regulation text that managing authorities may also submit payment applications. In case of more than one managing authority, a clearer delineation of the duties and responsibilities of the different authorities is needed. A clarification is needed, which IT-system shall be used and by which authority. Duplication of reporting obligations must be avoided and good interoperability of IT systems must be ensured. We would welcome a Fiche detailing the IT requirements. The flexibility in the design of the chapter structure of the NRPP should be such that Member States have sufficient opportunity to do justice to their federal and administrative structures with regard to the delimitation of competences and responsibilities, so that as little collective liability as necessary arises across the individual chapters. This applies in particular to financial liability. IE (Comments): We welcome the Presidency's proposal at the AHWP NRP regarding the movement of certain CAP-specific provisions as a starting point to further discussion. In addition to the proposed movement of articles, and in order

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	to ensure consistency, we propose the movement the elements of this article, which reflect pure CAP elements and could be moved while leaving core NRPP structures intact IT (Drafting suggestions): For the purposes of Article 63(3) of Regulation (EU, Euratom) 2024/2509, each Member State shall identify - **according to the constitutional provisions of the MS** - one or more managing authorities **(also regional/provincial)**, one or more paying agencies **(also regional/provincial)** and one or more audit authorities **(also regional/provincial)** for the Plan IT (Comments): It would be appropriate to add the proposed additions in order to maintain the current procedural structure. RO (Drafting suggestions): For the purposes of Article 63(3) of Regulation (EU, Euratom) 2024/2509, each Member State shall identify one or more managing authorities, one or more paying agencies and one or more audit

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	authorities for the NRP Plan. The authorities identified shall fulfil the relevant key requirements set out in Annex IV to this Regulation. **If more than one management authority, audit authority or paying agency, the Member State shall designate a coordinating authority or set up a mechanism for coordination with an authority responsible for the management of the coordination mechanism/coordination function to ensure coherence of NRP Plan.** All authorities identified for the purposes of this Article shall have the possibility for exchanges with the Commission. RO (Comments): The current provisions of point 1 identifies the need for managing authorities, paying agencies, and audit authorities, but does not explicitly clarify the potential need for a coordinating authority, or at least a coordination mechanism and the authority responsible for implementing the coordination mechanism/ performing the coordination function. The coordination authority/mechanism need to be clarified since para 1 in correlation with para 3 that introduces this requirement for MS that identify more than one managing authority, but the lack of explicit reference to a coordinating authority in Point 1 could create legal ambiguities regarding the administrative structure and responsibilities of

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	these authorities. **We acknowledge that para 3 is currently bracketed, but in the spirit of coherence and unity, we wish to clearly state our position. This stance will also be formally supported within the negobox format during negotiations**. It should also be made a clear reference that that paying agencies (PA), as well as Management Authorities (MA) and Audit Authority/s (AA) are established in line with art. 52(2) respectively 58 as they have to fulfill the Key requirements as set up in Annex IV. Based on the proposed draft, it is our understanding that the proposed coordinating authority, as defined under original art. 50, is not required to comply with requirements set up in Annex IV – that why this is suggested on a different line of the art. 49(1). By adding "and one coordinating authority" or of "a coordination mechanism and a authority responsible for the coordination mechanism", it allows to adapt the coordination function to the specific features of the MCS of each MS, on the one hand, while it also makes clear that the coordination mechanism / coordinating authority is an inherent aspect of the regulatory framework, ensuring that it is understood from the outset as a necessary component when multiple managing authorities are involved. This addition reduces potential ambiguity in interpretation, ensuring the regulation's consistent application across MS. This addition will ensure the overall coherence of the entire article, maintaining logical consistency

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	across its provisions. In line with RO posion to exclude CAP from Chapter 1 / NRP Plan, the proposed structure of governance has been limited to NRP Plan governance. For Interreg there is a similar provision in the ERDF-CF regulation proposal (and there is no separate paying agency mandatory to be identified for Interreg), so this paragraph should refer to the NRP Plan only, in order to avoid any confusions in implementation. From the perspective of the Common Agricultural Policy, in line with the aspects already signaled previously regarding the opportunity of including the CAP under the scope of the Plan, we believe that the following aspects related to governance in the proposed form should be taken into account, namely: • Eliminating the current CAP implementation structures and taking over their duties by structures created for the common fund may prove inefficient in practice, given the specificity of the procedures and the need for expertise in specific areas. • Joint management would generate the need to redefine the duties of the Managing Authority and the Paying Agencies for the implementation of the CAP, which would imply a substantial administrative burden of rebuilding the architecture, with possible negative implications on the functionality and implementation schedule, in the context of managing the common fund, given the significant differences compared to the

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	duties of the MAs currently managing the structural and cohesion funds. Moreover, these implications will be accentuated by the overlap between the Multiannual Financial Frameworks. In addition to this, there are the substantial changes regarding the functions of the Certification Body. Additionally, it can be argued that the proposal for the new governance system implies significant changes regarding the structures responsible for managing the CAP, with the risk of generating additional complexity, overlapping responsibilities, implementation bottlenecks and delays in the absorption of CAP funds, with direct negative effects on farmers and the rural environment. Therefore, Romania reaffirms its firm position according to which the CAP must remain a distinct policy, structured on two pillars – Income Support and Rural Development – while maintaining clearly defined administrative structures adapted to the specificities of each Member State. SK (Drafting suggestions): Where a Member State identifies more than one managing authority, it shall ~~set up~~ **appoint** a coordinating authority **or set up a coordinating mechanism to ensure coherent implementation of the plan**..~~A managing authority may be entrusted with carrying out certain functions~~

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	~~of the coordinating authority. Arrangements between the coordinating authority and the managing authority shall be recorded in writing.~~ **To the extent possible, to ensure continuity and cost-effectiveness, Member State should build upon the existing governance structures and institutions in charge of implementing cohesion policy, the CAP or European Maritime Fisheries** **and Aquaculture Fund in the 2021-2027 programming period** SK (Comments): The NRPP should be implemented under the conditions of shared management, which means that it is the competence of the MS to determine the implementation mechanism, including the designation of authorities. The MS should have the power to decide which functions will be performed by which authority at the national level. The Commission has repeatedly confirmed, and the draft regulation reflects, that national authorities considered to meet the standards in the MFF 2021–2027 and, based on the Member State's decision, will continue in the MFF 2028–2034, do not need to be re-audited or re-certified.

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	Reorganizing, shifting administrative capacities, or merging these authorities would be procedurally risky in terms of the need to maintain continuity of financing for the current programming period 2021–2027, administratively and financially demanding, and would require procuring and building new IT systems ~~from scratch~~, while existing IT systems would still need to be maintained due to the completion of previous periods. For these reasons we support the wording of the NegoBox of 27 November 2025 and the possibility of creating a coordinating mechanism under which the redistribution of competences pursuant to Article 50 would remain within the competences of authorities in charge of 2021 – 2027 programming period.
	SI (Comments): The tasks of the authorities, as proposed in the new regulation, are not the same as those performed by the authorities in the current period (tasks of the paying agency, managing authority, etc.). So it is not a matter of continuity but of a new determination of the entire management system.
1. For the purposes of Article 63(3) of Regulation (EU, Euratom) 2024/2509, each Member State shall identify one or more managing	BE (Drafting suggestions):

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authorities, one or more paying agencies and one or more audit authorities for the Plan. The authorities identified shall fulfil the relevant key requirements set out in Annex IV to this Regulation. All authorities identified for the purposes of this Article shall have the possibility for exchanges with the Commission.	For the purposes of Article 63(3) of Regulation (EU, Euratom) 2024/2509, each Member State shall identify one or more managing authorities, one or more paying agencies and one or more audit authorities for the Plan **in accordance with its institutional and legal framework and taking into account the specificities of the chapters concerned.** The authorities identified shall fulfil the relevant key requirements set out in Annex IV to this Regulation. **The authorities identified shall have the possibility of direct exchanges on the design, implementation, audit and evaluation of the plan with the Commission.** ~~All authorities identified for the purposes of this Article shall have the possibility for exchanges with the Commission.~~ BG (Drafting suggestions): For the purposes of Article 63(3) of Regulation (EU, Euratom) 2024/2509, each Member State shall identify one or more managing authorities, one or more paying agencies**, a competent authority for accreditation of those agencies** and one or more audit authorities for the Plan. The authorities identified shall fulfil the relevant key requirements set out in Annex IV to this Regulation. All authorities identified for the

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	purposes of this Article shall have the possibility for exchanges with the Commission BG (Comments): According to Article 63(2) b.) of Regulation (EU, Euratom) 2024/2509 - in order to protect the financial interests of the Union, Member States shall designate the bodies responsible for the management and control of Union funds in accordance with paragraph 3 and shall exercise supervision over those bodies. DE (Drafting suggestions): 1. For the purposes of Article 63(3) of Regulation (EU, Euratom) 2024/2509, each Member State shall identify one or more managing authorities, one or more paying agencies and one or more audit authorities for the Plan **and its different chapters**. The authorities identified shall fulfil the relevant key requirements set out in Annex IV to this Regulation. **It must be clearly set out for each chapter in the Plan which authorities are responsible for the respective chapter.** ~~**All authorities identified for the purposes of this Article shall have the possibility for exchanges with the Commission**~~.

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	EL (Drafting suggestions): For the purposes of Article 63(3) of Regulation (EU, Euratom) 2024/2509, each Member State shall identify one or more managing authorities, one or more paying agencies and one or more audit authorities for the Plan of the **European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security for the period 2028-2034 (hereinafter NRP Plan) and the Plan for the Union support for Home Affairs for the period 2028-2034 (hereinafter Home Affairs Plan).** The authorities identified shall fulfil the relevant key requirements set out in Annex IV to this Regulation. All authorities identified for the purposes of this Article shall have the possibility for exchanges with the Commission. EL (Comments): JUSTIFICATION: Greece supports the position that including policies linked to Home Affairs in the NRPPs is not compatible with the prerequisites of the NRPP of the Fund and introduces greater rigidity instead of the flexibility that Home Funds require. As evidence of the above, in table of point 5 of ANNEX V - Template for the NRPP,

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	columns such as "Geographical coverage" and "Secondary specific objective" are not compatible within the scope of Union support for Home Affairs. At a minimum, Home Affairs should be excluded from the NRPP of the Fund and a dedicated Home Affairs Plan, with its own template, should be attributed to them. FI (Comments): The division of responsibilities between different authorities and bodies should be clarified. Based on Commission slides (11022/2025), Paying Agencies will keep their current functions regarding the implementation of the CAP. However, the wordings of the Articles are ambiguous. What about the CFP? Can the current structure of authorities be kept? Does the PA concern both CAP and CFP and other Funds? What does one PA per MS mean? FR (Drafting suggestions): 1. For the purposes of Article 63(3) of Regulation (EU, Euratom) 2024/2509, each Member State shall identify one or more managing authorities, one or more paying agencies and one or more audit authorities for the Plan. **The managing authorities, the paying agencies**

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	and the audit authorities identified shall fulfil the relevant key requirements set out in Annex IV to this Regulation. ~~All authorities identified for the purposes of this Article shall have the possibility for exchanges with the Commission.~~ FR (Comments): Il convient de garder un équilibre organisationnel entre les différentes autorités du Plan, compte tenu de la fusion des fonds. A cet effet, la sélection des interlocuteurs de la Commission sur les différents volets du PPNR doit relever de l'organisation de l'Etat membre. Il convient de clarifier que les exigences de l'annexe IV ne s'appliquent pas à l'autorité de coordination des autorités de gestion. HR (Comments): Who bears the overall responsibility for managing the Plan? Are key requirements the same as accreditation criteria? Is it necessary that all authorities meet these key requirements? MT (Comments):

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	MT would like to seek clarification on the reference in Article 49(1) to '*one or more managing authorities.'* In MT's case, for ERDF and ESF there is a single joint managing authority covering both funds. Could the Commission confirm whether the Regulation envisages or requires separate managing authorities per Fund, or whether a single joint authority remains admissible under this provision or is this up to the MS discretion to decide whether or not to create additional MAs. Especially since this joint MA approach is working effectively in MT, ensuring good coordination amongst respective funds. Moreover, with reference to the proviso that "*All authorities identified for the purposes of this Article shall have the possibility for exchanges with the Commission*": It is understood that this means that the Commission would have the possibility of dialogue directly with the respective Managing Authority and therefore the same as now**. Can this be confirmed?** PL (Drafting suggestions): 1. For the purposes of Article 63(3) of Regulation (EU, Euratom) 2024/2509, each Member State shall identify one or more managing authorities, **one or more audit authorities, and where appropriate** one or more paying agencies ~~**and one or more audit authorities**~~ for the Plan.

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	The authorities identified shall fulfil the relevant key requirements set out in Annex IV to this Regulation. All authorities identified for the purposes of this Article shall have the possibility for exchanges with the Commission. **Regional authorities may be appointed as managing authorities.** PL (Comments): The paying agency does not exist within the institutional framework of cohesion policy; it is specific to the Common Agricultural Policy (CAP). It is necessary to clarify the provision in this regard in order to avoid uncertainty. The role of regional authorities in the implementation system should be confirmed due to large uncertainty created by the new proposal on the role of regions in programming and implementation of the NRP Plan. SE (Drafting suggestions): 1. For the purposes of Article 63(3) of Regulation (EU, Euratom) 2024/2509, each Member State shall identify one or more managing authorities, one or more paying agencies and one or more audit authorities for the Plan**. Those authorities are plan authorities.** The

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	authorities identified shall fulfil the relevant key requirements set out in Annex IV to this Regulation. All authorities identified for the purposes of this Article shall have the possibility for exchanges with the Commission. SE (Comments): It should be clarified in the paragraph that the managing authorities, paying agencies and audit authorities are the plan authorites. The concept plan authorites is not mentioned as now formulated. SK (Drafting suggestions): 1. For the purposes of Article 63(3) of Regulation (EU, Euratom) 2024/2509, each Member State shall identify one or more managing authorities, one or more paying agencies and one or more audit authorities for the Plan **in accordance with Articles 52(2) and 58(2)(a) of this Regulation**. The authorities identified shall fulfil the relevant key requirements set out in Annex IV to this Regulation. All authorities identified for the purposes of this Article shall have the possibility for exchanges with the Commission. SK (Comments):

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	We recommend that this provision (MS being able to set up one or more paying agencies) in Article 49(1) of the draft NRPP Regulation **will be either linked to Articles 52(2) and 58(2)(a)** [Responsibilities of Member State] of the draft NRPP Regulation **or will be deleted.** If the authorities referred to in Article 49(1) of the draft NRPP Regulation shall comply with the relevant key requirements set out in Annex IV of the draft NRPP Regulation, this means that the coordinating body does not have to comply with them, even though it is responsible for financial management activities under Article 50(c) to (g) of the draft NRPP Regulation? We ask for further clarification, and we request that the relevant provisions of the draft NRPP Regulation be clarified and amended in that manner accordingly.
	DE (Drafting suggestions): **The national and regional authorities responsible for the respective national, sectoral, regional or territorial chapter shall be able to interact and negotiate directly with the Commission.** DE (Comments):

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	For a better coordination, all authorities responsible for a chapter shall be able to interact/negotiate with COM on its chapter, there should be one counterpart for each national, sectoral, regional or territorial chapter. SI (Drafting suggestions): ***2. When the Plan consists of regional and territorial chapters pursuant to Article 21(2), the relevant (regional) managing authorities responsible for their design, programming, management and implementation shall be able to interact directly with the Commission.*** SI (Comments): MS should have the flexibility to establish a structure for implementing the NRPP, taking into account existing well-functioning systems and their institutional frameworks.
2. Where a Member State entrusts the implementation of the Plan to authorities in charge of implementing cohesion policy, the CAP or European Maritime Fisheries and Aquaculture Fund in the 2021-2027 programming period and based on all available audit results the Commission did not question the effective functioning of these	AT (Drafting suggestions): Where a Member State entrusts the implementation of the Plan to authorities in charge of implementing cohesion policy, the CAP**, the** ~~or~~ European Maritime Fisheries and Aquaculture Fund**, the Asylum, Migration and Integration Fund, Internal Security Fund and the**

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authorities, these authorities shall be deemed to comply with the key requirements.	**Instrument for Financial Support for Border Management and Visa Policy** in the 2021-2027 programming period and based on all available audit results the Commission did not question the effective functioning of these authorities, these authorities shall be deemed to comply with the key requirements. AT (Comments): Inclusion of plan authorities for "Home Funds" for programming periode 2021-2027. BE (Drafting suggestions): Where a Member State entrusts the implementation of the Plan to authorities in charge of implementing ~~cohesion policy~~ **European Structural and Investment Funds and Home Affair Funds**, the CAP or European Maritime Fisheries and Aquaculture Fund**, or the RRF** in the 2021-2027 programming period and based on all available audit results the Commission did not question the effective functioning of these authorities, these authorities shall be deemed to comply with the key requirements. **This presumption of compliance shall also apply where such authorities undergo internal reorganization, including changes**

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	of name or mergers, provided that their core functions, systems and responsibilities remain substantially unchanged. BG (Drafting suggestions): 2. Where a Member State entrusts the implementation of the Plan to authorities in charge of implementing cohesion policy, the CAP**,** ~~or~~ European Maritime Fisheries and Aquaculture Fund **and Home affairs funds** in the 2021-2027 programming period and based on all available audit results the Commission did not question the effective functioning of these authorities, these authorities shall be deemed to comply with the key requirements. BG (Comments): We support the approach reflected in Article 49(2), whereby the managing authorities (MAs) of CP, CAP and EMFF, which have successfully fulfilled their functions during the current programming period, should be deemed to meet the key requirements of the management and control systems under the future Single Fund. However, this approach should also be extended to the relevant MAs in the field of Home Affairs.

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	CZ (Drafting suggestions): 2. Where a Member State entrusts the implementation of the Plan to authorities in charge of implementing cohesion policy, **Home Affairs Funds,** the CAP, or European Maritime Fisheries and Aquaculture Fund **and Social Climate Fund** in the 2021-2027 programming period and based on all available audit results the Commission did not question the effective functioning of these authorities, these authorities shall be deemed to comply with the key requirements. CZ (Comments): CZ proposes to add the Home Affairs Fund to Article 49(2). Home Affairs Funds are subject to the same regulatory framework as cohesion or agricultural policy. There is no reason for application of different principals on Managing Authority responsible for Home Affairs Funds. CZ also proposes to add the Social Climate Fund, which may be part of the NRP Plan from 2028 and therefore should be subject to the same rules as other authorities involved in the NRP Plan. DE (Comments):

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	If MS management and control systems are deemed to function well by the COM, it should fully rely on verification and audit work done by national authorities and refrain from auditing individual operations to avoid additional administrative burden. The proper functioning of management and control systems should be reassessed at appropriate intervals. We request a clarification that this applies to all authorities that fulfil these requirements, regardless of whether their field of activity remains exactly the same as in the 2021-2027 programming period or if it is extended to include other policies that are now brought together under the Fund. EL (Drafting suggestions): Where a Member State entrusts the implementation of the Plan **and the Home Affairs Plan** to authorities in charge of implementing cohesion policy, **internal security, European integrated border management, visa policy and asylum and migration policy**, the CAP or European Maritime Fisheries and Aquaculture Fund in the 2021-2027 programming period and based on all available audit results the Commission did not

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	question the effective functioning of these authorities, these authorities shall be deemed to comply with the key requirements. EL (Comments): Same as par 1. FI (Drafting suggestions): 2. Where a Member State entrusts the implementation of the Plan to authorities in charge of implementing cohesion policy, the CAP or European Maritime Fisheries and Aquaculture Fund **and Home Affairs Funds** in the 2021-2027 programming period and based on all available audit results the Commission did not question the effective functioning of these authorities, these authorities shall be deemed to comply with the key requirements. FI (Comments): Concerning Article 51(2) we would like to know if on-the-spot checks can be carried out virtually, especially when it comes to verifying the results and not verifying costs? FR

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	(Drafting suggestions): 2. Where a Member State entrusts the implementation of the Plan to authorities in charge of implementing cohesion policy, the CAP **or** the European Maritime Fisheries and Aquaculture Fund **or the Home Affairs** or European Maritime Fisheries and Aquaculture Fund in the 2021-2027 programming period ~~and based on all available audit results the Commission did not question the effective functioning of these authorities~~, **or removed all doubt**, these authorities shall be deemed to comply with the key requirements. FR (Comments): Cette disposition n'est pas opérante, car elle ne précise pas à quelle date elle doit être respectée, ni ce que signifie "effective functioning". Si la Commission souhaite contester la désignation des autorités faite par l'Etat membre, cela relève des échanges relatifs à l'approbation du Plan. Les AG qui, à la suite des conclusions d'audit, ont mis à jour leurs procedures et répondu aux interrogations de la CE doivent pouvoir être renouvelées en tant qu'AG sans difficulté. La Commission pourra par ailleurs préciser la procédure de designation des nouvelles AG. HR

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	(Drafting suggestions): Where a Member State entrusts the implementation of the Plan to authorities in charge of implementing cohesion policy, the CAP**, Home Affairs funds** or European Maritime Fisheries and Aquaculture Fund in the 2021-2027 programming period and based on all available audit results the Commission did not question the effective functioning of these authorities, these authorities shall be deemed to comply with the key requirements. HR (Comments): • Does the EC rely on the audits of the Certifying Authority? What does the expression “on all available audit results” mean? Is it necessary for the accreditation procedure to be carried out in the period 2028-2034? • Does this mean that it will not be necessary to perform a designation audit or an early preventive system audit (EPSA)? • In line with additional clarification provided by the Commission, we propose adding the marked reference to HAF in the 2021-2027 period to this formulation.

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	• Does the EC rely on the audits of the Certifying Authority? What does the expression "on all available audit results" mean? Is it necessary for the accreditation procedure to be carried out in the period 2028-2034? • Does this mean that it will not be necessary to perform a designation audit or an early preventive system audit (EPSA)? • How will this provision be applied in the context of the functions that are in the period 2021-2027 within the scope/competence of the "accounting function"? For example, the coordinating authority, on the basis of paragraph 3, entrusts a managing authority with carrying out the function of submitting payment applications for the plan to the Commission and the respective managing authority is the same authority and the same institution that was in 2021-2027 entrusted with accounting function submitting payment applications. Shall this "authority" be deemed to comply with the key requirements (provided that based on all available audit results the Commission did not question the effective functioning of this "authority")? IT (Drafting suggestions): Where a Member State entrusts the implementation of the Plan to authorities in charge of implementing cohesion policy, the CAP or

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	European Maritime Fisheries and Aquaculture Fund in the 2021-2027 programming period and based on all available audit results the Commission did not question the effective functioning of these authorities, these authorities shall be deemed to comply with the key requirements **set out in Annex IV to this Regulation.** LT (Drafting suggestions): Where a Member State entrusts the implementation of the Plan to authorities in charge of implementing cohesion policy, the CAP**,** ~~or~~ European Maritime Fisheries and Aquaculture Fund **or the Internal Security Fund, the Asylum, Migration and Integration Fund and the instrument for financial support for border management and visa policy as part of the Integrated Border management Fund** in the 2021-2027 programming period and based on ~~all~~ available audit results the Commission did not question the effective functioning of these authorities**,** these authorities shall be deemed to comply with the key requirements. LT (Comments):

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	In this part the Commission needs to elaborate more on in what form "question the effective functioning of these authorities" is expressed, because it remains unclear what it means and how long available audit results last, is it the newest results? LU (Comments): We are in favour of an automatic recognition ("deemed to comply") of authorities already used under the CAP or the 2021-2027 cohesion policy if the Commission has not challenged their proper functioning. NL (Drafting suggestions): Where a Member State entrusts the implementation of the Plan to authorities in charge of implementing cohesion policy, **the HOME Funds**, the CAP or European Maritime Fisheries and Aquaculture Fund in the 2021-2027 programming period and based on all available audit results the Commission did not question the effective functioning of these authorities, these authorities shall be deemed to comply with the key requirements. NL (Comments):

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	Addition of HOME Funds. PT (Drafting suggestions): PT: 2. Where a Member State entrusts the implementation of the Plan to authorities in charge of implementing**, management and audit of** cohesion policy, the CAP or**,** European Maritime Fisheries and Aquaculture Fund**, Home Funds** in the 2021-2027 programming period **or Social Climate Fund** and based on all available audit results the Commission did not question the effective functioning of these authorities, these authorities shall be deemed to comply with the key requirements. PT (Comments): PT: We took note of the COM's explanation; however, we still consider that it should be made clearer that this provision applies to Home Funds and SCF authorities. It is also important to include other authorities, such as the audit authority. RO (Drafting suggestions):

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	Where a Member State entrusts the implementation of the **NRP** Plan or **Interreg Plan chapter** to authorities in charge of implementing cohesion policy, the CAP or European Maritime Fisheries and Aquaculture Fund **or Home Affairs** in the 2021-2027 programming period and based on ~~all~~ **latest** available audit results the Commission did not question the effective functioning of these authorities, these authorities shall be deemed to comply with the key requirements. RO (Comments): The substitution of the word "all" with "latest" is justified on methodological, legal-interpretative, and administrative grounds. The modification enhances the coherence of the provision with established principles of EU financial management, particularly proportionality, legal certainty, and the dynamic assessment of administrative capacity. Requiring the Commission to assess "all available audit results" risks placing undue emphasis on historical audit findings that may no longer reflect the actual functioning of the authority. Past audit classifications (such as categories 3 and 4) may describe weaknesses that have already been remedied through corrective actions and the objective of point 2 is to determine whether the system currently operates effectively. Since the paragraph seems to cover both NRP and Interreg, this should be made

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	clear. In most Member States, the managing authorities for the 2021-2027 Home Affairs funds are different from the authorities responsible for the Cohesion Funds. This it is why there was a specific reference proposed for Home Affairs Funds. SE (Drafting suggestions): 2. Where a Member State entrusts the implementation of the Plan to authorities in charge of implementing cohesion policy, the CAP or European Maritime Fisheries and Aquaculture Fund **and the home affairs funds** in the 2021-2027 programming period and based on ~~all available~~ **relevant** audit results the Commission did not question the effective functioning of these authorities, these authorities shall be deemed to comply with the key requirements. SE (Comments): The proposed amendment aims to make the requirement more proportionate. Furthermore, authorities for home funds should be included.
	BE (Drafting suggestions):

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	The Commission will make clear no later than one year before the submission of the Plan which Directorate-General shall act as the lead service for overall coordination and follow-up of exchanges with managing authorities, paying agencies and audit authorities part of the NRPP. DE (Drafting suggestions): **The compliance of proper functioning of the management and control systems of a MS is assessed and confirmed by COM in its assessment of the Plan and by the Council implementing decision according to Art. 23 of this regulation. A second assessment and confirmation will take place in the course of the mid-term review according to Art. 25 of this regulation.** DE (Comments): The proper functioning of management and control systems should be confirmed by COM/Council in the course of the NRPP adoption process and mid-term review.
3. [Where a Member State identifies more than one managing authority, it shall set up a coordinating authority. A managing authority	AT (Comments):

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may be entrusted with carrying out certain functions of the coordinating authority. Arrangements between the coordinating authority and the managing authority shall be recorded in writing.]	The introduction of a coordinating authority will undoubtedly lead to greater complexity in the system, which in our view contradicts the aim of simplification. An additional coordinating authority requires clear rules and should avoid checks etc. to be carried out. BE (Comments): Bracketed, so therefore we do not provide any amendment here. This is, however, an important element for Belgium – Member states should be responsible to define the role of the coordinating authority or mechanism and to consider delegating functions and responsibilities to managing authorities, in accordance with the principle of subsidiarity and the necessary coherence of the national and regional partnership plan. BG (Drafting suggestions): 3. [Where a Member State identifies more than one managing authority, it shall set up a coordinating authority. A managing authority **or other body** may be entrusted with carrying out certain functions of the coordinating authority. Arrangements between the coordinating authority and the managing authority shall be recorded in writing.]

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	BG (Comments): The current text provides flexibility for some Member States, but the text should be further elaborated to take into account the specificities of those Member States that already have coordinating bodies assuming functions which don't include payment and control tasks, which are usually performed by bodies within their ministries of finance. So, it should be possible to entrust functions not only to MAs, but to "other bodies". CZ (Drafting suggestions): 3. Where a Member State identifies more than one managing authority, it ~~shall~~ **will** set up a coordinating ~~authority~~ **function to ensure a coherent implementation of the Plan; more than one body may carry out the coordinating function.** ~~A managing authority may be entrusted with carrying out certain functions of the coordinating authority. Arrangements between the coordinating authority and the managing authority shall be recorded in writing.~~ **To the extent possible, to ensure continuity and cost-effectiveness, Member States should build upon the existing governance structures and institutions.** CZ

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	(Comments): CZ finds the division of functions among the authorities unduly limiting. In many Member States (including CZ), payment applications and payment forecasts have been submitted by obligatorily independent certifying authorities or, currently, bodies carrying out the accounting function, i.e. separate from the coordination function or the function of the managing authority. These authorities (often ministries of finance) already have the necessary administrative resources and IT systems in place, often build and co-funded from the technical assistance. Therefore, traditional paying functions (art. 50 (c), (d) and (g)) should continue to be carried out by the bodies carrying out the accounting function in 2021-27 period. For this reason, it is desirable to amend this provision in order to enable this set-up by stipulating that the coordinating function (as set-out in point 39 of the negobox) may be carried out by more than one body, or alternatively (if para 3 of Article 49 is removed from the negobox), that certain functions may also be entrusted to a body other than the managing authority. DE (Drafting suggestions):

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	3. Where a Member State identifies more than one managing authority, it shall **identify an authority that fulfill a coordinating function**~~**set up a coordinating authority**~~. A managing authority may be entrusted with carrying out ~~**certain**~~ functions of the ~~**coordinating**~~ **authority with a coordinating function**. Arrangements between the ~~**coordinating**~~ authority **with a coordinating function** and the managing authority shall be recorded in writing. DE (Comments): MS should have the possibility to delegate functions of the authority to the MAs. FI (Drafting suggestions): Where a Member State identifies more than one managing authority, it shall set up a coordinating function authority. A managing authority may be entrusted with carrying out certain functions tasks of the coordinating authority function. Arrangements between the coordinating authority function and the managing authority shall be recorded in writing. HR (Comments):

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	• Is it possible to delegate some of the CB functions to the MA and to an Intermediate Body? • Please clarify the provision "Arrangements between the coordinating authority and the managing authority shall be recorded in writing" - does this mean that the CA and the MA will have agreements and/or can this be defined by national legislation that will define the framework for implementation (and bodies in the management and control system together with roles, obligations and responsibilities). IE (Drafting suggestions): 3. **[**Where a Member State identifies more than one managing authority, it shall set up a coordinating authority. **The Coordinating Authority may be entrusted with carrying out certain functions of the Member State.** A managing authority may be entrusted with carrying out ~~certain~~ **the** functions of the coordinating authority. Arrangements between the coordinating authority and the managing authority **in relation to their separate functions** shall be recorded in writing.**]** IE (Comments):

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	This provision is amended to provide that a Managing Authority may also, where there more than one is identified by the Member State, perform the full range of functions of the Coordinating Authority. It is also proposed that the Coordinating Authority may be delegated certain Member State functions. **If there is a new body established to carry out the coordinating function (if no coordinating body is currently in place for CAP or Cohesion) – is there a necessity to have that body accredited?** **What does the CION propose to ensure there is no overlap between both authorities?** IT (Drafting suggestions): Where a Member State identifies more than one managing authority, it shall ~~set up~~ **establish** a coordinating ~~authority~~ **function**. A managing authority may be entrusted with carrying out certain **tasks of the coordinating function** ~~**functions of the coordinating authority**~~. Arrangements between the coordinating authority and the managing authority shall be recorded in writing.

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Commission proposal	MS drafting suggestions and comments
	To the extent possible, to ensure continuity and cost-effectiveness, Member States should build upon the existing governance structures and institutions. IT (Comments): IT confirms the proposals included in the President von der Leyen's letter of the 9th November. It should be further specified and clarified which types of functions fall under the notion of 'certain functions' ("A managing authority may be entrusted with carrying out certain functions of the coordinating authority"). LT (Drafting suggestions): Where a Member State identifies more than one managing authority, it ~~shall set up a coordinating authority. A managing authority may be entrusted with carrying out certain functions of the coordinating authority~~ **may assign a coordinating function to one of the managing authorities or other national authority.** Arrangements between the ~~coordinating~~ authority, **assigned with the coordination function** and the managing authorit~~y~~**ies** shall be recorded in writing.]

Commission proposal	MS drafting suggestions and comments
	LT (Comments): We suggest to call a coordination as a function rather than authority allowing to flexibly assign this function either to one of the managing authorities or to other national authorities. LV (Drafting suggestions): **VARAM**: ~~Where a Member State identifies more than one managing authority, it shall set up a coordinating authority. A managing authority may be entrusted with carrying out certain functions of the coordinating authority. Arrangements between the coordinating authority and the managing authority shall be recorded in writing.~~] LV (Comments): **Latvia** is sceptical regarding regulating in detail how member states should organize coordination process. MT (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	3. [Where a Member State identifies more than one managing authority, it ~~*shall*~~ ***may*** *set up a coordinating authority. A managing authority may be entrusted with carrying out certain functions of the coordinating authority. Arrangements between the coordinating authority and the managing authority shall be recorded in writing.]* ***OR*** *3. [Where a Member State identifies more than one* ***regional*** *managing authority, it shall set up a coordinating authority. A managing authority may be entrusted with carrying out certain functions of the coordinating authority. Arrangements between the coordinating authority and the managing authority shall be recorded in writing.]* ***OR*** *3. [Where a Member State identifies more than* ~~*one*~~ ***ten*** *managing* ~~*authority*~~ ***authorities****, it shall set up a coordinating authority. A managing authority may be entrusted with carrying out certain functions of the coordinating authority. Arrangements between the coordinating authority and the managing authority shall be recorded in writing.]* ***OR*** *3. [Where a Member State identifies more than one managing authority,* ***responsible for a programme of more than €XXXX,*** *it shall set up a*

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Commission proposal	MS drafting suggestions and comments
	coordinating authority. A managing authority may be entrusted with carrying out certain functions of the coordinating authority. Arrangements between the coordinating authority and the managing authority shall be recorded in writing.] MT (Comments): MT requests clarification on the term **coordinating authority**. The current set up under the MFF 21-27 framework is one Managing Authority (MA) which effectively administers ERDF, ESF and Social Climate Fund, along with an MA effectively administering AGRI, Fisheries and territorial programmes. This current approach already ensures that the necessary coordination amongst the various funds is constantly undertaken. Thus, an additional authority would bring more administrative burden for small administrations like MT, especially when certain issues have remained fund specific. This would bring more responsibilities on resources that are already stretched and performing at their maximum capacity.

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	Hence, **MT is proposing different options of alternative wording that would allow flexibility for larger MS structures**, but acknowledging the reality of smaller MS who would not require an administrative layer. PT (Drafting suggestions): 3. **[**Where a Member State identifies more than one managing authority, it shall set up a coordinating authority **for the entire Plan**. A managing authority may be entrusted with carrying out certain functions of the coordinating authority. Arrangements between the coordinating authority and the managing authority shall be recorded in writing. **]** PT (Comments): In order to avoid any misleading interpretation, we suggest that this article clearly states that the coordinating authority is set up for the entire Plan. RO (Drafting suggestions): Where a Member State identifies more than one managing authority, it shall **designate** a coordinating authority **or set up a mechanism for coordination with an authority responsible for the management of the**

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	coordination mechanism/coordination function to ensure coherence of NRP Plan. ~~A managing authority may be entrusted with carrying out certain functions of the coordinating authority~~ **To the extent possible, to ensure continuity and cost-effectiveness, Member State should build upon the existing governance structures and institutions in charge of implementing cohesion policy, the CAP or European Maritime Fisheries** **and Aquaculture Fund in the 2021-2027 programming period.** Arrangements between the coordinating authority/**authority performing the coordination function** and the managing authority/ shall be recorded in writing. RO (Comments): We acknowledge that this point is currently bracketed, but in the spirit of coherence and unity, we wish to clearly state our position. This stance will also be formally supported within the negobox format during negotiations. The proposed reformulation is in line with para 1(art. 49(1)) for which there has been provided arguments.

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	It is necessary to specify the functions of the Coordinating Authority that cannot be delegated (similar to the situation of the Paying Agency, which cannot delegate the payment function). If certain CA functions—such as harmonization of procedures across managing authorities, aggregation of performance data, or system-wide risk assessment—were delegated to a managing authority, this could undermine the integrity of the MCS. Clarifying the scope of delegation is essential for ensuring legal certainty, safeguarding accountability, and preventing functional ambiguities that could weaken the coherence of the management and control system (MCS). SI (Drafting suggestions): ~~3.~~ **4 [**Where a Member State identifies more than one managing authority, it **may** ~~shall set up a coordinating authority~~ **establish a coordinating function**. A managing authority may be entrusted with carrying out ~~certain~~ **the coordinating** functions ~~of the coordinating authority~~. Arrangements ~~between the~~ **to establish the coordinating function** ~~authority and the managing authority~~ shall be recorded in writing.**]** SI (Comments):

Commission proposal	MS drafting suggestions and comments
	MS should have the flexibility to establish a structure for implementing the NRPP, considering existing well-functioning systems and their institutional frameworks. SK (Drafting suggestions): 3. **[**Where a Member State identifies more than one managing authority, it shall ~~set up~~ **appoint** a coordinating authority **or set up a coordinating mechanism to ensure coherent implementation of the plan**. ~~A managing authority may be entrusted with carrying out certain functions of the coordinating authority. Arrangements between the coordinating authority and the managing authority shall be recorded in writing.~~ **To the extent possible, to ensure continuity and cost-effectiveness, Member State should build upon the existing governance structures and institutions in charge of implementing cohesion policy, the CAP or European Maritime Fisheries** **and Aquaculture Fund in the 2021-2027 programming period]** SK (Comments):

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	The NRPP should be implemented under the conditions of shared management, which means that it is the competence of the MS to determine the implementation mechanism, including the designation of authorities. The MS should have the power to decide which functions will be performed by which authority at the national level. The Commission has repeatedly confirmed, and the draft regulation reflects, that national authorities considered to meet the standards in the MFF 2021–2027 and, based on the Member State's decision, will continue in the MFF 2028–2034, do not need to be re-audited or re-certified Reorganizing, shifting administrative capacities, or merging these authorities would be procedurally risky in terms of the need to maintain continuity of financing for the current programming period 2021–2027, administratively and financially demanding, and would require procuring and building new IT systems, while existing IT systems would still need to be maintained due to the completion of previous periods. For these reasons we support the wording of the NegoBox of 27 November 2025 and the possibility of creating a coordinating mechanism under which the redistribution of competences pursuant to Article 50 would remain within the competences of authorities in charge of 2021 – 2027 programming period.

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Commission proposal	MS drafting suggestions and comments
	DE (Comments): The implementation structure for the Interreg plan is unclear.
4. The managing authority may identify one or more intermediate bodies to carry out certain tasks under their responsibility. Arrangements between the managing authorities and intermediate bodies shall be recorded in writing. The tasks delegated to intermediate bodies shall not be entrusted further to other bodies.	BE (Drafting suggestions): The managing authority may identify one or more intermediate bodies to carry out certain tasks under their responsibility. Arrangements between the managing authorities and intermediate bodies shall be recorded in writing. ~~The tasks delegated to intermediate bodies shall not be entrusted further to other bodies.~~ **Tasks delegated to intermediate bodies shall not be subject to further delegation to any other entity, unless explicitly authorized by the managing authority and in compliance with the conditions set out by the Commission.** BE (Comments): Clarification on the delegation to intermediate bodies. DE (Drafting suggestions):

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	4. The managing authority may identify one or more intermediate bodies to carry out certain tasks under their responsibility. Arrangements between the managing authorities and intermediate bodies shall be recorded in writing. ~~**The tasks delegated to intermediate bodies shall not be entrusted further to other bodies.**~~ DE (Comments): Currently, also intermediate bodies need to delegate tasks to other bodies. Keep current practice. A change here would be a deep cut of functioning systems. FR (Drafting suggestions): 4. The managing authority may identify one or more intermediate bodies to carry out certain tasks under their responsibility. Arrangements between the managing authorities and intermediate bodies shall be recorded in writing. The tasks delegated to intermediate bodies shall not be entrusted further to other bodies. **The first subparagraph does not apply to the management and control of measures referred to in Article 35(1) and the Union actions referred to in Annex XV, paragraph 1, points (h) and (j), of this**

Commission proposal	MS drafting suggestions and comments
	Regulation. Managing authorities and intermediate bodies shall refer to service providers in the execution of their tasks. FR (Comments): Dans le cas des mesures de la PAC, la gestion et le contrôle des mesures sont réalisés par les organismes payeurs, qui peuvent déléguer certaines tâches aux autorités de gestion (cf. paragraphe 7 ci-après). Dans ce cas, il n'est pas opportun que celles-ci puissent sous-déléguer ces tâches à des organismes intermédiaires. Aucune delegation au-delà des organismes intermédiaires n'est prévu, en revanche il convient de s'assurer que le recours à des prestataires de service soit toujours permis par la règlementation. La delegation propose l'ajout d'une clause spécifique aux fonds Affaires intérieures dans le règlement, compte tenu de leur gouvernance historique et validée par la Commission dans les précédentes programmations. Pour les fonds affaires intérieures, les États membres peuvent désigner, au sein d'un même ministère, une autorité de gestion et une autorité de gestion déléguée, chacune assumant une partie des fonctions de gestion. L'autorité de gestion déléguée est considérée comme un composant de l'autorité de gestion et ne peut être assimilée à un organisme

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	intermédiaire dès lors qu'elle relève hiérarchiquement du même ministère et que les responsabilités sont définies par des dispositions internes écrites. HR (Drafting suggestions): 4. The managing authority may identify one or more intermediate bodies to carry out certain tasks under their responsibility. Arrangements between the managing authorities and intermediate bodies shall be recorded in writing. The tasks delegated to intermediate bodies shall not be entrusted further to other bodies. **Cascade funding to other bodies shall remain possible** HR (Comments): **HR asks** for a clear statement that cascade funding remains possible. • Taking into account Article 49(4) which states that "The tasks delegated to intermediate bodies shall not be entrusted further to other bodies", could you please provide clarification on this provision in the context of cascade funding (umbrella projects). Is the possibility of further granting to recipients through cascade funding also planned for

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	the post-2027 period or is the purpose of this provision in Article 49 to limit such practices and procedures? IE (Comments): **The scope of the intermediate bodies role is unclear and requires further detail.** **If tasks are delegated to intermediate bodies – can any element of controls or functions be procured by the intermediate body? For example, ICT controls.** **It is assumed that Intermediate Bodies will interact with the Managing Authority in the first instance – can this be confirmed?** LT (Drafting suggestions): The managing authority may identify one or more intermediate bodies to carry out ~~certain~~ tasks under their responsibility. Arrangements between the managing authorities and intermediate bodies shall be recorded in writing. The tasks delegated to intermediate bodies shall not be entrusted further to other bodies. LT (Comments):

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Commission proposal	MS drafting suggestions and comments
	All tasks of the managing authority can be delegated according to the regulations, we suggest removing a word “certain”. LU (Comments): **What are the tasks mentioned in the last sentence?** MT (Comments): MT would like to seek clarification on the last sentence of this Article, which states that ‘***The tasks delegated to intermediate bodies shall not be entrusted further to other bodies’***. In particular, MT requests guidance on the extent to which the managing authority may devolve responsibilities to intermediate bodies, and whether any flexibility is foreseen to allow further delegation in practice. For example, **does this permit intermediate bodies to subcontract?** If there are multiple Intermediate bodies, some horizontal tasks could be assigned to one of them, would this be possible with the current text? For example, **one intermediate body performing due diligence tasks for all Intermediate Bodies?** PL (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	4. The managing authority may identify one or more intermediate bodies to carry out certain tasks under their responsibility. Arrangements between the managing authorities and intermediate bodies shall be recorded in writing. The tasks delegated to intermediate bodies **may** ~~shall not~~ be entrusted further to other bodies. PL (Comments): There is no justification for excluding the possibility of delegating tasks to other institutions by an intermediate body. Member States should be free to design implementation systems tailored to their specific circumstances, taking into account solutions that have already been used and well-functioning in the cohesion policy implementation model (and other policies implemented under shared management). At present, implementing bodies are widely used in cohesion policy programmes in Poland. One of the main reasons for the establishment of the Plan was to introduce enhanced flexibility in the management of the funds, thereby ensuring the capacity to respond effectively to emerging and unforeseen challenges (such as energy crises or climate change). The delegation of responsibilities is considered a key instrument for operationalizing this principle, as it enables the adaptation of governance and implementation

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	structures to the scale, complexity, and nature of interventions. Allowing intermediate bodies to delegate selected tasks to lower-tier entities (e.g., implementing bodies) is expected to accelerate the processing of applications and improve the efficiency of project implementation. This approach is of critical importance in the context of timely absorption of funds and the planned introduction of the N+1 rule, which requires strict adherence to expenditure deadlines. A more balanced distribution of tasks among institutions will mitigate the risk of systemic bottlenecks and reinforce institutional resilience in the face of crisis situations, including sudden increases in application volumes. Certain functions, such as the technical assessment of innovative projects, oversight of public procurement procedures, and verification of state aid compliance, require a high degree of specialization and technical expertise. Delegation of these responsibilities to entities with proven capacity and advanced competencies in the respective areas will contribute to strengthening institutional capacity, improving the quality of interventions, and ensuring full compliance with the acquis communautaire and relevant EU regulatory frameworks. This approach aligns with the principles of subsidiarity and proportionality, while supporting the overarching objective of efficient and transparent implementation of EU-funded programmes.

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	PT (Drafting suggestions): PT: 4. The managing authority may identify one or more intermediate bodies to carry out certain tasks under their responsibility. Arrangements between the managing authorities and intermediate bodies shall be recorded in writing. ~~The tasks delegated to intermediate bodies shall not be entrusted further to other bodies.~~ PT (Comments): PT: This last part of this provision (new in relation to the current 2021-27 CPR) may introduce ambiguity between subdelegation and consultancy. Therefore, if not well explained, it should be deleted. SI (Drafting suggestions): 4. The managing authority may identify one or more intermediate bodies to carry out certain tasks under their responsibility. Arrangements between the managing authorities and intermediate bodies shall be recorded in writing. ~~The tasks delegated to intermediate bodies shall not be entrusted further to other bodies.~~

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Commission proposal	MS drafting suggestions and comments
	Intermediate bodies may delegate the execution of their tasks to implementing bodies, provided that a written agreement is concluded between the intermediate body and the implementing body, which precisely defines the tasks and responsibilities. SI (Comments): In our current system of management of ESI Funds, the intermediate bodies (usually ministries) can entrust some tasks further to the implementing bodies (agencies, national funds etc). Such arrangement is necessary for swift implementation of the planned instruments, as the intermediate bodies themselves don´t have enough capacities to carry out all instruments by themselves or have specialized agencies that are, according to specific law, implementing policies. Implementing bodies have capacities and competences, that have been specialized over the years, to implement instruments / measures / calls for proposals.
5. The audit authority shall be a public authority, functionally independent from the auditees. Audit work may be carried out by a public or private body other than the audit authority under the responsibility of that authority. Where the Member State identifies more than one audit	AT (Comments): There should be clear rules with regard to private bodies – very often certified accountants (ie. E&Y, KPMG) take on this role. This leads to an

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authority, it shall set up coordination arrangements for the preparation of the annual audit opinion and summary of audits referred to in Article 53 [functions of the audit authority].	additional administrative burden since they administer checks according to their profession BE (Drafting suggestions): The audit authority shall be a public **or private audit body** ~~authority~~, functionally independent from the auditees. Audit work may be carried out by a public or private body other than the audit authority under the responsibility of that authority. Where the Member State identifies more than one audit authority, it shall set up coordination arrangements for the preparation of the annual audit opinion**s** and summary of audits referred to in Article 53 [functions of the audit authority]. BE (Comments): Addition of 'private' to ensure continuity with the current programming period (where this is applicable in the context of CAP). It should be possible to prepare multiple annual audit opinions, if this is relevant in the context of the Member state's institutional context. These audit opinions should be considered as independent from one another, and should therefore only impact the chapter or the thematic areas it covers. DE

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Commission proposal	MS drafting suggestions and comments
	(Comments): For the GAP, the submission of only one annual audit opinion and the summary of audits at MS level creates enormous administrative burden without any significant added value. Synergies, as examples from the German Länder proof, cannot be achieved because the funds and regional systems are too different (see discussion on removing the CAP for the CPR -regulation (EU) 2021/1060). Proposal: an annual opinion from each authorized audit body and, if any summary is necessary, then only through an IT programme at EU or national level; alternatively, only joint transmission by one body per MS, similar to state aid law. Plus: the time required for national-level summary and annual audit is not available. Proposal: audit opinion by each authorised audit authority, and if any consolidation is carried out at all, then only through an IT programme. If a member state has several audit authorities per chapter or per region or both – it should be possible (as it is for the CAP in the current system) to have private bodies as (regional) audit authorities without any public obligatory state body in between as well. IE

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	(Drafting suggestions): 5. The audit authority shall be a public authority, functionally independent from the auditees. Audit work may be carried out by a public or private body other than the audit authority under the responsibility of th**e audit** ~~at~~ authority. Where the Member State identifies more than one audit authority, ~~it shall set up coordination arrangements~~**one such authority will be identified as being responsible** for **coordination of** the preparation of the annual audit opinion and summary of audits referred to in Article 53 [functions of the audit authority]. IE (Comments): **This provision is amended to clarify that it is the public audit authority identified by the member state that may commission work to be carried out by a public or private body under the audit authority.** **Amendments also provide for identification of responsibility for coordination rather than requiring the MS to set up 'coordination arrangements'** **Confirmation is requested that the audit authority be a public body for all funds?**

Commission proposal	MS drafting suggestions and comments
	Must the audit authority provide an opinion on the performance data? IT (Drafting suggestions): The audit authority shall be a public authority, functionally independent from the auditees. Audit work may be carried out by a public or private body other than the audit authority under the responsibility of that authority. Where the Member State identifies more than one audit authority, it shall **establish** coordination arrangements **or a coordinating function** for the preparation of the annual audit opinion and summary of audits referred to in Article 53 [functions of the audit authority]. IT (Comments): It is necessary to foresee, as for managing authorities, a coordinating function. LV (Comments): The preperation of single annual audit opinion should not create additional administrative burden on audit authorities in cases where there are more than one audit authority.

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	PL (Comments): The validity and effectiveness of the requirement to prepare a single audit opinion for such a complex mechanism as the NRP Plan (covering multiple sectors) is questionable, as multiple audit authorities (AAs) are permitted. At the same time, the audit opinion template (and requirements for AAs) indicate that it should be based on audits performed by various (in the case of multiple AAs) independent bodies based on their work but signed by a single body. This appears contrary to audit standards. Furthermore, there is no guidance on what division of tasks between AAs established in a given MS is acceptable (e.g., sectoral – cohesion, agriculture, fisheries), regional, or "horizontal" division into different types of audit tasks (e.g., system audit, milestone audit, IT audit). SK (Drafting suggestions): 5. The audit authority shall be a public authority~~, functionally independent from the auditees~~. Audit work may be carried out by a public or private body other than the audit authority under the responsibility of that authority. Where the Member State identifies more than one audit authority, it shall set up coordination arrangements for the preparation of

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	the annual audit opinion and summary of audits referred to in Article 53 [functions of the audit authority]. **The audit authority and any such body carrying out audit work under the responsibility of the audit authority shall be functionally independent from the auditees** RO (Drafting suggestions): The audit authority shall be a public authority, functionally independent from the auditees. Audit work may be carried out by a public or private body other than the audit authority under the responsibility of that authority. A**ny public or private body carrying out audit work under the responsibility of the audit authority shall be functionally independent from the auditees.** Where the Member State identifies more than one audit authority, it shall set up coordination arrangements for the preparation of the annual audit opinion and summary of audits referred to in Article 53 [functions of the audit authority]. RO (Comments): To clearly state that independence should be specific to the audit work regardless it is performed by the audit authority or other body working under the responsibility of the audit authority

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	SK (Comments): "This change will ensure that not only the audit authority, but also the bodies carrying out audit work on behalf of the audit authority, are functionally independent from the auditees."
6. Member States shall ensure that the principle of separation of functions between and within the authorities identified for the Plan is respected.	AT (Drafting suggestions): Member States shall ensure that the principle of separation of functions between and within the authorities identified for the Plan is respected, **especially between:** • **Selection of operations** • **Management verification** • **Payments to the beneficiary** • **Audit** AT (Comments): More specific details on what separations is necessary is required.

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	FR (Comments): A des fins de clarifications, il conviendrait que la Commission précise la nature des fonctions suggérées dans ce paragraphe, notamment quand l'autorité de gestion est chargée d'exercer certaines fonctions de l'autorité de coordination. HR (Comments): It would be useful to have clear criteria or examples on how to ensure the separation of functions, for example in the structure of the authority, task allocation, supervision, and controls. PL (Drafting suggestions): Member States shall ensure that the principle of separation of functions between ~~**and within**~~ the authorities identified for the Plan is respected. PL (Comments): In the relevant provisions of Annex IV, only the term *"between authorities"* is used – it would be advisable to keep consistency of

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	wording, especially that the meaning of "within the authorities" is unclear. RO (Drafting suggestions): Member States shall ensure that the principle of separation of functions between and within the authorities identified for the **NRP** Plan **or Interreg Plan chapter** is respected. RO (Comments): Given that the paragraph addresses both NRP and Interreg Plan, this distinction should be explicitly clarified to avoid ambiguity and ensure precise alignment with their respective objectives and implementation mechanisms. SI (Comments): Functional independence and separation of duties can only be achieved if the tasks of the individual bodies are clearly defined. In the case of the CAP, the tasks of the individual bodies are unclear.

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7. Member States shall accredit paying agencies responsible for the management and control of the measures referred to in Article 35(1) and the Union actions referred to in Annex XV, paragraph 1, points (h) and (j), of this Regulation [Uion actions], implemented under shared management and may entrust their functions, as referred to in Article 52 [functions of the paying agency], to the managing authority or to another body.	BE (Drafting suggestions): 7. Member States shall accredit paying agencies responsible for the management and control of the measures referred to in Article 35(1) and ~~the~~ Union actions **in shared management** referred to in Annex XV, paragraph 1, points (h) and (j), of this Regulation [Uion actions], implemented under shared management and may entrust their functions, as referred to in Article 52 [functions of the paying agency], to the managing authority or to another body. **On the basis of an examination of the minimum conditions to be adopted by the Commission in delegated act, Member States shall, by way of a formal act, decide on the issuing or, following a review, the withdrawal of the accreditation of the paying agency.** BE (Comments): The scope of the responsibilities of the paying agencies should not be widened to Farm sustainability Data Network (EU facility, annex XV, §1, point h. FSDN is in the current period direct management. On the other hand promotion programs in shared management (h) should stay in scope of the paying agency. At least in the current period it is in scope and it is

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	not clear how promotion programs in shared management should be managed as of 2028. We do not support the proposal to regulate the accreditation criteria and procedure at Member State level. This an unnecessary burden. Paying agencies are already accredited following Union rules. BG (Drafting suggestions): **The competent authority** in the Member States **under art. 49** shall accredit paying agencies responsible for the management and control of the measures referred to in Article 35(1) and the Union actions referred to in Annex XV, paragraph 1, points (h) and (j), of this Regulation [Uion actions], implemented under shared management and may entrust their functions, as referred to in Article 52 [functions of the paying agency] **with the exception of paragraph 5**, to the managing authority or to another body. CZ (Drafting suggestions): 7. Member States shall accredit paying agencies responsible for the management and control of the measures referred to in Article 35(1)**, 38 (1)** and the Union actions referred to in Annex XV, paragraph 1,

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	points (h) and (j), of this Regulation [U**n**ion actions], implemented under shared management and may entrust their functions, as referred to in Article 52 [functions of the paying agency], to the managing authority or to another body. CZ (Comments): CZ proposes to add Article 38(1) to this article regarding crisis payments to farmers to make it clear who is responsible for the management and control of these support. DE (Drafting suggestions): 7. Member States shall accredit paying agencies responsible for the management and control of the measures referred to in Article 35(1) and the Union actions referred to in Annex XV, paragraph 1, points (h) and (j), of this Regulation [Uion actions], implemented under shared management and may entrust their functions, as referred to in Article 52 [functions of the paying agency], to the managing authority or to another body. **No accreditation is needed if the paying agency was already accredited under the rules of regulation EU 2021/2116.**

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	DE (Comments): DE: We wonder why this accreditation and therefore responsibility is not limited to those categories of intervention in Art. 35 (1) which, as "on-farm", are part of the CAP-Ringfencing. As Art. 35 (1) l) (LEADER) m) knowledge sharing and Innovation, n) cooperation are financed outside CAP but within NRPP the Responsibilities of the regular NRPP should applied. Furthermore, those categories of interventions are not exempted from reforms budgetary flexibility. FR (Drafting suggestions): 7. Member States shall accredit paying agencies responsible for the management and control of the measures referred to in Article 35(1) and the Union actions referred to in Annex XV, paragraph 1, points (h) and (j), of this Regulation [Uion actions], implemented under shared management. **Accredited paying agencies** may entrust their functions, as referred to in Article 52 [functions of the paying agency], to the managing authority or to another body. **Arrangements between the paying agencies and managing authorities shall be recorded in writing. The**

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	tasks delegated to managing authorities shall not be entrusted further to other bodies. FR (Comments): La Commission pourrait-elle expliquer pourquoi il est prévu que ce soient des organismes payeurs agréés qui recueillent les données en vue du réseau d'information sur la durabilité des exploitations agricoles (RIDEA) (*farm sustainability data network, FSDN*) dans l'annexe XV, paragraphe 1, point (h) ? La Commission peut-elle expliciter l'articulation entre cette disposition et le Règlement FSDN ? HR (Comments): **HR asks:** Point 7 states "Member States shall accredit paying agencies responsible for the management and control of the measures". Please clarify who carries out the subject accreditation and according to which criteria. • Additional burden for MS due to the need for new or additional accreditation of the paying agency, at least for new types of interventions and for the Union activities listed in Annex XV. Can the Commission partially recognise the agency's accreditation. E.g. in parts of the system

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	that are equivalent to the system that will be in place in the post-2027 period? IT (Drafting suggestions): Member States shall accredit paying agencies responsible for the management and control of the measures referred to in Article 35(1) and the Union actions referred to in Annex XV, paragraph 1, points (h) and (j), of this Regulation [Union actions], implemented under shared management and may entrust their functions, as referred to in Article 52 [functions of the paying agency], to the managing authority or to another body. **Where more than one paying agency is accredited in a Member State, that Member State shall designate a public coordinating body, to which it shall assign the following tasks:** **(a) to collect the information to be provided to the managing authority and to send that information to the managing authority;** **(b) to use a single integrated and interoperable information and monitoring system;**

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	(c) **to take or coordinate actions with a view to resolving any deficiencies of a common nature and to inform the Commission of any follow-up;** (d) **to promote and, where possible, ensure the harmonised application of Union rules.** IT (Comments): For MSs that have multiple payment agencies, it seems appropriate to maintain the coordinating body LU (Comments): Currently in CAP, all PAs must be accredited by the Member State, in accordance with organizational, internal control, accounting, and auditing criteria (Annex I of 2022/127). The new text reaffirms the accreditation requirement, but adds the possibility that their functions may be entrusted to the MA or another body. This blurs the traditional distinction between MA and PA: if the MA performs PA functions, how does the principle of separation of functions (§6) apply? PL (Comments):

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	In the light of Article 49(2), it is reasonable to confirm that accredited paying agencies for the CAP do not require re-accreditation for the period 2028-2034 RO (Comments): The Commission's intention concerning the requirement to accredit paying agencies for the purpose of data collection under Regulation (EC) No 1217/2009 (letter h of Annex XV) is not clear. We would like a clarification in this regard: **does this refer to a new requirement or an incorrect reference to letter h of the Annex?** SE (Drafting suggestions): Member States shall ~~accredit~~ **identify** paying agencies responsible for the management and control of the measures referred to in Article 35(1) and the Union actions referred to in Annex XV, paragraph 1, points (h) and (j), of this Regulation [Union actions], implemented under shared management and may entrust their functions, as referred to in Article 52 [functions of the paying agency], to the managing authority or to another body. **The paying agency identified shall fulfil the relevant key requirements set out in Annex IV to this Regulation**

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	SE (Comments): SE understands the Commission's replies to mean that there are no common and formal accreditation criteria in the same way as in the current period for CAP. SE proposes an adjustment to clarify that the responsibility for the accreditation lies with the Member States. SK (Comments): We suggest the functions of the paying agency within the Article 52 to move to the CAP regulation.
8. The managing and the audit authorities may be responsible for one or more chapters of the Plan. They shall be provided with appropriate resources to carry out their tasks.	DE (Drafting suggestions): The managing and the audit authorities may be responsible for one or more chapters of the Plan. **It must be clarly set out for each chapter in the Plan which authorities are responsible for the respective chapter. The authorties** ~~**They**~~ shall be provided with appropriate resources to carry out their tasks. EL

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	(Drafting suggestions): The managing and the audit authorities may be responsible for one or more chapters of the Plan **and of the Home Affairs Plan.** They shall be provided with appropriate resources to carry out their tasks. EL (Comments): Same as in par 1. FI (Drafting suggestions): 8. The managing and the audit authorities may be responsible for one or more chapters of the Plan. ~~They shall be provided with appropriate resources to carry out their tasks.~~ FI (Comments): The definition of appropriate resources does not belong to this regulation. FR (Drafting suggestions):

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	8. The managing and the audit authorities may be responsible for one or more chapters of the Plan. ~~They shall be provided with appropriate resources to carry out their tasks.~~ FR (Comments): Cela relève de l'organisation interne de l'Etat membre. HR (Comments): • What is meant by "appropriate resources"? Is it administrative capacities, financial resources, expert knowledge? Also, considering that the proposal states "shall be provided", who`s responsibility is to provide for such resources, i.e. is this provision linked to the function of the Coordinating Authority referred to in Article 50 point (a)? LT (Drafting suggestions): The managing and the audit authorities may be responsible for one or more chapters of the Plan. ~~They shall be provided with appropriate resources to carry out their tasks.~~ LT

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	(Comments): This provision should be left to the discretion of the Member States, otherwise the regulation should describe what does “appropriate resources” mean. LU (Comments): A clear definition of what constitutes “appropriate resources” should be established. RO (Drafting suggestions): The managing and the audit authorities may be responsible for one or more chapters of the **NRP or Interreg** Plan. They shall be provided with appropriate resources to carry out their tasks RO (Comments): Since the paragraph seems to cover both NRP and Interreg, this should be made clear SE (Drafting suggestions):

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	8. The managing and the audit authorities may be responsible for one or more chapters of the Plan. ~~They shall be provided with appropriate resources to carry out their tasks.~~ SE (Comments): It is a Member State responsibility to provide appropriate resources. SK (Drafting suggestions): 8. The managing**, paying** and the audit authorities may be responsible for one or more chapters of the Plan. They shall be provided with appropriate resources to carry out their tasks SK (Comments): It is not clear why only managing authorities and audit authority should have appropriate resources to carry out their tasks. It is not clear why this obligation does not apply to all authorities listed in Art. 49(1) and 50 of the draft NRPP regulation. **We call for the regulation to be clarified and harmonized.**

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9. When carrying out their functions, the plan authorities may use a single integrated and interoperable information and monitoring system, including a single data-mining and risk-scoring tool, as referred to in Article 36(2), point (d) of the Regulation (EU, Euratom) 2024/2509, to access and analyse the relevant data, with a view to a generalised application by Member States.	BE (Drafting suggestions): 9. When carrying out their functions, the plan authorities may use a single integrated and interoperable information and monitoring system, including a single data-mining and risk-scoring tool, as referred to in Article 36(2), point (d) of the Regulation (EU, Euratom) 2024/2509, to access and analyse the relevant data, with a view to a generalised application by Member States. **Plan authorities may also continue to operate their own information and monitoring systems, provided these ensure compliance with the requirements of this Regulation.** DE (Drafting suggestions): 9. When carrying out their functions, the plan authorities may use a single integrated and interoperable information and monitoring system **provided by the European Commission**, including a single data-mining and risk-scoring tool, as referred to in Article 36(2), point (d) of the Regulation (EU, Euratom) 2024/2509, to access and analyse the relevant data, with a view to a generalised application by Member States. DE (Comments):

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	We need a clear guidance from COM on the requirements for this tool. DE would appreciate if COM could provide a common tool for all MS by mid 2026 to avoid costly and differing, individual IT solutions in each MS/region. HR (Comments): • Will these tools be provided to MS and Plan authorities and financed by the EC through technical assistance? IE (Comments): **This provision provides that plan authorities 'may' use a single and interoperable information and monitoring system'. Clarity is needed on how the Commission will engage with Member States in the absence of a single system.** **Implementation of a single system will require the integration and/or replacement of well - established systems across multiple diverse funding programmes.** **This will result in additional costs and significant work for the Coordinating and Managing Authorities and Paying Agency, when there are already effective systems in place.**

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	IT (Comments): Since the creation of a single integrated and interoperable information and monitoring system could take a long time to be defined, this should remain voluntary for the MS. LU (Comments): **We have reservations about this wording, as it could entail significant costs for Member States. This would be very challenging for MS to assure implementation of an interoperable monitoring System in such a short time.** **It seems to us that the Commission is seeking, through this measure, to strongly encourage the use of ARACHNE. However, as we understand it, the integration of ARACHNE could create a significant administrative burden, which we believe to be disproportionate to the expected benefits.** MT (Comments): With reference to **Arachne**, MT would like to know if the Commission would be reassessing the voluntary use of Arachne at a National level. We

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	understand this re-assessment might be done sometime between now and the start of the post-2027 MFF. Can we have more information? RO (Comments): RO does not agree with the integration of the CAP component within this single integrated and interoperable information and monitoring system. Due to the specific nature of the CAP with a large number of beneficiaries and the multitude of information existing in the IACS system, as well as the typology of holdings, their size, etc., a common system only ensures an additional administrative burden on the institutions responsible for implementing the CAP. In this sense, we support maintaining the CAP separately, with two pillars. **Clear indication that CAP is excluded from the requirement of *using the single integrated and interoperable information and monitoring system, including a single data-mining and risk-scoring tool* should be inserted in para 9.** What is the envisaged approach for Interreg? Is "a monitoring and reporting system/Interreg chapter" a correct interpretation? Wouldn't a single monitoring system for the Interreg Plan and its chapters be a better choice, ensuring cost efficiency, simplification, consistency, reduced

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	duplication and cross-programme aggregation, especially given the limited resources? For Interreg, the most fitted solution would be a single monitoring system integrated (via an API) with SFC, to cover all flows and steps, from Commission to beneficiary and from beneficiary to Commission. (the experience of building a joint monitoring system (JEMS) for Interreg for 2021-2027 proved to be a success, as more than 50% of the programs adopted JEMS as their official monitoring system, reducing costs, decreasing the administrative burden for all stakeholders and bringing more clarity and legal certainty for authorities in accomplishing their obligations).
10. Annual review meetings shall be organised once a year between the Commission and each Member State to examine the performance of the Plan or its chapters. The relevant authorities and the coordinating authority shall participate in the review meetings. The outcome of the review meeting shall be recorded in writing. The Member State shall follow up issues raised during the review meeting which affect the implementation of the plan or one or more chapters and shall inform the Commission within three months of the measures taken.	AT (Drafting suggestions): Annual review meetings shall be organized…. The outcome of the review meeting shall be recorded in writing **by the Commission**. The Member State shall follow up issue… of the measures taken. **The Commission must respond within one month, indicating whether these measures are reasonable and pointing out any associated risks and weaknesses**

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	AT (Comments): Adaptation is considered necessary in two places: First, it should be clarified that the outcome of the annual review meeting will be recorded in writing by the Commission. Second, it is suggested that the Commission responds within one month to the measures taken by the Member States, assess their adequacy, and point out any potential risks or weaknesses: BE (Drafting suggestions): Annual review meetings shall be organised once a year between the Commission and each Member State, **or where relevant each authority**, to examine the performance of the Plan or its chapters. The relevant authorities and the coordinating authority shall participate in the review meetings. The outcome of the review meeting shall be recorded in writing. **As an alternative, the annual review may be conducted through a written procedure, provided that it ensures equivalent quality and completeness of information.** The Member State shall follow up issues raised during the review meeting which affect the

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	implementation of the plan or one or more chapters and shall inform the Commission within ~~three~~ **four** months of the measures taken BE (Comments): For certain Member States, it is more relevant to organize such meetings at chapter level instead of at plan level. A written procedure should be a possibility, to ensure continuity with the current period where this is used in certain cases. Question: what exactly is meant with 'relevant authorities'? This should be clear in the regulation. DE (Drafting suggestions): 10. Annual review meetings shall be organised once a year between the Commission and **the authority with a coordinating function of** each Member State **together with the authorties responsible for regional and territorial chapters** to examine the performance of the Plan or its chapters. **Where relevant, this should include performance examination with respect to the contribution of Plan amendments made to respond to Council guidance on priorities at the Union level.** ~~**The**~~ **Other** relevant authorities ~~**and the coordinating authority**~~ shall

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	participate in the review meetings. The outcome of the review meeting shall be recorded in writing. The Member State **and regions** shall follow up issues raised during the review meeting which affect the implementation of the plan or one or more chapters and shall inform the Commission within three months of the measures taken. DE (Comments): Regions have to participate on equal terms. Member States should be in regular dialogue with the Commission to inform potential amendments to NRPPs following the analysis on aggregated effects of NRPPs at the union levels and any additional Council guidance on plan amendments. Suggestion in Art 25a will follow. EL (Drafting suggestions): 10. Annual review meetings shall be organised once a year between the Commission and each Member State to examine the performance of the Plan **and of the Home Affairs Plan** ~~or its chapters~~. The relevant authorities and the coordinating authority shall participate in the review meetings. The outcome of the review meeting shall be recorded in

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	writing. The Member State shall follow up issues raised during the review meeting which affect the implementation of the **Plans** or one or more chapters and shall inform the Commission within three months of the measures taken. EL (Comments): Depending of the complexity of an NRPP a series of annual review meetings may take place. For example let's suppose that one NRPP has 13 regional chapters and 4 sectoral (CAP, HOMES, COHESION, Fisheries) 17 annual review meetings would take place? Is this manageable? Therefore, we suggest that the annual review meeting remains at the level of the whole NRPplan. Another option would be the annual review meeting being related to policy sectors eg cohesion, CAP/rural development, fisheries, HOMES funds FR (Drafting suggestions): 10. Annual review meetings shall be organised once a year between the Commission and each Member State to examine the performance of the Plan or its chapters. The relevant authorities and the coordinating authority shall participate in the review meetings. The outcome of the

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	review meeting shall be recorded in writing. The Member State shall follow up issues raised during the review meeting which affect the implementation of the plan or one or more chapters ~~and shall inform the Commission within three months of the measures taken.~~ HR (Comments): • In Regulation 2021/2115 for the CAP SP, Article 136 referred to the annual review meetings and it was defined who organises it (and what is whose responsibility - e.g. drafting the note) – do the provisions of paragraph 10 of this Regulation mean that the ARM for the NRP is a matter of agreement between the MS and the EC? • Is it envisaged that the ARM meetings will be at the MS level, i.e. in addition to the coordinating body, representatives of all managing bodies? • Is it necessary to align the level of ARM organisation with the level of established monitoring committee (Article 54, paragraph 1)? E.g. if an monitoring committee is established at the level of an individual MA, then the ARM is organized at the same level? • Within the Preamble (22) it is stated that to ensure continuity, the Fund will build as much as possible on existing programme structures.

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	How will existing structures be maintained if there are functions that the Coordinating Body shall perform, and that were performed in 2021-2027 by MAs or Ministry of Finance (ensuring financial flow, payment claims, financial prognosis etc.)? In many MSs the Coordinating body already exists across programming periods, but with a primarily strategic role (design, monitoring, evaluation, horizontal activities). How can the principle of continuity be upheld if operational responsibilities are shifted from existing institutions to a body whose mandate was originally strategic? IE (Drafting suggestions): 10. Annual review meetings shall be organised once a year between the Commission and each Member State to examine the performance of the Plan or its chapters. The ~~relevant~~ **Managing and Audit** authorities **associated with the Chapters under examination** and **as appropriate** the coordinating authority shall participate in the review meetings. The outcome of the review meeting shall be recorded in writing. The Member State shall follow up issues raised during the review meeting which affect the implementation of the plan or one or more chapters and shall inform the Commission within three months of the measures taken.

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	IE (Comments): **This provision is amended to confine attendance at Annual Review meetings to the Coordinating Authority (as appropriate) and those Managing and Audit Authorities relevant to the Chapter(s) under examination.** IT (Drafting suggestions): 10. Annual review meetings shall be organised once a year between the Commission and each Member State to examine the performance of the Plan or its chapters. The relevant authorities **[**and the coordinating authority**]** shall participate in the review meetings. The outcome of the review meeting shall be recorded in writing. The Member State shall follow up issues raised during the review meeting which affect the implementation of the plan or one or more chapters and shall inform the Commission within three months of the measures taken. IT (Comments): To be decided after defining the role of the coordinating or the coordinating mechanism.

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	LT (Drafting suggestions): Annual review meetings shall be organised once a year between the Commission and each Member State to examine the performance of the Plan or its chapters. The relevant authorities, ~~and the coordinating authority~~ shall participate in the review meetings. The outcome of the review meeting shall be recorded in writing. The Member State shall follow up issues raised during the review meeting which affect the implementation of the plan or one or more chapters and shall inform the Commission within three months of the measures taken. LT (Comments): We propose to delete coordinating authority as it falls within the scope of relevant authorities. MT (Drafting suggestions): *10. Annual review meetings shall be organised once a year between the Commission and each Member State to examine the performance of the Plan or its chapters. The ~~relevant~~ **managing** authority~~ies~~ **or authorities** and, **where applicable,** the coordinating authority, shall participate in the*

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	review meetings. The outcome of the review meeting shall be recorded in writing. The Member State shall follow up issues raised during the review meeting which affect the implementation of the plan or one or more chapters and shall inform the Commission within three months of the measures taken. MT (Comments): Alignment with Article 49(3) since a Coordinating Body is not mandatory. The amendment also does away with vague term '*relevant authorities*' and stipulates them clearly. Furthermore, the text in paragraph 10 states that The Member State shall follow up issues raised during the review meeting which affect the implementation of the plan or one or more chapters and shall inform the Commission within three months of the measures taken. This is a new approach, at least from the AGRI perspective, (and is somewhat similar to the Action Plan that Member States can be requested following the Biennial Performance Review). More information is required on how the issues will be communicated to the Member State (is it through the formal minutes that need to be agreed by the Commission and MA?). Also, will there be a formal channel for the submission of MS follow up, in relation to issues identified during the Annual Review meeting? Will there be a

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	dedicated module in SFC, as is currently envisaged for CAP SP related action plans? NL (Drafting suggestions): Annual review meetings shall be organised once a year between the Commission and each Member State to examine the performance of the Plan or its chapters. The relevant authorities and the coordinating authority shall participate in the review meetings. The outcome of the review meeting shall be recorded in writing. The Member State shall follow up issues raised during the review meeting which affect the implementation of the plan or one or more chapters and shall inform the Commission within ~~three~~ **six** months of the measures taken. NL (Comments): We suggest widening the timelines here to ensure complete implementation. RO (Drafting suggestions): 10. Annual review meetings shall be organised once a year between the Commission and each Member State to examine the performance of the

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	NRP Plan or its chapters. The relevant authorities and the coordinating authority **or the authority in charge with the coordination mechanism/coordination function** shall participate in the review meetings. The outcome of the review meeting shall be recorded in writing. The Member State shall follow up issues raised during the review meeting which affect the implementation of the plan or one or more chapters and shall inform the Commission within three months of the measures taken. RO (Comments): Since reference is made to one Member State and the review system has been so far different for the Interreg programmes, we assume that these meetings will cover NRP only. The wording should reflect this approach. SE (Drafting suggestions): 10. Annual review meetings shall be organised once a year between the Commission and each Member State to examine the performance of the Plan or its chapters. The relevant authorities ~~and the coordinating authority~~ shall participate in the review meetings. The outcome of the review meeting shall be recorded in writing. The Member State shall follow up issues raised during the review meeting which affect the

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	implementation of the plan or one or more chapters and shall inform the Commission within three months of the measures taken. SE (Comments): It is enough to mention the relevant authorities. SI (Drafting suggestions): 10. Annual review meetings shall be organised once a year between the Commission and each Member State to examine the performance of the Plan or its chapters. The relevant authorities **including the relevant regional authorities and the authority entrusted with the coordination function**~~, and the coordinating authority shall~~ **may** participate in the review meetings. The outcome of the review meeting shall be recorded in writing. The Member State shall follow up issues raised during the review meeting which affect the implementation of the plan or one or more chapters and shall inform the Commission within three months of the measures taken. SI (Comments):

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	The annual meeting should be under the responsibility of the European Commission. We propose that reporting be carried out in accordance with a pre-defined template, which clearly defines in what way and with what data the EC is informed about the activities based on the follow-up. We suggest adding flexibility because inclusion of regional structures into the performance examination of the Plan is not relevant for all areas. SK (Drafting suggestions): 10. Annual review meetings shall be organised once a year between the Commission and each Member State to examine the performance of the Plan or its chapters. The relevant authorities and the coordinating authority **or authorities in charge of the coordinating mechanism** shall participate in the review meetings. The outcome of the review meeting shall be recorded in writing. The Member State shall follow up issues raised during the review meeting which affect the implementation of the plan or one or more chapters and shall inform the Commission within three months of the measures taken. SK (Comments):

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	Formal adjustment in case of acceptance of the drafting suggestion to Article 49(3).
	ES (Drafting suggestions): **11. The institutional model of each Member State will be taken into consideration. In decentralized Member states, the participation of the regions will be established following what is established at constitutional level. Therefore, no obligations will be imposed regarding the designation of Authorities or the composition of Committees.**

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Article 50 ***Functions of the coordinating authority***	AT (Comments): The introduction of a coordinating authority will undoubtedly lead to greater complexity in the system, which in our view contradicts the aim of simplification. BE (Comments): Member states should be responsible to define the role of the coordinating authority or mechanism and to consider delegating functions and responsibilities to managing authorities, in accordance with the principle of subsidiarity and the necessary coherence of the national and regional partnership plan. In this way the set-up and implementation of the Plans can happen in the most effective way, and extra, unnecessary layers of administration can be avoided. CZ (Drafting suggestions): *Article 50* ~~***Functions of the coordinating authority***~~ ***Bodies carrying out the coordinating functions*** CZ (Comments):

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	CZ proposes a formal amendment to Article 50 in line with the amendment to Article 49(3) in the negobox. DE (Drafting suggestions): *Article 50* **<u>Coordinating Functions</u>** ~~**of the coordinating authority**~~ DE (Comments): The Commission proposal provides for the mandatory establishment of new committee structures at Member State level. In order to avoid a significant increase in administrative burden, we would be grateful to the Commission for an explanation of the intended administrative simplification at Member State level. In case of more than one managing authority, a clearer delineation of the duties and responsibilities of the different authorities is needed. A clarification is needed, which IT-system shall be used and by which authority. Duplication of reporting obligations must be avoided and good interoperability of IT systems must be ensured. We would welcome a Fiche detailing the IT requirements. FI

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	(Drafting suggestions): ~~Functions of the coordinating authority~~ **Coordinating functions** FI (Comments): Would it be consistent to make this change in all relevant places of the regulation? HR (Comments): **HR asks** for clear statement whether certain functions of the Coordinating Authority (e.g., payment forecasts, submission of payment claims) may be delegated to Managing Authorities and then to Intermediate Bodies, especially in Member States where these functions have been historically managed by such institutions. While Article 49(3) allows for a Managing Authority to carry out some functions of the Coordinating Authority, this possibility is not explicitly extended to Intermediate Bodies. Greater flexibility in this regard would help Member States maintain administrative efficiency and build on well-functioning existing arrangements. The proposed expansion of the Coordinating Authority's responsibilities under Article 50 introduces significant operational functions that, in many

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	Member States, were previously performed by Managing Authorities or Ministries of Finance—such as ensuring the financial flow, submitting payment claims, and preparing financial forecasts. While Recital (22) emphasises the principle of continuity by stating that the Fund should build on existing programme structures, the reassignment of such core operational functions represents a departure from the current governance setup in many Member States, where the Coordinating Body has so far had primarily a strategic and horizontal role (e.g., plan design, monitoring, evaluation). This shift would in practice require Member States to establish a new governance structure, which may involve legal amendments, updates to institutional mandates, changes to job descriptions, internal procedures, and extensive training of staff. Therefore, to ensure feasible implementation, the Regulation should clarify how the principle of continuity is to be interpreted in cases where operational responsibilities are newly assigned to the Coordinating Body, particularly in systems where such tasks have not previously fallen under its remit. IE (Comments): We welcome the Presidency's proposal at the AHWP NRP regarding the movement of certain CAP-specific provisions as a starting point to further

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	discussion. In addition to the proposed movement of articles, and in order to ensure consistency, we propose the movement the elements of this article, which reflect pure CAP elements and could be moved while leaving core NRPP structures intact The absence of reference made to the responsibility for the implementation of evaluation activities by the coordinating authority or whether it can propose Plan amendments needs to be addressed. While it makes provision that the CA can assign functions, in reality the restriction on the number of claims per year makes the assignment of the claim function very unlikely, save in a very limited way. IT (Drafting suggestions): **[**Article 50 **Functions of the coordinating authority]** IT (Comments): This article should be in bracket and discussed after the discussion on the coordinating mechanism. For the CAP several functions listed in this article should be assigned to the Coordination body of the Paying agencies

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	LT (Drafting suggestions): **Coordinating ~~F~~functions ~~of the coordinating authority~~** LU (Comments): The introduction of an obligatory 'coordinating authority' (= extra administrative layer) leads to more bureaucracy, costs and use of time. Luxembourg considers that the establishment of a coordinating authority should be optional. In case a coordinating authority will be established, it is important that duplication of tasks by managing and coordinating authority will be avoided. LV (Drafting suggestions): **Article 50** **Coordination function** LV (Comments):

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	LV is sceptical regarding regulating in the detail institutional set-up for coordination of the plan. In this context LV suggests integrating coordination function as one of responsibilities of member state. PT (Comments): PT: Art.50 should determine which functions can be entrusted by the coordinating authority to the managing authority, as referred in article 49 (3). Even if all the functions of the coordinating authority could be entrusted to the managing authority, this should be clearly stated. RO (Drafting suggestions): **We suggest that the provisions of art. 50 points (c) - (g) to be moved to art. 58 para 2 in order to be under the responsibilities of Member States to decide the internal organization** COM clarified in SMOR of October 10 (COM PPT WK 13378/2025 INIT) that Article 50 does not apply to Interreg. This should be reflected in the wording. RO (Comments):

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	In the context of achieving simplification and better value for money advocated by the Commission, we consider that it is appropriate a maximum use of expertise in the management of EU funds gained in the existing authorities and to avoid the set up from the scratch new authorities. This approach is in line with the EC concern for reducing the administrative burden. Moreover, further to the EC replies to the MS in terms of governance, which states that: - on one hand, the governance model can rely on the existing structure by adapting it to the functions specified in Articles 50 and 51 and that the Member States can implement the current arrangements functioning between managing authorities and entities implementing the accounting function; - on the other hand, pursuant to Article 49(3), the coordinating body can only enter into arrangements with a managing authority to delegate some if its tasks, we strongly believe that the provisions of the regulation in terms of governance should leave it to the discretion of the member states to organize themselves, in light with the provisions of art 5 from the proposal (shared management), corroborate with the provisions of art. 63 para 2 point (b) of Financial Regulation (EU, Euratom) no. 2509/2024

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	stating the responsibility of the Member State to designate bodies responsible for the management and control of Union funds. Given the novelty of the approach which impose challenging to the entities within the management and control systems, by changing the delivery method based exclusively on performance, as well as the financing method depending on the achievement of targets and milestones (and not by expenditures), **we consider that a minimum adjustment of the current management and control systems of EU funds is needed, so that the impact of this new approach to be as low as possible**. SE (Drafting suggestions): *Article* 50 ***Functions of the coordinating ~~authority~~ function.*** SE (Comments): In line with the negotiating box. SI (Comments): It is expected, as stated in the presentation by the European Commission (EC), that the managing authority and the coordinating authority will

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	interact directly with the Commission. In comparison to the current EU Policy 2021-2027, the addition of a "coordinating authority" introduces a new level of coordination, which could lead to an increased administrative burden. This parallel interaction with the Commission could lead to duplication of efforts and a variety of information being received, potentially causing confusion and misinterpretation regarding which information is more accurate or takes precedence. The establishing of the coordination authority should be optional, not mandatory (irrespective of the number of managing authorities) or in accordance with the institutional set -up in the member state. SK (Drafting suggestions): *Article 50* **Functions of the coordinating authority <u>or the coordinating mechanism</u>** SK (Comments): Formal adjustment in case of acceptance of the drafting suggestion to Article 49(3).

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	SE (Drafting suggestions): **The Member State shall establish a function to ensure effective coordination of the plan.** SE (Comments): An addition to clarify the coordinating function in line with the negotiating. For SE it is important that the coordinating functions do not need to be gathered in one place as it would lead to ambiguities in the chain of responsibility. (Probably, also other changes need to be done in this article to implement the amendment in the text from coordinating authority to coordinating function).
The coordinating authority shall be responsible for:	BE (Drafting suggestions): The coordinating ~~authority shall be responsible for:~~ **function should be defined by the Member Sate, with respect to its institutional and constitutional characteristics. It may be responsible, among others, for the following tasks:**

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	BE (Comments): It should be up to the Member State to define which tasks are given to the coordinating authority and which to other entities. CZ (Drafting suggestions): The ~~coordinating authority~~ **bodies carrying out the coordination functions** shall be responsible for: **- preparing and submitting to the Commission the Plan in accordance with Article 21 [Preparation and submission of the Plan];** **- coordinating and submitting a reasoned requests for an amendment of the Plan to the Commission in accordance with Article 24 [Amendment of the NRP Plan];** **- preparing and coordinating evaluation roadmap of the Plan and any amendment thereto;** - **preparing, coordinating and implementation of the communication framework of the Plan;** CZ (Comments):

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Commission proposal	MS drafting suggestions and comments
	If the NRP Plan has several chapters, it is necessary to ensure coherence, which is the main task of the body/bodies carrying out the coordination functions (Article 50b). In order to ensure effective and smooth multi-level governance and the principle of simplification, it is necessary to define the roles and tasks of the individual authorities, in particular between the "coordinating" body/bodies and the managing authority. For these reasons, CZ proposes that the following functions of the body/bodies carrying out the coordination functions be added to Article 50: - preparing and submitting to the Commission the Plan in accordance with Article 21 [Preparation and submission of the Plan]; - coordinating and submitting a reasoned requests for an amendment of the Plan to the Commission in accordance with Article 24 [Amendment of the NRP Plan]; - preparing and coordinating evaluation roadmap of the Plan and any amendment thereto; - preparing, coordinating and implementation of the communication framework of the Plan. DE (Drafting suggestions):

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	The ~~coordinating~~ authority **with a coordinating function** shall **comprise** ~~be responsible for~~: HR (Drafting suggestions): The coordinating authority **may ensure** ~~shall be responsible~~ for: LT (Drafting suggestions): The ~~coordinating~~ authority, **assigned with the coordination function** shall be responsible for: LV (Drafting suggestions): **Memberstates shall be responsible for:** MT (Drafting suggestions): *The coordinating authority* ***or, in its absence, the managing authority,*** *shall be responsible for:* MT (Comments):

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	In line with the previous comment, MT reiterates that an additional authority would bring more administrative burden for small administrations like MT, considering that other MS already have this set up in view of their national and regional set ups. This would bring more responsibilities on resources that are already performing at their maximum capacity. Furthermore, the role of the MA also includes these responsibilities such as those pertaining to implementation. As the text is outlined here in the proposed legislation, it is understood that such functions will be absorbed by the Coordinating body. The delineation between the MA's role and that of the Coordinating authority is obscure. RO (Drafting suggestions): The coordinating authority **or the authority in charge with the coordination mechanism, as applicable,** shall be responsible for: SE (Drafting suggestions): The coordinating ~~authority~~ **function**, shall be responsible for: SE

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	(Comments): In line with changes above. SI (Drafting suggestions): The ~~coordinating~~ authority ~~responsible~~ **entrusted with coordinating function** shall **ensure** ~~be responsible for~~: SI (Comments): The establishment of an additional authority would create further administrative burdens for small countries. A MS should therefore have the possibility to decide independently whether to establish an additional administrative body or to entrust the coordinating function to one of the Managing Authorities. SK (Drafting suggestions): The coordinating authority **or the coordinating mechanism** shall be responsible for: SK (Comments):

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	Formal adjustment in case of acceptance of the drafting suggestion to Article 49(3).
	HR (Drafting suggestions): Coordination of preparation of Plan in cooperation with the partners (Article 21) Submition of the Plan and their amendment to the European Commission.
(a) monitoring the implementation of the Plan while ensuring sound governance practices and the maintenance of adequate administrative capacity by the authorities responsible for the Plan;	BE (Drafting suggestions): monitoring the implementation of the Plan while **providing** ~~ensuring~~ sound governance practices ~~and the maintenance of adequate administrative capacity~~ by the authorities responsible for the Plan; **these tasks may be delegated to managing authorities where appropriate.** DE (Drafting suggestions): (a) monitoring the implementation of the Plan while ensuring sound governance practices ~~**and the maintenance of adequate administrative capacity by the authorities responsible for the Plan;**~~

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Commission proposal	MS drafting suggestions and comments
	DE (Comments): The coordinating authority cannot influence the capacity of other authorities, in particular in federal states. EL (Drafting suggestions): (a) monitoring the implementation of the ~~Plan~~ **Plans** while ensuring sound governance practices and the maintenance of adequate administrative capacity by the authorities responsible for the ~~Plan~~ **Plans;** EL (Comments): COMMENT: One NRPP for the European Fund and one for the Union support for Home Affairs FI (Drafting suggestions): (a) monitoring the implementation of the Plan **in mutual understanding with the managing authorities** while ensuring sound governance practices and the maintenance of adequate administrative capacity by the authorities responsible for the Plan;

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	FI (Comments): It is important that the managing authorities' views are heard in the process. FR (Drafting suggestions): monitoring the implementation of the Plan ~~while ensuring sound governance practices and the maintenance of adequate administrative capacity by the authorities responsible for the Plan~~ FR (Comments): La notion de "sound governance practices" ne renvoie pas à des lignes directrices opérationnelles. Sans définition précise de cette notion, il convient d'éviter les demandes reconventionnelles préjudiciables à la mise en œuvre du Plan, compte tenu des interprétations divergentes que pourraient engendrer cette disposition. IE (Comments):

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Commission proposal	MS drafting suggestions and comments
	How is coordinating authority expected to ensure sound governance capacity? Can they reply on audit reports or will there be more detailed guidelines on co-ordination functions? Is performance data necessary with each claim – will there be a necessity to report partial outputs as is currently on CAP? How can coordinating authority ensure a framework to strengthen the administrative capacity of authorities, stakeholders, partners and beneficiaries? LT (Drafting suggestions): (a) monitoring the implementation of the Plan while ensuring sound governance practices ~~and the maintenance of adequate administrative capacity by the authorities responsible for the Plan~~; LT (Comments): Maintenance of the adequate administrative capacity should be the responsibility of each authority implementing the plan. Authority that is assigned by the coordination function could only make an evaluation of the status quo on administrative capacity. RO

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): (a) monitoring the implementation of the **NRP** Plan while ensuring sound governance practices and the maintenance of adequate administrative capacity by the authorities responsible for the Plan; RO (Comments): Given that the ERDF-CF Regulation proposal explicitly states that no coordinating authority shall be designated for the Interreg Plan, the wording should be adjusted to clearly reflect that this provision applies solely to the NRP only, avoiding any misunderstandings and ensuring precise legal alignment.
(b) ensuring coherence in the implementation of the various chapters of the Plan;	BE (Drafting suggestions): ~~ensuring coherence in the implementation of the various chapters of the Plan;~~ BE (Comments):

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Commission proposal	MS drafting suggestions and comments
	This should not be demanded at the level of the Plan. In a federal state, where competences are divided between different levels of government, this is not relevant. The implementation requires to be conform to the regulation but it can take different forms which don't need to be the same in all MS. EL (Drafting suggestions): (b) ensuring coherence in the implementation of the various chapters of the ~~Plan~~ **Plans** ; EL (Comments): as in par. (a) FR (Drafting suggestions): ~~ensuring coherence in the implementation of the various chapters of the Plan;~~ FR (Comments):

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Commission proposal	MS drafting suggestions and comments
	La cohérence du Plan est assurée durant la rédaction des chapitres, il n'apparait pas nécessaire de la suivre en particulier lors de la mise en œuvre. IE (Drafting suggestions): (b) ensuring **as appropriate taking account of the range of Plan priorities and implementation methodologies,** coherence in the implementation of the various chapters of the Plan; IE (Comments): **This provision is amended to allow the range of Plan priorities and implementation methodologies to be taken into account when progressing coherence.** RO (Drafting suggestions): b) ensuring coherence in the implementation of the various chapters of the **NRP** Plan; RO (Comments):

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Commission proposal	MS drafting suggestions and comments
	Given that the ERDF-CF Regulation proposal explicitly states that no coordinating authority shall be designated for the Interreg Plan, the wording should be adjusted to clearly reflect that this provision applies solely to the NRP only, avoiding any misunderstandings and ensuring precise legal alignment SI (Drafting suggestions): (b) ~~ensuring~~ coherence in the implementation of the various chapters of the Plan;
(c) submitting payment applications for the plan to the Commission in accordance with Article 65;	AT (Comments): Will there then be only one payment request for all chapters in the plan? DE (Drafting suggestions): c) submitting payment applications **~~for the plan~~** to the Commission in accordance with Article 65; DE (Comments):

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Commission proposal	MS drafting suggestions and comments
	Submission of payment applications for separate chapters needs to be possible. EL (Drafting suggestions): (c) submitting payment applications for the ~~plan~~ **plans** to the Commission in accordance with Article 65; EL (Comments): as in par. (a) HR (Comments): • Please clarify: considering that payment agencies have been established for CAP support payments, do the agencies submit requests for payment or does the payment agency submit a request for payment to the coordinating body? LT (Drafting suggestions): ~~submitting payment applications for the plan to the Commission in accordance with Article 65~~;

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	LT (Comments): We strongly advocate shifting this function under the responsibility of the Managing/ Paying Authority (-s) as it is integral part of implementation process. Submitting payment applications over one coordinating channel to the COM would require many institutional and technical adjustments, including in the IT systems, that cannot be made before the start of new investments. MT (Comments): Should this not be an MA task (as opposed to a task being assigned to the coordinating authority)? RO (Comments): Responsibilities mentioned under pint c)-g) should be reconsidered so that to leave with the members state the responsibility to decide if this should be a task of the coordinating authority/authority in charge with the coordination mechanism or of another body in MCS, so that to ensure continuity and to build on the governance systems of the cohesion policy under 2021-2027 programming period.

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	Thus, we suggest that the provisions of art. 50 points (c) - (g) to be moved to art. 58 para 2 in order to be under the responsibilities of Member States to decide the internal organization SE (Comments): SE is of the opinion that the different managing authorities must be able to send the payment applications separately. Coordination can be secured in another way, by the established coordination function. SI (Drafting suggestions): ~~(c) submitting payment applications for the plan to the Commission in accordance with Article 65;~~
(d) providing forecasts of the amount for payment applications to be submitted for the current and subsequent calendar year by 31 January and 30 July in accordance with the template set in Annex X [on payment forecast];	BE (Drafting suggestions): ~~providing forecasts of the amount for payment applications to be submitted for the current and subsequent calendar year by 31 January and 30 July in accordance with the template set in Annex X [on payment forecast];~~

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	DE (Drafting suggestions): ~~**(d) providing forecasts of the amount for payment applications to be submitted for the current and subsequent calendar year by 31 January and 30 July in accordance with the template set in Annex X [on payment forecast];**~~ DE (Comments): Deletion due to additional admin. burden. HR (Comments): There is the same problem as submitting payment applications: more complicated, time for preparation of forecasts reduced. LT (Drafting suggestions): ~~providing forecasts of the amount for payment applications to be submitted for the current and subsequent calendar year by 31 January and 30 July in accordance with the template set in Annex X [on payment forecast];~~

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Commission proposal	MS drafting suggestions and comments
	LT (Comments): All functions related to payments should be the responsibility of the Managing/Paying Authorities. PL (Drafting suggestions): (d) providing forecasts ~~**of the amount**~~ for payment ~~**applications**~~ to be submitted for the current and subsequent calendar year **by 31 January and 30 July** in accordance with the template set in Annex X [on payment forecast] PL (Comments): Such a detailed forecast is not justified. Until now, forecasts have referred to a given year divided into two periods (until October and the last two months of the year). Now, the values of each payment application would have to be indicated. Such forecasts are risky and may provide misleading information thus the division into payment applications should be removed. RO (Comments):

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Commission proposal	MS drafting suggestions and comments
	Responsibilities mentioned under point c)-g) should be reconsidered so that to leave with the members state the responsibility to decide if this should be a task of the coordinating authority/authority in charge with the coordination mechanism or of another body in MCS, so that to ensure continuity and to build on the governance systems of the cohesion policy under 2021-2027 programming period. Thus, we suggest that the provisions of art. 50 points (c) - (g) to be moved to art. 58 para 2 in order to be under the responsibilities of Member States to decide the internal organization SI (Drafting suggestions): ~~(d) providing forecasts of the amount for payment applications to be submitted for the current and subsequent calendar year by 31 January and 30 July in accordance with the template set in Annex X [on payment forecast];~~
(e) providing the management declaration referred to Article 59(1), point (c) [Annual assurance package] in accordance with the template set out in Annex XII [management declaration] signed by the managing authority or the paying agency;	BE (Drafting suggestions): ~~providing the management declaration referred to Article 59(1), point (c) [Annual assurance package] in accordance with the template set out in~~

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	~~Annex XII [management declaration] signed by the managing authority or the paying agency;~~ BE (Comments): We propose to work with multiple management declarations. Each MA and PA should be able to sign off for their own competences. FI (Drafting suggestions): (e) ~~providing~~ **coordinating and submitting to the Commission** the management declaration referred to Article 59(1), point (c) [Annual assurance package] in accordance with the template set out in Annex XII [management declaration] signed by the managing authority or the paying agency; FI (Comments): CAs role as regards management declaration should be equivalent to coordination of annual assurance package: in the management declaration the MA assures that their measures are in accordance with applicable law etc, not the CA FR

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): (e) providing the management declaration referred to Article 59(1), point (c) [Annual assurance package] in accordance with the template set out in Annex XII [management declaration] signed by the managing **authorities** or, **for the measures referred to in Article 35(1) and the Union actions referred to in Annex XV, paragraph 1, points (h) and (j), of this Regulation, by** the paying **agencies**; HR (Comments): • We are asking for confirmation that within the framework of the CAP, the "management declaration" is the obligation of the paying agencies (PA) (in view of Article 49, paragraph 7. "paying agencies responsible for the management and control of the measures referred to in ..." IE (Comments): **Noting that the MA and PA will sign managing declarations, is the function of the Coordinating Authority here only one of communicating same to the Commission?** IT

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	(Drafting suggestions): providing the management declaration referred to in Article 59(1)(c) in accordance with the model set out in Annex XII [management declaration], signed by the managing authority or, **in the cases referred to in Article 52(3) and (4) below**, by the paying agency. LT (Drafting suggestions): ~~providing the management declaration referred to Article 59(1), point (c) [Annual assurance package] in accordance with the template set out in Annex XII [management declaration] signed by the managing authority or the paying agency;~~ LT (Comments): Signing and submission of the management declaration should remain within the responsibilities of the Managing/ Paying authority. RO (Drafting suggestions): providing the management declaration referred to Article 59(1), point (c) [Annual assurance package] in accordance with the template set out in Annex XII [management declaration] signed by the managing authority

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	or the paying agency**. <u>Where the Member State identifies several managing authorities, the management declaration shall include the declaration of each managing authority responsible for the chapter(s) of the plan.</u>** RO (Comments): Clarification is needed regarding the responsibilities of the entities involved in the management and control system for the preparation of the management declaration (MA or Paying Agency) and its signature in the scenario where several managing authorities are identified (by all management authorities and as appropriate, by paying agencies). It should be clearly indicated in para € that whenever there are more than one MA and/or more than one PA, the management declaration provided by the Coordinating authority/authority in charge with the coordination mechanism/coordination function is accompanied by the management declaration signed by each MA SI (Drafting suggestions): ~~(e) providing the management declaration referred to Article 59(1), point (c) [Annual assurance package] in accordance with the template set~~

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	~~out in Annex XII [management declaration] signed by the managing authorities or the paying agency;~~ SI (Comments): Where a Member State identifies more than one managing authority, the coordinating function can be entrusted to one of the managing authorities. SK (Drafting suggestions): ~~(e) providing the management declaration referred to Article 59(1), point (c) [Annual assurance package] in accordance with the template set out in Annex XII [management declaration] signed by the managing authority or the paying agency;~~ SK (Comments): This provision appears to duplicate the text in point (f) of this Article, according to which the coordinating body shall coordinate and submit to the Commission **all documents** requested as part of the annual assurance package referred to in Article 59 of the draft NRPP Regulation. **Since the assurance package also includes a management declaration, we propose that this point be deleted due to duplication.**

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Commission proposal	MS drafting suggestions and comments
(f) coordinating and submitting to the Commission all the documents requested as part of the annual assurance package referred to in Article 59 [annual package];	DE (Comments): Part of the annual assurance package is the annual audit opinion and the summary of audits as referred to in Article 53 (2) a and b. How does this provision align with the necessary separation of functions? The AA has to be functionally independent and its findings and opinions cannot be consolidated by another MA-related body – please clarify that this provision is only referring to the technical process of forwarding the documents to the Commission and does not entail a consolidation with regard to findings and opinions of the AA. In addition: The coordination of the AA's part in the annual assurance package is subject to the AA's coordination arrangements whenever there is more than one AA per Member State. HR (Comments): It would be much easier if submission of documents went directly from paying agency to the COM, as is the case now. LT

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): ~~(f) coordinating and submitting to the Commission all the documents requested as part of the annual assurance package referred to in Article 59 [annual package];~~ LT (Comments): This function should remain within the responsibilities of the Managing/ Paying authority. SI (Drafting suggestions): ~~(f) coordinating and submitting to the Commission all the documents requested as part of the annual assurance package referred to in Article 59 [annual package];~~
(g) ensuring financial flows to managing authorities, guaranteeing that with each payment made by the Commission, such authorities receive the amounts due to them, in accordance with the progress made in the implementation of the measures included in their respective chapters and taking into account potential financial corrections resulting from the	BE (Drafting suggestions): (g) ensuring financial flows to managing authorities **and paying agencies**, guaranteeing that with each payment made by the Commission, such authorities receive the amounts due to them, in accordance with the

Commission proposal	MS drafting suggestions and comments
implementation of their chapters and that they receive by the end of the period an amount at least equivalent to their Union contribution;	progress made in the implementation of the measures included in their respective chapters and taking into account potential financial corrections resulting from the implementation of their chapters and that they receive by the end of the period an amount at least equivalent to their Union contribution; BE (Comments): We want to have payout values per chapter and a breakdown of the disbursement to the MS per MA/PA or chapter, and per intervention, as a base for the financial flows from the coordinating authority to the MAs and PAs. CZ (Drafting suggestions): (g) ~~ensuring financial flows to managing authorities, guaranteeing that with each payment made by the Commission, such authorities receive the amounts due to them, in accordance with the progress made in the implementation of the measures included in their respective chapters and taking into account potential financial corrections resulting from the implementation of their chapters and that they receive by the end of the period an amount at least equivalent to their Union contribution;~~

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	CZ (Comments): CZ does not agree with introduction of this new obligation, as it creates additional administrative burden and goes against the principle of simplification generally presented in the NRP Plan proposal. In the shared management, the transfer of funds received from the EU budget traditionally falls under the competence of the MS and we assume there have not been any problems in this regard in the previous programming periods. DE (Drafting suggestions): (g) ensuring financial flows to managing authorities, guaranteeing that with each payment made by the Commission, such authorities receive the amounts due to them, in accordance with the progress made in the implementation of the measures included in their respective chapters and taking into account potential financial corrections resulting from the implementation of their chapters ~~**and that they receive by the end of the period an amount at least equivalent to their Union contribution**~~; DE (Comments):

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Commission proposal	MS drafting suggestions and comments
	While each payment should be distributed within a MS according to the fulfilment of M&T across different chapters/managing authorities, we cannot include an obligation for the coordinating authority/function to guarantee a certain amount of funds. This will depend on the fulfilment of milestones and targets by different levels of government in respective chapters. We have to exclude a potential obligation for the coordinating authority/function to compensate other levels of government. FI (Drafting suggestions): (g) ensuring financial flows to managing authorities **functioning outside national budget**, guaranteeing that with each payment made by the Commission, such authorities receive the amounts due to them, in accordance with the progress made in the implementation of the measures included in their respective chapters and taking into account potential financial corrections resulting from the implementation of their chapters and that they receive by the end of the period an amount at least equivalent to their Union contribution; FI (Comments):

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Commission proposal	MS drafting suggestions and comments
	Where MAs are state organisations functioning within national budget there are no financial flows or payments to MAs. FR (Drafting suggestions): g) ensuring financial flows to managing authorities, **or to the paying agencies for the measures referred to in Article 35(1) and the Union actions referred to in Annex XV, paragraph 1, points (h) and (j), of this Regulation,** guaranteeing that with each payment made by the Commission **without delay**, such authorities receive the amounts due to them, **in accordance to the written arrangements between coordination and management authorities and** in accordance with the progress made in the implementation of the measures included in their respective chapters and taking into account potential financial corrections resulting from the implementation of their chapters and that they receive by the end of the period an amount at least equivalent to their Union contribution; FR (Comments):

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	Les arrangements financiers entre l'autorité de coordination et les autorités de gestion doivent relever des Etats membres et être adaptés au mode de gouvernance choisi. En attente de réponse au commentaire écrit envoyé, rappelé ci-dessous. *Peut-on comprendre des mécanismes de paiement de l'Autorité de coordination aux Autorités de gestion, et notamment de la phrase "taking into account potential financial corrections resulting from the implementation of their chapters and that they receive ….", que les corrections financières seront appliquées à une autorité de gestion pour la partie du plan qu'elle gère sans être étendues aux autres autorités de gestion ?* HR (Comments): The existing way of refunding amounts from the EU budget is simple and can be monitored. The MS budget in a short period of time receives amount that were previously paid to the beneficiary. According to this proposal, the procedure of reimbursement is changing significantly. What improvement is expected by changing this procedure? IE (Comments):

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Commission proposal	MS drafting suggestions and comments
	Does this article require the Coordinating Authority to assess progress made in implementation and project the impact of potential financial corrections? LT (Drafting suggestions): ~~(g) ensuring financial flows to managing authorities, guaranteeing that with each payment made by the Commission, such authorities receive the amounts due to them, in accordance with the progress made in the implementation of the measures included in their respective chapters and taking into account potential financial corrections resulting from the implementation of their chapters and that they receive by the end of the period an amount at least equivalent to their Union contribution;~~ LT (Comments): Payments to be made directly to the authority that submitted the payment application. MT (Comments): Should this not be an MA task (as opposed to a task being assigned to the coordinating authority)?

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Commission proposal	MS drafting suggestions and comments
	PL (Drafting suggestions): (g) ensuring financial flows to managing authorities, ~~**guaranteeing that with each payment made by the Commission, such authorities receive the amounts due to them, in accordance with the progress made in the implementation of the measures included in their respective chapters and taking into account potential financial corrections resulting from the implementation of their chapters and that they receive by the end of the period an amount at least equivalent to their Union contribution;**~~ PL (Comments): The provisions set out in point (g), concerning the task of ensuring financial flows, cannot be implemented in countries that do not have a fully separate financial flow system dedicated exclusively to cohesion policy programmes, but where payments to beneficiaries are financed directly from the state budget, and managing authorities are not directly supplied with funds transferred by the European Commission. RO (Comments):

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Commission proposal	MS drafting suggestions and comments
	We suggest to consider the removal of the obligation to ensure a proportional transfer of amounts between Member State authorities (to individual chapters / managing authorities) under Article 50(g) and Article 13(4) of the draft regulation, or at least its rephrasing, since within the framework of shared management the method of allocating funds received from the EU budget for achieved milestones and targets should fall under the competence of the Member State. SE (Drafting suggestions): ~~(g) ensuring financial flows to managing authorities, guaranteeing that with each payment made by the Commission, such authorities receive the amounts due to them, in accordance with the progress made in the implementation of the measures included in their respective chapters and taking into account potential financial corrections resulting from the implementation of their chapters and that they receive by the end of the period an amount at least equivalent to their Union contribution;~~ SE (Comments): SE considers that this does not need to be in the regulation and that this task should not be the responsibility of the coordinating function. Rather,

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Commission proposal	MS drafting suggestions and comments
	it should be up to the Member State to ensure this in accordance with its national administrative structure. SI (Drafting suggestions): ~~(g) ensuring financial flows to managing authorities, guaranteeing that with each payment made by the Commission, such authorities receive the amounts due to them, in accordance with the progress made in the implementation of the measures included in their respective chapters and taking into account potential financial corrections resulting from the implementation of their chapters and that they receive by the end of the period an amount at least equivalent to their Union contribution;~~ SK (Drafting suggestions): ~~(g) ensuring financial flows to managing authorities, guaranteeing that with each payment made by the Commission, such authorities receive the amounts due to them, in accordance with the progress made in the implementation of the measures included in their respective chapters and taking into account potential financial corrections resulting from the implementation of their chapters and that they receive by the end of the period an amount at least equivalent to their Union contribution;~~

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Commission proposal	MS drafting suggestions and comments
	SK (Comments): We request the removal of the obligation to ensure a proportional transfer of amounts between Member State authorities (to individual chapters / managing authorities) under Article 50(g) and Article 13(4) of the draft regulation, since within the framework of shared management the method of allocating funds received from the EU budget for achieved milestones and targets should fall under the competence of the Member State. The reason for our request is that in Slovakia pre-financing of beneficiaries from the state budget is prefinanced, and so far, we have not recorded any issues with this arrangement in the Slovak Republic.
	BE (Drafting suggestions): **Member States shall ensure that pre-financing received from the Commission is distributed proportionally and without delay to the managing authorities and paying agencies according to their respective chapters.**
(h) ensuring a framework to strengthen the administrative capacity of authorities, stakeholders, partners, and beneficiaries at national and local levels, and promoting policy learning and experimentation;	BE (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	~~(h) ensuring a framework to strengthen the administrative capacity of authorities, stakeholders, partners, and beneficiaries at national and local levels, and promoting policy learning and experimentation;~~ CZ (Drafting suggestions): (h) ensuring ~~a framework~~ to strengthen the administrative **and absorption** capacity of authorities, stakeholders, partners, and beneficiaries at national and local levels, and promoting policy learning and experimentation; CZ (Comments): CZ proposes to add to the wording of this letter the provision of absorption capacity, as another area that is key to achieving the goals of the Plan. DE (Drafting suggestions): **~~(h) ensuring a framework to strengthen the administrative capacity of authorities, stakeholders, partners, and beneficiaries at national and local levels, and promoting policy learning and experimentation;~~** DE

Commission proposal	MS drafting suggestions and comments
	(Comments): Experimentation is extremely hard to promote within the proposed performance framework. Experimentation inherently entails the possibility of error and the opportunity for subsequent learning. E.g. completely new initiatives, with hard to predict outputs. However, the requirements of the Performance Framework—demanding predefined targets and quantified projections—stand in partial contradiction to the very principles of experimentation, which rely on openness to emergent outcomes and adaptive learning. Simplification and focus on the main tasks are needed. FR (Drafting suggestions): ~~ensuring a framework to strengthen the administrative capacity of authorities, stakeholders, partners, and beneficiaries at national and local levels, and promoting policy learning and experimentation;~~ FR (Comments): Cette disposition apparait trop peu précise et est de nature à augmenter la charge administrative de manière disproportionnée. IE

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Commission proposal	MS drafting suggestions and comments
	(Comments): **Sufficient resources from the Fund will be needed for this administrative capacity building** **Can it be clarified if this role was previously assigned to the Monitoring Committee?** LU (Comments): Could the COM please clarify how this should be financed, specifically whether it should be covered through Technical Assistance. LV (Drafting suggestions): (h) ensuring ~~a framework to strengthen~~ the administrative capacity of authorities, stakeholders, partners, and beneficiaries at national and local levels, and promoting policy learning and experimentation; LV (Comments): We should avoid setting up formal requirements for any frameworks and rather focus on the result. MT

Commission proposal	MS drafting suggestions and comments
	(Comments): Clarification is required on the terminology "*promoting policy learning and experimentation*;" NL (Drafting suggestions): Ensuring, **where appropriate,** a framework to strengthen the administrative capacity of authorities, stakeholders, partners, and beneficiaries at national and local levels, and promoting policy learning and experimentation; PL (Drafting suggestions): (**h**) ensuring a framework to strengthen the administrative capacity of authorities, stakeholders, partners, and beneficiaries at national, **regional** and local levels**~~, and promoting policy learning and experimentation~~;** PL (Comments): It is crucial to add regional entities here, as they play important role in programming and implementation of cohesion policy. It is unclear what actions could be treated as a promoting policy learning and experimentation. What evidence should be presented to the auditors

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Commission proposal	MS drafting suggestions and comments
	as a fulfilment of this obligation. It is important as this obligation is addressed to all Managing Authorities as well as to all Coordinating Authorities. In order to ensure transparency, legal certainty and to avoid interpretative doubts or divergent opinions with auditors, the marked part of the provision should be deleted. RO (Comments): Article 50(h) states that the coordinating authority is responsible for "ensuring a framework for strengthening the administrative capacity of authorities, stakeholders, partners and beneficiaries at national and local level, and for promoting learning and experimentation in policy matters." In our understanding, based on this function and in conjunction with the provisions of Article 10 – Budget, letter (d), and Article 12 – Technical Assistance at the initiative of the Commission, paragraphs 1 and 2, national authorities – including the Audit Authority – may benefit from technical assistance from the Union for carrying out their respective tasks. Given that, under the current CAP regulatory framework, the audit work performed by the Certification Body was deemed ineligible, could you confirm whether, under the new 2028–2034 regulatory framework, this

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Commission proposal	MS drafting suggestions and comments
	restriction has been removed and whether the Audit Authority will be able to receive Union support for carrying out its entire audit activity, including the audit of the CAP? SE (Drafting suggestions): (h) ensuring a framework to strengthen the administrative capacity of ~~authorities~~, stakeholders, partners, and beneficiaries at national and local levels, and promoting policy learning and experimentation SE (Comments): It is a MS responsibility to ensure a framework for administrative capacity, so we believe this part of (h) fits better in article 58. SI (Drafting suggestions): ~~(h) ensuring a framework to strengthen the administrative capacity of authorities, stakeholders, partners, and beneficiaries at national and local levels, and promoting policy learning and experimentation;~~ SI (Comments):

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Commission proposal	MS drafting suggestions and comments
	This is a duplication of tasks with managing authority.
(i) supporting the work of a coordinating committee by providing the necessary information and ensuring the follow-up of the decisions and recommendations of the coordinating monitoring committee;	BE (Drafting suggestions): ~~(i) supporting the work of a coordinating committee by providing the necessary information and ensuring the follow-up of the decisions and recommendations of the coordinating monitoring committee;~~ BE (Comments): The creation of a coordinating committee should be optional. CZ (Drafting suggestions): (i) supporting the work of a coordinating committee by providing the necessary information and ensuring the follow-up of the decisions and recommendations of the coordinating ~~monitoring~~ committee; CZ (Comments):

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Commission proposal	MS drafting suggestions and comments
	CZ proposes to delete the word “monitoring”, as the regulation does not use this phrase. FR (Drafting suggestions): supporting the work of a coordinating committee by providing the necessary information ~~and ensuring the follow-up of the decisions and recommendations of the coordinating monitoring committee~~ FR (Comments): Cette disposition est de nature à augmenter la charge administrative de manière disproportionnée. LT (Drafting suggestions): ~~supporting the work of a coordinating committee by providing the necessary information and ensuring the follow-up of the decisions and recommendations of the~~ ~~coordinating monitoring committee;~~ *other option:*

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Commission proposal	MS drafting suggestions and comments
	supporting the work of a ~~coordinating~~ **monitoring** committee**(s)** by providing the necessary information ~~and ensuring the follow-up of the decisions and recommendations of the coordinating monitoring committee~~; LT (Comments): We strongly support the opinion that coordinating committee creates additional administrative burden without a real added value to the principle of partnership. Monitoring Committees (if there are more than one) can independently carry out the advisory functions. If there is a need to take the major decisions regarding the whole Plan (before the official submission of the Plan or during the MTR), a common session could be arranged. Follow up of the decisions and recommendations should be made by the Managing Authorities LV (Drafting suggestions): ~~(i) supporting the work of a coordinating committee by providing the necessary information and ensuring the follow-up of the decisions and recommendations of the coordinating monitoring committee;~~

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Commission proposal	MS drafting suggestions and comments
	MT (Comments): MT would appreciate clarification on the concept of a ***'coordinating committee'*** as referred to in this, in particular whether this body would be established in addition to the existing monitoring committee and with distinct functions. MT wishes to underline that the establishment of an additional authority would create a disproportionate administrative burden for smaller administrations, such as MT, where resources are already operating at full capacity. It is noted that while such a structure may be feasible in Member States with more complex national and regional arrangements, for smaller administrations it would significantly increase responsibilities without commensurate added value. NL (Comments): We strongly believe that the coordinating committee is an additional administrative burden and duplication of work. This does not fit in with the simplification exercise. PT

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): PT: ~~(i) supporting the work of a coordinating committee by providing the necessary information and ensuring the follow-up of the decisions and recommendations of the coordinating monitoring committee;~~ PT (Comments): PT: We find the mentioned committee redundant and lacking real added value. SE (Drafting suggestions): (i) ~~supporting the work of a coordinating committee by providing the necessary information and ensuring the follow-up of the decisions and recommendations of the coordinating monitoring committee;~~ SE (Comments): SE is doubtful about the added value of a coordinating committee and risks contribute to unnecessary administrative burden. We therefore believe it should be voluntary with such a committee. We consider that the same can be carried out by the monitoring committees.

Commission proposal	MS drafting suggestions and comments
	SI (Drafting suggestions): ~~(i) supporting the work of a coordinating committee by providing the necessary information and ensuring the follow-up of the decisions and recommendations of the coordinating monitoring committee;~~
(j) communicating to Union citizens the role objectives and results of the NRP Plan in accordance with Article 18 of Regulation [Performance regulation] through a single website portal providing access to all chapters of the NRP Plan pursuant to Article 64(1).	AT (Comments): There should be the possibility for communication with citizens to be carried out by the MA (and other implementing bodies). Since they are responsible for the implementation of a programme – this should be clarified. BE (Drafting suggestions): ~~(j) communicating to Union citizens the role objectives and results of the NRP Plan in accordance with Article 18 of Regulation [Performance regulation] through a single website portal providing access to all chapters of the NRP Plan pursuant to Article 64(1).~~ BE

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Commission proposal	MS drafting suggestions and comments
	(Comments): This should be the task of the managing authority. Therefore this paragraph is moved to article 51(1). DE (Comments): We ask the Commission for clarifications on how the IT structure is to be designed at national and European level. FR (Drafting suggestions): communicating to Union citizens the ~~role~~ objectives and results of the NRP Plan in accordance with Article 18 of Regulation [Performance regulation] through a single website portal providing access to all chapters of the NRP Plan pursuant to Article 64(1). FR (Comments): Cette modification vise à clarifier les dispositions de ce paragraphe en supprimant le terme “role”, qui ne correspond pas à un aspect particulier du Plan. IE

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): (j) communicating to Union citizens the role**,** objectives and **timely accurate and proportionate** results of the NRP Plan in accordance with Article 18 of Regulation [Performance regulation] through a single website portal providing access to all chapters of the NRP Plan pursuant to Article 64(1). LT (Drafting suggestions): (j) communicating to Union citizens the role objectives and results of the NRP Plan in accordance with Article 18 of Regulation [Performance regulation] through a single website portal providing access to all chapters of the NRP Plan **or multiple website portals encompassing NRP Plan chapters that are under responisibility of each Managing Authority** pursuant to Article 64(1). PL (Drafting suggestions): (j) communicating to Union citizens the role objectives and results of the NRP Plan in accordance with Article ~~18~~ **18(5) and 18(6)** of Regulation [Performance regulation] **in particular** through a single website portal

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	providing access to all chapters of the NRP Plan pursuant to Article 64(1). PL (Comments): The proposed clarification of the paragraphs is due to the fact that not all of Article 18 refers to the functions of the coordinating authority, and some paragraphs refer, among other things, to the tasks of the European Commission or the obligations of beneficiaries. Additionally, in our opinion this paragraph should specify that the CA will communicate '**in particular** through a single website portal'. It is important to note that the website portal will not be the only communication tool, Member States are required to carry out other information, communication and transparency actions in accordance with the provisions of other articles. SI (Drafting suggestions): ~~(j) communicating to Union citizens the role objectives and results of the NRP Plan in accordance with Article 18 of Regulation [Performance regulation] through a single website portal providing access to all chapters of the NRP Plan pursuant to Article 64(1).~~
	MT

Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): ***(k) The functions of the Coordinating Authority shall fall solely under the responsibility of the Managing Authority where a Member State does not identify more than one regional managing authority.*** MT (Comments): Consequential amendment due to Article 49(3). Article 49(3) stated: 3. '*Where a Member State identifies more than one managing authority, it shall set up a coordinating authority. A managing authority may be entrusted with carrying out certain functions of the coordinating authority. Arrangements between the coordinating authority and the managing authority shall be recorded in writing.'*

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Article 51 ***Functions of the managing authority***	EL (Drafting suggestions): Article 51 ***Functions of the managing ~~authority~~ authorities*** IE (Comments): **We welcome the Presidency's proposal at the AHWP NRP regarding the movement of certain CAP-specific provisions as a starting point to further discussion. In addition to the proposed movement of articles, and in order to ensure consistency, we propose the movement the elements of this article, which reflect pure CAP elements and could be moved while leaving core NRPP structures intact.** **Absence of reference made to the responsibility for the implementation of evaluation activities by the managing authority or whether it can propose Plan amendments needs to be addressed.** SI (Comments): In the period 2023-2027, in accordance with the horizontal regulation, the PA has the tasks of managing and implementing payments. The new period brings a departure from this and assigns many more tasks to the

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	PA. How can the PA check milestones that are not payments and how can it explain deviations from milestones if it did not set them itself? It is necessary to improve and clearly define the tasks of individual bodies.
1. The managing authority shall be responsible for managing the Plan or a part of the Plan with a view to delivering its objectives. It shall have the following functions:	DE (Comments): Does this include synergies with other European programs, such as Horizon Europe as part of regional innovation policy? EL (Drafting suggestions): 1. The managing ~~authority~~ **authorities** shall be responsible for managing the Plan **and the Home Affairs Plan** or a part of the Plan with a view to delivering **their** objectives. **They** shall have the following functions: HR (Comments): • We would like to receive further clarification on the interdependence between the provisions of Article 51(1)(b) and Annex XII (Template for the management declaration). Article 51(1)(b) states that "(…) for the purposes of drawing up the management declaration, the

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	managing authority is not expected to verify the underlying costs of operations". Annex XII, point 3, states: "The management and control systems in place function properly, ensure the legality and regularity of the underlying transactions and give the necessary assurances that the funds were managed in accordance with all applicable rules". From the template for the management declaration, management declaration confirms the legality and regularity of the transactions/costs, but according to Article 51(1)(b) management authority does not need to verify underlying cost. Does this mean that there is no need for verification of actual costs in post-2027 period? If the clarification of the provision in Article 51 is such, why is it necessary to confirm the same in the management declaration? • Could you clarify in what way will the governing bodies be responsible for managing part of the plan? IE (Comments): **MA must retain responsibility for evaluations and plan amendments- the draft currently omits this.**

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	IE Concerns: missing explicit evaluation/amendment duties; verification/audit implications from mandatory FNLC/SCO thresholds; tight deadlines for non-IACS measures. **We understand SCO costs are not pre approved by the EU – can it be clarified whether there is any requirement to have SCO approved prior to NRPP plan submission or will they be approved as part of the NRPP plan?** RO (Drafting suggestions): The managing authority shall be responsible for managing the **NRP** Plan or a part of the **NRP** Plan **or the Interreg Plan chapter** with a view to delivering its objectives. It shall have the following functions: RO (Comments): Since the article covers both NRP and Interreg (COM PPT WK 13378/2025 INIT), this should be reflected in the wording. RO advocates for a standalone Common Agricultural Policy, not included in the common fund, and we support maintaining the specific institutional architecture including a Management Authority for the CAP. SK

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	(Drafting suggestions): 1. The managing authority shall be responsible for managing the Plan or a part of the Plan with a view to delivering its objectives, **ensuring evaluation of each milestone and the target in its entirety, taking into account its wording, underlying purpose and context pursuant to Annex VIII**. It shall have the following functions: SK (Comments): As managing authority is responsible for carrying out management verifications to ensure the fulfilment of the milestones and targets set out in the Plan, as well as drawing up management declaration we recommend to add to Article 51(1) the obligation to the managing authority to ensure compliance with the documents listed in Annex VIII (Criteria for the assessment of the fulfilment of milestones and targets).
(a) selecting operations with a view to maximising the contribution of the Plan towards the achievement of the objectives of the Fund, defined at the level of its chapters and measures by establishing and applying criteria and procedures which are non-discriminatory and transparent;	AT (Drafting suggestions): selecting operations ~~with a view to maximising the contribution of the Plan towards the achievement of the objectives of the Fund~~, defined at the

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	level of its chapters and measures by establishing and applying criteria and procedures which are non-discriminatory and transparent; AT (Comments): The term “maximizing the contribution of the Plan towards the achievement of the objectives of the Fund” remains unclear here at the level of selecting operations. BE (Drafting suggestions): selecting operations with a view to maximising the contribution of the Plan towards the achievement of the objectives of the Fund, defined at the level of its chapters and measures by establishing and applying criteria and procedures which are non-discriminatory and transparent; **these tasks shall be carried out at the most appropriate level.** DE (Drafting suggestions): (a) selecting operations with a view to maximising the contribution of the Plan towards the achievement of the objectives of the Fund, defined at the level of its chapters and measures by establishing and applying criteria and procedures which are non-discriminatory and transparent,

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	ensure accessibility to persons with disabilities**, ensure gender equality, and take account of the Charter of Fundamental Rights of the European Union, the principle of sustainable development and of the Union policy on the environment in accordance with Article 11 and Article 191(1) TFEU**] DE (Comments): For greater certainty, it should be added that the selection can be competitive or non-competitive (‘direct award’). A reference to the aspects to be taken account when setting up selection criteria should be added, mirroring Art. on the tasks of the monitoring committees. In correspondence to Art. 73 para 1 of the current CPR, the principle of sustainability and the Union policy on the environment in accordance with Article 11 and Article 191(1) TFEU should be listed as reference points to be taken account where appropriate when establishing selection criteria besides accessibility, gender equality and the Charter of Fundamental Rights of the European Union in Art. 51 para 1 (a). See also the comment on Art. 56 NRPP Regulation. EL (Drafting suggestions):

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	(a) selecting operations with a view to maximising the contribution of the Plan **and the Home Affairs Plan** towards the achievement of the objectives of the Fund **and the Union support for Home Affairs respectively**, and the defined at the level of its chapters and measures by establishing and applying criteria and procedures which are non-discriminatory and transparent; FI (Drafting suggestions): (a) selecting operations with a view to maximising the contribution of the Plan towards the achievement of the objectives of the Fund, defined at the level of its chapters and measures by establishing and applying criteria ~~and procedures~~ which are non-discriminatory and transparent; FI (Comments): It is unclear what is meant by procedures FR (Drafting suggestions): (a) selecting operations with a view to maximising the contribution of the Plan towards the achievement of the objectives of the Fund, defined at the level of its chapters and measures by establishing and applying

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	criteria and procedures which are non-discriminatory and transparent. **The managing authority defines the methods for selecting and financing the operations (performance-based, cost-based or simplified cost options) in accordance with these principles;** FR (Comments): Il s'agit de préciser que l'autorité de gestion peut choisir librement le mode de financement des opérations qu'elle sélectionne (à la performance, sur la base coûts réels ou d'options de coûts simplifiés), dès lors que les principes de transparence et de non-discrimination sont respectés. IE (Drafting suggestions): (a) selecting operations with a view to ~~maximising~~ **optimising** the contribution of the Plan towards the achievement of the objectives of the Fund, defined at the level of its chapters and measures by establishing and applying criteria and procedures which are non-discriminatory and transparent; IE (Comments):

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	This provision is amended to provide for optimising noting that it will not be possible to maximise each priority simultaneously. **Separately. Annex V Template for the NRPP section 1.9 of that regulation does not seem to include a place for Member States to outline the level of financing envisaged under LEADER, whereas for other measures it is clear where the level of financing should be outlined. This needs to be examined further.** LT (Drafting suggestions): selecting operations **or, in case of Interreg, ensuring that operations are selected,** ~~with a view to maximising the contribution of the Plan towards the achievement of~~ in line with the objectives of the Fund, defined at the level of its chapters and measures by establishing and applying criteria and procedures which are non-discriminatory and transparent; LT (Comments): We suggest removing unclear or too abstract phrasing of "maximising the contribution" as the application in practical terms is unclear.

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	For the Interreg Plan, the Monitoring Committees are responsible for selection operations, cf. Art. 10 (6) ERDF (Interreg)/CF regulation COM(2025) 552. PL (Drafting suggestions): **(a) programming the chapter(s) it is responsible for and** selecting operations with a view to maximising the contribution of the Plan towards the achievement of the objectives of the Fund, defined at the level of its chapters and measures by establishing and applying criteria and procedures which are non-discriminatory and transparent; PL (Comments): The functions of the managing authorities should be similar to the present ones. RO (Drafting suggestions): selecting operations with a view to maximising the contribution of the **NRP** Plan towards the achievement of the objectives of the Fund, defined at the level of its chapters and measures by establishing and applying criteria and procedures which are non-discriminatory and transparent.

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	RO (Comments): MC is selecting operations for Interreg, not MA. So this point should only reference the NRP Plan SK (Drafting suggestions): (a) selecting operations with a view to maximising the contribution of the Plan towards the achievement of the objectives of the Fund, defined at the level of its chapters and measures by establishing and applying ~~criteria and~~ procedures which are non-discriminatory and transparent; SK (Comments): In the current program period, a large number of national projects are implemented, which are carried out by an intermediary body or a budget organization subordinate to it. For these projects, the process of their assessment depends on the approval opinion of the Commission under the monitoring committee. However, this commission does not assess operations according to criteria. Therefore, it seems to us redundant to establish the obligation to have approved criteria for the selection of operations, since the method of selection does not require them

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Commission proposal	MS drafting suggestions and comments
	DE (Comments): As to the Interreg Plan / chapters, selecting operations is tasked to the monitoring committee. HR (Drafting suggestions): **b) monitoring the implementation of the Plan at the level of its chapters** HR (Comments): **HR** proposes adding the responsibility of MA to monitor and implement its chapters. This way we have made distinction between CA and MA and gave MA greater responsibility for implementing its Chapters. SK (Drafting suggestions): **b) monitoring the implementation of the Plan at the level of its chapters** SK (Comments):

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	We propose adding the responsibility of MA to monitor and implement chapters of the Plan. This way there will be a distinction between CA and MA and it will clarify the MA responsibility for implementing its relevant chapters.
(b) carrying out management verifications to ensure the fulfilment of the milestones and targets set out in the Plan and the effective use of funds in compliance with applicable law; for the purposes of drawing up the management declaration, the managing authority is not expected to verify the underlying costs of the operations;	AT (Comments): The Commission states in its Presentation for block 6 (slide 7) that „*management verifications shall be risk-based*“. Could you please explain in more detail what this means? BE (Comments): Questions: - What is meant with ‘effective use of funds’? - When would the use of funds not be ‘effective’? - How is this defined by COM? Taking into account the requirements that need to be fulfilled as stipulated for the management declaration (art. 59, 1c), this includes *“management and control systems put in place function properly and give the necessary assurance that the funds were managed in accordance*

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	with all applicable laws, including on the prevention, detection, reporting and correction of conflicts of interests, corruption, double funding, fraud and other irregularities, and in line with the principle of sound financial management". Since the COM has indicated (AHWP MFF of 8/10) that the management and control systems do require sufficient transparency on underlying costs of operations, this paragraph (51, 1b) seems to be in conflict with what is expected in practice, and stipulated in article 51, 1b. Therefore, we suggest that the wording in paragraph 51, 1b is corrected in order to match the true requirements of the COM. CZ (Drafting suggestions): (b) carrying out management verifications to ensure the fulfilment of the milestones and targets set out in the Plan and the effective use of funds in compliance with applicable law~~;~~**, including verification of documents and underlying cost where appropriate;** **(c)** for the purposes of drawing up the management declaration, the managing authority is not expected to verify the **relevant documents or** underlying costs of the operations; CZ (Comments):

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	CZ proposes to split the current wording into 2 letters to ensure it´s relevant for different purposes – new b) – standard management verification and new c) verification relevant to drawing the management declaration. CZ also proposes to extend the possibility (asure) to verify underlying cost and documents where MA finds it useful and "appropriate", e.g. to verify there is no presence of red flags (given in existing letter c). In new letter c) CZ proposes to extend the possibility to check documents for the assurance. We would like assurances, or rather an explanation from the EC on this area. We interpret this article as meaning that documents are not verified, but we expect that the MA will carry out a check only in the event of red flags being identified. DE (Comments): A clarification as to the definition of "applicable law" and the extent of its scope is needed. The effect on simplification by a performance-based approach will be reduced significantly if there will still be an intensive effort to review detailed requirements of public procurement or state aid in each underlying project. Due to certain thresholds, a verification of underlying expenditure seems to be inevitable which contradicts the intended effect.

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Commission proposal	MS drafting suggestions and comments
	EE (Drafting suggestions): (b) carrying out management verifications to ensure the fulfilment of the milestones and targets set out in the Plan and the ~~effective~~ use of funds in compliance with applicable law; for the purposes of drawing up the management declaration, the managing authority is not expected to verify the underlying costs of the operations; EE (Comments): What is meant under the Plan? Obligation needs to be clarified, not clear what is meant by "**effective** use of funds in compliance with applicable law". EL (Comments): Concerns are expressed about this new result-oriented verification approach to Union support for Home Affairs, taking into account that the majority of actions are interventions (which are not mentioned in point (b)) and MS, in the current MFF, follow the cost-based approach. FI (Comments):

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	for the purposes of drawing up the management declaration, the managing authority is not expected to verify the underlying costs of the operations; > it should be made exhaustively clear for what purposes the MA is expected to verify underlying costs. Comment also refers to references to "compliance with applicable law" later in the article and requirements for other plan authorities/MS/Commission. HR (Drafting suggestions): (b) carrying out management verifications to ensure the fulfilment of the milestones and targets set out in the Plan and the effective use of funds in compliance with applicable law; for the purposes of drawing up the management declaration, ~~**the managing authority is not expected to verify the underlying costs of the operations;**~~ HR (Comments): • As proposed approach means moving from eligibility-oriented model towards performance-oriented model, how is managing authority expected to verify investment fulfilment? By assessing only if the investment is "in function" or "it is not in function" in respect of its goal? If so, then all investments should be or "100% eligible" or "100%

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	ineligible" in form of terminology used in 2014-2020 and 2021-2027 period? Or some kind of "proportionality" is envisaged? The management and control systems in place function properly, ensure the legality and regularity of the underlying transactions and give the necessary assurances that the funds were managed in accordance with all applicable rules, including on prevention, detection, correction, reporting and follow-up of irregularities including conflicts of interests, corruption, double funding and fraud prevention, in accordance with the principle of sound financial management and in compliance with the applicable law[, including applicable public procurement and State aid rules]. HU (Drafting suggestions): carrying out management verifications to ensure the fulfilment of the milestones and targets set out in the Plan and the effective use of funds in compliance with applicable law; for the purposes of drawing up the management declaration, the managing authority is not expected to verify the underlying costs of the operations **when assessing the fulfilment of milestones and targets.** IE (Drafting suggestions):

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	(b) carrying out management verifications to ensure the fulfilment of the milestones and targets set out in the Plan and the effective use of funds in compliance with applicable law; for the purposes of drawing up the management declaration, the managing authority is not expected to verify the underlying costs of the operations; IE (Comments): **Noting that this provision states that the Managing Authority is not expected to verify the underlying costs of the operation it will be important to have clarity on the audit approach – which not involve examination of costs excluded from verification** IT (Comments): Further clarifications should be needed on the role of the Managing Authority in verifying the achievement of milestones and targets, particularly in light of the absence of an obligation to verify underlying costs. Within the new performance-based system, it remains unclear to what extent it will nevertheless be necessary to verify the costs underlying the reported milestones and targets. It is therefore proposed to formally clarify the scope and limits of cost verification linked to

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	milestones and targets, in order to avoid the risk of creating a sort of dual accounting track. LU (Comments): Luxembourg generally supports a performance-oriented approach. However, the terminology 'not expected' is unclear. Luxembourg believes that this could lead to a double system of performance-based and cost-based approach. LV (Drafting suggestions): (b) carrying out management verifications to ensure the fulfilment of the milestones and targets set out in the Plan and the effective use of funds in compliance with applicable law; ~~for the purposes of drawing up the management declaration,~~ the managing authority is not expected to verify the underlying costs of the operations; LV (Comments): It should be without disclaimers, conditionalities or limitations, to avoid misunderstandings that the managing authority is not expected to verify

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	the underlying costs of the operations throughout implementing of the plan. MT (Comments): MT would like to seek clarification under this Article as to whether milestones and targets are intended to apply across all Cohesion Funds. If verifications are just for milestones and targets, this approach did not work seamlessly in the case of the RRP where the Court of Auditors insisted that the task is to get to the expenditure incurred and created uncertainties in the implementation. Hence, a further query is to confirm that the Court of Auditors are onboard especially with the last part of the article, that is '***the managing authority is not expected to verify the underlying costs of the operations***.' PL (Drafting suggestions): (b) carrying out management verifications to ensure the fulfilment of the milestones and targets set out in the Plan and the ~~**effective**~~ use of funds in compliance with applicable law; ~~**for the purposes of drawing up the management declaration,**~~ the managing authority ~~**is not expected to**~~ **shall not** verify the underlying costs of the operations;

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	PL (Comments): 1. PL proposes to change the wording in order to clarify the unclear meaning of the obligation. The intention is not clear what is meant by "**effective** use of funds in compliance with applicable law". Shall "effectiveness" be connected with applicable law or the issues shall be understood separately – effective use and in compliance with applicable law (comma and "and" missing?). Annex IV "Key requirements" does NOT refer to effectiveness either, in any of the key requirements. It is suggested to delete the word from the article**.** 2. This provision raises doubts about whether, if the managing authority is not required to verify the operation's expenditure for the purposes of preparing a management declaration, it should do so for any other purpose. This is not explicitly stated in the regulation, but leaves room for interpretation. **The provision should apply to the entire verification system, not just the process of preparing a management declaration.**

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Commission proposal	MS drafting suggestions and comments
	3. It should be clearly indicated that the managing authority **shall not verify the underlying costs of operations** (‘shall not verify’ instead of “is not expected to”.) With regard to Article 51(1) (b), it is necessary to establish clear rules in order to ensure legal certainty both for beneficiaries, who should know exactly what may be subject to control and by which institutions, and for the institutions themselves responsible for management and implementation – so that their responsibilities are clearly and precisely defined (including in the context of future system audits, e.g., by the EC or the ECA). PT (Drafting suggestions): PT: (b) carrying out management verifications to ensure the fulfilment of the milestones and targets set out in the Plan and the effective use of funds in compliance with applicable law; for the purposes of drawing up the management declaration, the managing authority is not expected to verify the underlying costs of the operations**, except for measures operating on a real-cost basis**; PT (Comments):

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	PT: Recall that Portugal advocates a more hybrid model for the implementation of the Plan that could combine real costs and FNLC. RO (Drafting suggestions): carrying out ~~management~~ verifications to ensure the fulfilment of the milestones and targets set out in the **NRP** Plan **or the Interreg Plan chapter.** **Risk based management verifications are carried out to ensure** ~~the effective use of funds in~~ **the** compliance **of the use of funds** with applicable law; for the purposes of drawing up the management declaration, the managing authority is not expected to verify the underlying costs of the operations; RO (Comments): It is understood that, for the purpose of preparing the management declaration, the managing authority/paying agency is not expected to carry out verifications of the underlying transactions. However, Annex XII to Proposal for Regulation No. 565 – Model Management Declaration, point 3, states that "the existing management and control systems function properly, ensure the legality and regularity of the underlying transactions,

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	and provide the necessary assurance that the funds have been managed in accordance with all applicable rules." Moreover, the current wording of Article 51(1)(c), namely: "the application of effective and proportionate measures and procedures, taking into account the identified risks, to prevent, detect and correct irregularities, including fraud, corruption, conflict of interest and double funding, and to ensure the compliance of the underlying operations with the applicable legislation, in accordance with the relevant key requirements set out in Annex IV," may be interpreted to mean that, in practice, the managing authority/paying agency must take measures to ensure the compliance of the underlying transactions with the applicable legislation. In view of the above, we consider it necessary to explicitly clarify the responsibilities of the Managing Authority/Paying Agency regarding the verifications they are required to carry out. The phrase "is not expected to verify" is not clear, it does not ensure legal certainty and clarity. Since the point seems to cover both NRP and Interreg, this should be made clear. Related to Annex XII: Since MA is not expected to verify the underlying costs of the operations while drawing the management declaration; clarity

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	is required for ensuring how compliance with specific legislation (procurement, state aid, avoiding double financing, fraud prevention) is addressed since management verifications are not used while drawing the management declaration that is confirming the compliance with applicable legal provisions. How can it give the necessary assurance included in the management declaration? How can, in practice, irregularities be detected and corrected? The Commission shall provide guidance for verification of underlying costs in relation to particular requirements for observance of specific legislation (procurement, state aid, avoiding double financing, fraud prevention etc) SK (Comments): Unclear wording "**is not expected**". We ask for redrafting to provide clarity of the provisions or delete the relevant part of the sentence.
	DE (Drafting suggestions): **New lit (c)** **Providing overarching guidance and capacity building to intermediary bodies and beneficiaries to support the implementation**

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	of the 'do no significant harm' principle, referred to in Article 5 of Regulation (EU) [Performance Regulation] as well as preparedness by design according to Art. 3 Para 1 (b) (ii) [NRPP Regulation] and monitoring the implementation to ensure compliance. DE (Comments): Guidance, capacity building and monitoring with respect to DNSH and preparedness by design should be added as tasks of the managing authority here.
(c) applying effective and proportionate measures and procedures, taking into account the risks identified, to prevent, detect, and correct irregularities, including fraud, corruption, conflict of interests, and double-funding and ensure compliance of the underlying operations with applicable law, in accordance with the relevant key requirements set out in Annex IV [key requirements];	AT (Drafting suggestions): (c) applying effective and proportionate measures and procedures, taking into account the risks identified, to prevent, detect, and correct irregularities, including fraud, corruption, conflict of interests, and double-funding and ensure compliance of the underlying operations with applicable law, in accordance with the relevant key requirements set out in Annex IV [key requirements].~~;~~ **The managing authority is not expected to verify the underlying costs of the operations in this context;** AT

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	(Comments): This provision does not make clear whether the MA must check the underlying costs for this task. If no costs need to be checked, this should be stated. BE (Drafting suggestions): (c) applying effective and proportionate measures and procedures, taking into account the risks identified, to prevent, detect, and correct irregularities, including fraud, corruption, conflict of interests, and double-funding **from the Union budget** and ensure compliance of the underlying operations with applicable law, in accordance with the relevant key requirements set out in Annex IV [key requirements]; BE (Comments): To ensure coherence with Art. 58.2(e). CZ (Drafting suggestions): (c) applying effective and proportionate measures and procedures, taking into account the risks identified, to prevent, detect, and correct irregularities, including fraud, corruption, conflict of interests, and double-

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	funding, **breach of state aid rules and public procurement rules** and ensure compliance of the underlying operations with applicable law, in accordance with the relevant key requirements set out in Annex IV [key requirements]; CZ (Comments): For the certainty CZ proposes to extend the wording with breach of state aid rules and public procurement rules in line with Article 58. DE (Comments): A clarification as to the definition of "applicable law" and the extend of its scope is needed. The effect on simplification by a performance-based approach will be reduced significantly if there will still be an intensive effort to review detailed requirements. It should be clarified how to detect these irregularities without reviewing the underlying costs and financial transactions in each underlying project. FR (Drafting suggestions): (c) applying effective and proportionate measures and procedures, taking into account the risks identified, to prevent, detect, and correct

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	irregularities, including fraud, corruption, conflict of interests, and double-funding, **without requiring verification of the underlying costs**, and ensure compliance of the underlying operations with applicable law, in accordance with the relevant key requirements set out in Annex IV [key requirements]; FR (Comments): Il s'agit de préciser que ces vérifications n'impliquent pas un contrôle systématique des couts sous-jacents des opérations. LU (Comments): Luxembourg generally supports a performance-oriented approach. However, in the context of prevention of fraud, cost related information still needs to be collected for audit purposes (ex. compliance with public procurement procedures). A double system of performance-based and cost-based approach risks to increase the administrative burden for MS. PL (Drafting suggestions): (c) applying effective and proportionate measures and procedures, taking into account the risks identified, to prevent, detect, and correct

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Commission proposal	MS drafting suggestions and comments
	irregularities, including fraud, corruption, conflict of interests, ~~**and double-funding**~~ and ensure compliance of the underlying operations with applicable law, in accordance with the relevant key requirements set out in Annex IV [key requirements]; PL (Comments): In accordance with the provisions of the EU Financial Regulation (recital (205) and Article 183), the provisions concerning double funding should not apply in the case of performance-based settlements. Therefore, the reference to double funding should be deleted. [(205) In order to ensure legal certainty, it is necessary to clarify that, **where a grant takes the form of financing not linked to costs**, the provisions on an estimated budget, co-financing and **no double funding do not apply since they cannot be applied in a case where the amount to be reimbursed is linked to defined conditions or results and is decoupled from the underlying costs**]; [art. 183.3: (…) Where the grant takes the form of financing not linked to costs pursuant to Article 125(1), first subparagraph, point (a): (a) **the provisions related to eligibility and verification of costs laid down in** this Title, in particular Articles 185, 187 and 188, Article 189(2), (3) and (4), Article 193, **Article 194(3)**, the provisions relating to an estimated budget or estimated eligible costs laid

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	down in Article 199(1), point (e), and the provisions laid down in Article 206(4), **shall not apply** (…)] RO (Comments): Since MA is not expected to verify the underlying costs of the operations while drawing the management declaration; clarity is required for ensuring how could MA applying effective and proportionate measures and procedures to correct irregularities, in accordance with the key requirement regarding complete audit trail? The Commission shall provide guidance for verification of underlying costs in relation to particular requirements for observance of specific legislation (procurement, state aid avoiding double financing, fraud prevention etc) SI (Comments): Detecting irregularities is not possible without verifying costs.

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Commission proposal	MS drafting suggestions and comments
(d) supporting the work of the monitoring committee by providing the necessary information in a timely manner and ensuring the follow-up of the decisions and recommendations of the monitoring committee;	AT (Comments): It is not entirely clear what necessary information is required for the monitoring committee. It would be useful to clarify this in the regulation. BE (Drafting suggestions): supporting the work of the monitoring committee by providing the necessary information in a timely manner and ensuring the follow-up of the ~~the decisions and~~ recommendations of the monitoring committee BE (Comments): Monitoring committee should have an advising function, not approval (see comments below). FR (Drafting suggestions): supporting the work of the monitoring committee ~~by providing the necessary information in a timely manner and ensuring the follow-up of the decisions and recommendations of the monitoring committee.~~ FR

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	(Comments): Modification en cohérence avec la proposition sur l'article 50 i) relatif au Comité de coordination. Cette disposition est de nature à augmenter la charge administrative de manière disproportionnée.
	CZ (Drafting suggestions): **(e) supporting the work of the bodies carrying out the coordination functions by providing in a timely manner all information necessary to carry out its tasks;** CZ (Comments): CZ proposes addition of point (e) is essential because the body's ability to perform its proposed functions depends on effective collaboration with managing authorities. Timely provision of data, draft revisions of chapters, and other relevant inputs is essential for the authority to fulfill its mandate, ensure efficiency, and maintain compliance. Explicitly stating this obligation reinforces transparency and accountability while aligning with the responsibilities envisaged for the "coordinating" body.

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Commission proposal	MS drafting suggestions and comments
(e) if relevant, supervising intermediate bodies, while ensuring sound governance practices and the maintenance of adequate administrative capacity;	IE (Drafting suggestions): (e) if relevant, **oversight of**~~supervising~~ intermediate bodies, while ensuring sound governance practices and the maintenance of adequate administrative capacity; IE (Comments): **This provision is amended to provide for 'oversight' rather than 'supervision'** **It is unclear what structures are expected to be in place for oversight / supervision of intermediate bodies** MT (Comments): With reference to point (e) on ***supervising intermediate bodies***, MT would like to seek clarification on the situation where a single intermediate body services more than one managing authority. How would supervisory responsibilities be exercised in such a case, and what arrangements would be required to ensure sound governance and avoid overlaps?

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(f) strengthening the administrative capacity of intermediate bodies (if relevant), and beneficiaries, and promoting policy learning and experimentation;	DE (Drafting suggestions): (f) strengthening the administrative capacity of intermediate bodies (if relevant), and beneficiaries, and promoting policy learning ~~**and experimentation;**~~ DE (Comments): Unclear what experimentation shall cover. Focus on main tasks needed. FR (Drafting suggestions): ~~strengthening the administrative capacity of intermediate bodies (if relevant), and beneficiaries, and promoting policy learning and experimentation;~~ FR (Comments): Cet enjeu relève de l'organisation interne de l'Etat membre. HR (Comments):

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Commission proposal	MS drafting suggestions and comments
	HR asks: It is not clear in what way should MA strengthen administrative capacities of IB and beneficiaries? IE (Comments): **<u>Request clarity as to whether an appropriate percentage of the resources will be allocated from the Fund for this administrative capacity building</u>** MT (Comments): MT would like to request clarification on the reference to '***promoting policy learning and experimentation'*** in the context of strengthening the administrative capacity of intermediate bodies (where relevant) and beneficiaries. In particular, MT seeks guidance on what is envisaged by '***policy experimentation'*** and how this is expected to be implemented in practice. PL (Drafting suggestions): (f) strengthening the administrative capacity of intermediate bodies (if relevant), and beneficiaries**~~, and promoting policy learning and experimentation~~;**

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Commission proposal	MS drafting suggestions and comments
	PL (Comments): It is unclear what actions could be treated as a promoting policy learning and experimentation. What evidence should be presented to the auditors as a fulfilment of this obligation. It is important as this obligation is addressed to all Managing Authorities as well as to all Coordinating Authorities. In order to ensure transparency, legal certainty and to avoid interpretative doubts or divergent opinions with auditors, the marked part of the provision should be deleted. SE (Comments): SE does not believe that it should be a responsibility of the CA to strengthen the administrative capacity of intermediate bodies. See also our comment on article 50 (h). SI (Drafting suggestions): (f) strengthening the administrative capacity of intermediate bodies (if relevant), **<u>stakeholders, partners</u>** and beneficiaries, and **<u>promoting</u>**

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Commission proposal	MS drafting suggestions and comments
	policy learning and experimentation on national, regional and local levels. SI (Comments): It's important to avoid duplication with the role of coordinating authority (Article 50(h)).
(g) ensuring that a beneficiary receives the amount due in relation to the implementation of a measure in full and no later than [80] days from the date of submission of the payment claim by the beneficiary; and for interventions referred to in Article 35, points (a) to (g), (o), (p), and (r) [types of interventions], ensuring that the payment to beneficiaries takes place not later than 30 June of the year following the year of the submission of the payment claim. The deadline may be interrupted if information submitted by the beneficiary does not allow the managing authority to establish whether the amount is due;	AT (Comments): It is unclear how the requirement "in relation to the implementation" is to be applied in practice – for example, whether there are quality criteria, whether this excludes pre-financing, and whether this applies to both the EU and national co-financing shares. Clarification is required. Clarifications regarding the application of a time limit in this context are particularly necessary for provisions relating to GAP-investments according to art. 35 para 1 lit r. A preliminary calculation example is requested here. BE (Drafting suggestions):

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	ensuring that a beneficiary receives the amount due in relation to the implementation of a measure in full ~~and no later than [80] days from the date of submission of the payment claim by the beneficiary~~;and for interventions referred to in Article 35, points (a) to (g), (o) and (p), ~~and (r) [types of interventions],~~ ensuring that the payment to beneficiaries takes place not later than 30 June of the year following the year of the submission of the payment claim **and for interventions referred to in Article 35, point (r), ensuring that the payment to beneficiaries takes place not later than 15 October of the year following the year of the submission of the payment claim.** The deadline may be interrupted if information submitted by the beneficiary does not allow the managing authority to establish whether the amount is due; **When expenditure for interventions referred to in Article 35, points (a) to (g), (o) to (r) are effected after the payment deadline mentioned in this point or in the sectoral legislation is equal to the threshold of 5 % or less of the expenditure effected before the deadlines of these interventions, no reduction of the payments to the Member State shall be made.** BE (Comments):

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	MA and PA have no interest in not paying the beneficiaries. 80 days is an arbitrary rule that is not fit for all interventions. Only for the CAP payment deadlines are regulated. This is also the case in the current period for direct aid, some market measures and EAFRD IACS. For intervention (r) the payment deadline should remain 15 October N+1, as this is already challenging. Most files should be paid by the deadline but a small margin for payments after the deadlines is considered reasonable, e.g. to enable control on artificial conditions, appeals. The proposed amendments are in line with the provisions for CAP in the current period (DA 2022/127, art 5) although in a simplified form. CZ (Drafting suggestions): (g) ensuring that a beneficiary receives the amount due in relation to the implementation of a measure in full and no later than [80] days from the date of submission of the payment claim by the beneficiary; and for interventions referred to in Article 35, points (a) to (g), (o), (p), and (r) [types of interventions], ensuring that the payment to beneficiaries takes place not later than 30 June of the year following the year of the submission of the payment claim. The deadline may be ~~interrupted~~ **suspended** if

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	information submitted by the beneficiary does not allow the managing authority to establish whether the amount is due; CZ (Comments): Formulation issue: CZ believes that, rather than an 'interruption', there should be a 'suspension' of the deadline. Once the beneficiary has submitted insufficient information, the full length of the deadline is not reinstated. In fact, the deadline is only suspended until the submitted information enables the MA to determine whether the payment is due, after which the remaining deadline period begins again. DE (Drafting suggestions): (g) ensuring that a beneficiary receives the amount due in relation to the implementation of a measure in full and no later than [~~8~~9**_**0] days from the date of submission of the payment claim by the beneficiary; and for interventions referred to in Article 35, points (a) to (g), (o), (p), and (r) [types of interventions], ensuring that the payment to beneficiaries takes place not later than 30 June of the year following the year of the submission of the payment claim. The deadline may be interrupted if

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Commission proposal	MS drafting suggestions and comments
	information submitted by the beneficiary does not allow the managing authority to establish whether the amount is due; DE (Comments): A return to the well-established and practical 90-day deadline for the verification of payment claims is necessary. FI (Drafting suggestions): (g) ensuring that a beneficiary receives the amount due in relation to the implementation of ~~a measure~~ **an operation** in full and no later than [80] days from the date of submission of the payment claim by the beneficiary; and for interventions referred to in Article 35, points (a) to (g), (o), (p), and (r) [types of interventions], ensuring that the payment to beneficiaries takes place not later than 30 June of the year following the year of the submission of the payment claim. The deadline may be interrupted if information submitted by the beneficiary does not allow the managing authority to establish whether the amount is due; FR (Drafting suggestions):

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	ensuring **subject to the availability of funding,**that a beneficiary receives the amount due in relation to the implementation of a measure in full and no later than [80] days from the date of submission of the payment claim by the beneficiary; and for interventions referred to in Article 35, points (a) to (g), (o), (p), and (r) [types of interventions], ensuring that the payment to beneficiaries takes place not later than 30 June of the year following the year of the submission of the payment claim. The deadline may be interrupted if information submitted by the beneficiary does not allow the managing authority to establish whether the amount is due. **A new period of the same duration begins after the beneficiary provides the requested information;** FR (Comments): 1er ajout : reprise des dispositions actuelles du règlement (UE) 2021/1060 relatif aux fonds de cohésion, qui prévoit que le délai de 80 jours est applicable **sous réserve de la disponibilité des fonds**. Le respect de ce délai par l'autorité de gestion suppose en effet qu'un appel de fonds ait été effectué par l'autorité de coordination, payé par la Commission européenne et reversé à l'autorité de gestion, dans des délais impartis.

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Commission proposal	MS drafting suggestions and comments
	Il s'agit de préciser qu'en cas d'interruption du délai de 80 jours, un nouveau délai de la même durée commence après fourniture par le bénéficiaire des informations demandées.HR (Comments): • We would appreciate a clarification/example, preferably in the context of fisheries, of the relation between the amount due in relation to the implementation of measure and the amount due at the level of the beneficiary, as referred to in the last sentence of the point (g). More specifically, we would be grateful if you could explain how this provision and provision in point (b) are in line? IE (Drafting suggestions): (g) ensuring that a beneficiary receives the amount due in relation to the implementation of a measure in full and no later than [~~80~~**100**] days from the date of submission of the payment claim by the beneficiary; and for interventions referred to in Article 35, points (a) to (g), (o), (p), and (r) [types of interventions], ensuring that the payment to beneficiaries takes place not later than 3**2**0 ~~June~~ **July** of the year following the year of the submission of the payment claim. The deadline may be interrupted if

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Commission proposal	MS drafting suggestions and comments
	information submitted by the beneficiary does not allow the managing authority to establish whether the amount is due; IE (Comments): This article is amended to provide for a longer period from date of submission to payment to beneficiary to ensure efficient implementation of the programme. Does this cover delays due to corrective actions following an audit of the PO? IE notes that the Managing Authority is responsible for the selecting of operations with a view to maximising the contribution of the Plan towards the achievement of the objectives of the Fund. However, Annex V Template for the NRPP section 1.9 of that regulation does not seem to include a place for member states to outline the level of financing envisaged under LEADER, whereas for other measures it is clear where the level of financing should be outlined. This may need to be examined further. 80 days for non IACS measures in CAP - this is problematic where verifications must take place for e.g., nonproductive investments. The head of the paying agency currently signs the management declaration –

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Commission proposal	MS drafting suggestions and comments
	does this mean that the functions of the PA would need to be delegated to the MA for CAP? This article seems to move functions of the PA to the MA IT (Drafting suggestions): ensuring that a beneficiary receives the amount due in relation to the implementation of a measure in full and no later than [80] days from the date of submission of the payment claim by the beneficiary; and for interventions referred to in Article 35, ~~**points (a) to (g), (o), (p), and (r)**~~ [types of interventions], ensuring that the payment to beneficiaries takes place not later than 30 June of the year following the year of the submission of the payment claim. The deadline may be interrupted if information submitted by the beneficiary does not allow the managing authority to establish whether the amount is due; IT (Comments): short period > it would be appropriate to extend it **for all CAP measures** uniformly taking into account the peculiarities of the CAP MT (Comments):

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Commission proposal	MS drafting suggestions and comments
	The effects on operations of the requirements of Article 51 (1)(g) of the NRP proposal, which states that beneficiaries should be paid for the implementation of a measure in full and no later than 80 days from the submission of the payment claim**, need to be studied closely. Additional administrative burdens are envisaged in this regard. Thus, a lengthening of the timeframe is suggested.** NL (Drafting suggestions): ensuring that a beneficiary receives the amount due in relation to the implementation of a measure in full and no later than [80] days from the date of submission of the payment claim by the beneficiary; and for interventions referred to in Article 35~~, points (a) to (g), (o), (p), and (r)~~ [types of interventions], ensuring that **at least 95% of** the payment to beneficiaries takes place not later than 30 June of the year following the year of the submission of the payment claim. The deadline may be interrupted if information submitted by the beneficiary does not allow the managing authority to establish whether the amount is due; NL (Comments):

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Commission proposal	MS drafting suggestions and comments
	80 days is not feasible for CAP interventions and is not in line with national deadlines. Furthermore the 30 June deadline should continue to contain a 5% margin as is currently the case. PL (Drafting suggestions): (g) ensuring that a beneficiary receives the amount due in relation to the implementation of ~~**a measure**~~ **an operation** in full and no later than [80] days from the date of submission of the payment claim by the beneficiary; and for interventions referred to in Article 35, points (a) to g), (o), (p), and (r) [types of interventions], ensuring that the payment to beneficiaries takes place not later than 30 June of the year following the year of the submission of the payment claim. The deadline may be ~~**interrupted**~~ **extended in justified cases, for example** if information submitted by the beneficiary does not allow the managing authority to establish whether the amount is due; PL (Comments): measure means a reform, an investment or another intervention at national or sub-national level supported under the NRP Plan or the Interreg Plan; This provision refers to an operation not a measure.

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	The second sentence of the provision should be more clear and should also be applicable to payments under income support. The maximum number of days for the execution of investment payments should be determined by the paying agency. There is no doubt that the deadline of 30 June for CAP income payments will be maintained. RO (Drafting suggestions): (g) ensuring that a beneficiary receives the amount due in relation to the implementation of a measure in full and no later than [80] days from the date of submission of the payment claim by the beneficiary; and for interventions referred to in Article 35, points (a) to (g), (o), (p), and (r) [types of interventions], ensuring that the payment to beneficiaries takes place not later than 30 June of the year following the year of the submission of the payment claim. The deadline may be interrupted if information submitted by the beneficiary does not allow the managing authority **or the paying authority in case of CAP** to establish whether the amount is due; RO (Comments):

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Commission proposal	MS drafting suggestions and comments
	Regarding letter (g), given that the responsibility referred to therein is carried out by the paying agency for CAP interventions, we consider that the references to the managing authority in the final sentence may create confusion; therefore, we propose replacing it with the paying agency under article 52. SI (Drafting suggestions): ensuring that a beneficiary receives the amount due in relation to the implementation of a measure in full and no later than [80] days from the date of submission of the **complete** payment claim by the beneficiary; and for interventions referred to in Article 35, points (a) to (g), (o), (p), and (r) [types of interventions], ensuring that the payment to beneficiaries takes place not later than 30 June of the year following the year of the submission of the payment claim. The deadline may be interrupted if information submitted by the beneficiary does not allow the managing authority to establish whether the amount is due; SI (Comments): The time limit cannot be set by reference to the date of submission of the application, but by reference to the date of submission of the complete

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Commission proposal	MS drafting suggestions and comments
	application. It is often the case that beneficiaries submit incomplete claims that require extensive additions, clarifications, and maybe even the exclusion of certain costs before payment. These procedures can take more than 80 days, so we do not consider it appropriate to set such a deadline, as the competent authority is not allowed to confirm the claim until it is complete in all respects. SK (Drafting suggestions): (g) ensuring, **subject to the availability of funding**, that a beneficiary receives the amount due in relation to the implementation of a measure in full and no later than [80] days from the date of submission of the payment claim by the beneficiary; and for interventions referred to in Article 35, points (a) to (g), (o), (p), and (r) [types of interventions], ensuring, **subject to the availability of funding,** that the payment to beneficiaries takes place not later than 30 June of the year following the year of the submission of the payment claim. The deadline may be interrupted if information submitted by the beneficiary does not allow the managing authority to establish whether the amount is due; SK (Comments):

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Commission proposal	MS drafting suggestions and comments
	The addition of "subject to the availability of funding" ensures that the managing authority is not legally bound to make payments when the necessary budget is not yet available, thereby aligning the obligation with sound financial management and preventing unlawful or unfunded commitments. Similar wording was included in previous periods, and the Commission may also make payments subject to available financial resources (e.g., Article 65(1) and (6)).
(h) recording and storing electronically the data necessary for monitoring, evaluation, financial management, verifications and audits in accordance with Article 58 [Responsibilities of the MS] and Annex IV [key requirements], and ensure the security, integrity and confidentiality of data and the authentication of users;	DE (Comments): DE: Need to specify for which period the data needs to be stored/ when it shall be deleted. In a consequent application of a performance-based approach and financing not linked to costs, wouldn't it be obsolete to store documents with the underlying costs?
(i) ensuring that each beneficiary is provided with a document setting out the conditions for support; financing plan, limits of execution and where applicable the method to apply the conditions for payment;	AT (Comments):

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Commission proposal	MS drafting suggestions and comments
	On the basis of the current draft regulation, the traditional concept of beneficiary is no longer clearly defined. It is important to define the term “beneficiary” precisely in this context (see also comment on Article 4). Furthermore, these requirements appear to create unnecessary additional costs for the area- and animal-related interventions of the CAP without adding any value for the beneficiaries. An exception should therefore be made for the interventions referred to in Article 35(1)(a) to (g). HR (Comments): **HR supports** RO comment on Art. 51.1.(i) regarding the possible implementation constraints in case of financial instruments: "In the case of financial instruments, the requirement to provide each beneficiary with a document setting out the conditions for support (including the financing plan, execution limits, and, where applicable, the method for applying payment conditions) may not be straightforward to implement." Please clarify whether the provisions of point "i" are applicable for the CAP? MT (Comments):

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Commission proposal	MS drafting suggestions and comments
	In relation to Agri, Article 52 mentions that this role '*shal*l' be performed by the paying agency. For non-IACS type measures, this is normally MA remit and should remain so. RO (Comments): Clarity is needed – if the "document" mentioned in point (i) is the contract/financing contract or similar, then the term **(financing) contract/agreement** should be clearly mentioned in the Regulation SK (Drafting suggestions): (i) ensuring that each beneficiary is provided with a ~~document~~ **contract** setting out the conditions for support; financing plan, limits of execution and where applicable the method to apply the conditions for payment; SK (Comments): We request that the wording of the text be amended - instead of the term "document", the term "contract" should be used, as the contract is a legally binding document.

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Commission proposal	MS drafting suggestions and comments
(j) ensuring that beneficiaries comply with their obligation to ensure the visibility of the Union support, in accordance with Article 18 of Regulation (EU, Euratom) XX [Performance regulation]	AT (Drafting suggestions): (j) ensuring that beneficiaries comply with their obligation to ensure the visibility of the Union support, in accordance with Article 18 of Regulation (EU, Euratom) XX [Performance regulation] **and may carry out communication with Union citizens,** AT (Comments): As in the past, area- and animal-related CAP interventions should continue to be exempt from publicity obligations. See comment above Article 50 j FI (Drafting suggestions): (i) ensuring that each beneficiary is provided with a document setting out the conditions for support; financing plan, **time** limits of execution and where applicable the method to apply the conditions for payment; FI (Comments):

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Commission proposal	MS drafting suggestions and comments
	If other limits than time is meant, could the COM elaborate as to what those might be? HR (Comments): **HR supports** RO comment: "The requirement to ensure visibility of Union support, in accordance with Article 18 of the [Performance Regulation], should be applied in a proportionate and context-appropriate manner for financial instruments. Given that financial instruments operate through fund managers and financial intermediaries, and may involve a large number of final recipients and loans or equity investments in private companies, direct application of the visibility requirements may not always be applicable in the same way as in the case of grants." "The Regulation should clarify that the obligation applies in a proportionate manner to the specific nature of financial instruments. Article 51(1)(j) – beneficiaries are required to ensure the visibility of Union support. In the case of farmers, is it sufficient for this visibility to be ensured at the farmer's headquarters, or must it also be ensured at the level of each agricultural holding?"

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Commission proposal	MS drafting suggestions and comments
	Please confirm our understanding that Article 18(3) of Regulation (EU, Euratom) XX [Performance Framework Regulation] exempts the implementation of financial instruments under the Plan from the obligation to identify funded projects, regardless of the amount of funding. Furthermore, we support RO comment regarding the need for securing a proportionate and context-appropriate manner for financial instruments under this Article. LT (Drafting suggestions): ~~(j)~~ **(k)** ensuring that beneficiaries comply with their obligation to ensure the visibility of the Union support, in accordance with Article 18 of Regulation (EU, Euratom) XX [Performance regulation] PL (Comments): This point should be reformulated; specific obligations for individual entities should be specified here or in Article 18 of the Regulation. It is difficult to ensure compliance with obligations that have not been defined or are too general. It is not clear what are the obligations in terms of visibility for specific types of beneficiaries.

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Commission proposal	MS drafting suggestions and comments
	SI (Drafting suggestions): **k) submitting payment applications for the plan to the Commission in accordance with Article 65;** **l) providing forecasts of the amount for payment applications to be submitted for the current and subsequent calendar year by 31 January and 30 July in accordance with the template set in Annex X [on payment forecast];** **m) communicating to Union citizens the role, objectives and results of the NRP Plan or part of the NRP Plan in accordance with Article 18 of Regulation [Performance regulation] through a single website portal providing access to all chapters of the NRP Plan pursuant to Article 64(1).**
(k) signing the management declaration referred to in point (a) paragraph 1 of Article 59(1), point (c) (1, point (a) [Annual assurance package] in accordance with the template set out in Annex XII [management declaration];	BE (Drafting suggestions): signing the management declaration**s** referred to in point (a) paragraph 1 of Article 59(1), point (c) (1, point (a) [Annual assurance package] in accordance with the template set out in Annex XII [management declaration**s**];

Commission proposal	MS drafting suggestions and comments
	BE (Comments): It should be possible to work with multiple management declarations. FI (Drafting suggestions): (k) ~~signing~~ **drawing up and providing to the coordinating authority** the management declaration referred to in point (a) paragraph 1 of Article 59(1), point (c) (1, point (a) [Annual assurance package] in accordance with the template set out in Annex XII [management declaration]; FI (Comments): Same phrasing should be used for both MA and PA HR (Comments): Under the CAP the management declaration is signed by the director of the paying agency, please clarify whether this needs to be stated separately for the CAP? LT

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): ~~(k)~~ **(l) preparing and** signing the management declaration referred to in point (a) paragraph 1 of Article 59(1), point (c) (1, point (a) [Annual assurance package] in accordance with the template set out in Annex XII [management declaration]; RO (Comments): For clarity, how will these obligations be correlated with letter (b)? SK (Drafting suggestions): (k) signing the management declaration, **prepared by the managing authority**, referred to in point (a) paragraph 1 of Article 59(1), point (c) (1, point (a) [Annual assurance package] in accordance with the template set out in Annex XII [management declaration]; SK (Comments): **We recommend adding to the text the obligation that the managing authority also prepare the management declaration**, not just sign it.
	BE

Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): **<u>approve territorial development strategies.</u>** BE (Comments): Task moved from coordinating authority to managing authority.
(l) submitting information on the implementation progress of the measures in the Plan as required by Article 58 [Responsibilities of Member States] and Annex IX [Reporting on progress in implementation of measures].	LT (Drafting suggestions): ~~(l)~~ **(m)** submitting information on the implementation progress of the measures in the Plan as required by Article 58 [Responsibilities of Member States] and Annex IX [Reporting on progress in implementation of measures]. MT (Comments): Clarification is required on the level of detail expected on "*implementation progress of the measures in the Plan as required by Article 58*". The Annex appears to contain a classification: • No progress (0 %-estimation • Small progress (33 %- estimation) • Substantial progress (66 %- estimation)

Commission proposal	MS drafting suggestions and comments
	• Fulfilment (100 %) How is this quantified? Does this depend on number of Milestones and targets? SI (Comments): Is it a report within the framework of the Annual assurance package? It is necessary to clearly define who prepares the annual report (MA or PA) and who sends it (MA, PA or Coordination Authority)?
	BE (Drafting suggestions): **(m) communicating to Union citizens the role objectives and results of the relevant chapters of the NRP Plan in accordance with Article 18 of Regulation [Performance regulation] through a single website portal providing access to all chapters of the NRP Plan pursuant to Article 64(1).** BE (Comments): Moved from coordinating authority to managing authority. CZ

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): **m) if relevant, ensuring evaluation of relevant part(s) of the Plan;** **n) implementation of a communication framework for relevant target audiences and chapters of the Plan.** CZ (Comments): CZ proposes adding two points to Article 51(1). Monitoring committee shall approve the evaluation roadmap and be informed on evaluation activities, but the regulation does not define authority responsible for its preparation. The same situation applies to the communication strategy. LT (Drafting suggestions): **(n) submitting payment applications for the plan to the Commission in accordance with Article 65;** **(o) providing forecasts of the amount for payment applications to be submitted for the current and subsequent calendar year by 31 January and 30 July in accordance with the template set in Annex X [on payment forecast];**

Commission proposal	MS drafting suggestions and comments
	(p) submitting to the Commission all the documents requested as part of the annual assurance package referred to in Article 59 [annual package]; LT (Comments): Functions shifted from the previous section on the Coordinating functions
2. Management verifications referred to paragraph 1, point (b) shall be risk-based and proportionate to the risks identified ex ante and in writing.	BE (Drafting suggestions): Management verifications referred to paragraph 1, point (b) shall **include** a risk-based **approach**, proportionate to the risks ~~identified ex ante and in writing~~. BE (Comments): It should also be possible to make a random selection. How the Member State conducts this risk analysis is up to the Member State. A risk analysis implies an ex ante approach. CZ (Comments):

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Commission proposal	MS drafting suggestions and comments
	CZ follows our proposal for the letter b) of the article 51 – in this case the risk-based management verification is exclusively relevant to common management verification in "new letter b), not verification for the purposes of the drawing of the management verification ("new letter c). In case of drawing of the management verification we find useful not to use RBMV because we find this verification is made in the case of specific suspicion on ineligible operation or presence of red flags. FR (Comments): Les critères permettant de considérer que les vérifications sont proportionnées au risque devraient être précisés. HR (Comments): **HR supports** RO comment on Art. 51.2. regarding the possible implementation constraints in case of financial instruments: "For financial instruments, management verifications should be risk-based and proportionate, primarily carried out at the level of the fund manager or implementation organism. Verification of financial intermediaries may be included, while direct checks at the final recipient level are generally not feasible."

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Commission proposal	MS drafting suggestions and comments
	Taking into account that proposed approach for the new period means moving from eligibility-oriented model towards performance-oriented model, which consequently means that also management verification is to be different than in the current period, has the Commission foreseen to prepare a kind of guidance for the MSs? LT (Drafting suggestions): Management verifications referred to paragraph 1, point (b) ~~shall~~ **may** be risk-based and proportionate to the risks identified ex ante and in writing. LT (Comments): Management verification methods should be the MS choice. NL (Drafting suggestions): 2. Management verifications referred to paragraph 1, point (b) shall be risk-based and proportionate to the risks identified ~~ex ante and in writing~~. NL (Comments):

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Commission proposal	MS drafting suggestions and comments
	In line with the spirit of the proposed delivery model which does not regulate the "how to do it" (process) but instead "what must be ensured" (objective); text is verbatim from the new delivery model under the current CAP regime.
3. Management verifications shall include administrative verifications in respect of payment claims made by beneficiaries and on-the-spot verifications of operations. Those verifications shall be carried out before submission of the annual assurance package in accordance with Article 59.	BE (Drafting suggestions): Management verifications shall include administrative verifications in respect of payment claims made by beneficiaries. **Those checks may be supplemented by on-the-spot verifications of operations where relevant.** Those verifications shall be carried out before submission of the annual assurance package in accordance with Article 59. BE (Comments): On-the-spot checks should not be mandatory. Some schemes can be administered 100% administratively, checks can also be carried out using satellite imagery or geotagged photos for area-based aid (cf. Article 70 NRP). CZ

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): 3. Management verifications ~~shall~~ includes administrative verifications ~~in respect of payment claims made by beneficiaries~~ and on-the-spot verifications ~~of operations~~ **of the subject determined and justified by the risk assesment.** Those verifications shall be carried out **and finalised** before submission of the annual assurance package in accordance with Article 59. CZ (Comments): CZ proposes to open the type of verification to all subjects, not only to payment claims and operations. It should be up to MA to determine and justify the subject matter of the verification and its intensity (as in point 2 of the article 50 - RBMV). CZ proposes for the clarity to include the word “finalised”. Carrying out the verification doesn´t mean its concluded (e.g. ineligible cost are cleared out from the payments). FI (Drafting suggestions): ~~3. Management verifications shall include administrative verifications in respect of payment claims made by beneficiaries and on-~~

Commission proposal	MS drafting suggestions and comments
	~~the spot verifications of operations. Those verifications shall be carried out before submission of the annual assurance package in accordance with Article 59.~~ or 3. **Where relevant** management verifications ~~shall~~ **may** include administrative verifications in respect of payment claims made by beneficiaries and on-the-spot verifications of operations. Those verifications shall be carried out before submission of the annual assurance package in accordance with Article 59. FI (Comments): MAs should be able to determine what procedures are appropriate to fulfil their requirements on verifying the fulfilment of milestones and targets and compliance with applicable law. Not all of them require verifications at the level of operations. FR (Drafting suggestions): 3. Management verifications shall include administrative verifications in respect of payment claims made by beneficiaries and on-the-spot verifications of **a sample of** operations. Those verifications shall

Commission proposal	MS drafting suggestions and comments
	be carried out before submission of the annual assurance package in accordance with Article 59. FR (Comments): Il convient de clarifier qu'il n'est pas requis de réaliser des contrôles sur place sur toutes les opérations, mais uniquement sur un échantillon. IE (Comments): **Given the requirement under Article 78 to use FNLC/SCOs for payments up to €400,000, which would be a considerable portion of payments to private beneficiaries, consideration needs to be given to the implications of this for verification and audit processes** **IE request new set of the equivalent of Basic Union requirements.** LU (Comments): Could the COM clarify how 'on-the-spot verifications' align with 51(b), which states that the management authority is not expected to verify the underlying costs. NL

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): 3. Management verifications shall ~~include administrative verifications in respect of payment claims made by beneficiaries and on-the-spot verifications of operations. Those verifications shall be carried out before submission of the annual assurance package in accordance with Article 59.~~ **ensure that a level of checks needed for an effective management of the risks to the financial interest of the Union is carried out. The relevant authority shall draw its check sample from the entire population of applicants comprising, where appropriate, a random part and a risk-based part.** NL (Comments): In line with the spirit of the proposed delivery model which does not regulate the “how to do it” (process) but instead “what must be ensured” (objective); text is verbatim from the new delivery model under the current CAP regime . RO (Drafting suggestions): 3. Management verifications shall include administrative verifications in respect of payment claims made by beneficiaries and on-the-spot

Commission proposal	MS drafting suggestions and comments
	verifications of operations **(where relevant)**. Those verifications shall be carried out before submission of the annual assurance package in accordance with Article 59. RO (Comments): On-the-spot management verifications are not relevant for all types of operations. SE (Drafting suggestions): Management verifications shall include administrative verifications in respect of payment claims made by beneficiaries and on-the-spot verifications of operations. **Where appropriate, managing authorities may make use of relevant technologies assisting them to carry out the on-the-spot verifications remotely.** Those verifications shall be carried out before submission of the annual assurance package in accordance with Article 59. SE (Comments):

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Commission proposal	MS drafting suggestions and comments
	SE believes that the possibility to carry out the on-the-spot verifications remotely should be clearly stated in the regulation. To have this possibility is important for simplification purposes.
	BE (Drafting suggestions): **4. Member States may decide to pay advances to beneficiaries of the interventions in article 35, subject to the specific conditions laid down in delegated act.** BE (Comments): This is provided for in the CAP (V 2021/2116, Art. 44).

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Article 52 ***Functions of the paying agency***	BE (Drafting suggestions): Functions of the **CAP** paying agency BE (Comments): Clarification on the role of the paying agency, as a continuation of what currently exists in the context of CAP. ES (Comments): No automatic extension of the functions of the CAP paying agency to CFP interventions (Article 52 in relation to Article 35.11) should take place without an explicit exclusion clause or a separate governance framework. FR (Comments): La place des dispositions relatives aux organismes payeurs pour la PAC dans le Règlement PPNR ou le règlement PAC sectoriel doit être discutée. IE (Comments):

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Commission proposal	MS drafting suggestions and comments
	We welcome the Presidency's proposal at the AHWP NRP regarding the movement of certain CAP-specific provisions as a starting point to further discussion. In addition to the proposed movement of articles, and in order to ensure consistency, we propose the movement the elements of this article, which reflect pure CAP elements and could be moved while leaving core NRPP structures intact Article must cater for multiple PAs per chapter IE requests the allowance of multiple PAs per chapter, where appropriate, and request the clarification of delegation limits to avoid legal contradictions. Clarity is needed on what programme authorities the Commission envisages for CAP measures, and the functions that are to be assigned to each. PL (Comments): According to the commentary on Article 49(7), the provisions concerning the paying agency should refer exclusively to the Common Agricultural Policy or be transferred to sectoral regulations for the CAP. SK

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Commission proposal	MS drafting suggestions and comments
	(Comments): We suggest this Article to move to the CAP regulation.
	LV (Drafting suggestions): 1.Paying agencies shall be responsible for implementation of interventions related to Common Agricultural Policy. LV (Comments): LV proposes to clarify the article by specifying that the Paying Agency refers to the Common Agricultural Policy.
1. The paying agency shall have an administrative organisation and a system of internal control that complies with internationally recognised standards of internal control and that provides sufficient guarantees that payments are legal, regular and properly accounted for.	BE (Drafting suggestions): **Paying agencies shall be departments or bodies of the Member States and, where applicable, of their regions, responsible for the management and control of expenditure referred to in Article 49 (7).** The paying agency shall have an administrative organisation and a system of internal control that complies with internationally recognised standards of internal control and that provides sufficient guarantees that payments are legal, regular and properly accounted for.

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Commission proposal	MS drafting suggestions and comments
	BE (Comments): Clarification on the role of the paying agency, as a continuation of what currently exists in the context of CAP. Therefore reference to 49(7). FI (Drafting suggestions): The paying agency shall have an administrative organisation and a system of internal control that complies with internationally recognised ~~standards~~ **framework** of internal control and that provides sufficient guarantees that payments are legal, regular and properly accounted for. FI (Comments): It should be clear what is meant. If its question of COSO-model or alike, those are not standards, but framework. Is there a need for a separate internal control, when audit authorities involved in the CAP are several? HR (Comments): Could you clarify the functions of the paying agency in relation to the functions of the managing authorities?

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Commission proposal	MS drafting suggestions and comments
	HR also request an explanation of such major changes to the current system and the distribution of responsibilities between paying agencies and managing authorities for the CAP. This may cause a large administrative burden for MS due to the necessary adjustments to the system and delays in implementation due to the possible need for additional training and allocation of human resources. PT (Drafting suggestions): PT: 1. ~~The paying agency~~ **Paying agencies** shall have an administrative organisation and a system of internal control that complies with internationally recognised standards of internal control and that provides sufficient guarantees that payments are legal, regular and properly accounted for. PT (Comments): PT: According to art.49(1), MS may identify one or more paying agencies. SK (Comments):

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Commission proposal	MS drafting suggestions and comments
	Incompatibility with the key requirements set in ANNEX IV. Without further explanation we consider this point as gold plating.
	BE (Drafting suggestions): **The Commission is empowered to adopt delegated acts in accordance with Article 87 to supplement this Regulation with rules on the minimum conditions for the accreditation with regard to the internal environment, control activities, information and communication and monitoring.** BE (Comments): For the accreditation of paying agencies and coordinating bodies for the agricultural funds specific and detailed accreditation criteria and procedures have been defined in secondary legislation (DA 2022/127 and IA 2022/128). E.g. separate evaluations via an internal audit service, the information systems security shall be certified in accordance with International Standards Organisation 27001: Information Security management systems – Requirements (ISO). Annex IV of the NRP proposal is less detailed and not specific for CAP. Annex IV can be the basis for a delegated act on accreditation criteria.

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Commission proposal	MS drafting suggestions and comments
2. Each Member State shall, taking into account its institutional provisions, restrict the number of its accredited paying agencies to a single paying agency at national level or, where applicable, one per region.	DE (Drafting suggestions): 2. Each Member State shall, taking into account its institutional provisions, restrict the number of its accredited paying agencies to a single paying agency at national level or, where applicable, one per region. **It must be clarly set out for each chapter in the Plan which paying agency is responsible for the respective chapter.** DE (Comments): To build on functioning systems and structures more than on paying agency at national level can be necessary. Member State must have the choice to install paying agencies as well per chapter. This can lead to more than on paying agency at national level. FR (Drafting suggestions): 2. Each Member State shall, taking into account its institutional provisions, restrict the number of its accredited paying agencies to a single paying agency at national level or, where applicable, one per region. **Member States may maintain the paying agencies which have been accredited before 15 October 2020, provided that they comply**

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Commission proposal	MS drafting suggestions and comments
	with the minimum conditions for accreditation referred to in the first paragraph of this Article. FR (Comments): Il est nécessaire de clarifier dans le règlement que les organismes payeurs agréés pour la mise en œuvre de la programmation 2023-2027 peuvent être maintenus comme l'a assuré la Commission dans ses réponses aux Etats membres. Dans cet objectif, la disposition correspondante figurant à l'article 9.2 du rgt (UE)2021/2116 doit être reprise dans ce paragraphe. IE (Drafting suggestions): Each Member State shall, taking into account its institutional provisions, restrict the number of its accredited paying agencies to a single paying agency at national level or, where applicable, one per region **or per chapter of the Plan**. **Should the Member State identify a paying agency for a particular chapter of the Plan, the Member State may assign the functions of that paying agency to the Managing Authority which is responsible for that particular chapter of the Plan.** IE (Comments):

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Commission proposal	MS drafting suggestions and comments
	As drafted this article appears contradictory to provisions in Article 49 where it is suggested that there can be multiple paying agencies. Greater clarity is needed because the paying agency can delegate all its functions except payment. Noting the above this provision is amended to provide for a paying agency for a chapter of the plan (which is relevant to small Member States and those without appropriate regional structures. It also provides consolidation of paying agency functions in relation to a Chapter into a Managing Authority to reduce the number of layers in an administrative structure. IT (Drafting suggestions): Each Member State shall, taking into account its institutional provisions, restrict the number of its accredited paying agencies to a single paying agency at national level or, where applicable, one per region, **without prejudice to the currently existing CAP paying agencies** IT (Comments): It would be appropriate to add that the existing CAP PAs be safeguarded, so as to maintain the current structure and procedures.

Commission proposal	MS drafting suggestions and comments
	LT (Drafting suggestions): Each Member State shall, taking into account its institutional provisions, ~~restrict the number of its accredited paying agencies to a single~~ **appoint one or more** paying agency**ies** ~~at national level or, where applicable, one per region.~~ LT (Comments): This appears to contradict provisions in Article 49 where it is suggested that there can be one or more paying agencies, we suggest clarifying that a member state might appoint one or more paying agencies. PL (Drafting suggestions): Each Member State shall, taking into account its institutional provisions, restrict the number of its accredited paying agencies to a single paying agency **for the Plan or a part thereof** at national level or, where applicable, one per region. PL (Comments):

Commission proposal	MS drafting suggestions and comments
	It should be possible to establish a separate paying agency for parts of the Plan, in particular the part concerning the CAP. PT (Drafting suggestions): PT: ~~2. Each Member State shall, taking into account its institutional provisions, restrict the number of its accredited paying agencies to a single paying agency at national level or, where applicable, one per region.~~ PT (Comments): PT: Portugal has already in place a robust system for the payment of CAP measures and cohesion type measures. Merging two payment institutions does bring any added value and might lead to high transition costs. The MS should decide what is the best institutional set up to achieve the goals and apply the requirements of the regulation. At least a specific paying agency to the CAP measures, namely taking into account the wording of article 49 (7) must be considered as a possibility. RO (Comments):

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Commission proposal	MS drafting suggestions and comments
	According to these provisions, MS limits the number of paying agencies to a single agency at national level, taking into account the institutional provisions of each MS. Please clarify what the phrase "taking into account its institutional provisions" refers to. In the case of RO, which currently manages the CAP at national level, through two paying agencies, do the provisions of paragraph 2 allow for maintaining their number? Romania, in the period 2021-2027, entrusted the implementation of the CAP Strategic Plan 2023-2027 to the following authorities responsible for implementing the CAP: - a managing authority – Ministry of Agriculture and Rural Development (MARD) – DGDR AM PNDR; - a competent authority – ACAPOC - MARD - two paying agencies – APIA (for EAGF) and AFIR (for EAFRD) - a coordinating body – MARD – DCAP - a certification body authorities which, based on all available audit results, the Commission has not called into question the effective functioning of these authorities, in accordance with art. 49 point 2 of the Regulation, these authorities are considered to comply with the key requirements.

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Commission proposal	MS drafting suggestions and comments
	Given the administrative structure of the Member State, the volume and complexity of the management of CAP funds, the need to maintain efficient and accessible services for beneficiaries, as well as the imperatives of compliance and technical specialization, the Regulation must provide a **proportionate, appropriate and effective solution to guarantee the correct implementation of the CAP.** SI (Drafting suggestions): Each Member State shall, taking into account its institutional provisions, restrict the number of its accredited paying agencies to a single paying agency at national level or, where applicable, one per region **or one per Fund**. SI (Comments): Greater flexibility is needed in order to make use of the existing structures that have been developed over several programming periods.
3. In relation to the measures referred to in Article 35 [CAP type of interventions], the paying agency shall perform the tasks of the managing	BE (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
authority listed in Article 51(1) [managing authority], points (b), (c), (f), (g), (h), (i), (j) and (k) and (2) and (3) of that Article.	3. In relation to the measures referred to in Article 35 [CAP type of interventions], the paying agency shall perform the tasks of the managing authority listed in Article 51(1) [managing authority], points (b), (c), (f), (g), (h), (i), (j) and (k) and (2), ~~and~~ (3) **and (4)** of that Article. BE (Comments): The wording of 52.3 'perform' does not clearly delineate the responsibilities in implementing the CAP between paying agencies and management authorities. It is not clear if there is a difference between performing tasks by PAs in art 52.3 and responsibilities/functions of MAs in article 51. In other words: Can the COM confirm that the MA for CAP does nothing for 51.1.b, c, f-k, 2, 3? Use another verb? CZ (Drafting suggestions): 3. In relation to the measures referred to in Article 35 [CAP type of interventions], the paying agency shall perform the tasks of the managing authority listed in Article 51(1) [managing authority], points (b), (c), ~~(f),~~ (g), (h), (i), (j) and (k) and (2) and (3) of that Article. CZ

Commission proposal	MS drafting suggestions and comments
	(Comments): CZ proposes to amend Article 52(3). Point f) – strengthening the administrative capacity of intermediate bodies (if relevant), and beneficiaries, and promoting policy learning and experimentation - should be a responsibility of MA, not PA. FR (Comments): **Cette disposition doit-elle être comprise comme s'appliquant également au point 11 de l'article 35 relatif aux interventions de la politique commune de la pêche ou seulement aux interventions relevant de la PAC ?** IT (Drafting suggestions): **In relation to Article 51(1), point (e), the supervision of intermediate bodies shall also be ensured by the paying agency, insofar as tasks have been delegated to such bodies under this Article.** **In relation to Article 51(1), point (f), the strengthening of the administrative capacity of intermediate bodies shall remain a shared responsibility between the managing authority and the paying agency.**

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Commission proposal	MS drafting suggestions and comments
	In relation to Article 51(1), point (i), where the managing authority is responsible for launching calls for proposals and selecting beneficiaries, it shall also ensure that beneficiaries are duly informed of the conditions governing CAP support. IT (Comments): Regarding to the transfer of functions from Managing Authorities to CAP Paying Agencies, we make following observations: • **Article 51.1, letter e):** Supervision of Intermediate Bodies should also be responsibility of Paying Agencies and not just MAs, given that PAs can also delegate their tasks. • **Article 51.1, letter f):** Strengthening the administrative capacity of Intermediate Bodies should also be responsibility of Managing Authorities. • **Article 51.1, letter i):** Since MAs are responsible for publishing calls for proposals and selecting beneficiaries, they should also be required to inform beneficiaries of the conditions of CAP support. MT (Comments): In relation to Agri, for non-IACS type measures, in relation to point (i), this is normally MA remit and should remain so.

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Commission proposal	MS drafting suggestions and comments
	PL (Drafting suggestions): 3. In relation to the measures referred to in Article 35 [CAP type of interventions], the paying agency ~~shall~~ **may** perform the tasks of the managing authority listed in Article 51(1) [managing authority], points (b), (c), (f), (g), (h), (i), (j) and (k) and (2) and (3) of that Article. PL (Comments): The decision on how to divide the responsibilities should be left to Member State.
The paying agency may delegate the performance of its tasks, with the exception of making payments.	FR (Drafting suggestions): The paying agency may delegate the performance of its tasks, with the exception of making payments. **Arrangements between the paying agency and its delegates shall be recorded in writing. The tasks delegated shall not be entrusted further to other bodies.** PT (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	PT: ~~The paying agency~~ **Paying agencies** may delegate the performance of its tasks, with the exception of making payments. PT (Comments): PT: According to art.49(1), MS may identify one or more paying agencies. Additionally, does this mean that only Paying Agencies related with CAP type of intervention could delegate tasks, since other paying agencies only have the function to make payments?
4. The paying agency shall provide the coordinating authority with the necessary information for the purpose of Article 50, points (c), (e) and (f) of Regulation [CA].	BE (Drafting suggestions): 4. The paying agency shall provide the coordinating authority **through SFC** with the necessary information for the purpose of Article 50, points (c), (e) and (f) of Regulation [CA]. BE (Comments): The paying agency should be able to upload in SFC as a separate file on the interventions/payments it is responsible for. As is the case today for CAP.

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Commission proposal	MS drafting suggestions and comments
	HR (Comments): It would be simpler and faster if the paying agency submits payment applications, forecasts and management declaration directly to the COM, as it is now, and the coordinating body receives information about this data. IE (Comments): **This appears to be contradictory to 51(b).** IT (Drafting suggestions): 4. The paying agency shall provide the coordinating **managing** authority **in charge of the chapter** with the necessary information for the purpose of Article 50, points (c), (e) and (f) of Regulation [CA]. IT (Comments): The flow of data must be ensured towards the managing authority responsible for the Chapter so that it can properly carry out its functions LT

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): The paying agency shall provide the **authority assigned with a coordinating** ~~authority~~ **function** with the necessary information for the purpose of Article 50, points (c), (e) and (f) of Regulation [CA]. PT (Drafting suggestions): PT: 4. ~~The paying agency~~ **Paying agencies** shall provide the coordinating authority with the necessary information for the purpose of Article 50, points (c), (e) and (f) of Regulation [CA]. PT (Comments): PT: According to art.49(1), MS may identify one or more paying agencies. SI (Drafting suggestions): 4. The paying agency shall provide the ~~coordinating~~ **management** authorit~~y~~**ies** with the necessary information for the purpose of Article 5~~0~~**1**, points (**x**~~c~~), (**x**~~e~~) and (**x**~~f~~) of Regulation [CA]. SK

Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): The paying agency shall provide the coordinating authority **or the coordinating mechanism** with the necessary information for the purpose of Article 50, points (c), (e) and (f) of Regulation [CA]. SK (Comments): Formal adjustment in case of acceptance of the drafting suggestion to Article 49(3).
The person in charge of the paying agency shall draw up and provide to the coordinating authority the management declaration referred to in Article 59(1), point (c), of this Regulation [Submission of the annual assurance package].	IT (Drafting suggestions): The person in charge of the paying agency shall draw up and provide **[**to the coordinating authority**]** the management declaration referred to in Article 59(1), point (c), of this Regulation [Submission of the annual assurance package]. LT (Drafting suggestions): The person in charge of the paying agency shall draw up and provide to the ~~coordinating~~ **managing** authority the management declaration

Commission proposal	MS drafting suggestions and comments
	referred to in Article 59(1), point (c), of this Regulation [Submission of the annual assurance package]. PT (Drafting suggestions): PT: The person in charge of **each** ~~the~~ paying agency shall draw up and provide to the coordinating authority the management declaration referred to in Article 59(1), point (c), of this Regulation [Submission of the annual assurance package]. PT (Comments): PT: According to art.49(1), MS may identify one or more paying agencies. SI (Drafting suggestions): The person in charge of the paying agency shall draw up and provide ~~to the coordinating authority~~ the management declaration referred to in Article 59(1), point (c), of this Regulation [Submission of the annual assurance package]. SK

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): The person in charge of the paying agency shall draw up and provide to the coordinating authority **or the coordinating mechanism** the management declaration referred to in Article 59(1), point (c), of this Regulation [Submission of the annual assurance package]. SK (Comments): Formal adjustment in case of acceptance of the drafting suggestion to Article 49(3).
5. Each Member State shall continuously monitor the compliance of the paying agency with the requirements laid down in paragraph 1 and be in charge of issuing, reviewing and withdrawing their accreditation.	BG (Drafting suggestions): **The competent authority under art. 49** in each Member State shall continuously monitor the compliance of the paying agency with the requirements laid down in paragraph 1 and be in charge of issuing, reviewing and withdrawing their accreditation. DE (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	5. Each Member State **or region, where applicable,** shall continuously monitor the compliance of the paying agency with the requirements laid down in paragraph 1 and be in charge of issuing, reviewing and withdrawing their accreditation. HR (Comments): It is necessary to clarify whether a decision by the MS is required on the body in the system that will have the role of Competent Authority and which will perform the task of supervising the work of the paying agencies referred to in paragraph 1 and supervising the fulfilment of the accreditation criteria. We also point out that the independence in the work of the body that will perform the supervision of the paying agency is not prescribed, which we consider necessary. Please also clarify whether a new accreditation of the paying agencies is required. Each Member State shall, taking into account its institutional provisions, restrict the number of its accredited paying agencies to a single paying agency at national level or, where applicable, one per region. Does this paragraph refer only to CAP chapters and implementation structures or to all chapters and all implementation structures?

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	IE (Comments): **What is the relationship (if any) between the Coordinating Authority and the paying agency** LU (Comments): **What institution at MS level is in charge of supervising PA compliance with rules and withdraw accreditation if necessary?** RO (Comments): Given that the proposed Regulation does not maintain the current regulation regarding the existence of the "competent authority" responsible for the accreditation of the paying agency, but obliges the MS to continue monitoring the PA from the perspective of compliance with the accreditation criteria/principles (issuance, review, withdrawal of the PA accreditation), we consider that it is necessary for the COM to clarify the structure responsible for issuing, reviewing and withdrawing accreditation. If the Commission's interpretation of the response to the comment on point 2 above is that MS can only have one PA at national level, in the event of

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	a possible unification of paying agencies, accreditation for the new paying agency is implicitly required. In view of the above, can/should such a structure at ministerial level, responsible for accreditation, be maintained? We note that the current text, which indicates that MS have this responsibility, is ambiguous. At the same time, please clarify how these provisions on the accreditation of the paying agency correlate with those in art. 49 paragraph (2).
Where the Member State has determined that an accredited paying agency no longer respects one or more of the requirements laid down in paragraph 1 in a manner that affects the fulfilment of its tasks, the Member State shall put the paying agency's accreditation under probation without delay. It shall draw up a plan including actions and deadlines to remedy the deficiencies found within a period to be determined according to the severity of the problem. That period which shall not exceed 12 months from the date on which the accreditation is put under probation. In duly justified cases, the Commission may, upon request of the Member State concerned, grant an extension of that period.	BG (Drafting suggestions): Where **the competent authority** has determined that an accredited paying agency no longer respects one or more of the requirements laid down in paragraph 1 in a manner that affects the fulfilment of its tasks, the Member State the competent authority shall put the paying agency's accreditation under probation without delay. It shall draw up a plan including actions and deadlines to remedy the deficiencies found within a period to be determined according to the severity of the problem. That period which shall not exceed 12 months from the date on which the accreditation is put under probation. In duly justified cases, the

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	Commission may, upon request of the Member State concerned, grant an extension of that period. DE (Drafting suggestions): Where the Member State **or region, where applicable,** has determined that an accredited paying agency no longer respects one or more of the requirements laid down in paragraph 1 in a manner that affects the fulfilment of its tasks, the Member State **or region, where applicable,** shall put the paying agency's accreditation under probation without delay. It shall draw up a plan including actions and deadlines to remedy the deficiencies found within a period to be determined according to the severity of the problem. That period which shall not exceed 12 months from the date on which the accreditation is put under probation. In duly justified cases, the Commission may, upon request of the Member State **or region, where applicable,** concerned, grant an extension of that period. IE (Comments): **Clarification is needed on whether the probation period will affect delivery of the paying agency's functions**

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Article 53 ***Functions of the audit authority***	IE (Comments): **We welcome the Presidency's proposal at the AHWP NRP regarding the movement of certain CAP-specific provisions as a starting point to further discussion. In addition to the proposed movement of articles, and in order to ensure consistency, we propose the movement the elements of this article, which reflect pure CAP elements and could be moved while leaving core NRPP structures intact**

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	PL (Comments): Paragraphs 1-3 define the scope of the tasks/responsibilities of the Auditing Authority (IA), the types of audits to be performed by the AA, and the scope of the audit opinion. These tasks relate, among other things, to examining (and issuing an opinion on) the legality and regularity of "underlying transactions." At the same time, the AA cannot base its examination on an analysis of "underlying costs." Furthermore, paragraph 1 indicates that the AA is to conduct system audits and audits of the achievement of milestones and objectives. At the same time, this paragraph indicates that these audits are intended to ensure effective use of funds in accordance with applicable law. Since audits conducted by the AA are to consist solely in verifying the achievement of milestones and objectives, i.e., solely the actual implementation of tasks/activities envisaged in the projects, it seems justified to indicate in the aforementioned article (or another binding document constituting guidelines for the AA to conduct audits of the achievement of milestones and objectives) how they should be conducted, since at the same time, as a result, the European Commission expects to receive an opinion from the AA pursuant to Article 53, paragraph 2 letter a (iii), that the funds allocated for the above-mentioned purposes/activities were used in accordance with applicable law.

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	RO (Comments): The explanations provided by the Commission regarding the interaction between AA functions and the provision specifying that the MA must not verify the underlying operations should be better reflects in the legal text, for legal certainty, to avoid raising the same questions again and again.
1. The audit authority shall be responsible for carrying out audits on the fulfilment of milestones and targets, and system audits in order to provide assurance to the Commission regarding the effective functioning of the management and control systems, including whether the management and control systems ensure the legality and regularity of the underlying transactions and the effective and timely protection of the financial interests of the Union. The audits shall provide assurance on the effective use of funds in compliance with the applicable law.	AT (Comments): Audits on the "fulfilment of milestones and targets" introduce an additional audit objective (from the ARF). At the same time, the old audit objective of legality and regularity remains in place. It is feared that this will result in a duplication of requirements from a performance-oriented system and a cost-based system, which will also entail an expansion of audit tasks and contain contradictions. Therefore, we believe that establishing a uniform audit system (either 'verification of legality and regularity' or 'verification of the functioning of management and control systems based on the basic requirements of the Union') would be necessary in order not to increase the audit burden unnecessarily.

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	The regulations mix up different audit models, which have different effects in terms of error assessment. For example, the error calculation for the audit of 'milestones and targets' and the effectiveness of the management and control system (flat-rate correction plus calculation of the residual risk) is different from the error calculation for the audit of legality and regularity, which is based on costs (and extrapolation of errors detected) BE (Comments): Question: What is meant with 'the effective functioning of the management and control systems'. How will this be judged? DE (Drafting suggestions): 1. The **responsible** **national or regional** audit authority **is the competent authority for audits and controls in view of legality and reularity.** **It** shall be responsible for carrying out audits on the fulfilment of milestones and targets, and system audits in order to provide assurance to the Commission regarding the effective functioning of the management and control systems, including whether the management and control systems ensure the legality and regularity of the underlying transactions

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	and the effective and timely protection of the financial interests of the Union. The audits shall provide assurance on the effective use of funds in compliance with the applicable law. DE (Comments): The single audit principle needs to be strengthened to avoid a duplication of audit work through European institutions. If national authorities comply with key requirements according to Art. 49, they are the competent authority for audits. A clarification as to the definition of "applicable law" and the extend of its scope is needed. The effect on simplification by a performance-based approach will be reduced significantly if there will still be an intensive effort to review detailed requirements of public procurement or state aid or FNLC in each underlying project. Due to certain thresholds, a verification of underlying expenditure seems to be inevitable which contradicts the intended effect. DE: The scope of audit is unclear. With this wording the previous audit system remains and on top the audit authority is responsible for audits on the fulfilment of milestones and targets. COM please provide details where exactly the simplification is to find. In the absence of provisions on

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	sampling, audit work might even increase to verify each milestone and target. Since there can possibly be up to six payment claims in each financing year, the AA will have to audit continuously in very short time frames - especially between the last payment claim by the end of October and the proposed deadline of February 15th. It seems crucial to define the extent of assurance of the compliance with the applicable law within the audits of milestones and targets to estimate the exhaustiveness and timeframe of sufficient auditing. If there has to be an equal level of assurance comparable to the current audits of operations (funding period 21-27), the time frame will not be sufficient. Either the assurance will have to be deduced from system audits or the deadlines or n+1 rule have to be extended. FI (Drafting suggestions): The audit authority shall be responsible for carrying out audits on the fulfilment of milestones and targets, and system audits in order to provide assurance to the Commission regarding the effective functioning of the management and control systems, including whether the management and control systems ensure the legality and regularity of the underlying transactions and the effective and timely protection of the financial interests of the Union. The audits shall provide assurance on the effective

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	use of funds in compliance with the applicable law**, taking into account circumstances beyond the control of the beneficiary.** **For the purpose of audits, the audit authority shall have access to all necessary records, documents and metadata, irrespective of the medium in which they are stored, relating to the plan implementation, including operations supported by the Fund or to management and control systems and shall receive copies in the specific format requested. The audit authority may request supplementary information and perform on-the-spot audits** FI (Comments): 1. FI amendment proposal: Agri-environmental measures are not black-white and their result cannot be guaranteed for example due to adverse weather conditions. Grass cover is useful even if is not the exactly fulfilling the eligibility conditions of some measure. At the moment ambitious conditions for measures are a risk for financial corrections. 2. FI amendment proposal: The audit authority's right to access information should be aligned with Commission's access as defined in Art 60 (4). HR

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	(Comments): According to our understanding, audit authority performs both types of audits *to provide assurance on the effective use of funds in compliance with the applicable law*. We believe that this is rather excessive statement given that audits on the fulfilment of milestones and targets, as we understand, will not be as "full-scope" audits as the previous audits of operations, while the management verifications, which are audited as part of the system audits, will be risk-based and the managing authority is not expected to verify the underlying costs of the operations. Also, *the audit authority is not expected to verify the underlying costs of the operations for the purpose of its audit work* (Article 53(4)). Therefore, it would be necessary to define more clearly and precisely at least the objectives and scope of the audits on the fulfilment of milestones and targets, as the audit authority is required to obtain *assurance on compliance with the applicable law*, which is much broader than, for example, audits of public procurement and state aid, as an example of areas that are later explicitly mentioned in Article 58(1) relating to responsibilities of Member States. HU

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): The audit authority shall be responsible for carrying out audits on ~~the fulfilment of milestones and targets~~ **the compliance with rules set out in this Regulation**, and system audits in order to provide assurance to the Commission regarding the effective functioning of the management and control systems, including whether the management and control systems ensure the legality and regularity of the underlying transactions and the effective and timely protection of the financial interests of the Union. The audits shall provide assurance on the effective use of funds in compliance with the applicable law. HU (Comments): Based on the practice of the current programming period of the CAP the "audit authority" corresponds to the certifying body. Paragraph 1 states that the audit authority shall carry out audits on the fulfilment of milestones and targets, which was not previously a task of the certification body in relation to the CAP. The certification body should only check compliance with the rules, but the issue of targets and milestones should remain something that the Member States agrees on with the Commission.

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	IE (Comments): If a managing authority appoints a new intermediate body, is that body subject to a full systems audit prior to payment application? Does that impact eligibility of expenditure prior to that audit? If remedial actions are needed are there any consequences for payment applications (such as timeframe)? Must the audit authority confirm the accuracy and reliability of performance data on outputs and results for the entire NRPP or can a different audit authority designated to each chapter provide assurance on that element of the plan? Is there an expectation that the audit authority may need to look at State Aid? If so this is an expansion of the remit of the audit authority under CAP. Request clarity on what it means when the commission does not expect full cost verification per item Are multiple audit authorities per plan, i.e., one per chapter? Can elements of the audit authority functions be delegated to private bodies, within chapters. For example, in Agriculture we have the CB for CAP and Audit

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	Authority for Fisheries. Does it have to be one or the other, or can both exist? If the MA appoints a new IB, is it subject to a full systems audit before the claim can be submitted? Or is this stipulation regarding a full systems audit specific to newly appointed MAs. If multiple audit authorities permitted, is the coordinating audit authority responsible for submitting the opinion. If there is a delay in submitting an opinion on any of the chapters in the NRPP by any of the audit bodies will that impact all chapters or only the one concerned – or must there be one audit opinion be the coordinating authority for the entire plan? IT (Drafting suggestions): The audit authority shall be responsible for carrying out audits on the fulfilment of milestones and targets, and system audits in order to provide assurance to the Commission regarding the effective functioning of the management and control systems, including whether the management and control systems ensure the legality and regularity of the underlying transactions and the effective and timely protection of the financial interests of the Union. ~~The~~ **System** audits shall provide assurance on the

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	effective use of funds in compliance with the applicable law, **carrying out control tests on a sample basis** IT (Comments): The assurance on the effective use of funds in compliance with the applicable law should not be provided by a further audit, since there are only two audits (on fulfilment of milestone and targets and system audits). System audits (with control tests) should be the only way to provide the aforementioned assurance. Common guidance would be needed on the modalities for auditing milestones and targets, in order to ensure consistent approaches across Member States (e.g.: what level of detail is expected when verifying result evidence? Is a physical/technical validation of milestones required, or only a documentary one? To what extent will the Audit Authority be required to verify the plausibility of the data against statistical sources or external indicators?). LU (Comments): Clarify how internationally accepted audit standards align with the fact that the managing authority is not expected to verify the underlying costs

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	of operations (51(1)(b)), while the Audit Authority ensures the legality and regularity of the underlying transactions, all in accordance of the 'single audit' principle. The audit authority should also carry out audits on the fulfilment of milestones. Do they also look at the reasons for deviation, evaluation of the deviation, consider justifications or is this the task of the Managing authority? NL (Drafting suggestions): 1. The audit authority shall be responsible for carrying out audits on the fulfilment of milestones and targets, and system audits in order to provide assurance to the Commission regarding the effective **and efficient** functioning of the management and control systems, including whether the management and control systems ensure the legality and regularity of the underlying transactions and the effective ~~and timely~~ protection of the financial interests of the Union. The audits shall provide assurance on the effective use of funds in compliance with the applicable law. NL (Comments):

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	In line with the spirit of the proposed delivery model which must ensure that Member States implement the policy in an efficient manner by doing so protecting the financial interest of the Union; text is verbatim from the new delivery model under the current CAP regime. PL (Drafting suggestions): The audit authority shall be responsible for carrying out audits on the fulfilment of milestones and targets, and system audits in order to provide assurance to the Commission regarding the effective functioning of the management and control systems, including whether the management and control systems ensure ~~the legality and regularity of the underlying transactions~~ the effective ~~and timely~~ protection of the financial interests of the Union. The audits shall provide assurance on the ~~effective~~ use of funds in compliance with the applicable law. PL (Comments): 1.The requirements in Article 53(1) regarding transaction testing appear inconsistent with the provisions of the Regulation, which indicate that there is no need to verify underlying costs.

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	2. The phrase "timely protection of financial interest" is not clear. The procedures shall ensure timely reaction to events, which will lead to the conclusion that there are effective procedures in place. Therefore, it is suggested to delete the phrase and refer only to effective procedures. 3. The intention is not clear what is meant by "**effective** use of funds in compliance with applicable law". Shall "effectiveness" be connected with applicable law or the issues shall be understood separately- effective use and in compliance with applicable law (comma and "and" missing?). Annex IV "Key requirements" does NOT refer to effectiveness either, in any of the key requirements. It is suggested to delete the word from the article. SE (Drafting suggestions): 1. The audit authority shall be responsible for carrying out audits on the fulfilment of milestones and targets, and system audits in order to provide assurance to the Commission regarding the effective functioning of the management and control systems, including whether the management and control systems ensure compliance with **applicable law/legislation** ~~the legality and regularity of the underlying transaction~~s and the effective and timely protection of the financial interests of the

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	Union. The audits shall provide assurance on the effective use of funds in compliance with the applicable law. SE (Comments): The requirements for audit and control need to be adapted to the fact that the NRP will be implemented through a performance-based model. Auditing underlying transactions pertains to the cost-based model and is not a requirement according to 53.4.
2. The audit authority shall draw up:	DE (Drafting suggestions): 2. The audit authority shall **for the chapter, it is tasked with,** draw up:
(a) an annual audit opinion for the purposes of Article 63(7) of Regulation (EU, Euratom) 2024/2509 in accordance with the template set out in Annex XIII of this Regulation which shall establish whether	BE (Drafting suggestions): an annual audit opinion, **or where relevant audit opinions,** for the purposes of Article 63(7) of Regulation (EU, Euratom) 2024/2509 in accordance with the template set out in Annex XIII of this Regulation which shall establish whether

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	BE (Comments): It should be possible to work with multiple audit opinions. DE (Comments): DE: The deadlines in the current GAP are already too short to audit and draw an annual opinion. In the new draft are even more authorities to involve. The time table should be realistic or additional summaries without added value should be deleted in the proposal. The annual audit opinion (Article 53 (2) a) for the NRPP should be designed in such a way that a separate audit opinion can be provided for each chapter, but also that a summary of the audit opinion for individual chapters is possible. An overall summary of all audit opinion for the whole NRPP should be possible purely editorial in nature and only provided to the extent necessary and to a degree that requires very little lead time. This means that it should be possible for the audit opinion to be provided decentralized within the scope of the respective responsibilities and liabilities.

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(i) data entered in the payment applications submitted for the reference period as referred to Article 59(1), point (a), [assurance package] are complete, accurate and reliable;	AT (Comments): There needs to be a clarification whether this has to be carried out after the payment application has been sent or before sending HR (Comments): In 53(1) it is stated that *the audit authority shall be responsible for carrying out audits on the fulfilment of milestones and targets and system audits*. Based on which audit activity should the audit authority obtain evidence for this element of opinion? RO (Comments): ***Comment for CAP:*** *According to the provisions, the AA checks whether the amounts entered in the payment applications are correct, complete and reliable, the payment applications replacing the accounts of the current period. However, an important element in the architecture of the checks of the 2021-2027 programming period concerned the drawing up of debt instruments and the tracking of debits. In the new regulatory framework, it is not very clear whether, as regards the annual debits, in relation to*

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	the EC, the system of withdrawals/deductions from the payment applications is maintained (as used in the case of the structural funds), or they are to be deducted from the payment applications as they are recovered (the system of recoveries, specific to the CAP SP of the current period).
(ii) the management and control systems function properly and ensure the effective and timely protection of the financial interests of the Union and the legality and regularity of the underlying transactions;	MT (Comments): If the Managing Authority is not bound to verify underlying transactions, why is the Audit Authority being asked to test the legality and regularity of underlying transactions? NL (Drafting suggestions): the management and control systems function properly and ensure the effective ~~and timely~~ protection of the financial interests of the Union ~~and the legality and regularity of the underlying transactions;~~ NL (Comments):

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	As of the moment that there is effective protection which must be ensured and reported upon annually in the assurance package, it is *de facto* timely. "Timely" would give margin of interpretation and could thus undermine the objective of protecting the financial interest of the Union; text is verbatim from the new delivery model under the current CAP regime. Suggestion to prevent an explicit mention of transactions, this would lead to a double administrative burden: both performance based and cost-based. PL (Drafting suggestions): (ii) the management and control systems function properly and ensure the effective ~~**and timely**~~ protection of the financial interests of the Union ~~**and the legality and regularity of the underlying transactions;**~~ PL (Comments): The phrase "timely protection of financial interest" is not clear. The procedures shall ensure timely reaction to events, which will lead to the conclusion that there are effective procedures in place. Therefore, it is suggested to delete the phrase and refer only to effective procedures.

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	Please delete or clarify (by providing reference in the draft) what is meant by verifying "underlying transactions", in view of art. 53.4 (AA is not expected to verify underlying costs of operation".] SE (Drafting suggestions): (ii) the management and control systems function properly and ensure the effective and timely protection of the financial interests of the Union **and compliance with applicable law/legislation. ~~the~~** ~~legality and regularity of the underlying transactions;~~ SE (Comments): The requirements for audit and control need to be adapted to the fact that the NRP will be implemented through a performance-based model. Auditing underlying transactions pertains to the cost-based model and is not a requirement according to 53.4.
(iii) the use of funds is compliant with the applicable law;	HR (Comments):

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	In 53(1) it is stated that *the audits shall provide assurance on the effective use of funds in compliance with the applicable law*. Is here the word "effective" intentionally omitted? IT (Drafting suggestions): (iii) the use of funds, **<u>on the basis of the results of system audits</u>**, is compliant with the applicable law; IT (Comments): See comment on paragraph 1.
(iv) whether the audit work puts in doubt the assertions made in the management declaration.	
(b) a summary of the audits carried out as referred to in Article 59(1), point (b), [Assurance package] including an analysis of the nature and extent of the weaknesses identified and any corrective action taken or planned;	DE (Comments): The summary of audits (Article 53 (2) b) for the NRPP should be designed in such a way that is described above for the audit opinion (see (Article 53 (2) a).

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	We request a clarification whether the summary of audits is essentially an equivalent to the control report of the 2021-2027 programming period or whether it is based on the annual summary of the MA of the 2014-2020 programming period? Will there be a template on the summary of the audits in the annex of the regulation?
	DE (Drafting suggestions): **(c) The documents mentioned in paragraph 2, letters a) and b) may, in particular in federally organized member states, be created and submitted separately by the responsible region for each chapter. In this case the overall summaries are purely editorial in nature and not subject to any further audit activity at federal level.** DE (Comments): German constitutional law, notably budgetary independence between states and the federal level, does simply not allow for a common assurance package and other audit documentation as mentioned in this article. Without a clarification as suggested here, federal MS will not be able to carry out their audit work.

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Audit work shall be carried out in accordance with internationally accepted audit standards.	DE (Comments): It should be clarified that audit work can be based on appropriate samples. FI (Drafting suggestions): Audit work shall **only be** carried out in accordance with internationally accepted audit standards FI (Comments): Clarity is needed. No extra requirements from different DGs. HR (Comments): If the audit authority follows INTOSAI standards, could you please clarify what types of audits according to these standards (financial and/or compliance and/or performance) are especially the *audits on the fulfilment of milestones and targets*, but also the *system audits*.
	BE (Drafting suggestions):

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	In respect with the coordinating arrangement presented in art. 49(5), there can be several annual audit opinions provided by the different audit authorities, and may be organised by chapters. The audit opinions should be considered as independent from one another, and should therefore only impact the chapter it covers.
3. The audit authority shall prepare an audit strategy based on a risk assessment, taking into account the management and control system description provided for as required in Article 22(2), point (m), covering system audits, and audits regarding the milestones and targets, and the effective use of funds in compliance with applicable law. All newly identified managing authorities shall be subject to a system audit before the submission of the first payment application.	BE (Drafting suggestions): The audit authority shall prepare an audit strategy based on a risk assessment~~, taking into account the management and control system description provided for as required in Article 22(2), point (m)~~, covering system audits, and audits regarding the milestones and targets, and the effective use of funds in compliance with applicable law. All newly identified managing authorities shall be subject to a system audit **before the submission of payments in the** payment application. **In the event that multiple audit authorities have been designated for the plan, each of them may develop their own strategy.** All newly identified managing authorities shall be subject to a system audit before the submission of the**ir** first payment application. BE (Comments):

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	One new MA should not block the submission of payments of all the existing MA and PA. New MA can also start during the programming period. DE (Comments): The risk assessment and the development of the audit strategy (Article 53 (3)) for the NRPP should be designed in such a way that a separate assessment and strategy can be prepared for each chapter, but a joint review for more than one individual chapter is also possible. The risks in different chapters may vary due to the technical breadth and differing structures. Please clarify what extent of audit work is expected since the audit of operations is replaced by the audit of milestones and targets. FR (Drafting suggestions): 3. The audit authority shall prepare an audit strategy based on a risk assessment, taking into account the management and control system description provided for as required in Article 22(2), point (m), covering system audits, and audits regarding the milestones and targets, and the effective use of funds in compliance with applicable law. All newly

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	identified managing authorities shall be subject to a system audit before the submission of the first payment application. **The audit authority informs annually the managements authorities, the paying agencies and the coordination authority of its audit strategy.** HR (Drafting suggestions): 3. The audit authority shall prepare an audit strategy based on a risk assessment, taking into account the management and control system description provided for as required in Article 22(2), point (m), covering system audits, and audits regarding the milestones and targets~~, and the effective use of funds in compliance with applicable law~~. All newly identified managing authorities shall be subject to a system audit before the submission of the first payment application. HR (Comments): Please clarify the link between Article 22(2)(m) and paragraph 3 of this Article. Please clarify or confirm from the Commission that a separate audit authority will be established for the CAP.

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	We propose to omit the part that refers to "*and the effective use of funds in compliance with applicable law*", as this is not a separate type of audit as provided for in 53(1), but "only" the purpose of these two types of audits (on the fulfilment of milestones and targets and system audits). IT (Drafting suggestions): 3. The audit authority shall prepare an audit strategy based on a risk assessment, taking into account the management and control system description provided for as required in Article 22(2), point (m), covering system audits, **including control tests on the effective use of funds in compliance with applicable law**, and audits regarding the milestones and targets. All newly identified managing authorities shall be subject to a system audit before the submission of the first payment application. IT (Comments): See comments on paragraphs 1 and 2. PL (Drafting suggestions): 3. The audit authority shall prepare an audit strategy based on a risk assessment, taking into account the management and control system

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	description provided for as required in Article 22(2), point (m), covering system audits, and audits regarding the milestones and targets, and the ~~effective~~ use of funds in compliance with applicable law. All newly identified managing authorities shall be subject to a system audit before the submission of the first payment application] PL (Comments): The intention is not clear what is meant by "**effective** use of funds in compliance with applicable law". Shall "effectiveness" be connected with applicable law or the issues shall be understood separately – effective use and in compliance with applicable law (comma and "and" missing?). Annex IV "Key requirements" does NOT refer to effectiveness either, in any of the key requirements. It is suggested to delete the word from the article. RO (Drafting suggestions): The audit authority shall prepare an audit strategy based on a risk assessment, taking into account the management and control system description provided for as required in Article 22(2), point (m), covering system audits, and audits regarding the milestones and targets, and the

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	effective use of funds in compliance with applicable law. **Only** all newly identified managing authorities shall be subject to a system audit before the submission of the first payment application. RO (Comments): The current wording refers only to MA, which excludes the coordinating authority/authority in charge with the coordination mechanism/coordinating function. SK (Drafting suggestions): 3. The audit authority shall prepare an audit strategy based on a risk assessment, taking into account the management and control system description provided for as required in Article 22(2), point (m), covering system audits, and audits regarding the milestones and targets, and the effective use of funds in compliance with applicable law. ~~All newly identified managing authorities shall be subject to a system audit before the submission of the first payment application.~~ **Taking into the account the Article 49(2) of the Regulation all newly identified authorities defined in art. 49(1) shall be subject to a system audit.** SK

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	(Comments): It is not clear why system audits prior to the first payment should only be carried out at the level of managing authorities, and why they are not carried out at the level of the other bodies, stated in Article 49(1) draft NRPP regulation (e. g. coordinating authority which is also responsible for financial management including submission of the payment application). **For this reason, we propose to adjust the text.**
4. The audit authority is not expected to verify the underlying costs of the operations for the purpose of its audit work.	AT (Comments): This provision seems difficult to reconcile with the audit objective of "legality and regularity". How, then, should an error assessment be carried out and a residual financial risk calculated? Paragraph 4 clearly contradicts paragraph 2(b), which stipulates that the assurance package must include an "analysis of the nature and the extent of the weaknesses identified". The extent can only be defined in numerical terms. Furthermore, deadlines should be set for the activities of the audit authority. How is the audit authority supposed to identify corrections and report irregularities if no verification of the underlying costs is envisaged?

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	DE (Drafting suggestions): 4. The audit authority is not ~~expected~~ **allowed** to verify the underlying costs of the operations for the purpose of its audit work. DE (Comments): Please clarify whether SCO and the underlying methodologies have to not be audited in the light of the efficiency and relation to the achievement of the objectives in spite of the provision not to audit costs. Please clarify the wording "is not expected". EE (Drafting suggestions): 4. The audit authority ~~is~~ **shall** not ~~expected~~ ~~to~~ verify the underlying costs of the operations for the purpose of its audit work. EE (Comments): Since a new performance-based system will apply and we are moving towards increased use of simplified cost options and FNLC-type schemes,

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	there must be a common understanding that verification of actual costs is not justified. FI (Drafting suggestions): The audit authority is not expected to verify the underlying costs of the operations **or surface area of area-based interventions** for the purpose of its audit work. FI (Comments): Some proportionality is needed for area-based interventions where area-monitoring system is used. HR (Drafting suggestions): 4. The audit authority is not expected to verify the underlying costs of the operations for the purpose of its audit work, **unless it is necessary to obtain sufficient assurance on the effective use of funds in compliance with the applicable law.** HR (Comments):

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	The expression *"is not expected"* is a bit vague and may be subject to different interpretations. To consider adding additional text: “The audit authority is not expected to verify the underlying costs of the operations for the purpose of its audit work, *unless it is necessary to obtain sufficient assurance on the effective use of funds in compliance with the applicable law.”* Or to re-phrase: “As a rule, the audit authority does not verify the underlying costs of the operations for the purpose of its audit work, unless it is necessary to obtain sufficient assurance on the effective use of funds in compliance with the applicable law.” LU (Comments): The terminology ‘not expected’ needs to be further clarified. PL (Drafting suggestions): The audit authority ~~**is not expected to**~~ **shall not** verify the underlying costs of the operations for the purpose of its audit work. PL (Comments):

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	With regard to Article 53(4), in order to ensure legal certainty, we propose to clearly state that the audit authority shall not verify the underlying costs of operations ('shall not verify' instead of 'is not expected to verify'). [detailed justification as for Article 51(1)(b)] SE (Comments): See comments on 53.1.
	PT (Drafting suggestions): **PT: (new) 5. The audit authority shall only consider, for the purpose of paragraph 2 in the context of performance-based part of the Plan, the irregularities that have impact on milestones and targets.** **The Member State is obliged to proceed with the best practices in relation to other irregularities that do not have impact on the Union's budget** PT (Comments):

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	PT: When operating in the context of the performance-based system, only the irregularities impacting on milestones and targets will have impact on the Union's budget.

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CHAPTER II **Monitoring arrangements**	NL (Comments): It should be made explicit in the NRP Regulation that the monitoring arrangements laid down in CHAPTER II do not apply to Interreg.

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Article 54 ***Monitoring committee and coordinating committee***	AT (Comments): An – in our opinion - unclear division of responsibilities between this coordinating committee and the monitoring committees appears to duplicate administrative work. Any duplication must be avoided, the added value through installing a coordination committee is not yet visible for us. The Managing Authority of the Home Funds advocates exemptions or alternative solutions for this article and for the entire Chapter II (monitoring arrangements) for the Union support IS, BMV, AMI, in particular IS and BMV. These support exclusively public authority projects. Therefore, the planned involvement of civil society or NGOs, for example, is not appropriate EL (Drafting suggestions): Article 54 ***Monitoring ~~committee~~ committees and coordinating committee*** EL (Comments): JUSTIFICATION: Drawing on the experience of previous programming periods, EL cautions that excessive centralization of monitoring functions

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	leads to delays, loss of expertise and reduced stakeholder participation. Therefore, it is important to maintain separate Monitoring Committees per policy area ensuring technical competence and specialized dialogue. Especially in the case of Home Affairs where the stakeholders are numerous and multilevel (NGOs, International Organizations, Local Bodies, Regional Authorities, Public Authorities), there should be a separate monitoring committee for the Home Affairs Plan. HU (Comments): As drafted, the design of the Monitoring Committee (MC) and the Coordinating Committee (CC) is internally inconsistent: the CC is given "approval" functions, yet its views are overruled by the chapter-level MC in the event of divergence. This is not a coherent governance model; it is a built-in conflict generator. We therefore consider it essential that the CC be defined strictly as a coordinating/advisory body issuing non-binding recommendations. IE (Comments): We welcome the Presidency's proposal at the AHWP NRP regarding the movement of certain CAP-specific provisions as a starting point to further

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	discussion. In addition to the proposed movement of articles, and in order to ensure consistency, we propose the movement the elements of this article, which reflect pure CAP elements and could be moved while leaving core NRPP structures intact LT (Drafting suggestions): Article 54 **Monitoring committee ~~and coordinating committee~~** LT (Comments): We strongly support the opinion that coordinating committee creates additional administrative burden without a real added value to the principle of partnership. Monitoring Committees (if there are more than one) can independently carry out the advisory functions. If there is a need to take the major decisions regarding the whole Plan (before the official submission of the Plan or during the MTR), a common session could be arranged. Follow up of the decisions and recommendations should be made by the Managing Authorities PL

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	(Comments): The division of functions between monitoring committees and the coordinating committee is unclear, and their responsibilities overlap. This may lead to disputes over competences. The regulations do not clearly delineate their respective functions. In order to avoid any doubts regarding interpretation, the provisions require clarification. RO (Drafting suggestions): *Article 54* ***Monitoring committee and coordinating committee*** **for the NRP Plan** RO (Comments): COM clarified in SMOR of October 10 (COM PPT WK 13378/2025 INIT) that Article 54 does not apply to Interreg. This should be reflected in the wording. SI (Drafting suggestions): *Article 54*

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	Monitoring committee ~~and coordinating committee~~
	ES (Comments): Risk of blockage or delays in the management of the Plans due to the proliferation of multiple committees per chapter and a coordination committee. Need to clarify communication and coordination channels between Committees, limit their number and define their competences, including mechanisms to address overlapping responsibilities.
1. Each Member State shall set up one or more monitoring committees for the chapters of the NRP Plan, as appropriate in function of the chapter concerned. All chapters of the Plan shall be covered. The same monitoring committee may cover more than one chapter.	BE (Comments): We do not understand the added value of a coordinating committee. It should be up to the Member State to decide how it will organize itself. It should be possible to work only with monitoring committees at the level of the chapters. EE (Drafting suggestions): Each Member State shall set up one or more monitoring committees for the chapters of the NRP Plan, as appropriate in function of the chapter

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	concerned. All chapters of the **NRP** Plan shall be covered. The same monitoring committee may cover more than one chapter. EE (Comments): As general comment: in some cases, “the Plan” means both NRP Plan and Interreg Plan and in some cases in the same regulation “the Plan” means only NRP Plan which creates confusion. Please amend the text: if the provision applies to both NRP Plan and Interreg Plan than please use “the Plan” but if it applies only to NRP Plan than please use the wording “the NRP Plan” or if a provision applies to Interreg plan than use the wording “Interreg Plan”. The whole text of the regulation needs to be reviewed and amended accordingly. EL (Drafting suggestions): 1. Each Member State shall set up one or more monitoring committees for the chapters of the NRP Plan and the **Home Affairs Plan** as appropriate in function of the chapter concerned. All chapters of the ~~Plan~~ **Plans** shall be covered. The same monitoring committee may cover more than one chapter **of the NRPP Plan and the Monitoring Committee for Home Affairs shall cover all the chapters of the Home Affairs Plan.**

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	EL (Comments): JUSTIFICATION: Drawing on the experience of previous programming periods, EL cautions that excessive centralization of monitoring functions leads to delays, loss of expertise and reduced stakeholder participation. Therefore, it is important to maintain separate Monitoring Committees per policy area ensuring technical competence and specialized dialogue. Especially in the case of the Home Funds where the stakeholders are too many (NGOs, International Organizations, Local Bodies, Regional Authorities, Public Authorities), there should be a separate monitoring committee for the Home Affairs Plan. FI (Comments): Is it really necessary that the coordinating committee should approve again all the matters already approved by the Chapter-specific monitoring committees? Especially as the decision of the Chapter-specific monitoring committee remains in force in case of conflict (see Article 56, para 3), shouldn't the coordinating committee only be informed about the decisions made by the monitoring committee? Could coordinating committee's tasks be more clearly horizontal guidance and conditions,

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	like RoL, monitoring and coordination at the level of the whole plan? In that case we should remove the requirement to accept the same issues that have been approved by the Chapter-specific monitoring committee and cannot be changed. As the number of monitoring committees increases according to the need for coordination, the administrative work of the Member States increases. Each monitoring committee consists of stakeholders whose burden will also increase. Will this process be too a long? In a small country, this leads to a situation where the representatives of stakeholders will have double roles. Does the CION appreciate this as appropriate? HR (Comments): **HR comments:** While the establishment of a Coordinating Committee to ensure overview and monitoring of Plan implementation is welcome, HR believes that the current delineation of responsibilities between the Monitoring Committees (MCs) and the Coordinating Committee (CC) remains unclear. If both entities are required to approve the same elements (as described in Article 56), including selection criteria and methodologies, this could result in duplication of work and administrative burden. **HR**

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	recommends that the value added of such duplication be reconsidered and the division of functions clarified. If representatives overlap between the Monitoring Committees and the Coordinating Committee, the Coordinating Committee could become extremely large, potentially comprising hundreds of representatives. This would undermine its effectiveness and decision-making capacity. **HR recommends** introducing provisions to ensure proportionality and functionality in the CC's composition. The division roles between the Monitoring Committees and the Coordinating Committee remains unclear (Article 54). While we welcome the idea of Coordinating Committee that would ensure the overview and the monitoring of the implementation of the Plan, we consider it an administrative burden if its roles and functions remain as proposed (the same as those of individual Monitoring Committees). For instance, what is the added value of approving selection criteria, methodologies, and procedures for selection of operations first at the MC and then again at the CC? Finally, if there is going to be duplication of representatives in both level committees, CC could include several hundred representatives, making its work impossible. What is the deadline for establishment of each MC?

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	Is it necessary to align the level of established MC with the method/level of organization of the annual review meetings (see comment on Article 49, paragraph 10, paragraph 1)? For example, if the ARM is maintained at the level of an individual MA, or separately for the CAP, then it is logical that there is also a separate MC established for the CAP, given that both structures review exclusively the implementation of those chapters of the NRP plan for which they are responsible. PL (Drafting suggestions): Each Member State shall set up one or more monitoring committees for the chapters of the NRP Plan, as appropriate in function of the chapter concerned **with the exeption of measures dedicated to addressing material deprivation through food and/or material assistance to the most deprived**. ~~**All chapters of the Plan shall be covered.**~~ The same monitoring committee may cover more than one chapter. IT (Drafting suggestions): 1. Each Member State shall set up one or more monitoring committees for the chapters of the NRP Plan, as appropriate in function of

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	the chapter concerned. All chapters of the Plan shall be covered. The same monitoring committee may cover more than one chapter. **The monitoring committee must guarantee the representativeness of different stakeholders in charge of the different chapters of the Plan.** IT (Comments): it is essential to preserve the representativeness of the different sectors. PL (Comments): Proposal based on current exception in the CPR – Article 38 paragraph 5 that excludes programs limited to the specific objective set out in point (m) of Article 4(1) of the ESF+ Regulation and related technical assistance, from rules of procedure of the monitoring committee. This exception is duly justified by specificity of food aid. Member States should continue to be entitled to setting up relevant advisory bodies with similar functions to monitoring committee, but less overregulated in terms of composition and procedures. Its members should be practicians from partner organizations dealing directly with food aid implementation on different level. RO

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	(Drafting suggestions): . Each Member State shall set up one or more monitoring committees for the chapters of the NRP Plan, as appropriate in function of the chapter concerned **within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan**. All chapters of the **NRP** Plan shall be covered. The same monitoring committee may cover more than one chapter. RO (Comments): Since the paragraph covers NRP only, it should be made clear. Also, correlation with point (2) is required as fac as the period to set up the monitoring committee. SK (Drafting suggestions): 1. Each Member State shall set up one or more monitoring committees for the chapters of the NRP Plan, as appropriate in function of the chapter concerned, **within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan.** All chapters of the Plan shall be covered. The same monitoring committee may cover more than one chapter.

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	SK (Comments): We propose to harmonize the rules established for the monitoring and coordination committee. Point (2) introduces the obligation to establish a coordination committee within 3 months from the date of approval of the Plan, but this deadline is not set for the monitoring committee.
2. Where the Member State sets up more than one monitoring committee, it shall also set up a coordinating committee which shall ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. The coordinating committee shall approve all elements listed under Article 56(1) [functions of the monitoring committee]	AT (Drafting suggestions): 2. Where the Member State sets up more than one monitoring committee, it **may**~~shall~~ also set up a coordinating committee which shall ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. The coordinating committee shall approve all elements listed under Article 56(1) [functions of the monitoring committee] AT (Comments):

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	Duplication of administrative work must be avoided, therefore we suggest to make it an optional installation of a coordinating committee. BE (Drafting suggestions): 2. Where the Member State sets up more than one monitoring committee, it ~~shall~~ **may** also set up a coordinating committee which ~~shall~~ **may** ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. The coordinating committee ~~shall~~ **may** approve all elements listed under Article 56(1) [functions of the monitoring committee] BE (Comments): We would prefer to make the establishment of a coordinating committee optional. We do not see the added value of this body in the context of our federal state. If it would remain obligatory, this coordinating committee should have a consultative role limited to coordination and information-sharing; it should in no case approve the elements listed under Article 56(1). Its composition could in this case include, at least, one member of

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	the monitoring committees of all the NRP Plan's Chapters and representatives of the coordinating function. CZ (Drafting suggestions): 2. Where the Member State sets up more than one monitoring committee, it shall also set up a coordinating committee which shall ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. The coordinating committee shall approve all **relevant** elements **for the fulfilment of its role** listed under Article 56(1) [functions of the monitoring committee]. CZ (Comments): CZ does not consider it appropriate for the coordinating committee to approve the same issues as the monitoring committee, which CZ perceives as adding burden to the entire process rather than simplifying it. CZ proposes that the definition of the role and responsibilities of the coordination committee be left to the decision of the Member State. DE

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	(Drafting suggestions): 2. Where the Member State sets up more than one monitoring committee, it shall also **identify** ~~**set up**~~ a coordinating committee which shall ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. The coordinating committee shall ~~**approve all elements**~~ **be responsible for the functions** listed under Article 56(1) [functions of the monitoring committee], **as far as they are not covered by a monitoring committee.** DE (Comments): A committee with a coordinating function at national level must not lead to duplication and should not become a "super monitoring committee" that has to confirm every decision taken at regional level. EE (Drafting suggestions): Where the Member State sets up more than one monitoring committee, it shall also set up a coordinating committee which shall ensure the

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	overview and the monitoring of the implementation **at the level** of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. The coordinating committee shall approve all elements listed under Article 56(1) EE (Comments): This clarification ensures a clearer distinction between the roles of the coordinating committee and the monitoring committees. The added wording confirms that the coordinating committee executes overall coordination and coherence across chapters, while monitoring committees remain responsible for chapter-specific coordination and monitoring. EL (Drafting suggestions): 2. Where the Member State sets up more than one monitoring committee, it shall also set up a coordinating committee which shall ensure the overview and the monitoring of the implementation of the plan**s**, after consulting the relevant authorities managing each of the NRP Plan's chapters, within ~~three~~ **six** months of the date of notification to the

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	Member State concerned of the decision approving the NRP Plan and the **Home Affairs Plan**. The coordinating committee shall approve all elements listed under Article 56(1) [functions of the monitoring committee] EL (Comments): Same as par.1 about the number of the monitoring committees. Concerns are expressed also regarding the timing and consultation in case of a coordinating committee. The provision requires establishment "within three months" after plan approval — which is very tight for setting up such broad, representative structures and agreeing procedures. Same as in par.1 for the number of monitoring committees. FI (Drafting suggestions): 2. Where the Member State sets up more than one monitoring committee, it ~~shall~~ **may** also set up a coordinating committee which shall ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. The

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	coordinating committee shall approve all elements listed under Article 56(1) [functions of the monitoring committee] FI (Comments): The underlying simplification goal should be kept in mind here. A coordinating committee may not be relevant in all member states. Tailor made approach is needed here. FR (Drafting suggestions): here the Member State sets up more than one monitoring committee, it shall also set up a coordinating committee which shall ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. The coordinating committee shall ~~approve~~**examine** all elements listed under Article 56(1) [functions of the monitoring committee] FR (Comments):

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	L'attribution d'un rôle de validation et non d'avis, comme c'est actuellement le cas pour la PAC, pourrait entraîner d'importantes difficultés opérationnelles de mise en œuvre, voire un blocage complet du système. Dans tous les cas, la décision de modifier ou non un plan doit revenir à l'Etat membre. HR (Comments): While the Regulation specifies a three-month deadline for the establishment of the Coordinating Committee (Article 54(2)), there is no clear deadline for the establishment of the Monitoring Committees. **HR suggests** including a concrete timeline for the constitution of each Monitoring Committee to ensure timely operationalisation. It is unclear what the consequences are if the Coordinating Committee is not established within the prescribed three-month period. **Clarification on the implications or enforcement measures in such cases would be useful.** HU (Drafting suggestions): Where the Member State sets up more than one monitoring committee, it ~~shall~~ **may** also set up a coordinating committee which shall ensure the

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	overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. ~~The coordinating committee shall approve all elements listed under Article 56(1) [functions of the monitoring committee]~~ IE (Comments): Approval of all elements listed under Article 56(1) by the CC will add an additional layer of decision making to processes which may slow down programme implementation. The CC role should be qualitatively different than that of the MC - reflecting the differing functions of the Coordinating Authority (CA) and the MA. Having two separate committees reviewing implementation is inefficient. The expectation that the CC will be able to engage meaningfully with all managing authorities on each chapter of the NRP within 3 months of the notification of the decision approving the NRP is highly ambitious. The final sentence requires clarification – it states that the CC will approve the elements listed under 56(1) , however 56(1) sets out what the MC will

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	examine, rather than elements it will propose/decide, so it is unclear what exactly is the CC to approve? IE request clarification of the parameters for the financial year? Is it calendar year? IT (Drafting suggestions): 2. Where the Member State sets up more than one monitoring committee, it shall also set up a coordinating committee which shall ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan**.** ~~The coordinating committee shall approve all elements listed under Article 56(1) [functions of the monitoring committee]~~ IT (Comments): Duplication and overlapping of functions between the monitoring committees and the coordinating committee will add administrative burdens. LT

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	(Drafting suggestions): ~~Where the Member State sets up more than one monitoring committee, it shall also set up a coordinating committee which shall ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. The coordinating committee shall approve all elements listed under Article 56(1) [functions of the monitoring committee]~~ LV (Drafting suggestions): ~~2. Where the Member State sets up more than one monitoring committee, it shall also set up a coordinating committee which shall ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. The coordinating committee shall approve all elements listed under Article 56(1) [functions of the monitoring committee]~~ LV

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	(Comments): LV does not support regulating the procedures on how memberstates should organize coordination between different chapters of the plan. As a relatively small and centralized state we see little added value for mandatory coordinating committee. MT (Drafting suggestions): *2. Where the Member State sets up more than one monitoring committee, it ~~shall~~* ***may*** *also set up a coordinating committee which shall ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. The coordinating committee,* ***if applicable,*** *shall approve all elements listed under Article 56(1) [functions of the monitoring committee].* ***OR*** *2. Where the Member State sets up more than one* ***regional*** *monitoring committee, it shall also set up a coordinating committee which shall ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's*

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	chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. The coordinating committee shall approve all elements listed under Article 56(1) [functions of the monitoring committee]. ***OR*** *2. Where the Member State sets up more than ~~one~~ **ten** monitoring committee, it shall also set up a coordinating committee which shall ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. The coordinating committee shall approve all elements listed under Article 56(1) [functions of the monitoring committee].* ***OR*** *2. Where the Member State sets up more than one monitoring committee **responsible for a programme of more than €XXXX**, it shall also set up a coordinating committee which shall ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. The coordinating committee shall*

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	approve all elements listed under Article 56(1) [functions of the monitoring committee]. MT (Comments): Malta would appreciate clarification on the reference in Article 54(2) to a '***coordinating monitoring committee'***, in particular whether this would constitute an additional body over and above the existing monitoring committees. Under the current MFF 2021–2027 framework, Malta operates one monitoring committee for ERDF and ESF, and separate committees for Fisheries and Agriculture. The introduction of a coordinating monitoring committee would place a significant strain on an administration that is already functioning at full capacity. While such a structure may reflect the needs of larger Member States with national and regional tiers, for smaller Member States like Malta it would represent an added administrative burden with no clear added value. NL (Drafting suggestions): 2. ~~. Where the Member State sets up more than one monitoring committee, it shall also set up a coordinating committee which shall~~

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	~~ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. The coordinating committee shall approve all elements listed under Article 56(1) [functions of the monitoring committee]~~ NL (Comments): NL questions the value of a coordinating committee. It is not clear what the exact role of such an coordinating committee would be, as it is an additional layer next to existing coordinating authorities and monitoring committees. PL (Drafting suggestions): Where the Member State sets up more than one monitoring committee, it shall also set up a coordinating committee which shall ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. ~~**The**~~

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	~~coordinating committee shall approve all elements listed under Article 56(1) [functions of the monitoring committee].~~ PL (Comments): Coordination committee should not duplicate the tasks of the monitoring committee. The coordination committee should set directions of action for individual MCs, undertake such tasks that concern the entire Plan or more than one Chapter of the Plan. Regulations regarding tasks or competences of coordinating committee seems to be multiplied and overlapping. PT (Drafting suggestions): ~~PT: 2. Where the Member State sets up more than one monitoring committee, it shall also set up a coordinating committee which shall ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. The coordinating committee shall approve all elements listed under Article 56(1) [functions of the monitoring committee]~~

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	PT (Comments): PT: It is unnecessarily burdensome to have the coordinating committee approving all the functions of the monitoring committee. RO (Comments): RO advocates for a separate Common Agricultural Policy, not included in the common fund. We note that a common plan only creates an unjustified administrative burden and possible delays in the adoption of decisions, in the context of overlapping responsibilities/tasks and, especially, in the case of divergent opinions. From the experience of the MA PNDR, the consultations carried out with the representatives of the Monitoring Committee were long, considering the multitude of sectors represented in the CM. In the current proposal, consulting, on the same topics/aspects, both the CM and the Coordination Committee will have negative consequences, especially in the case of divergent opinions, will create difficulties in coordination both in the planning stage and in implementation, without bringing real benefits of simplification or flexibility for the Member States.

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	Under these conditions, RO reaffirms its firm position that the CAP must remain a distinct policy, structured on two pillars - Income Support and Rural Development - while maintaining clearly defined administrative structures adapted to the specifics of each member state. SE (Drafting suggestions): 2. Where the Member State sets up more than one monitoring committee, it **may** ~~shall~~ also set up a coordinating committee ~~which shall~~ **to** ensure the overview and the monitoring of the implementation of the **whole** plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three months of the date of notification to the Member State concerned of the decision approving the NRP Plan. ~~The coordinating committee shall approve all elements listed under Article 56(1) [functions of the monitoring committee]~~ SE (Comments): It should be voluntary to set up a coordinating committee. Se earlier comment. Furthermore, duplication of tasks and responsibility should be avoided. SI

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	(Drafting suggestions): ~~Where the Member State sets up more than one monitoring committee, it shall also set up a coordinating committee which shall ensure the overview and the monitoring of the implementation of the plan, after consulting the relevant authorities managing each of the NRP Plan's chapters, within three **six** months of the date of notification to the Member State concerned of the decision approving the NRP Plan. The coordinating committee shall approve all elements listed under Article 56(1) [functions of the monitoring committee]~~ SI (Comments): The deadline for establishing the monitoring committee is too short. We propose that the tasks of the monitoring committee and coordinating committee should not be duplicated.
3. The rules laid down in Articles 55 and 56 shall apply to the coordinating committee and to the monitoring committee.	BE (Drafting suggestions):

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	The rules laid down in Articles 55 and 56 shall apply to ~~the coordinating committee and to~~ the monitoring committee, **and where relevant the coordinating committee**. CZ (Drafting suggestions): 3. The rules laid down in Articles 55 and 56 shall apply ~~to the coordinating committee and~~ to the monitoring committee, **and where relevant, to the coordinating comittee**. CZ (Comments): The articles in question should, in CZ's view, define mainly the monitoring committee, as was evidently the original intention, given that the titles of the articles refer solely to the monitoring committee. From CZ's perspective, the coordinating committee should address matters of relevance to the NRPP as a whole and should have a composition that reflects this mandate and enables the committee to carry out its work efficiently and effectively. DE (Drafting suggestions):

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	3. The rules laid down in Articles 55 and 56 shall apply ~~**to the coordinating committee and**~~ to the monitoring committee. EL (Drafting suggestions): 3. The rules laid down in Articles 55 and 56 shall apply to the coordinating committee and to the monitoring ~~committee~~ **committees** EL (Comments): Same as in par. 1 HU (Drafting suggestions): ~~The rules laid down in Articles 55 and 56 shall apply to the coordinating committee and to the monitoring committee.~~ HU (Comments): We propose deleting the reference to the coordinating committee from paragraph (3), as it duplicates the tasks of the Monitoring Committee by incorporating those tasks into the responsibilities of the coordinating committee.”

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	LT (Drafting suggestions): ~~The rules laid down in Articles 55 and 56 shall apply to the coordinating committee and to the monitoring committee.~~ LV (Drafting suggestions): 3. The rules laid down in Articles 55 and 56 shall apply ~~to the coordinating committee and~~ to the monitoring committee. LV (Comments): See comment on paragraph 2 NL (Drafting suggestions): ~~3. The rules laid down in Articles 55 and 56 shall apply to the coordinating committee and to the monitoring committee.~~ PT (Drafting suggestions): PT: ~~3. The rules laid down in Articles 55 and 56 shall apply to the coordinating committee and to the monitoring committee.~~

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	PT (Comments): PT: It is unnecessarily burdensome to have the coordinating committee approving all the functions of the monitoring committee. SI (Drafting suggestions): ~~3. The rules laid down in Articles 55 and 56 shall apply to the coordinating committee and to the monitoring committee.~~
4. Each monitoring committee and the coordinating committee shall adopt its rules of procedure, including provisions regarding the prevention of any conflict of interest and the application of the principle of transparency.	BE (Drafting suggestions): . Each monitoring committee and **where relevant** the coordinating committee shall adopt its rules of procedure, including provisions regarding the prevention of any conflict of interest and the application of the principle of transparency. DE (Drafting suggestions): 4. Each monitoring committee ~~**and the coordinating committee**~~ shall adopt its rules of procedure, including provisions regarding the

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Commission proposal	MS drafting suggestions and comments
	prevention of any conflict of interest and the application of the principle of transparency. LT (Drafting suggestions): Each monitoring committee ~~and the coordinating committee~~ shall adopt its rules of procedure, including provisions regarding the prevention of any conflict of interest and the application of the principle of transparency. LV (Drafting suggestions): 4. Each monitoring committee ~~and the coordinating committee~~ shall adopt its rules of procedure, including provisions regarding the prevention of any conflict of interest and the application of the principle of transparency. LV (Comments): See comment on paragraph 2 NL (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	4. Each monitoring committee ~~and the coordinating committee~~ shall adopt its rules of procedure, including provisions regarding the prevention of any conflict of interest and the application of the principle of transparency. PT (Drafting suggestions): PT: 4. Each monitoring committee ~~and the coordinating committee~~ shall adopt its rules of procedure, including provisions regarding the prevention of any conflict of interest and the application of the principle of transparency. PT (Comments): PT: It is unnecessarily burdensome to have the coordinating committee approving all the functions of the monitoring committee. SI (Drafting suggestions): Each monitoring committee ~~and the coordinating committee~~ shall adopt its rules of procedure, including provisions regarding the prevention of any conflict of interest and the application of the principle of transparency.

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Commission proposal	MS drafting suggestions and comments
	SI (Comments): How should the relationship between the monitoring committee and the coordinating committee(s) be established, and what is the legal basis for that? Should separate rules of procedure apply between them?
5. The monitoring committee shall meet at least once a year and shall review the implementation of the chapter or chapters of the NRP Plan under its responsibility, including all issues that affect the progress towards achieving their objectives.	EL (Drafting suggestions): 5. ~~The~~ **Each** monitoring committee shall meet at least once a year and shall review the implementation of the chapter or chapters of the NRP Plan under its responsibility and the **Home Affairs Plan accordingly**, including all issues that affect the progress towards achieving their objectives. EL (Comments): Same as in par. 1 FR (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	The monitoring committee shall meet at least once a year and shall review the implementation of the chapter or chapters of the NRP Plan under its responsibility, ~~including all issues that affect the progress towards achieving their objectives.~~ FR (Comments): Cette disposition apparait trop peu précise et est de nature à augmenter la charge administrative de manière disproportionnée. RO (Drafting suggestions): The monitoring committee shall meet at least once a year and shall review the implementation of the chapter or chapters of the NRP Plan under its responsibility, including all issues that affect the progress towards achieving their objectives. **The coordination committee will also meet at least once a year** RO (Comments): Frequencies of the meeting of the monitoring and coordination committees need to be correlated. Coordination committee needs to met at least once a year.

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Commission proposal	MS drafting suggestions and comments
	SK (Drafting suggestions): 5. The monitoring committee **and the coordinating committee** shall meet at least once a year and **the monitoring committee** shall review the implementation of the chapter or chapters of the NRP Plan under its responsibility, including all issues that affect the progress towards achieving their objectives. SK (Comments): The text sets the frequency of meetings of the monitoring committee at least once a year. However, this frequency does not apply to the coordination committee. We request that this fact be specified in the draft regulation.
6. The rules of procedure of the monitoring committee and the data and information shared with the monitoring committee shall be published on the website referred to in Article 64.	BE (Drafting suggestions): 6. The rules of procedure of the monitoring committee **and a summary** of the data and information shared with the monitoring committee shall be published on the website referred to in Article 64.

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Commission proposal	MS drafting suggestions and comments
	BE (Comments): Not necessary all data and information. DE (Comments): DE: Why do **all** data and information shared with the monitoring committee have to be published? Considering the wide scope of the plan and diverse chapters a publication of all information can rather be overwhelming to the public and is bureaucracy for the administration. EL (Drafting suggestions): 6. The rules of procedure of the monitoring ~~committee~~ **committees** and the data and information shared with the monitoring ~~committee~~ **committees** shall be published on the website referred to in Article 64. EL (Comments): Same as in par. 1 ES (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	The rules of procedure of the monitoring committee ~~and the data and information shared with the monitoring committee~~ shall be published on the website referred to in Article 64. ES (Comments): Information shared with the Monitoring Committee is not always publicly available. There may be data that cannot be published on the web. In the case of Spain, it is currently a collegiate body already regulated by national legislation. FI (Drafting suggestions): The rules of procedure ~~of the monitoring committee~~ and the **opinions of** ~~data and information shared with~~ the monitoring committee shall be published on the website referred to in Article 64. FI (Comments): Each Member of the Committee shall be responsible for ensuring that the persons he/she represents are aware of the matters of the monitoring Committee. HR

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Commission proposal	MS drafting suggestions and comments
	(Comments): Article 54(6) requires the publication of the rules of procedure and information shared with the Monitoring Committee on the designated website. **HR welcomes** this transparency requirement but recommends clarifying the scope of "data and information shared with the monitoring committee." In order to avoid overburdening national systems or risking disclosure of sensitive data, it would be useful to define what minimum elements must be published and whether some categories (e.g. internal drafts, personal data) may be excluded from publication. RO (Drafting suggestions): The rules of procedure of the monitoring committee **and the ccordinating committee** and the data and information shared with the monitoring committee **and coordination committee** shall be published on the website referred to in Article 64 RO (Comments): Rules of procedures should follow the same regime for both monitoring and coordinating committee. SK

Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): 6. The rules of procedure of the monitoring committee **and the coordinating committee** and the data and information shared with the monitoring committee **and the coordinating committee** shall be published on the website referred to in Article 64. SK (Comments): The text imposes an obligation to publish the rules of procedure of the monitoring committee on the "Single Gateway". We request to supplement this obligation also for the coordination committee.

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Article 55 ***Composition of the monitoring committee***	EL (Drafting suggestions): Article 55 ***Composition of the monitoring ~~committee~~ committees*** IE (Drafting suggestions): **Composition of the monitoring / coordinating committees** IE (Comments): We welcome the Presidency's proposal at the AHWP NRP regarding the movement of certain CAP-specific provisions as a starting point to further discussion. In addition to the proposed movement of articles, and in order to ensure consistency, we propose the movement the elements of this article, which reflect pure CAP elements and could be moved while leaving core NRPP structures intact This provision is amended to provide for reference to the inclusion of the functions of the coordinating committee being included in this article, MC and CC roles currently overlap. The CC should have a lighter, distinct role to avoid duplication.

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Commission proposal	MS drafting suggestions and comments
	The provision of Art 55 apply also to the composition of the coordinating committee, and as it would be reasonable to expect that all MAs would be represented on any CC LV (Comments): It should be made clear that this article is not relevant for INTEREG. PL (Comments): As currently drafted, the rules create legal ambiguity regarding the status and actual role of monitoring committees. RO (Drafting suggestions): *Article 55* ***Composition of the monitoring committee*** **<u>for the NRP Plan</u>** RO (Comments): COM clarified in SMOR of October 10 (COM PPT WK 13378/2025 INIT) that Article 55 does not apply to Interreg. This should be reflected in the wording.

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Commission proposal	MS drafting suggestions and comments
	ES (Comments): The specific characteristics of regionalised Member States, where several administrations are responsible for implementation, must be taken into account. In this regard, in Article 55, it should be noted that, in the case of regionalised Member States, the number of authorities may be significant; therefore, we do not consider it necessary to set specific requirements regarding the composition of the monitoring committees.
1. Each Member State shall determine in a public procedure and based on objective and transparent criteria, the composition and the size of the monitoring committee, ensuring a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6 [partnership]. The number of such partners shall be equal or superior to members belonging to authorities or intermediate bodies.	AT (Drafting suggestions): 1. Each Member State shall determine ~~in a public procedure and based on objective and transparent criteria,~~ the composition and the size of the monitoring committee,… …State authorities and intermediate bodies and of representatives of the partners referred to in Article 6 [partnership]. ~~The number of such partners shall be equal or superior to members belonging to authorities or intermediate bodies~~ AT (Comments):

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Commission proposal	MS drafting suggestions and comments
	The composition of the monitoring committee should be based on objective and transparent criteria. It is not entirely clear to us what is meant by a "public procedure". Here, too, we see additional effort without much added value. Therefore, we propose to delete the relevant text. It is not considered expedient to specify further requirements regarding the composition of the monitoring committee with regard to the minimum number of partners referred to in Article 6. The reference to balanced representation is in our view entirely sufficient. We therefore propose to delete the last sentence in this para. BE (Drafting suggestions): Each Member State shall determine in a ~~public~~ **transparant** procedure and based on objective and transparent criteria, the composition and the size of the monitoring committee, ensuring a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6 [partnership]. ~~The number of such partners shall be equal or superior to members belonging to authorities or intermediate bodies.~~ BG

Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): 1. Each Member State shall determine in a public procedure and based on objective and transparent criteria, the composition and the size of the monitoring committee, ensuring a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6 [partnership]. ~~The number of such partners shall be equal or superior to members belonging to authorities or intermediate bodies.~~ BG (Comments): This provision is redundant, since "partners' under the legislation usually means organizations or administrative structures, just like the "authorities, or intermediate bodies" in question. Therefore, it is not appropriate to compare number of people (the committee members) with number of organizations. Ensuring a balanced representation between authorities and partners, as a principle, is sufficient and reflects the current situation under the CPR. There is no justification for the proposed attempt to reinforce any further that Member States' obligation, which might lead to complication. CZ

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): 1. Each Member State shall determine ~~in a public procedure and~~ based on objective and transparent criteria, the composition and the size of the monitoring committee, ensuring a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6 [partnership]. The number of such partners shall be equal or superior to members belonging to authorities or intermediate bodies. CZ (Comments): CZ understands the method of selecting the composition of the monitoring committee as the definition of transparent and objective criteria on the basis of which nominations will take place. Any procedure going beyond the mere definition of such criteria would, in CZ's view, constitute an administrative burden rather than a simplification. DE (Drafting suggestions): 1. Each Member State **or region, where applicable,** shall determine in a public procedure and based on objective and transparent criteria, the composition and the size of the monitoring committee, ensuring a

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	balanced representation of the relevant Member State **and regional** authorities and intermediate bodies and of representatives of the partners referred to in Article 6 [partnership]. ~~**The number of such partners shall be equal or superior to members belonging to authorities or intermediate bodies.**~~ DE (Comments): The central role of the regions should also be anchored here, and there should be no equal treatment with other stakeholders or non-governmental members. As these are publicly funded measures and programmes, state authorities should have the majority. This can also help to avoid a blocking of the national plans at regional level by different interest groups and help to avoid delays. EE (Drafting suggestions): 1. Each Member State shall determine ~~**in a public procedure and based on objective and transparent criteria,**~~ the composition and the size of the monitoring committee, ensuring a balanced representation of the relevant Member State authorities and intermediate bodies and of

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	representatives of the partners referred to in Article 6 [partnership]. ~~**The number of such partners shall be equal or superior to members belonging to authorities or intermediate bodies.**~~ **Each Member State shall ensure a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners.** EL (Drafting suggestions): 1. Each Member State shall determine in a public procedure and based on objective and transparent criteria, the composition and the size of the monitoring committee **of the NRPP Plan and the monitoring committee of the Home Affairs Plan**, ensuring a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6 [partnership]. The number of such partners shall be equal or superior to members belonging to authorities or intermediate bodies. EL (Comments): Same as in par. 1 of article 54. Also the requirement for a "public procedure" with objective criteria is sound, but it could extend the

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	timeline for committee establishment — already constrained to three months under the annex. Practical guidance from the Commission would be helpful to ensure proportionality. Also balancing representation from multiple sectors and ensuring parity between authorities and partners could lead to very large committees, especially when a committee covers several Plan chapters. This is why it is important to maintain separate Monitoring Committees per policy area ensuring technical competence and specialized dialogue. Especially in the case of the Home Affairs where the stakeholders are numerous and multilevel (NGOs, International Organizations, Local Bodies, Regional Authorities, Public Authorities), there should be a separate monitoring committee for the Home Affairs Plan. FI (Drafting suggestions): Each Member State shall determine ~~in a public procedure~~ and based on objective and transparent criteria, the composition and the size of the monitoring committee, ensuring a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6 [partnership]. The number of such partners shall be equal or superior to members belonging to **Plan** authorities or intermediate bodies.

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Commission proposal	MS drafting suggestions and comments
	FI (Comments): Public procedure is an unclear expression, and the requirement would increase unnecessary administrative burden on the process. With regard to the number of partners, it should be specified that the authorities refer to the Plan authorities. FR (Drafting suggestions): Each Member State shall determine ~~in a public procedure and based on objective and transparent criteria~~, the composition and the size of the monitoring committee, ensuring a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6 [partnership]. ~~The number of such partners shall be equal or superior to members belonging to authorities or intermediate bodies~~ **This requirement does not apply to BMV and IS financial instruments which may benefit from partnership exemptions, in accordance with Article 6(5).** FR (Comments):

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Commission proposal	MS drafting suggestions and comments
	Si l'importance des organismes intermédaires et des autorités régionales dans la mise en oeuvre des Plans est partagée, l'obligation d'associer un nombre de partenaires supérieur ou égal aux autorités de gestion et organismes intermédiaires est impossible à mettre en œuvre pour les plans comprenant un grand nombre d'organismes intermédiaires. Dans tous les cas, la décision de modifier ou non un plan doit revenir à l'Etat membre. HR (Comments): Article 55(1) requires that the number of partners (e.g. social partners, civil society) be equal to or greater than the number of representatives of authorities or intermediate bodies**. HR would appreciate** clarification on the rationale behind this requirement and what added value this specific ratio brings in practice. In light of the concerns outlined above, **HR suggests** reconsidering or removing the requirement that the number of partners be "equal or superior" to public authority representatives. This threshold may create representational imbalances and complicate the effective functioning of the Monitoring Committee.

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	What does “public procedure and based on objective and transparent criteria” entails? Does this means that MA has to evaluate all possible applicants for MC? Who is responsible for creating criteria? Could you please confirm if voting rights referred to in the third subparagraph apply also to the Audit Authority, as one of the “relevant Member State authorities”. In our understanding, voting rights apply to all the members, except the Commission, that participates in the monitoring committee in an advisory capacity. HU (Drafting suggestions): Each Member State shall determine ~~in a public procedure and~~ based on objective and transparent criteria, the composition and the size of the monitoring committee, ensuring (…) HU (Comments): The proposed requirement for selecting monitoring committee members through a public procedure is not supported, as it may unnecessarily limit Member States’ discretion and may not be feasible in practice, given that suitable applicants are not always available. This rigidity could hinder the effective and timely formation of the monitoring committees.

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Commission proposal	MS drafting suggestions and comments
	IE (Drafting suggestions): 1. Each Member State shall determine in a public procedure and based on objective and transparent criteria, the composition and the size of the monitoring committee, ensuring a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6 [partnership]. ~~The number of such partners shall be equal or superior to members belonging to authorities or intermediate bodies~~. IE (Comments): Specifically and only in relation to the CAP. It should be noted that in the current programme, Monitoring Committees "give opinion". This enables collegiate discussion and allows Member States to exercise and benefit from the partnership principle. Creating an approval system risks creating a more fractious environment and could allow a Committee to obstruct the implementation of a legally required initiative (for example a protection under farm stewardship). Approval of the plan and any amendments is a matter for the Member State. In that regard IE wishes to maintain current arrangements in respect of the CAP. In that context the

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	composition of the CAP MC should be a matter for the MS to determine, having regard to the need to engage stakeholders but without the requirement at 55 (1) for the number of partners to be equal to or exceed the number of authorities and intermediate bodies. IT (Drafting suggestions): Each Member State shall determine in a ~~public~~ procedure ~~and~~ based on objective and transparent criteria, the composition and the size of the monitoring committee, ensuring a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6 [partnership]. ~~The number of such partners shall be equal or superior to members belonging to authorities or intermediate bodies~~. IT (Comments): The terms “public procedure” is not clear. The composition of the Monitoring Committees and of the Coordination Committee (where the number of economic, social and territorial partners is equal to or higher than that of public authorities) and the related voting mechanism (each member having one vote) could lead to situations of

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Commission proposal	MS drafting suggestions and comments
	deadlock or obstructionism and slow down the work. The composition of the committees should be determined by the Member State, in accordance with its institutional structure and governance arrangements. LV (Drafting suggestions): 1. Each Member State shall determine in a public procedure and based on objective and transparent criteria, the composition and the size of the monitoring committee, ensuring a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6 [partnership]. ~~The number of such partners shall be equal or superior to members belonging to authorities or intermediate bodies.~~ LV (Comments): LV is sceptical towards regulating the composition of monitoring committees. The number of interested stakeholders may vary significantly across member states, regions and chapters, therefore this requirement may not be feasible in all cases. Moreover, the composition of monitoring committees should ensure both effective and efficient decision-making process as indicated in the last sentence of this paragraph.

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Commission proposal	MS drafting suggestions and comments
	MT (Drafting suggestions): *1. Each Member State shall determine, ~~in a public procedure and~~ based on objective and transparent criteria, the composition and the size of the monitoring committee, ensuring a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6 [partnership]. ~~The number of such partners shall be equal or superior to members belonging to authorities or intermediate bodies.~~* MT (Comments): Malta takes note of the requirement in Article 55(1) that the composition of the Monitoring Committee be established through a **public procedure**. We would like to seek clarification on how this provision is to be interpreted in practice, particularly in cases where Member States already have standing statutory structures in place which ensure broad representation of authorities, social partners and civil society. With regards to the **requirement listed in the last sentence of this article**, MT feels that smaller MS may struggle to assemble a Monitoring Committee with this mandatory restriction. A wider terminology, in line

Commission proposal	MS drafting suggestions and comments
	with CPR 21-27, encouraging a balanced representation, would be preferable. Hence, we are proposing an amendment to this article. PL (Drafting suggestions): Each Member State shall determine in a public procedure and based on objective and transparent criteria, the composition and the size of the monitoring committee, ensuring a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6 [partnership]. ~~**The number of such partners shall be equal or superior to members belonging to authorities or intermediate bodies.**~~ PL (Comments): This type of regulation is overly detailed, does not take into account national legal systems, and is inconsistent with the system of responsibility for the implementation of the plan. Entrusting decision-making power to the committee responsible for management should entail the responsibility of this body (the regulation does not change this), while if the monitoring committee is to be of a monitoring and opinion-giving

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	nature, public institutions should be able to control the decision-making process. The Monitoring Committee should implement the principle of partnership and ensure the representativeness of partners outside the administration, while at the same time not hindering the activities of the Managing Authority. The Committee should be responsible, among other things, for adopting project selection criteria and changes to the chapters of the Plan, which have an impact on the financial management of a given chapter and the Plan as a whole, for which the MA and the Coordinating Authority are ultimately accountable. PT (Drafting suggestions): PT: 1. Each Member State shall determine ~~in a public procedure and~~ based on objective and transparent criteria, the composition and the size of the monitoring committee, ensuring a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6 [partnership]. The number of such partners shall be equal or superior to members belonging to authorities or intermediate bodies. PT

Commission proposal	MS drafting suggestions and comments
	(Comments): PT: It is not clear which administrative costs and complexity will the "public procedures" entail, since it is not clear what these mean for the purpose of selecting the members of the monitoring committee. RO (Drafting suggestions): Each Member State shall determine in a ~~public~~ **open and transparent** procedure and based on objective and transparent criteria, the composition and the size of the monitoring committee, ensuring a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6 [partnership]. The number of such partners shall be equal or superior to members belonging to authorities or intermediate bodies. RO (Comments): The current framework already requires a transparent selection of MC members. Clarifications are required in relation to the added conditionality of a *public procedure*; there is no justification why transparent criteria and the preservation of current 2021-2027 practice,

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	based on Code of Partnership are not sufficient and a public procedure is introduced. What is the meaning of public procedure? SK (Drafting suggestions): Each Member State shall determine, **on the basis of transparent criteria,** ~~in a **public** procedure **and** based on objective and transparent criteria,~~ the composition and the size of the monitoring committee, ensuring a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6 [partnership]. The number of such partners shall be equal or superior to members belonging to authorities or intermediate bodies SK (Comments): The current framework already requires a transparent selection of MC members, while the new proposal goes further by explicitly requires a public selection process based on objective and transparent criteria. For this reason, we request the maintenance of the original selection, as it is not clear what is meant by "a public procedure"

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Commission proposal	MS drafting suggestions and comments
The composition of the monitoring committee shall take into account the chapter or the chapters of the Plan the monitoring committee is responsible for. The composition and size of the monitoring committee shall enable the committee to carry out its work efficiently and effectively.	DE (Comments): Due to the particular territorial shape and multinational character, monitoring committees within the Interreg Plan may need a decentralized approach to the partnership principle. EE (Drafting suggestions): The composition of the monitoring committee shall take into account the chapter or the chapters of the **NRP** Plan the monitoring committee is responsible for. The composition and size of the monitoring committee shall enable the committee to carry out its work efficiently and effectively. EL (Drafting suggestions): The composition of the monitoring ~~committee~~ **committees** shall take into account the chapter or the chapters of the ~~Plan~~ **Plans** the monitoring ~~committee~~ **committees** ~~is~~ **are** responsible for. The composition and size of the monitoring ~~committee~~ **committees** shall enable the ~~committee~~ **committees** to carry out ~~its~~ **their** work efficiently and effectively. FR

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): The composition of the monitoring committee shall take into account the chapter or the chapters of the Plan the monitoring committee is responsible for. ~~The composition and size of the monitoring committee shall enable the committee to carry out its work efficiently and effectively.~~ FR (Comments): Cette disposition apparait trop peu précise. HR (Comments): Further clarifications provided by the Commission suggest that, depending on the composition of the Plan, Home Affairs may be included in a separate chapter with their own managing authority and monitoring committee. Moreover, examples provided for the monitoring committee established in the area of Home Affairs suggest that the same rules do not apply to all policy areas covered by Home Affairs – while derogation from the standard requirements on partnership and multi-level governance is provided as a possibility for border management and internal security if duly justified, the same does not apply to asylum,

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	migration and integration. HR is interested in practical aspects of this issue, given the fact that one MC is in this case being set up for all mentioned areas of Home Affairs on the level of a Plan chapter. How would this function in reality, taking into consideration different requirements? Can the Commission provide an example of how such an MC could be set up? IE (Comments): **There should be provision for subgroups of the MC to meet and give opinion separately. For example, CAP and fisheries stakeholders are now in the same MC, as it is structured by Chapter of the NRP. Flexibility will be crucial here, to ensure engagement from the partners.** PL (Drafting suggestions): The composition of the monitoring committee shall take into account the chapter or the chapters of the Plan the monitoring committee is responsible for. The composition and size of the monitoring committee shall enable the committee to carry out its work efficiently and effectively.

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Commission proposal	MS drafting suggestions and comments
	The monitoring committee shall be chaired by a representative of the Member State or of the managing authority. PL (Comments): It is necessary to introduce provisions specifying who chairs the committee, as established in Regulation 1060/2021.
Each member of the monitoring committee shall have a vote.	BE (Drafting suggestions): ~~Each member of the monitoring committee shall have a vote.~~ BE (Comments): In the current CAP programming period, the monitoring committee does not have an approval role. We do not consider it feasible to make this uniform across the entire NRPP. Although our experience with monitoring committees under cohesion policy is positive, we would prefer to limit the MC's role to an advisory function to ensure workability for all policies covered by the Fund. If the MC has only an advisory role, a formal vote is no longer necessary.

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Commission proposal	MS drafting suggestions and comments
	IE (Drafting suggestions): Each member of the monitoring committee shall have a vote. **The conduct of votes and the positions taken by individual members shall not be publicly disclosed, in order to safeguard the independence and integrity of the committee's deliberations** IE (Comments): **This provision is amended to ensure that the conduct of votes and the positions taken by individual members are not publicly disclosed, in order to safeguard the independence and integrity of the committee deliberations** LU (Comments): Will **the monitoring committee vote by majority? How are decisions taken in relation to art. 56 §2?**

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Commission proposal	MS drafting suggestions and comments
The Member State shall publish and annually update the list of the members of the monitoring committee on the website referred to in Article 64.	AT (Drafting suggestions): The Member State shall publish **and annually update** the list of the members of the monitoring committee on the website referred to in Article 64 **and keep it updated**. AT (Comments): The list of members should be updated if needed, not based on a predetermined time. BE (Drafting suggestions): The Member State shall publish **and if applicable** annually update the list of the members of the monitoring committee on the website referred to in Article 64. CZ (Drafting suggestions): The Member State shall publish and annually update the list of the members of the monitoring committee, **including their full names and**

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Commission proposal	MS drafting suggestions and comments
	the names of the organizations they represent, on the website referred to in Article 64. CZ (Comments): The CZ´s proposal is based on the experience of the current programming period, during which there was uncertainty about the extent to which information should be published on the websites. EE (Drafting suggestions): The Member State shall publish ~~and annually update~~ the list of the members of the monitoring committee on the website referred to in Article 64 **and update it when changes occur.** EE (Comments): The proposal removes the unnecessary obligation for annual updates and clarifies that the list should only be updated when changes occur. This ensures transparency while avoiding redundant updates when no modifications are needed FI

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): The Member State shall publish ~~and annually update~~ the list of the members of the monitoring committee on the website referred to in Article 64. PL (Drafting suggestions): (…) The Member State shall publish and **keep up to date** ~~**annually update**~~ the list of the members of the monitoring committee on the website referred to in Article 64. PL (Comments): Taking into account the transparency and prevention of conflict of interests the list of members should be updated in a possible and shortest deadline. SE (Drafting suggestions): The Member State shall publish and ~~annually~~ **if necessary,** update the list of the members of the monitoring committee on the website referred to in Article 64.

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Commission proposal	MS drafting suggestions and comments
	SE (Comments): Updates are only required in connection with revisions of the composition of the committee. SI (Drafting suggestions): The Member State shall publish and **<u>if needed</u>** ~~annually~~ update the list of the members of the monitoring committee on the website referred to in Article 64.
2. Representatives of the Commission shall participate in the work of the monitoring committee in an advisory capacity.	SK (Drafting suggestions): 2. Representatives of the Commission shall participate in the work of the monitoring committee in an advisory capacity. **<u>The rules of procedure may allow non-members, including the EIB, to participate in the work of the monitoring committee.</u>** SK (Comments):

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	The additional sentence clarifies that, beyond the Commission, the monitoring committee may invite non-members such as the EIB to participate when relevant, ensuring access to necessary expertise. It also preserves flexibility by allowing such participation to be governed by the committee's rules and procedure without altering its formal composition.

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Article 56 ***Functions of the monitoring committee***	DE (Comments): The establishment of monitoring committees entails the risk of a significant increase in bureaucracy. We ask the Commission to explain to what extent the range of tasks for the monitoring committees in this scope is necessary. The empowerment of the monitoring committees to approve parts of the plan is too extensive. The preparation and approval of the national plan across so many different levels of government and non-government entails the risk of delays. Therefore, less time will be left to properly prepare the plan and address the specific needs of the member state. EL (Drafting suggestions): Article 56 ***Functions of the monitoring ~~committee~~ committees*** EL (Comments): Same as in par.1.of article 54 HU (Comments): See above our comments regarding the coordinating committee.

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Commission proposal	MS drafting suggestions and comments
	IE (Drafting suggestions): **Functions of the monitoring / coordinating committees** IE (Comments): **<u>This provision is amended to provide for reference to the inclusion of the functions of the coordinating committee being included in this article.</u>** **<u>We welcome the Presidency's proposal at the AHWP NRP regarding the movement of certain CAP-specific provisions as a starting point to further discussion. In addition to the proposed movement of articles, and in order to ensure consistency, we propose the movement the elements of this article, which reflect pure CAP elements and could be moved while leaving core NRPP structures intact</u>** RO (Drafting suggestions): *Article 56* ***Functions of the monitoring committee*** **<u>for the NRP Plan</u>** RO

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Commission proposal	MS drafting suggestions and comments
	(Comments): COM clarified in SMOR of October 10 (COM PPT WK 13378/2025 INIT) that Article 56 does not apply to Interreg. This should be reflected in the wording.
1. The monitoring committee shall examine:	CZ (Drafting suggestions): **- the monitoring committee may make recommendations to the managing authority, including on measures to reduce the administrative burden for beneficiaries.** CZ (Comments): The current proposal is less focused on reducing the administrative burden for beneficiaries. CZ proposes to include among the functions of the monitoring committee the wording from the current Regulation No. 2021/1060, Article 40(3): "The monitoring committee may make recommendations to the managing authority, including on measures to reduce the administrative burden for beneficiaries." This addition would

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Commission proposal	MS drafting suggestions and comments
	strengthen the role of the monitoring committee as an instrument for ensuring the effective implementation of programmes. EL (Drafting suggestions): 1. The monitoring ~~committee~~ **committees** shall examine: HR (Comments): What is the rationale for requiring the MC to approve not only the selection criteria and methodology for operations, but also the procedures for the selection of operations? Even under the 2021-2027 rules, this process proved to be burdensome and time-consuming. This addition may make it even slower and less efficient. In the 2023-2027 programming period, the monitoring committee also reviews the elements of the ex ante assessment for financial instruments. Please clarify if the task of a monitoring committee also to review the elements of the ex ante assessment for financial instruments and please provide information on whether the ex ante assessment for FI is being prepared for the post-2027 period.

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Commission proposal	MS drafting suggestions and comments
(a) the progress in implementation of the measures included in the chapter of the Plan;	BE (Drafting suggestions): the progress in implementation of **the chapter(s) supervised by the monitoring committee** ~~measures included in the chapter~~ of the Plan; EE (Drafting suggestions): (a) the progress in implementation of the measures included in the chapter of the **NRP** Plan; EL (Drafting suggestions): a) the progress in implementation of the measures included in the chapter of the ~~Plan~~ **Plans;** EL (Comments): Same as in par.1 of article 49 about the dedicated Home Affairs Plan. IT (Drafting suggestions): (a) the progress in implementation of the measures included in the chapter **or chapters** of the Plan;

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Commission proposal	MS drafting suggestions and comments
	IT (Comments): Integration to take into account the case of a single MC. RO (Drafting suggestions): (a) the progress in implementation of the measures included in the chapter of the **NRP** Plan; RO (Comments): Since the paragraph pertains exclusively to the NRP, this scope should be explicitly clarified in the wording to eliminate any potential ambiguity regarding its applicability, ensuring precise legal interpretation and alignment with the distinct governance structures of Interreg Plan
(b) any issues that affect the performance of the chapter and the measures taken to address those issues;	DE (Drafting suggestions): (b) **relevant** ~~**any**~~ issues that affect the performance of the chapter and the measures taken to address those issues; DE

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Commission proposal	MS drafting suggestions and comments
	(Comments): DE: Many issues have an impact, but this is not about small details, but about relevant, significant effects. IT (Drafting suggestions): (b) any issues that affect the performance of the chapter **or chapters** and the measures taken to address those issues; IT (Comments): Integration to take into account the case of a single MC.
(c) the fulfilment of the Rule of Law and Charter horizontal conditions laid down in Articles 8 and 9 [Rule of law and charter horizontal conditions] and their application throughout the programming period;	AT (Comments): It remains unclear what information is to be provided to the Monitoring Committee in this context? HU (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	[the fulfilment of the Rule of Law and Charter horizontal conditions laid down in Articles 8 and 9 [Rule of law and charter horizontal conditions] and their application throughout the programming period;] HU (Comments): In line with the general Hungarian position on horizontal conditions we would ask for this text to be bracketed.
(d) the progress made in carrying out evaluations, syntheses of evaluations and any follow-up given to findings;	FR (Drafting suggestions): the progress made in carrying out evaluations~~, syntheses of evaluations and any follow-up given to findings~~ FR (Comments) : Cette disposition est de nature à augmenter la charge administrative de manière disproportionnée pour l'autorité de gestion.

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Commission proposal	MS drafting suggestions and comments
(e) the implementation of information, communication and visibility actions with regards to reforms and investments and other interventions included in the chapter;	AT (Drafting suggestions): (e) the implementation of information, communication and visibility actions ~~with regards to reforms and investments and other interventions included in the chapter~~ AT (Comments): Why are information, communication and visibility actions purely linked to reforms, investments and other interventions included in the chapter? Proposal to delete the clarification on reforms et al BE (Drafting suggestions): The implementation of information, communication and visibility actions with regards to reforms and investments and other interventions included in **the chapter(s) supervised by the monitoring committee. Member States may establish communication plans at chapter level, provided that they ensure coherence with the overall communication obligations under this Regulation**. FR

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): the implementation of information, communication and visibility actions with regards to reforms and investments and other interventions included in the chapter, **where relevant ;** FR (Comments): Cet ajout vise à adapter ces dispositions aux spécificités des chapitres du Plan. IT (Drafting suggestions): (e) the implementation of information, communication and visibility actions with regards to reforms and investments and other interventions included in the chapter **or in the chapters**; PL (Drafting suggestions): (e) the implementation of **the communication strategy** ~~**information, communication and visibility actions with regards to reforms and investments and other interventions included in the chapter**~~; PL

Commission proposal	MS drafting suggestions and comments
	(Comments): The reason for the proposed amendment to the provision is to maintain consistency with other provisions of the Regulation.
(f) the progress in administrative capacity building for public institutions, partners and beneficiaries, where relevant;	MT (Comments): What makes it '***relevant***'?
(g) the effective functioning of the partnership as regards the chapter or chapters of the Plan under its responsibility.	AT (Comments): The MA of the Home Funds asks for exemption for Home Funds (see general also remark on Art 54). EE (Drafting suggestions): (g) the effective functioning of the partnership as regards the chapter or chapters of the **NRP** Plan under its responsibility. FR (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	~~the effective functioning of the partnership as regards the chapter or chapters of the Plan under its responsibility.~~ FR (Comments): Cette disposition apparait trop peu précise et est de nature à augmenter la charge administrative de manière disproportionnée. MT (Comments): What does this mean in practice? How can the committee examine this? What would the MA need to present in order for the committee to assess this? PL (Comments): It needs to be clarified how the effective functioning of the partnership should be defined in relation to the chapter or chapters of the Plan for which the partnership is responsible and how this should be measured. RO (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	g) the effective functioning of the partnership as regards the chapter or chapters of the **NRP** Plan under its responsibility. RO (Comments): Since the paragraph pertains exclusively to the NRP, this scope should be explicitly clarified in the wording to eliminate any potential ambiguity regarding its applicability, ensuring precise legal interpretation and alignment with the distinct governance structures of Interreg Plan. SI (Comments): It is necessary to clearly define how the monitoring committee can verify the effective functioning of the partnership.
	LT (Drafting suggestions): **h) the evaluation roadmap and any amendment thereto;** **(i) integrated territorial and urban development strategies.** LT (Comments): Moved from 2 c) and e) of this article.

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Commission proposal	MS drafting suggestions and comments
2. The monitoring committee shall approve for the chapter(s) under its responsibility:	BE (Drafting suggestions): 2. The monitoring committee shall ~~approve for~~ **give its opinion on the following elements of** the chapter(s) under its responsibility: BE (Comments): In the current CAP programming period, the monitoring committee does not have an approval role. We do not consider it feasible to make this uniform across the entire NRPP. Although our experience with monitoring committees under cohesion policy is positive, we would prefer to limit the MC's role to an advisory function to ensure workability for all policies covered by the Fund. CZ (Drafting suggestions): 2. The monitoring committee shall approve **and in case of CAP it shall give an opinion**, for the chapter(s) under its responsibility: CZ (Comments):

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Commission proposal	MS drafting suggestions and comments
	The monitoring committee is a consultative and supervisory body. On the other hand, the Managing Authority is responsible for the implementation of NRP Plan. For this reason, the monitoring committee should not have the power to approve, but only to give an opinion. This system is used within CAP and we need to keep this system. DE (Drafting suggestions): 2. The monitoring committee shall ~~**approve**~~ **give an opinion** for the chapter(s) under its responsibility: DE (Comments): See general comment above. EL (Drafting suggestions): 2. The monitoring committee **of the NRP Plan and the monitoring committee of the Home Affairs Plan** shall approve for the chapter(s) under ~~its~~ **their** responsibility: EL (Comments):

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Commission proposal	MS drafting suggestions and comments
	Same as in par.1of article 54 and 49 ES (Drafting suggestions): The monitoring committee ~~shall approve~~ **shall give its opinion** for the chapter(s) under its responsibility: ES (Comments): The introduction of this competence in the Monitoring Committees makes the management and monitoring of the plans impracticable. Committee decisions may differ from those of managing authorities and the Commission, leading to blockages in important procedures, such as amending plans. The role of the Monitoring Committees should be advisory Regarding the functions of the monitoring committees (Article 56), we consider it essential that these bodies retain the consultative nature they have had during the current programming period and that their decisions should not be binding. For example, the mandatory requirement ("shall") for committees to approve modification proposals could lead to procedural blockages.

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Commission proposal	MS drafting suggestions and comments
	We also disagree with the possibility for the monitoring committees to issue recommendations without specifying their scope and the follow-up procedures. FR (Drafting suggestions): The monitoring committee shall ~~approve~~ **examine** for the chapter(s) under its responsibility: FR (Comments): L'attribution d'un rôle de validation et non d'avis, comme c'est actuellement le cas pour la PAC, pourrait entraîner d'importantes difficultés opérationnelles de mise en œuvre, voire un blocage complet du système. Dans tous les cas, la décision de modifier ou non un plan doit revenir à l'Etat membre. HU (Drafting suggestions): The monitoring committee ~~**shall approve**~~ **give its opinion** for the chapter(s) under its responsibility: HU

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Commission proposal	MS drafting suggestions and comments
	(Comments): While the proposal is in line with current Cohesion Policy provisions, under the current CAP practice the Monitoring Committee only expresses an opinion, to which the managing authority may respond with acceptance or, where justified, rejection. Given this difference, and given the Commission's stated aim of simplification, it is not clear why the stricter rule should prevail. We therefore suggest maintaining the established CAP approach and referring to the Monitoring Committee giving its opinion on the chapters under its responsibility. IE (Drafting suggestions): The monitoring committee shall approve**, or specifically in relation to the Chaper relating to the Common Agricultural Policy, provide an opinion** for the chapter(s) under its responsibility: IE (Comments): **This provision is amended to provide that specifically in relation to the CAP, that the Monitoring Committee provides, as is current, an opinion rather than approval. In that context, Article 56(2) is a significant change from the current period. Requiring the**

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Commission proposal	MS drafting suggestions and comments
	Monitoring Committee to approve the chapters and amendments risks dividing the opinion of the members of the effective oversight. In the current CAP Strategic Plan, the Monitoring Committee "gives opinion", and then the managing authority must take account of this opinion. This allows minority views to be considered and is a more democratic structure for the Committee. **Furthermore, there is a risk that the Committee could refuse to approve a legally necessary amendment. The Ministers responsible for the National Plans must have final decision about the timing and content of the Plan and its amendments, taking account of the opinion of the Monitoring Committee.** IT (Drafting suggestions): 2. The monitoring committee shall **give its opinion** ~~**approve**~~ for the chapter(s) under its responsibility: IT (Comments): The proposal is in line with the current rules on monitoring Committee (for CAP). The approval by the Committee is an addition of administrative burdens.

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Commission proposal	MS drafting suggestions and comments
	LU (Drafting suggestions): The monitoring committee shall provide its opinion ~~shall approve~~ for the chapter(s) under its responsibility: LU (Comments): **While it is important to involve stakeholders in the process, the monitoring committee will be composed by a group of partners mentioned in art. 6 including civil society. The agreement amongst all for an amendment of the plan will be very difficult especially as regards time constraints. Too restrictive wording and implication of vote could eventually block important decisions.** RO (Comments): **Comments for CAP:** To the extent that there will be monitoring committees on various chapters of the Plan – namely for CAP, what will be their role and effectiveness if, according to art. 54 par. 2, the Coordination Committee will also approve the elements listed in art. 56 Functions of the MC, par. 2?

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Commission proposal	MS drafting suggestions and comments
	We consider that the provisions of art. 56 par. 3 create an unjustified administrative burden and possible delays in the adoption of decisions, in the context of overlapping attributions and, in particular, in the case of divergent opinions.
(a) any proposal for the amendment of the chapter or chapters of the NRP Plan under its responsibility, except for amendments pursuant to Article 34 [Union actions, EU Facility].	AT (Drafting suggestions): (a) any **substantial** proposal for the amendment of the chapter or chapters of the NRP Plan under its responsibility, except for amendments pursuant to Article 34 [Union actions, EU Facility]. EL (Drafting suggestions): (a) any proposal for the amendment of the chapter or chapters of the NRP Plan **and the Home Affairs Plan** under ~~its~~ **their** responsibility, except for amendments pursuant to Article 34 [Union actions, EU Facility]. EL (Comments): Same as in par.1of article 54 and 49

Commission proposal	MS drafting suggestions and comments
	FR (Drafting suggestions): any proposal for the amendment of the chapter or chapters of the NRP Plan under its responsibility, except for amendments pursuant **to Article 24(6)(a) [Clerical or editorial corrections, Minor adjustments] and** to Article 34 [Union actions, EU Facility]. FR (Comments): Cette contrainte est trop lourde pour s'appliquer à toutes les révisions. Proposition de n'appliquer cette contrainte qu'aux "substantial revision" (les plus importantes), et pas aux "regular revision" ni aux "minor revisions".
(b) the methodology, criteria and procedures for the selection of operations, including any changes thereto. The criteria applied and procedures used shall be non-discriminatory, inclusive and transparent, ensuring accessibility to persons with disabilities, ensuring gender equality, and take account of the Charter of Fundamental Rights of the European Union;	BG (Drafting suggestions): (b) the methodology~~,~~ **and** criteria ~~and procedures~~ for the selection of operations, including any changes thereto. The criteria applied and procedures used shall be non-discriminatory, inclusive and transparent, ensuring accessibility to persons with disabilities, ensuring gender

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	equality, and take account of the Charter of Fundamental Rights of the European Union; BG (Comments): Requiring the MC to approve the procedures for the selection of operations would cause delays and increase the administrative burden. Under the current CPR, the MC approves only the methodology and criteria, and we propose to maintain the current approach. DE (Drafting suggestions): (b) the methodology, criteria and procedures for the selection of operations, including any changes thereto. The criteria applied and procedures used shall be non-discriminatory, inclusive and transparent, ensuring accessibility to persons with disabilities, ensuring gender equality, and take account of the Charter of Fundamental Rights of the European Union**, the principle of sustainable development and of the Union policy on the environment in accordance with Article 11 and Article 191(1) TFEU**; DE (Comments):

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	A reference to the principle of sustainability and the Union Policy on the environment should, where appropriate, be added based on the wording of the current Art. 73 Para 1 CPR. The principle of sustainability and the Union Policy on the environment are essential orientation points for the implementation of EU funding including project selection as one of the central steps. FI (Drafting suggestions): (b) the methodology **and** criteria ~~and procedures~~ for the selection of operations, including any changes thereto. The criteria applied ~~and procedures used~~ shall be non-discriminatory, inclusive and transparent, ensuring accessibility to persons with disabilities, ensuring gender equality, and take account of the Charter of Fundamental Rights of the European Union; FI (Comments): Monitoring committee should not approve MAs procedures, which may be based on national legislation HR (Drafting suggestions):

Commission proposal	MS drafting suggestions and comments
	the methodology **and** criteria ~~**and procedures**~~ for the selection of operations, including any changes thereto. The criteria applied ~~**and procedures used**~~ shall be non-discriminatory, inclusive and transparent, ensuring accessibility to persons with disabilities, ensuring gender equality, and take account of the Charter of Fundamental Rights of the European Union; HR (Comments): **HR questions** the rationale behind requiring the Monitoring Committee to approve not only the selection criteria and methodology, but also the procedures for the selection of operations (Article 56(2)(b)). Even under the 2021–2027 period, the process was already considered administratively burdersome. This additional requirement may further delay implementation. **HR suggests** limiting the Committee's role to criteria and methodology, and removing "procedures" from this provision. Taking into account that one of the responsibilities/functions of the Managing authority provided in Article 51(1)(a) is "selecting operations with a view to maximising the contribution of the Plan towards the achievement of the objectives of the Fund, defined at the level of its chapters and measures by establishing and applying criteria and

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	procedures which are non-discriminatory and transparent", we would appreciate if the COM could clarify what exactly should the Monitoring Committee approve, in the context of the procedures for the selection of operations, i.e. to what extent the procedures of the MA are subject to the approval of the Monitoring Committee? Does this mean that, for example, the Monitoring Committee should approve also implementing procedures for the selection of operation, such as types of acts issued by the relevant authorities (i.e. the managing authority or its intermediate body), deadlines for issuing certain types of acts by the authorities or by the beneficiaries, types of the legal remedy etc.? LT (Drafting suggestions): the methodology, **general** criteria and ~~procedures for~~ **type of** the selection of operations, including any changes thereto. The criteria applied ~~and procedures used~~ shall be non-discriminatory, inclusive and transparent, ensuring accessibility to persons with disabilities, ensuring gender equality, and take account of the Charter of Fundamental Rights of the European Union; LT

Commission proposal	MS drafting suggestions and comments
	(Comments): Based on the COM replies to MS questions dated 2 October 2025, specifically question group No. 13, we suggest specifying at this point that the term 'procedures for the selection of operations' is to be understood as referring to a **type** of selection of operations. LV (Drafting suggestions): (b) the ~~methodology,~~ criteria ~~and procedures~~ for the selection of operations, including any changes thereto. The criteria applied ~~and procedures used~~ shall be non-discriminatory, inclusive and transparent, ensuring accessibility to persons with disabilities, ensuring gender equality, and take account of the Charter of Fundamental Rights of the European Union; LV (Comments): We propose to delete the words ‘’methodology and “procedures”. We call for applying the approach used in the 2021–2027 period, stipulating that the monitoring committee approves the criteria used for the selection of operations. PL

Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): (b): the methodology **and** ~~,~~ criteria ~~**and procedures**~~ for the selection of operations, including any changes thereto. The criteria applied and procedures used shall be non-discriminatory, inclusive and transparent, ensuring accessibility to persons with disabilities, ensuring gender equality, and take account of the Charter of Fundamental Rights of the European Union. PL (Comments): The procedures for selecting operations should not require approval by the monitoring committee. It does not seem feasible to adopt detailed procedures that are common to all operations. Entrusting any powers to the committee with regard to project selection procedures will lead to implementation paralysis and delays. As a result, the committee will have to deal with numerous and very detailed issues on an almost permanent basis, especially since the regulations do not clarify the scope of the term 'procedure'. RO (Drafting suggestions):

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	(b) the methodology~~, criteria~~ and procedures for the selection of operations, including any changes thereto. **The methodology should ensure that** criteria **to be** applied and procedures used shall be non-discriminatory, inclusive and transparent, ensuring accessibility to persons with disabilities, ensuring gender equality, and take account of the Charter of Fundamental Rights of the European Union; RO (Comments): We suggest to exclude references to criteria so that to ensure compliance with article 51(1)(a) SI (Drafting suggestions): ~~the methodology and criteria and procedures for the selection of operations, including any changes thereto. The criteria applied and procedures used shall be non-discriminatory, inclusive and transparent, ensuring accessibility to persons with disabilities, ensuring gender equality, and take account of the Charter of Fundamental Rights of the European Union;~~ SI (Comments):

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	It is not clearly defined who will develop the criteria and what criteria should be defined in the section defining the development of the criteria. In shared management, it is the responsibility of the Managing Authority and the intermediate bodies to determine the procedures for selecting operations in accordance with national legislation. Requiring approval by the Monitoring Committee could create additional administrative burdens that hinder flexible implementation. Decisions regarding the procedures for selecting operations should therefore remain with the Managing Authority (MA) or the relevant intermediate bodies (e.g., ministries).” Sometimes, the choice of procedure for selecting operations, especially when there is no state aid, depends on the number of potential projects and specific requirements. For instance, when implementing the Just Transition Fund (JTF) to support the establishment of business incubators and economic zones, we decided to select projects based on public calls instead of direct confirmations of operations, as was initially planned. If the Monitoring Committee approves this type of decision, it would unnecessarily prolong the entire implementation process. To maintain flexibility, decisions regarding project selection procedures should be left to the MA and intermediate bodies. SK

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): (b) the methodology~~, criteria~~ and procedures for the selection of operations, including any changes thereto. ~~The criteria applied~~ **Methodology** and procedures used shall be non-discriminatory, inclusive and transparent, ensuring accessibility to persons with disabilities, ensuring gender equality, and take account of the Charter of Fundamental Rights of the European Union; SK (Comments): Compliance with Article 51(1)(a)
	HR (Comments): Furthermore, does this mean that under one NRPP different MAs will have different procedures or will there be unified procedures but MA´s will have option to modify them for their specific sectoral needs with MC and Coordinating Authority´s approval?
(c) the evaluation roadmap and any amendment thereto;	BE (Comments):

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Commission proposal	MS drafting suggestions and comments
	What is meant with “evaluation roadmap”. Equivalent to evaluation “strategy”? FI (Comments): Should be moved to first paragraph as 1(h). How many evaluation roadmaps and communication strategies will be drawn up? For every Chapter their own and/or one at the NRP level? For small MS this can be very burdensome. National conditions should be taken into account. The meaning of territorial development strategies should be clarified. Are regional Leader strategies interpreted as territorial development strategies? HR (Comments): The inclusion of the ‘evaluation roadmap’ among the elements to be approved by the Monitoring Committee is noted. In order to ensure coherence and avoid divergent interpretations, **HR recommends** clarifying whether the evaluation roadmap is equivalent to the evaluation plan used during the 2021–2027 programming period. Additionally, **HR suggests** that the Commission provide dedicated guidance or a template,

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	as was the case in the previous period, to ensure a harmonised approach across Member States. LT (Drafting suggestions): ~~(c) the evaluation roadmap and any amendment thereto;~~ LT (Comments): The Monitoring Committee is provided with overly broad approval functions. For example, we consider that the obligation to approve the evaluation roadmap and any amendment is superfluous. Therefore, we suggest to move this point to paragraph 1 of this article.
(d) the communication strategy;	AT (Drafting suggestions): ~~(d) the communication strategy;~~ AT (Comments): We see this covered by Art 22.2.e ("the envisaged approach to communication") and suggest deleting this para. .

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	BE (Drafting suggestions): ~~the communication strategy;~~ DE (Drafting suggestions): **~~(d) the communication strategy~~;** DE (Comments): For 2021-27, no explicit communication strategy was required. Bureaucracy needs to be reduced, not re-increased. FI (Comments): Should be moved to first paragraph as 1(i). FR (Drafting suggestions): ~~the communication strategy;~~ FR (Comments):

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	Cette disposition apparait trop peu précise et relève de la stratégie de l'autorité de gestion. LU (Comments): **Could COM please clarify whether such a strategy is mandatory for MS**? LV (Drafting suggestions): ~~(d) the communication strategy;~~ LV (Comments): LV is sceptical regarding extending the functions of MC by inclusions adoption Communication strategy. PL (Drafting suggestions): (d) the communication strategy, **where appropriate**; PL (Comments):

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	We propose that flexibility be maintained with regard to the need to draw up a communication strategy for each chapter. It should be left to Member States to decide whether to develop a single horizontal strategy and/or, for example, strategies for several or selected chapters, taking into account their specific characteristics and the information and promotion system in place. RO (Drafting suggestions): the communication strategy;
(e) territorial development strategies.	AT (Drafting suggestions): ~~(e) territorial development strategies~~ AT (Comments): If these strategies also include LEADER, the Monitoring Committee should not 'approve' these strategies. The selection and approval process is a time-consuming and complex process and should continue to be

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	carried out by a panel of experts, which may well include relevant members of the Monitoring Committee. The paragraph maybe contradicts Article 75(3) "Strategies...shall be selected by managing authorities". BE (Drafting suggestions): ~~territorial development strategies.~~ BE (Comments): Task of managing authority. BG (Drafting suggestions): ~~(e) territorial development strategies.~~ BG (Comments): This provision differs from the current approach under the CPR, which requires cooperation between territorial authorities and the MA in defining the scope of operations. In Bulgaria, the national strategic planning documents for development at regional and

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	local level (independently of their sources of funding) are developed at regional level, agreed by regional councils and approved by the Council of Ministers, with the participation of local authorities, business, civil society and the MA. We therefore do not support their approval by the MC or MA, as it would be an additional burden, potentially decreasing the role of regional and local authorities. CZ (Drafting suggestions): ~~(e) territorial development strategies.~~ CZ (Comments): CZ requests that this point be removed, as it is a provision that will increase the bureaucratic burden and slow down the process of implementing territorial development strategies. DE (Comments): The territorial development strategies are already consulted with partners in the phase of program planning. An additional approval by the monitoring committee seems formalistic.

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	For integrated urban development, it depends on the territorial coverage of the strategy. EE (Drafting suggestions): ~~(e) territorial development strategies~~ EE (Comments): Requiring the monitoring (and coordinating) committee to approve territorial development strategies creates unnecessary administrative burden, as these strategies should be adopted by the relevant territorial or political authorities. We therefore propose deleting this requirement. FI (Comments): Should be moved to first paragraph as 1(j). FR (Drafting suggestions): ~~territorial development strategies~~ FR (Comments):

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Commission proposal	MS drafting suggestions and comments
	Cette disposition apparait trop peu précise et relève de la stratégie de l'autorité de gestion. IT (Drafting suggestions): ~~**(e) territorial development strategies.**~~ IT (Comments): Until now, territorial strategies have followed their own selection process, approved by an ad hoc selection committee and without formal approval by the MC. We ask that this procedure be maintained unchanged LT (Drafting suggestions): ~~(e) territorial development strategies.~~ LT (Comments): The procedure for approving territorial strategies in the Monitoring Committee may create a disproportionate administrative burden by duplicating processes at the level of the municipality, regional institution

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	or LAG, and the Managing Authority (which is also assigned the function of selecting strategies). The proposal to assign the function of approving territorial strategies to the Monitoring Committee may significantly complicate and slow down the processes. There are doubts whether the function is generally compatible with the purpose of the Monitoring Committee, since the approval of strategies is part of the planning, not the monitoring process. The provision does not leave room for the recognition of existing strategic planning documents of (sub)regions or municipalities prepared and approved in accordance with national law as territorial strategies. It also does not leave room for the specificities of the Member States to be taken into account, such as the territorial-administrative structure, the competences of the local, sub-regional or regional level in the strategic management system. The principle of multi-level governance is inseparable from subsidiarity, which means decision-making at a level as close to the citizens as possible. Therefore, we see a risk that this principle will not be maintained if the adoption of essential decisions on territorial strategies is essentially delegated to the Monitoring Committee, but not to institutions with a mandate given by citizens, responsible for a specific territory and

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	allocating their budget for their implementation (in the case of local authorities). LV (Drafting suggestions): ~~(e) territorial development strategies.~~ LV (Comments): We propose the deletion of Article 56(2)(e) or that the MC shall approve a summary of the selected strategies. We have reviewed the Commission's answers and acknowledge that the dual requirement in Article 56(2)(e)—requiring MC approval after Managing Authority (MA) selection (under Article 75(3))—is intended to ensure scrutiny and avoid potential monopoly situations. However, this structure imposes an excessive administrative burden, particularly for smaller Member States, as the MC's sign-off often becomes the third approval for strategies already adopted by national/local governance bodies (such as Planning Region Development Councils) and then selected by the MA. Given the experience of the 2014–2020 and 2021–2027 periods, where limited funding confines these territorial strategies to priority projects whose core

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	objectives are already approved in the Plan, this third level of approval is redundant, time-consuming, and hinders investment launch. MT (Comments): What does this refer to? Is this also related to LEADER strategies? If this will also be required for LEADER, it will add an additional layer of approvals that will delay adoption of such strategies. Currently LEADER strategies are selected through a set of criteria for the selection of operations that are approved by the Committee. PL (Drafting suggestions): ~~**(e) territorial development strategies.**~~ PL (Comments): Entrusting committees with the power to approve territorial strategies appears to be an excessive interference in national public policy programming systems. RO (Drafting suggestions):

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	~~territorial development strategies.~~ RO (Comments): The approval of territorial strategies by the MC could lead to delays in the implementation of the Plan. At the same time, there is a risk of a conflict of interest between the MC members and the beneficiaries of the territorial strategies. SE (Drafting suggestions): ~~(e) territorial development strategies.~~ SE (Comments): Assigning this task to the monitoring committee would both increase the administrative burden and create challenges regarding how these strategies are developed and with respect to the general administrative structure. SI (Drafting suggestions): ‘’~~territorial development strategies.~~ ‘’

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	SI (Comments): Certain tasks do not fall within the remit of the monitoring committee for individual funds. Currently, the Managing Authority approves the territorial development strategies, and this should remain the case. Having the monitoring committee approve the strategies would create an additional administrative barrier and cause delays in implementation. SK (Drafting suggestions): ~~**(e) territorial development strategies.**~~ SK (Comments): The proposed requirement for the Monitoring Committee to approve territorial development strategies is not acceptable. Territorial development strategies should be approved primarily by the Partnership or Cooperation Councils established at the relevant territorial level, where all partners are adequately represented in accordance with the partnership principle. It is not justified why these strategies should require an additional approval at national level by the Monitoring or Coordinating

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	Committee. Such a requirement would undermine the subsidiarity principle, reduce the autonomy of territories to set their own priorities, and create unnecessary administrative duplication. The existing ITI mechanism in the Slovak Republic is based on territorial ownership and has proven effective; therefore, this provision would represent a backward step. Additionally, it creates a conflict with Article 75(3), which states that strategies are selected by the Managing Authority. We request the deletion of this point.
	NL (Drafting suggestions): **2a. By way of derogation from paragraph 2, the monitoring committees set up to cover the chapters related to the implementation of the interventions under article 35 shall give its opinion for the chapters under its responsibility on the issues listed in paragraph 2.** NL (Comments): To continue with current CAP and EMFAF practice. SE (Drafting suggestions):

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	New para: As regards to the chapters related to CAP and CFP, the monitoring committee shall be consulted and shall, if it considers it appropriate, give an opinion on any amendment of the program SE (Comments): SE believes that there should be an exemption as the one in Article 40.1 (2) in (EU) 2021/1060 for CAP and CFP.
3. The coordinating committee shall examine and approve the same elements as the ones mentioned in the preceding paragraph but at the level of the Plan. In case of divergent opinions, the opinion of the monitoring committee responsible for the chapter shall prevail.	AT (Drafting suggestions): 3. **When deemed necessary, t**~~T~~he coordinating committee shall examine and approve the same elements as the ones mentioned in the preceding paragraph but at the level of the Plan. In case of divergent opinions, the opinion of the monitoring committee responsible for the chapter shall prevail. BE (Drafting suggestions): **Where relevant, t**~~T~~**he** coordinating committee shall examine ~~and approve~~ the same elements as the ones mentioned in the preceding paragraph but at the level of the Plan **while ensuring coherence in the implementation of the various chapters.** In case of divergent opinions,

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	the opinion of the monitoring committee responsible for the chapter shall prevail. BE (Comments): We would prefer to make the establishment of a coordinating committee optional. We do not see the added value of this body in the context of our federal state. If it would remain obligatory, this coordinating committee should have a consultative role limited to coordination and information-sharing; it should not give its opinion on elements already discussed by monitoring committees. Its tasks should focus on facilitating coherence across chapters, exchanging best practices between authorities, and issuing non-binding recommendations in case of delays or challenges. These recommendations should be indicative and should not restrict the autonomy of regional authorities. CZ (Drafting suggestions): 3. The coordinating committee shall examine and approve ~~the same~~ **relevant** elements as the ones mentioned in the preceding paragraph but at the level of the Plan.~~ In case of divergent opinions, the opinion of the monitoring committee responsible for the chapter shall prevail.~~ **Where a**

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	decision of the monitoring committee has implications for the Plan as a whole, the coordinating committee may request the monitoring committee concerned to re-examine the decision. CZ (Comments): CZ does not consider it appropriate for the coordinating committee to discuss and approve the same issues as the monitoring committee, which CZ perceives as adding burden to the entire process rather than simplifying it. CZ considers that the coordinating committee should have the possibility to request reassessment of a decision made by the monitoring committee. However, this should apply only to situations that concern the NRP Plan as a whole; otherwise, the role of the coordinating committee would be merely formal. At the same time, CZ notes that the paragraph in question is, to some extent, contradictory, since if the view of the monitoring committee takes precedence over that of the coordinating committee, it would mean that any recommendation issued by the coordinating committee in the situation described in paragraph 4 could simply be vetoed by the monitoring committee. DE (Drafting suggestions):

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	~~**3. The coordinating committee shall examine and approve the same elements as the ones mentioned in the preceding paragraph but at the level of the Plan. In case of divergent opinions, the opinion of the monitoring committee responsible for the chapter shall prevail.**~~ DE (Comments): DE: The role of the coordinating committee in case of divergent opinions is unclear. If the opinion of the monitoring committee responsible for the chapter prevails, there is no added value having another examination and approvement procedure. EE (Drafting suggestions): The coordinating committee ~~**shall**~~ **may** examine ~~**and approve**~~ the same elements as the ones mentioned in the preceding paragraph but at the level of the **NRP** Plan. ~~**In case of divergent opinions, the opinion of the monitoring committee responsible for the chapter shall prevail.**~~ EE (Comments): Double approval doesn't seem reasonable.

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	EL (Drafting suggestions): 3. The coordinating committee shall examine and approve the same elements as the ones mentioned in the preceding paragraph but at the level of the ~~Plan~~ **Plans.** In case of divergent opinions, the opinion of the monitoring committee responsible for the chapter shall prevail. EL (Comments): Same as in par.1 of article 49. FI (Drafting suggestions): The coordinating committee shall examine ~~and approve~~ the same elements as the ones mentioned in the preceding paragraph but at the level of the Plan. ~~In case of divergent opinions, the opinion of the monitoring committee responsible for the chapter shall prevail.~~ FR (Drafting suggestions): The coordinating committee shall examine ~~and approve~~ the same elements as the ones mentioned in the preceding paragraph but at the level of the Plan, **where relevant, as part of a substantial revision** . In

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	case of divergent opinions, the opinion of the monitoring committee responsible for the chapter shall prevail. FR (Comments): Cette modification vise à mettre en cohérence ce paragraphe avec les dispositions du paragraphe 54.2 relatif au comité de coordination. Idem, proposition de n'appliquer cette contrainte qu'aux "substantial revision". Pour rappel, nous attendons un retour écrit à propos des missions des comités de coordination et de gestion et de la complémentarité/redondance de leurs missions. HR (Comments): It is unclear how this will be achieved? Does this mean that in CC, representatives of different MC will be appointed? HU (Drafting suggestions): ~~The coordinating committee shall examine and approve the same elements as the ones mentioned in the preceding paragraph but at the level of the Plan. In case of divergent opinions, the opinion of the monitoring committee responsible for the chapter shall prevail.~~

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	HU (Comments): See above our comments regarding the coordinating committee. IE (Drafting suggestions): The coordinating committee shall examine and approve the same elements as the ones mentioned in the preceding paragraph but at the level of the Plan. ~~In case of divergent opinions~~**Where an issue arises regarding a matter at the level of the Plan**, the opinion of the **Coordinat**~~ monitor~~ing committee ~~responsible for the chapter~~ shall prevail. IE (Comments): **This provision is amended to ensure the Coordinating Committee is responsible for those issues which transcend chapters and relate to the wider Plan** **Changes to chapters in the plan are in effect a change to the plan, does this mean that the actions set out in 56(2) must all be approved by both MC and CC?**

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	For the purposes of drafting, it is assumed that reference to changes at 'the level of the plan' are those which transcend chapters and relate to the wider Plan but confirmation that this is the position is requested. IT (Drafting suggestions): ~~3. The coordinating committee shall examine approve the same elements as the ones mentioned in the preceding paragraph but at the level of the Plan. In case of divergent opinions, the opinion of the monitoring committee responsible for the chapter shall prevail.~~ IT (Comments): Unnecessary duplications emerge between the monitoring committee and the coordinating committee, which, for example, prolongs and blocks the amendment procedures. LT (Drafting suggestions): ~~The coordinating committee shall examine and approve the same elements as the ones mentioned in the preceding paragraph but at the~~

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	~~level of the Plan. In case of divergent opinions, the opinion of the monitoring committee responsible for the chapter shall prevail.~~ LU (Drafting suggestions): **Delete this paragraph** LU (Comments): **It is not necessary that the coordination committee should approve again the same list of responsibilities than the monitoring committee, especially when the opinion of the last one has priority over the opinion of the coordination committee** LV (Drafting suggestions): ~~3. The coordinating committee shall examine and approve the same elements as the ones mentioned in the preceding paragraph but at the level of the Plan. In case of divergent opinions, the opinion of the monitoring committee responsible for the chapter shall prevail.~~ NL (Drafting suggestions):

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	~~3. The coordinating committee shall examine and approve the same elements as the ones mentioned in the preceding paragraph but at the level of the Plan. In case of divergent opinions, the opinion of the monitoring committee responsible for the chapter shall prevail.~~ PT (Drafting suggestions): PT ~~3. The coordinating committee shall examine and approve the same elements as the ones mentioned in the preceding paragraph but at the level of the Plan. In case of divergent opinions, the opinion of the monitoring committee responsible for the chapter shall prevail.~~ PT (Comments): PT: It is unnecessarily burdensome to have the coordinating committee approving all the functions of the monitoring committee. RO (Drafting suggestions): The coordinating committee shall examine and approve the same elements as the ones mentioned in the preceding paragraph but at the level of the **NRP** Plan, **except for the methodologies, criteria, and procedures for selecting operations**. In case of divergent opinions, the opinion of the

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	~~monitoring~~ **coordinating** committee ~~responsible for the chapter~~ shall prevail **in order to ensure the efficient and smooth implementation of the Plan**. RO (Comments): Since the paragraph pertains exclusively to the NRP, this scope should be explicitly clarified in the wording to eliminate any potential ambiguity regarding its applicability, ensuring precise legal interpretation and alignment with the distinct governance structures of Interreg Plan. A clearer demarcation of the responsibilities of the Monitoring Committee and the Coordination Committee is necessary. The provisions of Article 56(3) may create an unjustified administrative burden and may lead to possible delays in decision-making, due to the overlap of responsibilities and, in particular, in cases of divergent opinions. In order to ensure coherence of the Plan, the coordinating committee should be able to overrule the decision of the Monitoring Committee, not the other way around. This provision can endanger the overall implementation of the Plan if critical decision cannot be addressed at the coordination level. The functions and tasks of the coordinating structure should be mirrored at the level of the committees.

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	SE (Drafting suggestions): 3. ~~The coordinating committee shall examine and approve the same elements as the ones mentioned in the preceding paragraph but at the level of the Plan. In case of divergent opinions, the opinion of the monitoring committee responsible for the chapter shall prevail.~~ SE (Comments): The added value that the coordinating committee should bring, is not clear. The tasks of the coordinating committee are the same as for the MC. SI (Drafting suggestions): ~~The coordinating committee shall examine and approve the same elements as the ones mentioned in the preceding paragraph but at the level of the Plan. In case of divergent opinions, the opinion of the monitoring committee responsible for the chapter shall prevail.~~ SI (Comments):

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	There is no need to duplicate the process. This illustrates the additional administrative burden that would prolong and complicate implementation. SK (Comments): In case of divergent opinions, the opinion of the monitoring committee responsible for the chapter shall prevail. What kind of added value has the examination of coordinating committee if in case of divergent opinions, the opinion of monitoring committee prevails? This makes the work of the members of coordinating committee less attractive and more formalistic.
4. In case of delays or challenges in the implementation of different chapters of the Plan, the coordinating committee can issue recommendations to the authorities managing the chapters of the Plan on improving the effectiveness of these chapters in achieving their objectives, including any corrective actions that shall be taken by the authorities.	BE (Drafting suggestions): ~~In case of delays or challenges in the implementation of different chapters of the Plan, the coordinating committee can issue recommendations to the authorities managing the chapters of the Plan on improving the effectiveness of these chapters in achieving their objectives, including any corrective actions that shall be taken by the authorities.~~

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	DE (Drafting suggestions): ~~**4. In case of delays or challenges in the implementation of different chapters of the Plan, the coordinating committee can issue recommendations to the authorities managing the chapters of the Plan on improving the effectiveness of these chapters in achieving their objectives, including any corrective actions that shall be taken by the authorities.**~~ DE (Comments): We need clarification regarding recommendations by the monitoring committee: it should not be mandatory for the managing authority to take up any corrective actions recommended. Otherwise, there would be an unjustified power shift towards the monitoring committees. We see a risk with the overrepresentation of other stakeholders (see Art. 55 (1), that NRPPs decided by MS can be undermined by stakeholders. A more balanced approach as in the current Cohesion Policy framework ("recommendations") would be aprreciated. EE (Drafting suggestions):

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	In case of delays or challenges in the implementation of different chapters of the **NRP** Plan, the coordinating committee can issue recommendations to the authorities managing the chapters of the Plan on improving the effectiveness of these chapters in achieving their objectives~~**, including any corrective actions that shall be taken by the authorities**~~. EL (Drafting suggestions): 4. In case of delays or challenges in the implementation of different chapters of the~~ Plan~~ **Plans**, the coordinating committee can issue recommendations to the authorities managing the chapters of the ~~Plan~~ **Plans** on improving the effectiveness of these chapters in achieving their objectives, including any corrective actions that shall be taken by the authorities. EL (Comments): Same as in par.1 of article 49 ES (Drafting suggestions): In case of delays or challenges in the implementation of different chapters of the Plan, the coordinating committee can issue recommendations to the

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	authorities managing the chapters of the Plan on improving the effectiveness of these chapters in achieving their objectives, including any corrective actions that ~~shall~~ **may** be taken by the authorities. ES (Comments): Role of committees must be advisory and obligations cannot therefore be derived from their decisions. HU (Drafting suggestions): In case of delays or challenges in the implementation of different chapters of the Plan, the coordinating committee can issue recommendations to the authorities managing the chapters of the Plan on improving the effectiveness of these chapters in achieving their objectives, including any corrective actions that shall be ~~taken~~ **examined** by the authorities. HU (Comments): In line with the current CAP legislation. IE (Drafting suggestions):

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	4. In case of delays or challenges in the implementation of different chapters of the Plan, the coordinating committee can issue recommendations to the authorities managing the chapters of the Plan on improving the effectiveness of these chapters in achieving their objectives, including any corrective actions that **c**~~sh~~**ould**~~all~~ be taken by the authorities. IE (Comments): **This provision is amended to reflect the issue of 'recommendations' by the coordinating committee and subsequent corrective action that 'could' be taken by managing authorities.** **Specifically in relation to CAP, there is a concern that under this proposal, a Committee that may not even include stakeholders from the relevant sector is being given the power to require the CAP MA to implement specific actions.** **In that context, in relation to CAP, it is a priority to remove the facility whereby the CC can require rather than recommend that the CAP Managing Authority undertake certain actions** LT (Drafting suggestions):

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	~~In case of delays or challenges in the implementation of different chapters of the Plan, the coordinating committee can issue recommendations to the authorities managing the chapters of the Plan on improving the effectiveness of these chapters in achieving their objectives, including any corrective actions that shall be taken by the authorities.~~ LV (Drafting suggestions): ~~4. In case of delays or challenges in the implementation of different chapters of the Plan, the coordinating committee can issue recommendations to the authorities managing the chapters of the Plan on improving the effectiveness of these chapters in achieving their objectives, including any corrective actions that shall be taken by the authorities.~~ NL (Drafting suggestions): ~~4. In case of delays or challenges in the implementation of different chapters of the Plan, the coordinating committee can issue recommendations to the authorities managing the chapters of the Plan on improving the effectiveness of these chapters in achieving their~~

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	~~objectives, including any corrective actions that shall be taken by the authorities.~~ PT (Drafting suggestions): PT: ~~4. In case of delays or challenges in the implementation of different chapters of the Plan, the coordinating committee can issue recommendations to the authorities managing the chapters of the Plan on improving the effectiveness of these chapters in achieving their objectives, including any corrective actions that shall be taken by the authorities.~~ PT (Comments): PT: This recommendation can be issued by the coordinating authority (art.50(a)). RO (Drafting suggestions): 4. In case of delays or challenges in the implementation of different chapters of the **NRP** Plan, the coordinating committee can issue recommendations to the authorities managing the chapters of the **NRP** Plan on improving the effectiveness of these chapters in achieving their

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	objectives, including any corrective actions that shall be taken by the authorities RO (Comments): Since the paragraph pertains exclusively to the NRP, this scope should be explicitly clarified in the wording to eliminate any potential ambiguity regarding its applicability, ensuring precise legal interpretation and alignment with the distinct governance structures of Interreg Plan. SI (Drafting suggestions): ~~4. In case of delays or challenges in the implementation of different chapters of the Plan, the coordinating committee can issue recommendations to the authorities managing the chapters of the Plan on improving the effectiveness of these chapters in achieving their objectives, including any corrective actions that shall be taken by the authorities.~~

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Article 57 ***European and national CAP Network***	AT (Comments): Since, according to the article title, this refers exclusively to a 'CAP' network, this article should be included in the CAP Regulation. BE (Comments): This article should be part of the CAP specific regulation. DE (Comments): DE: We would like to better understand why there are not similar provisions for a European CFP Network. Many of the indicated objectives of the European CAP Network in para. 3 mirror the functions that FAMENET fulfills in the current programming period in the fisheries sector. FAMENET has been instrumental to foster knowledge exchange and learning, to ensure quality of monitoring and reporting, increase visibility of European funding and to set standards for a harmonized implementation approach across member states. FI (Comments): Why only CAP? WHY not the whole NRP when dealing with rural areas? FR

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	(Comments): La place de cet article dans le Règlement PPNR ou le règlement PAC sectoriel doit être discutée HU (Comments): This article should be moved to the CAP regulation. IE (Comments): **IE proposes that negotiation of this article be moved to the CAP AHWP** **IE welcomes the continuation of the European and National CAP Networks. The work these groups do to advance the implementation of the CAP has high impact relative to the low cost of running the networks.** LU (Drafting suggestions): This article 57 shall be fully transferred to the CAP- Regulation LU (Comments):

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	This article 57 shall be fully transferred to the CAP- Regulation. RO (Comments): The inclusion of CAP provisions in several legislative proposals — namely the Regulation on National and Regional Partnership Plans (NRPP), the Regulation on Performance, the Regulation establishing the common market organisation for agricultural products, and the CAP Regulation — leads to significant fragmentation of the CAP and, at the same time, undermines its authority. Negotiations conducted within multiple Council working groups considerably complicate the process and affect the coherence and integrity of this essential European policy. Given that the Heads of State and Government will decide on the overall structure during the MFF negotiations in December, we consider that, until then, the Presidency should refrain from pushing the negotiations forward. It is essential that AGRIFISH and its preparatory bodies retain clear responsibility for all provisions relevant to the CAP. It is neither appropriate nor justified for essential articles directly concerning the CAP to be regulated through legislative acts falling under the competence of other Council formations.

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	We suggest to move this article to the CAP regulation. SI (Comments): We suggest transferring this Article in the CAP legal proposal. SK (Comments): We suggest to move this article to the CAP regulation.
1. Each Member State shall, at the latest 12 months after the approval by the Commission of the Plan, establish and support a national network for CAP (‘national CAP network’) for the networking of organisations and administrations, advisors, researchers and other innovation actors, and other actors in the field of agriculture and rural development at national level. The national CAP networks shall build on the existing networking experience and practices in the Member States.	BE (Drafting suggestions): 1. Each Member State shall, at the latest 12 months after the approval by the Commission of the Plan, establish and support a national network for CAP (‘national CAP network’) for the networking of organisations and administrations, advisors, researchers and other innovation actors, and other actors in the field of agriculture and rural development at national level. The national CAP networks shall build on the existing networking experience and practices in the Member States. **The institutional set-up of Member States is to be respected when organizing CAP networks within the Member State.**

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	BE (Comments): Belgium currently has 2 regional CAP networks. We want to continue this practice. FI (Drafting suggestions): Each Member State shall, at the latest 12 months after the approval by the Commission of the Plan, establish and support a national network for CAP **and CFP** ('national CAP **and CFP** network') for the networking of organisations and administrations, advisors, researchers and FI (Comments): Why does the Article concern only CAP? Should CFP be covered as well as a part of Rural questions? Can we expand the network to cover fisheries as it is part of the CAP interventions in the article 35? PL (Comments):

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	Specific tasks for the CAP Network indicate that it should be an institution (budgetary unit) with a separate budget, tasks and an institution supervising the implementation of tasks. PT (Drafting suggestions): PT: 1. Each Member State shall, at the latest 12 months after the approval by the Commission of the Plan, establish and support a national network for CAP ('national CAP network') for the networking of organisations and administrations, advisors, researchers and other innovation actors, ~~and~~ **as well as** other actors in the field of agriculture and rural development at national level. The national CAP networks shall build on the existing networking experience and practices in the Member States **and shall aim to ensure a balanced territorial representation of its members.** PT (Comments): PT: It is important to mention that the national CAP Network should strive to achieve a balanced territorial coverage, involving local and regional actors. Given the network's objectives, stated in paragraphs 3 and 4 of this article, a balanced territorial coverage is essential to ensure

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	that the specificities of different regions (including the Outermost Regions in PT, ES and FR) are taken into account.
2. The Commission shall establish a European network for the Common Agricultural Policy ('European CAP network') to link national networks, organisations, and administrations in the field of agriculture and rural development at Union level.	EE (Comments): Similar network (FAMENET) exists currently for the Common Fisheries Policy. A legal basis for continuation should be established either in NRP or CFP proposal. NL (Drafting suggestions): 2. The Commission shall establish a European network for the Common Agricultural Policy ('European CAP network') to link national networks, organisations, and administrations **and existing networks** in the field of agriculture and rural development at Union level. NL (Comments): We would link to see an explicit link between the CAP network and existing (EU) networks, such as the (follow-up) of the Rural Pact as part of the Longterm Vision for Rural Areas.

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3. The objectives of the national and European CAP networks shall be to:	
(a) involve stakeholders in the design and implementation of the CAP interventions of the NRP Plan;	BE (Drafting suggestions): (a) involve stakeholders in the ~~design and~~ implementation of the CAP interventions of the NRP Plan; BE (Comments): At that stage, the NRP Plan has already been approved. The CAP network has therefore solely a role in the implementation of the 2028-2034 programming period. The CAP network however may involve stakeholders in the design of the interventions of the following programming period (point g). DE (Comments): DE: We see some overlapping with the tasks of the coordination body (Art. 50 i) and Managing authority (Art. 51 d).

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	MT (Drafting suggestions): (a) involve stakeholders in the design and implementation of the CAP interventions of the NRP Plan***, <u>where relevant</u>***; MT (Comments): To align with the current CSP Regulation.
(b) support Member State administrations in implementing the CAP interventions;	FI (Drafting suggestions): support Member State administrations in implementing the CAP interventions **<u>and rural areas</u>** FI (Comments): It is essential that the network also assists in activities that contribute to improving the vitality of rural areas, not just CAP interventions. It should be noted that the network uses the entire NRP-plan's technical assistance for its operations SE

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	(Drafting suggestions): b) support Member State administrations in implementing the CAP interventions **<u>through activities clearly linked to the Member States NRP-plans.</u>** SE (Comments): To clarify that the networks primary responsibility is to contribute to CAP.
(c) improve the quality of the NRP Plans and in particular their measures related to agriculture and disseminate results;	AT (Drafting suggestions): (c) improve the quality of the NRP Plans and in particular their measures related to agriculture **<u>and rural development</u>** and disseminate results; AT (Comments): In addition to agriculture, 'rural development' should also be specifically mentioned as an important area addressed by the national CAP network. BE (Drafting suggestions):

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	(c) **continue** improve~~e~~**ing** the quality of the NRP Plans and in particular their measures related to agriculture and disseminate results; IE (Drafting suggestions): (c) improve the quality of the NRP Plans and in particular their measures related to agriculture **and rural development** and disseminate results; IE (Comments): **This provision is amended to provide for 'rural development' as IE considers that Art 57 (3) (c) should include a measure related to rural development and that this objective should refer to improving the quality of implementation of the NRP plans "improve the quality of implementation of the NRP Plans and in particular their measures related to agriculture and rural development and disseminate results;"** NL (Drafting suggestions): (c) improve the quality of the NRP Plans and in particular their measures related to agriculture **and rural areas**, and disseminate results;

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	NL (Comments): The CAP network will have a broad responsibility, for all instruments which are part of the CAP – including the instruments contributing to rural development. SE (Drafting suggestions): (c) **contribute to** improve~~**e**~~**ing** the quality of the NRP Plans and in particular their measures related to agriculture and disseminate results;
(d) foster innovation, peer-to-peer learning, and knowledge-sharing;	SE (Drafting suggestions): (d) foster **CAP-related** innovation, peer-to-peer learning, and knowledge-sharing; SE (Comments): To clarify that the networks primary responsibility is to contribute to CAP

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(e) enhance monitoring and evaluation capacities;	SE (Drafting suggestions): (e) enhance monitoring and evaluation capacities **related to CAP**; SE (Comments): To clarify that the networks primary responsibility is to contribute to CAP
(f) disseminate information on the CAP and funding opportunities;	
(g) contribute to further development of the CAP.	BE (Drafting suggestions): contribute to further development of the CAP **and preparation of the CAP for the following period**.

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4. To achieve the objectives referred to in paragraph 6, the networks shall:	
(a) collect, analyse, and disseminate information on good practices concerning the CAP as well as analysis on developments in agriculture and rural areas;	SE (Drafting suggestions): (a) collect, analyse, and disseminate information on good practices concerning the CAP **as implementented in the NRP**- as well as analysis on developments in agriculture and rural areas; SE (Comments): To clarify that the networks primary responsibility is to contribute to CAP
(b) build capacity for Member States' administrations and other actors involved in the implementation, monitoring and evaluation of the NRP Plans concerning the CAP;	BE (Drafting suggestions): (b) **contribute to the capacity-building** ~~build capacity~~ for Member States' administrations and other actors involved in the implementation, monitoring and evaluation of the NRP Plans concerning the CAP;

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(c) facilitate exchanges, peer-to-peer learning, and networking, including where relevant exchanges with networks in third countries;	
(d) support the networking of funded cooperation projects, such as local action groups under Article 77 *[LEADER],* EIP-AGRI operational groups referred to in Article 19 of Regulation (EU) 202X/XXXX [CAP Regulation] and promote links to other Union-funded strategies.	AT (Drafting suggestions): (d) Support the networking **of AKIS stakeholders as well as** of funded cooperation projects, such as local action groups under Article 77 *[LEADER],* EIP-AGRI operational groups referred to in Article 19 of Regulation (EU) 202X/XXXX [CAP Regulation] and promote links to other Union-funded strategies AT (Comments): Local action groups under LEADER and operational groups of the EIP-AGRI are mentioned under this paragraph, but AKIS is not. AKIS should therefore be added here as well, especially since Article 20 of the CAP Regulation also establishes a substantive link between AKIS and the national CAP network (‘*The AKIS shall include: (a) arrangements to ensure effective knowledge flows and synergies between advisors,*

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	researchers, practitioners, ***national CAP networks*** *and other relevant stakeholders'* EE (Drafting suggestions): support the networking of funded cooperation projects, such as local action groups under Article ~~77 *[LEADER]*~~ ***76 [CLLD]***~~,~~ EIP-AGRI operational groups referred to in Article 19 of Regulation (EU) 202X/XXXX [CAP Regulation] and promote links to other Union-funded strategies. EE (Comments): Article 77 specifies concrete requirements for LEADER, article 76 opens up the concept of LEADER/CLLD, so it would be logical to link CAP network support with article 76. Additionally, this supports the aim to promote links to other Union-funded strategies (other CLLD strategies). FI (Drafting suggestions): (d) support the networking of funded cooperation projects, such as local action groups under **Article 76 [CLLD] and** Article 77 *[LEADER],* EIP-AGRI operational groups referred to in Article 19 of Regulation

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	(EU) 202X/XXXX [CAP Regulation] and promote links to other Union-funded strategies. FI (Comments): It is essential that it is possible to support CLLD and LEADER local action groups as one entity. It should not be forced to build two different categories of local action groups under CLLD/LEADER SE (Drafting suggestions): (d) support the **overarching** networking of funded cooperation projects, such as local action groups under Article 77 *[LEADER],* EIP-AGRI operational groups referred to in Article 19 of Regulation (EU) 202X/XXXX [CAP Regulation] and promote links to other Union-funded strategies. SE (Comments): To clarify the difference between the roles of CAP-network and LEADER

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5. The European CAP network and the national CAP networks shall collaborate and carry out joint activities in the achievement of the objectives referred to in paragraph 3. The European CAP network shall use a distinctive visual identity.	

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TITLE X **MANAGEMENT AND FINANCIAL RULES**	
CHAPTER I **General management rules**	
Article 58 ***Responsibilities of Member States***	HU (Comments): General comment: The proposal uses several adjectives in Articles 58 and 59 which, in the absence of a precise definition and in the context of the subject concerned (audit), could fracture assurance practices and invite ex-post disputes and audit risks. These elements must be defined or rectified directly in the basic act or in the mandatory templates. IE (Comments): **Can elements of the role of the Member State as outlined in Article 58 be delegated to the Coordinating Authority and or the Monitoring Authority?**

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	HU (Comments): On the one hand, the text repeatedly states that the COM, AA and MA are not expected to verify underlying costs; on the other hand, Article 58 simultaneously requires Member States to ensure full compliance with procurement and state aid rules and to prevent double funding. It is simply not clear how such compliance can be substantiated in practice without at least targeted invoice-level testing. The regulation must either embrace a genuine performance-based model, or it must retain proportionate, risk-based cost verification where the lawfulness of expenditure depends on underlying costs. RO (Drafting suggestions): ***The provisions of art. 50 points (c) - (g) should be moved to art. 58 para 2 in order to be under the responsibilities of Member States to decide the internal organization.*** RO (Comments): This article should be carefully reviewed in regard with the use of the terms “Member State” and “Member States”, having in mind that, for Interreg, when “Member State” is used, it means “the Member State

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	hosting the managing authority", while when "Member States" or "each Member State" is used, it generally means the states participating in the Interreg chapter/programme.
	ES (Comments): As mentioned before, the NRPs, as the "successors" to the National Recovery Plans of the Recovery and Resilience Facility, are based on a system of milestones and targets around a single country plan. This means that responsibility for management and control only falls only to the Member State, as it is the beneficiary of the Plan. In other words, it will be the Member State, through the managing authority or authorities and the coordinating authority, that will have to assess and determine whether or not a region meets the established milestones and, therefore, for deciding whether or not it receives funds. Therefore, the simplification proposed by the Commission is not transferred to the national level, which will assume a greater burden.
1. The Member States shall take appropriate measures to protect the financial interests of the Union and to ensure that the use of funds in the implementation of the Plans complies with the applicable law, including applicable public procurement and State aid rules. They shall in	BE (Comments):

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particular ensure the prevention, detection, correction and reporting of irregularities, including fraud, corruption and conflicts of interest.	What is meant with “appropriate measures”? This contradicts other paragraphs (for example (l) below) in which it is stated that it is not necessary to make verifications of real costs/expenditures. CZ (Drafting suggestions): 1. The Member States shall take appropriate measures to protect the financial interests of the Union and to ensure that the use of funds in the implementation of the Plans complies with the applicable law, including applicable public procurement and State aid rules. They shall in particular ensure the prevention, detection, correction and reporting of irregularities, including fraud, **double funding,** corruption and conflicts of interest. CZ (Comments): In line with our proposals to Article 51 CZ proposes to include “double funding” into the wording. CZ proposals in Article 51 also reflect this responsibility stated here rather in general form not given specific instructions to deal with. EE (Drafting suggestions):

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	1. The Member States shall take appropriate measures to protect the financial interests of the Union and to ensure that the use of funds in the implementation of the **NRP Plan or Interreg programmes** ~~s~~ **of the Interreg Plan** complies with the applicable law, including applicable public procurement and State aid rules. They shall in particular ensure the prevention, detection, correction and reporting of irregularities, including fraud, corruption and conflicts of interest. EE (Comments): In case of Interreg, the member states cannot be responsible for Interreg Plan, they can be responsible only for concrete Interreg Programme which is under certain Interreg Plan Chapter. It is the Commission who is responsible for the whole Interreg Plan. There is a need to introduce the definition of Interreg programme in the ERDF regulation as in NRPP regulation a lot of provisions apply to Interreg programmes not to the whole Interreg Plan. FR (Drafting suggestions): The Member States shall take appropriate measures to protect the financial interests of the Union and to ensure that the use of funds in the

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	implementation of the Plans complies with the applicable law, including applicable public procurement and State aid rules, **without requiring verification of the underlying costs of operations**. They shall in particular ensure the prevention, detection, correction and reporting of irregularities, including fraud, corruption and conflicts of interest. FR (Comments): Ajout en cohérence avec les dispositions de l'article 51. HR (Comments): **HR notices** that there is no mention of artificially created conditions, which have been the focus of the previous and current programming periods when it comes to protecting the EU's financial interests. **HR would like clarification** of what this means in terms of the control system. **HR asks** for clarification on which entity is responsible for assessing the fulfilment of milestones and targets related to the Plan — the Coordinating Body, Managing Authority, Audit Authority, or the European Commission. Clear assignment of responsibilities would support accountability and efficient implementation.

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	LU (Comments): **More clarification is needed from the COM on the processes that needs to be put in place.** **Dual reporting (IMS + insurance package). Information on irregularities must be included in both IMS and the annual insurance package. Risk of administrative redundancy** MT (Comments): MT seeks clarification on the expected depth of checks under Article 58 and on how divergences between national procurement authorities and EU auditors will be addressed, particularly where procedures lawfully permitted under national law (e.g. direct orders) are later questioned. The intention is to ensure consistency and legal certainty without undermining transparency. PL (Drafting suggestions): 1. The Member States shall take appropriate measures to protect the financial interests of the Union and to ensure that the use of funds in the implementation of the Plans complies with the applicable law~~, including~~

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	~~**applicable public procurement and State aid rules.**~~ They shall in particular ensure the prevention, detection, correction and reporting of irregularities, including fraud, corruption and conflicts of interest. PL (Comments): The statement "compliance with applicable law, including public procurement" suggests the Member States should verify individual expenditure. In accordance with the EC Guidelines (C/2024/7467), management verifications and audits do not include verification of the legality of expenditure, including public procurement procedures. Furthermore, as stated in the **Position Paper on 'no more real costs in post 2027'** https://employment-social-affairs.ec.europa.eu/position-paper-no-more-real-costs-post-2027_en "*An essential element of the management and control system for simplified projects is enhanced monitoring and control of the implementation* ***of conditions and results****,*

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	*- the EC should harmonize all relevant regulations that could directly or indirectly **hinder the implementation of this principle** (e.g., public procurement, state aid, conflict of interest)".* The results-based approach should emphasize substantive issues, **such as compliance with the project objective and ensuring appropriate standards.** PT (Drafting suggestions): PT: 1. The Member States shall take appropriate measures to protect the financial interests of the Union and to ensure that the use of funds in the implementation of the Plans complies with the applicable law, including applicable public procurement and State aid rules. They shall in particular ensure the prevention, detection, correction and reporting of irregularities, including fraud, corruption and conflicts of interest. **In the context of performance-based implementation, Member States can limit the reporting of irregularities, including fraud, corruption and conflicts of interest that have impact on the fulfillment of targets and milestones.** PT (Comments):

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	PT: It should be clear that MS' obligations for reporting are limited to irregularities that have impact on the Union's budget, namely when performing in a performance-based model. Since PT supports a more hybrid model, it is important to note that in the context of a performance-based model, we assume that a partial correction at project level which does not impact on the counting of milestones and targets, does not affect the Union's budget. RO (Comments): In case of **INTERREG**, the Member State is supposed to designate separate structures, different from the MA (which doesn't verify the underlying transactions) which should ensure the verification of the underlying operation in order to give assurance *that the use of funds in the implementation of the Plans complies with the applicable law, including applicable public procurement and State aid rules. They shall in particular ensure the prevention, detection, correction and reporting of irregularities, including fraud, corruption and conflicts of interest.* Who will audit these structures? Will they be part of the management and control system and will they sign any declaration confirming that the system works properly?

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	SK (Comments): SK seeks clarification on the **expected depth of checks** under Article 58 and on how divergences between national procurement authorities and EU auditors will be addressed, particularly where procedures lawfully permitted under national law (e.g. direct orders) are later questioned. The intention is to ensure consistency and legal certainty without undermining transparency.
2. For the purposes of paragraph 1, the Member States shall:	
(a) establish effective and efficient management and control systems for their Plans in accordance with the key requirements set out in Annex IV and ensure their proper functioning in accordance with the principle of sound financial management;	AT (Comments): The principle of "sound financial management" referred to here must be clarified within the framework of the "performance-oriented approach," as already mentioned in the introduction. This principle is not considered incompatible with a performance-based approach per se, but if applied too strictly, it can lead to a duplication of requirements from a performance-oriented system and a cost-based system, which contradicts

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	the stated goal of simplification. We therefore urge for clarity in the legal text for the activities of all authorities participating in the program. BE (Drafting suggestions): (a) establish effective and efficient management and control systems for their Plans **<u>or chapters</u>** in accordance with the key requirements set out in Annex IV ~~and ensure their proper functioning in accordance with the principle of sound financial management;~~ BE (Comments): Last sentence part of Annex IV. Therefore not necessary to mention here. DE (Comments): We support ensuring compliance with the principles of sound financial management, including the principle of economy. The regulation should explicitly allow differences in management and control systems for the different (regional) chapters to account for their respective institutional setups. EE

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	(Drafting suggestions): (a) establish effective and efficient management and control systems for their **NRP** Plans **or Interreg programme in the Interreg Plan** in accordance with the key requirements set out in Annex IV and ensure their proper functioning in accordance with the principle of sound financial management; FI (Drafting suggestions): establish effective and efficient management and control systems for their Plans in accordance with the key requirements set out in Annex IV and ensure their proper functioning **at chapter level divided to proper units like area- and animal based interventions as one unit** in accordance with the principle of sound financial management; FI (Comments): The current system where individual interventions are used to calculate the error level is not in line with the specific objects of the Fund. MSs have disadvantageous consequences of ambitious eligibility conditions concerning green architecture. In order to avoid current unbalance, bigger units should be used.

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	FR (Drafting suggestions): (a) establish effective ~~and efficient~~ management and control systems for their Plans in accordance with the key requirements set out in Annex IV and ensure their proper functioning in accordance with the principle of sound financial management; FR (Comments): Mise en cohérence avec l'article 53. Il sera nécessaire de clarifier dans l'acte de base ce que signifie précisément l'efficacité et le bon fonctionnement d'un système de gestion et de contrôle, car cela doit être discuté par les co-législateurs et non fixé par la Commission dans la législation secondaire ou dans des lignes directrices. HU (Drafting suggestions): establish ~~effective and efficient~~ management and control systems for their Plans in accordance with the key requirements set out in Annex IV and ensure their proper functioning in accordance with the principle of sound financial management;

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	HU (Comments): See our general comment for this article. IE (Comments): **Is the MA or CA responsible for the management and control systems?** IT (Drafting suggestions): (a) establish effective and efficient management and control systems for their Plans in accordance with the key requirements set out in Annex IV **for each authority** and ensure their proper functioning in accordance with the principle of sound financial management; IT (Comments): The current version of Annex IV does not link the key requirements to each authority. Moreover, this provision establishes the management and control systems of the Plans and the related basic requirements (Annex IV), but it is

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	unclear whether there will be a single document, who will be the owner of the process, and the degree of autonomy that a Managing Authority will have in representing its own procedures. Clarification is requested. NL (Drafting suggestions): ~~establish~~ **ensure** effective and efficient management and control systems for their Plans in accordance with the key requirements set out in Annex IV and ensure their proper functioning in accordance with the principle of sound financial management; NL (Comments): We would prefer to also have the opportunity to build on existing systems.
(b) ensure and regularly check that the support provided has been properly used to achieve the established milestones and targets or outputs and take all the appropriate actions to ensure that the use of funds in the implementation of the Plans complies with applicable law;	AT (Comments): “Milestones” and “targets” are two different terms that each require a different verification method or different verification models. It would be helpful to specify more precisely what is actually meant here.

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	BE (Comments): Meaning of "regularly"? Risk to be burdensome for the beneficiaries (especially farmers). See comment on Article 49.1 DE (Comments): A clarification as to the definition of "applicable law" and the extend of its scope is needed. The effect on simplification by a performance-based approach will be reduced significantly if there will still be an intensive effort to review detailed requirements. EE (Drafting suggestions): (b) ensure and regularly check that the support provided has been properly used to achieve the established milestones and targets or outputs and take all the appropriate actions to ensure that the use of funds in the implementation of the **NRP** Plan~~s~~ **or Interreg programme of the Interreg Plan** complies with applicable law; EL (Drafting suggestions):

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	(b) ensure and regularly check that the support provided has been properly used to achieve the established milestones and targets or outputs **in accordance with the 'means of verification' pre-defined for each such milestone or target** and take all the appropriate actions to ensure that the use of funds in the implementation of the Plans complies with applicable law; **Such actions shall be without prejudice to the Member State's margin of appreciation in determining the necessary administrative arrangements, provided that effective control and lawful implementation are ensured;** EL (Comments): A further clarification regarding the meaning of "regularly check". FI (Drafting suggestions): (b) ensure ~~and regularly check~~ that the support provided has been properly used to achieve the established milestones and targets or outputs and take all the appropriate actions to ensure that the use of funds in the implementation of the Plans complies with applicable law; FI (Comments):

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	MS should not check anything other than what is already done by MA/PA. MS role is to ensure appropriate functioning of the management and control system. FR (Drafting suggestions): (b) ensure and regularly check that the support provided has been properly used to achieve the established milestones and targets or outputs and take all the appropriate actions to ensure that the use of funds in the implementation of the Plans complies with applicable law; **Member States are not expected to verify the underlying costs of the operations and the measures when assessing the fulfilment of milestones and targets.** FR (Comments): Disposition déplacée depuis le (l) ci-dessous. HR (Comments): **HR asks** for a clear definition of the term “regularly check” or, alternatively, add reference to related monitoring of milestones and

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	targets checks. Current wording provides a certain legal uncertainty, in particular at the level of the beneficiary/project. HU (Drafting suggestions): ensure and regularly check that the support provided has been ~~properly~~ used to achieve the established milestones and targets or outputs and take all the appropriate actions to ensure that the use of funds in the implementation of the Plans complies with applicable law; HU (Comments): See our general comment for this article. IE (Comments): **What level of detail has to be recorded here if any? Is the MA or CA responsible for the management and control systems?** IT (Comments): This provision distinguishes between targets—both qualitative and quantitative — and progress made in interventions based on outputs. This

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	distinction is confirmed in Article 65(2) and in Annex XI concerning payment applications. Does this mean that targets and outputs are independent from each other? Clarification is requested on this point, considering the provisions of the proposed performance regulation (COM 545), where in Article 14(2)(a), it is stated that output indicators define qualitative or quantitative targets. LU (Comments): Luxembourg believes that this could lead to a double system : regularly check of established milestones and targets (58(1,b)) and measures to prevent, detect and correct irregularities (58(1,c). MT (Comments): It is not sufficiently clear what frequency or interval is implied by the term ***regularly*** in this context. NL (Drafting suggestions): (b) ensure ~~and regularly check~~ that the support provided has been properly used to achieve the established milestones and targets or outputs

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	and take all the appropriate actions to ensure that the use of funds in the implementation of the Plans complies with applicable law; NL (Comments): In line with the spirit of the proposed delivery model which does not prescribe "how to do it" (process) but instead "what must be ensured" (objective); text is verbatim from the new delivery model under the current CAP regime. PL (Comments): There is inconsistency with the article related to responsibilities of the MA, which says that the MA shall ensure "effective use of funds with applicable law". The wording of art 51 in this regard has been questioned and it's been proposed to delete words "effective". However, if the word "effective" is to be sustained then please add this also in this article, to ensure coherence.] SI (Comments): The article should be written more clearly. What actions should a Member State take to ensure that funds are used in accordance with

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	applicable law when implementing plans? Before EC clarifies this we cannot give any drafting suggestions. SK (Comments): It is not sufficiently clear what frequency or interval is implied by the term ***regularly*** in this context.
	DE (Drafting suggestions): **(c) ensure compliance with the principles of the Rule of Law and the relevant provisions of the Charter;** DE (Comments): This provision should also contain a reference to compliance with the Rule of Law and the Charter.
(c) take appropriate measures to prevent, detect and correct irregularities including fraud, corruption, conflicts of interest, including the use of data mining tools;	AT (Comments): In our view, this would oblige Member States to use data mining tools in the prevention, detection, and correction of irregularities, including fraud,

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	corruption, and conflicts of interest. However, it remains unclear which authorities would be responsible for these activities. BE (Drafting suggestions): take appropriate measures to prevent, detect and correct irregularities including fraud, corruption, conflicts of interest, including, **when it adds-value,** the use of data mining tools, **such as Arachne.** CZ (Drafting suggestions): (c) take appropriate measures to prevent, detect and correct irregularities including fraud, corruption, conflicts of interest, **double funding and breach of state aid and public procurement rules**, including the use of data mining tools~~:~~. **For this purpose, Commission will provide the Arachne+ tool;** CZ (Comments): In line with articles 51 and 58 and their compliance CZ proposes to include this wording. CZ also points out, that it´s not clear enough, what kind of data mining tools are meant – Arachne+ or all other, relevant and not specified, tools.

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	It is also added that the EC will provide a tool to check these requirements, which is the Arachne+ tool. DE (Drafting suggestions): (c) take appropriate measures to prevent, detect and correct irregularities including fraud, corruption, conflicts of interest, ~~**including the use of data mining tools**~~ DE (Comments): With view to the current Financial Regulation the COM might clarify the role of single integrated IT system provided by the Commission (ARACHNE+) in this aspect. To reduce the administrative burden of the member state. EE (Drafting suggestions): take appropriate measures to prevent, detect and correct irregularities including fraud, corruption, conflicts of interest, ~~**including the use of data mining tools;**~~ EE

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	(Comments): There is no need to list one of the tools for fraud prevention. This can be included in the relevant recital as one of the possible tools. FR (Drafting suggestions): (c) take appropriate measures to prevent, detect and correct irregularities including fraud, corruption, conflicts of interest, ~~including the use of data mining tools;~~ FR (Comments): Il convient de rappeler que l'utilisation d'Arachne+ doit rester facultative pour les Etats membres. HR (Comments): **HR notes** that the ARACHNE system established by the EC and made available to the MS is not explicitly mentioned. Does this mean that the MS can also use their own systems? Please explain. HU (Comments):

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	It should be made clear also in the text, as confirmed by COM that the reference to data-mining tools refers primarily to national IT-tools. LT (Drafting suggestions): ~~(c) take appropriate measures to prevent, detect and correct irregularities including fraud, corruption, conflicts of interest, including the use of data mining tools;~~ LT (Comments): This task should be added to the Managing Authority. LU (Comments): Luxembourg believes that this could lead to a double system: regularly check of established milestones and targets (58(1,b)) and measures to prevent, detect and correct irregularities (58(1,c). MT (Comments):

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	Malta seeks clarification as to whether Member States are required, rather than merely encouraged, to deploy additional data-mining tools beyond the Arachne+ system made available by the Commission. PL (Comments): It is necessary to clarify this provision in the context of the result-based approach. As stated in the Position Paper on 'no more real costs in post 2027': "The EC should harmonize all relevant regulations that could **directly or indirectly hinder the implementation** of this principle (e.g., public procurement, state aid, conflict of interest)." The current provision indicates the need for detailed verification of transactions in terms of possible connections and conflicts of interest. This is not the right direction for projects settled using simplified methods where public procurement procedures are not monitored during the project implementation stage. These requirements should be ensured and verified ex-ante, as the management and control system at the implementation stage should focus on ensuring conditions for achieving results in accordance with quality requirements.

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	RO (Drafting suggestions): take appropriate measures to prevent, detect and correct irregularities including fraud, corruption, conflicts of interest, including the use of **Arachne or national** data mining tools; RO (Comments): With reference to MS responsibilities regarding the use of national IT tools for the prevention, detection, and correction of irregularities, as explained by the COM on October 2, 2025. With reference to the same responses, given that the Commission has reiterated that the use and feeding of Arachne+ by Member States will become mandatory for all programs adopted and funded under the next financial framework, i.e., 2028-2034, we consider it necessary to correlate the obligations related to Arachne+ and (national) data mining tools. SE (Drafting suggestions): (c) take appropriate measures to prevent, detect and correct irregularities including fraud, corruption, conflicts of interest, ~~including the use of data mining tools;~~

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	SE (Comments): It should be up to the Member States to determine which tools that are most efficient to prevent, detect and correct irregularities including fraud, corruption, conflicts of interest SI (Comments): Same as above. SK (Drafting suggestions): (c) take appropriate measures to prevent, detect and correct irregularities including fraud, corruption, conflicts of interest, including the **voluntary** use of data mining tools; SK (Comments): Given that Regulation (EU, Euratom) 2024/2509, in Article 36(2)(d), provides for the voluntary use of the data mining tool (ARACHNE) and also Article 49(9) of the draft NRPF Regulation states that "the authorities responsible for the plan may use the data mining tool"

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	IE (Drafting suggestions): **d) take, without prejudice to specific provisions of Union law, effective and proportionate measures to avoid provisions of Union law being circumvented and ensure, in particular, that no advantage provided for under agricultural legislation is granted in favour of a natural or legal person in respect of whom it is established that the conditions required for obtaining such advantages were created artificially, contrary to the objectives of that legislation.** IE (Comments): **A new proposed (d) is inserted to provide for measures that mitigate against circumvention of Union law** **This is along the lines of Article 62 of Regulation EU) 2021/2116 which states:** **"Circumvention clause** **Without prejudice to specific provisions of Union law, Member States shall take effective and proportionate measures to avoid provisions of Union law to be circumvented and ensure, in particular, that no advantage provided for under agricultural legislation is granted in**

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	favour of a natural or legal person in respect of whom it is established that the conditions required for obtaining such advantages were created artificially, contrary to the objectives of that legislation"
(d) apply corrective measures where the applicable law is not respected;	BE (Drafting suggestions): (d) apply **proportional** corrective measures where the applicable law is not respected. **For minor inspection findings, Member States may decide to not apply corrective measures**; BE (Comments): What is meant by corrective measures? Amendment to implement the right to make small mistakes. FR (Comments): Il serait pertinent de préciser ce que signifie ce (d). Est-il fait référence à la récupération des aides indues ? HR (Comments):

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	HR asks to provide a clear definition of the term “corrective measures". Please clarify, is it necessary to report any case of suspected irregularities, even for the ones that are less than 10 000 EUR in EU contribution? IE (Drafting suggestions): (**e**~~d~~) apply corrective measures where the applicable law is not respected; IE (Comments): **This provision is amended to reflect new numbering** LT (Drafting suggestions): ~~(d) apply corrective measures where the applicable law is not respected;~~ LT (Comments): Managing authorities should be responsible for applying corrective measures RO

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	(Drafting suggestions): apply **proportionate** corrective measures where the applicable law is not respected; RO (Comments): We consider that is necessary to include provisions highlighting that corrective measures must be proportionate to the type of error.
(e) ensure the avoidance of double funding from the Union budget, and take immediate measure to correct any situation of double funding by cancelling the most recent funds decided to the concerned operation;	AT (Comments): How can this be implemented if there are no plans to verify the costs? BE (Drafting suggestions): (e) ensure the avoidance of double funding from the Union budget, and take immediate measure to correct any situation of double funding ~~by cancelling the most recent funds decided to the concerned operation;~~ FI (Comments):

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	Is double public funding from other sources permitted when the restriction only applies to EU funding? IE (Drafting suggestions): (**f**~~e~~) ensure the avoidance of double funding from the Union budget, and take immediate measure to correct any situation of double funding by cancelling the most recent funds decided to the concerned operation; IE (Comments): **This provision is amended to reflect new numbering** LT (Drafting suggestions): ~~(e) ensure the avoidance of double funding from the Union budget, and take immediate measure to correct any situation of double funding by cancelling the most recent funds decided to the concerned operation;~~ LT (Comments): Authority, assigned with the coordination function should be responsible for this task.

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	LV (Drafting suggestions): (e) **in cooperation with European commision** ensure the avoidance of double funding from the Union budget, and take immediate measure to correct any situation of double funding by cancelling the most recent funds decided to the concerned operation; LV (Comments): LV believes that avoidance of double funding should be a shared responsibility between member states and commission. Member states cannot make corrective actions if the most recent funds decided to beneficiary are from programs under direct management. NL (Drafting suggestions): (e) ensure the avoidance of double funding from the Union budget, and take immediate measure to correct any situation of double funding ~~by cancelling the most recent funds decided to the concerned operation~~; NL (Comments):

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	In line with the spirit of the proposed delivery model which does not regulate "how to do it" (process) but instead "what must be ensured" (objective); text is verbatim from the new delivery model under the current CAP regime. PL (Drafting suggestions): e) ensure the avoidance of double funding from the Union budget, and take immediate measure to correct any situation of double funding by cancelling the most recent funds decided to the concerned operation. **In the case of operations settled by results, verification of double financing is not required at the implementation stage**; PL (Comments): We suggest to add: In the case of operations settled by results, verification of double financing is not required at the implementation stage. The assessment of the absence of double financing should be carried out exclusively ex-ante on the basis of horizontal criteria and not on the basis of verification of the underlying transactions. PT

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	(Drafting suggestions): PT: (e) ensure the avoidance of double funding from the Union budget, and take immediate measure to correct any situation of double funding by cancelling **part of the support** ~~the most recent funds decided to the concerned operation;~~ PT (Comments): PT: It should be up to the MS to decide which operation (or part of an operation) should be subject to correction. RO (Comments): Fine tuning of the text could be considered so that to make sure that the corrective measures are proportionate – clearer reference to funds to be cancelled SK (Drafting suggestions): (e) ensure the avoidance of double funding from the Union budget, and take immediate measure to correct any situation of double funding ~~by cancelling the most recent funds decided to the concerned operation~~;

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	SK (Comments): Given the overall setup of the plan, we consider the cancellation of the entire operation to be too restrictive and not addressing the root causes. We therefore recommend that the Commission softens the wording. The objective should be corrective action rather than restriction. We understand the Commission's intention and support the need to take measures when double financing is identified, including measures to prevent undue payments. However, the current wording is unclear and, considering the results-based model, difficult to apply and prone to differing interpretations.
(f) ensure compliance with the obligations set out in Article 130 of Regulation (EU, Euratom) 2024/2509;	IE (Drafting suggestions): (**g**~~f~~) ensure compliance with the obligations set out in Article 130 of Regulation (EU, Euratom) 2024/2509; IE (Comments): **This provision is amended to reflect new numbering**

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(g) ensure the reporting of all cases of suspected fraud, corruption and irregularities, including conflict of interest, double funding and other breaches of the applicable law in the Commission's Irregularity Management System (IMS); the Commission shall summarise and publish that information annually and shall communicate it to the European Parliament;	BE (Drafting suggestions): ensure the reporting of all cases of suspected **above the threshold of 10.000 EUR for** fraud, corruption and irregularities, including conflict of interest, double funding and other breaches of the applicable law in the Commission's Irregularity Management System (IMS); the Commission shall summarise and publish that information annually and shall communicate it to the European Parliament; BE (Comments): a threshold should be set on the reporting to IMS, in order to balance the administrative burden vs the added value. As is the case today (R 2021/1060, annex XII). CAP Delegated regulation (EU) 2024/205 of 18 December 2023, article 3 DE (Drafting suggestions): (g) ensure the reporting of all cases of **irregularities, including suspected fraud and corruption as well as conflict of interest**, double

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	funding and other breaches of the applicable law in the Commission's Irregularity Management System (IMS); the Commission shall summarize and publish that information annually and shall communicate it to the European Parliament; DE (Comments): It is positive to note that reference is made to the reporting obligations to the COM; this reference, especially regarding timely reporting, should be consistently reflected in the proposals. There is no reference to an annex or article explaining the exact reporting requirements (reporting date, reporting trail, frequency, threshold value, e.g. to OLAF, see Annex XII of the current CPR 2021/1060). Clear regulations are very important here, as the reporting regulations in the current Annex XII (2021/1060) are not sufficiently clear and there is therefore inconsistency between Member States and within Member States in reporting practice. The wording is ambiguous as suspected fraud and corruption are special forms of irregularities. The proposed wording is more in line with current rules. Moreover, it has to be clarified in which cases suspicions have to be reported. The reporting of suspected cases should be limited to matters

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	relevant to criminal law and should not cover all suspected cases of irregularities across the board. In Addition, reporting requirements should focus on cases with substantial financial impact as in the current No. 1.2 Annex XII VO 2021/1060. As mentioned above clarification is needed, if not in the text of Art. 58 at least in an Annex to the regulation. FR (Drafting suggestions): g) ensure the reporting of all cases of suspected fraud, corruption and irregularities, including conflict of interest, double funding and other breaches of the applicable law in the Commission's Irregularity Management System (IMS); **irregularities for an amount lower than EUR 10 000 in contribution from the Fund shall not be reported** ; the Commission shall summarise and publish that information annually and shall communicate it to the European Parliament; FR (Comments): Reprise du seuil minimal de signalement existant dans le règlement (UE) 2021/1060 relatif aux fonds de cohésion. HR (Drafting suggestions):

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	(g) ensure the reporting of ~~**all**~~ cases of suspected fraud, corruption and irregularities, including conflict of interest, double funding and other breaches of the applicable law **where contribution from the Fund exceeds 10 000 EUR,** in the Commission's Irregularity Management System (IMS); the Commission shall summarise and publish that information annually and shall communicate it to the European Parliament; HR (Comments): **HR suggests** reporting of suspected irregularities for the ones that are more than 10 000 EUR in EU contribution. Regarding the Annual Performance Monitoring Report**, HR considers** it essential that a harmonised template or reporting format be agreed at EU level. Clear guidance on the structure, content, and data delivery requirements will be crucial to ensure timely and consistent reporting by Member States. In the previous programming period, the lack of such a common template led to delays and inconsistencies. It would be important to clarify which entity is responsible for assessing the fulfilment of milestones and targets related to the Plan — the Coordinating Body, Managing Authority, Audit Authority, **or** the

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	European Commission. Clear assignment of responsibilities would support accountability and efficient implementation. HU (Drafting suggestions): ensure the reporting of all cases of ~~suspected~~ fraud, corruption and irregularities, including conflict of interest, double funding and other breaches of the applicable law in the Commission's Irregularity Management System (IMS); the Commission shall summarise and publish that information annually and shall communicate it to the European Parliament; HU (Comments): The reporting obligation for suspected fraud is an excessive administrative burden due to the exponentially higher number of clients for agricultural measures. We suggest clarifying the wording or delete the term "suspected". IE (Drafting suggestions): (**h**~~g~~) ensure the reporting of all cases of suspected fraud, corruption and irregularities, including conflict of interest, double funding and other

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	breaches of the applicable law in the Commission's Irregularity Management System (IMS)**.). Reporting of irregularities of less than €10,000 is not required.** **T**~~t~~he Commission shall summarise and publish that information annually and shall communicate it to the European Parliament; IE (Comments): **This provision is amended to reflect new numbering** **IE note that there is no minimum threshold for reporting included here. CPR (2021/1060) Annex XII exempts the reporting of irregularities of less than €10,000. IE would welcome continued consistency in any delegated acts implemented under 58(4)** LT (Drafting suggestions): ensure the reporting of all cases of suspected fraud, corruption and irregularities, including conflict of interest, double funding and other breaches of the applicable law **that exceed EUR 20 000 in contribution from the NRP** in the Commission's Irregularity Management System (IMS); the Commission shall summarise and publish that information annually and shall communicate it to the European Parliament;

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	LT (Comments): It is considered appropriate to establish a threshold from which notifications to the European Commission regarding breaches of applicable law must be submitted. A limit of EUR 20,000 is proposed as the criterion for determining when such notifications become mandatory. MT (Comments): It should be noted that this article now makes the use of the Irregularity Management System (IMS) mandatory. It is understood that we currently use AFCOS, although **this stands to be confirmed.** PT (Drafting suggestions): PT: (g) ensure the reporting of all cases **with negative impact on the Union's budget** of suspected fraud, corruption and irregularities, including conflict of interest, double funding and other breaches of the applicable law in the Commission's Irregularity Management System (IMS); the Commission shall summarise and publish that information annually and shall communicate it to the European Parliament; PT

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	(Comments): PT: It should be clear that MS' obligations of reporting are limited to irregularities that have impact on the Union's budget, namely when performing in a performance-based model. Since PT supports a more hybrid model, it is important to note that in the context of a performance-based model, we assume that a partial correction at project level that does not impact on the counting of milestones and targets, does not affect the Union's budget. RO (Drafting suggestions): The following irregularities shall not be reported: (a) ensure the reporting of all cases of suspected fraud, corruption and irregularities, including conflict of interest, double funding and other breaches of the applicable law in the Commission's Irregularity Management System (IMS), **except for irregularities for an amount lower than EUR 10 000 in contribution from the Funds. This exception does not apply in the case of irregularities which are interlinked and the total amount of which exceeds EUR 10 000 in**

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	contribution from the Funds, even when none of them exceeds that ceiling on its own; RO (Comments): In correlation with /similar approach to the existing provisions in CPR Regulation 1060/2021.
(h) ensure that the Commission, OLAF, the Court of Auditors and, in respect of those Member States participating in enhanced cooperation pursuant to Regulation (EU) 2017/1939, the EPPO:	AT (Comments): Audit Authority is missing here IE (Drafting suggestions): (**i~~h~~**) ensure that the Commission, OLAF, the Court of Auditors and, in respect of those Member States participating in enhanced cooperation pursuant to Regulation (EU) 2017/1939, the EPPO: IE (Comments): **This provision is amended to reflect new numbering**

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(i) can exercise their respective competences as provided for in Article 129(1) of the Regulation (EU, Euratom) 2024/2509 including by requiring expressly the recipients of Union funds to provide or ensure the necessary rights and access;	AT (Drafting suggestions): (i) can exercise their respective competences as provided for in Article 129(1) of the Regulation (EU, Euratom) 2024/2509 including by requiring expressly the recipients **and beneficiaries** of Union funds to provide or ensure the necessary rights and access; AT (Comments): Beneficiaries are missing here IE (Comments): **This provision is amended to reflect new numbering** IT (Drafting suggestions): (i) ~~have systems and procedures in place to~~ **Without prejudice to the rules governing State aid, the managing authority shall** ensure that all supporting documents necessary for the audit trail related to ~~**a measure**~~ **an operation** supported by the Funds are kept at the appropriate level for

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	a ~~**ten**~~ **five** -year period from 31 December of the year in which the last payment by the ~~**Commission**~~ **managing authority to the** ~~**Member State**~~ **beneficiary is made;** where a redress procedure has been initiated, an appeal has been lodged or where court proceedings have begun, the supporting documents shall be kept until those procedures or any subsequent recovery procedures are terminated; IT (Comments): It is suggested to limit the period to five (5) years (instead of 10 years period), in line with the provisions of the current CPR. RO (Comments): **Clear reference to the use and conditions for using and storing electronic copies**
(ii) receive access to the data referred to in Article 63 [on data collection and publication] within the exercise of their respective competences.	

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(i) have systems and procedures in place to ensure that all supporting documents necessary for the audit trail related to a measure supported by the Fund are kept at the appropriate level for a ten year period from 31 December of the year in which the last payment by the Commission to the Member State is made; where a redress procedure has been initiated, an appeal has been lodged or where court proceedings have begun, the supporting documents shall be kept until those procedures or any subsequent recovery procedures are terminated;	BE (Drafting suggestions): have systems and procedures in place to ensure that all supporting documents necessary for the audit trail related to a measure supported by the Fund are kept at the appropriate level for a **~~ten~~ three** year period from 31 December of the year in which the last payment by the Commission to the Member State is made; where a redress procedure has been initiated, an appeal has been lodged or where court proceedings have begun, the supporting documents shall be kept until those procedures or any subsequent recovery procedures are terminated; **For the purposes of this paragraph, "supporting documents" shall mean contracts, invoices, payment proofs, monitoring reports evidence necessary to verify compliance and performance of the supported measure.** BE (Comments): Why is a 10 year period proposed? In the current regulation CAP, it is 3 years (IA 2022/128, art 34). It should be clear in advance which documents are meant. BG (Drafting suggestions):

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	(i) have systems and procedures in place to ensure that all supporting documents necessary for the audit trail related to a measure supported by the Fund are kept at the appropriate level for a ~~ten~~ **five** year period from 31 December of the year in which the last payment by the Commission to the Member State is made; where a redress procedure has been initiated, an appeal has been lodged or where court proceedings have begun, the supporting documents shall be kept until those procedures or any subsequent recovery procedures are terminated; BG (Comments): We consider that keeping the supporting documents for ten years, compared with the current five years under the CPR, is an excessively burdensome requirement that contradicts the stated objectives of simplification and the reduction of administrative burden. DE (Comments): It needs to be clarified here if documents related to the costs of the measures are to be kept. In a consequent application of a performance-based approach and financing not linked to costs, wouldn't it be obsolete to store documents with the underlying costs?

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	EE (Drafting suggestions): (i) have systems and procedures in place to ensure that all supporting documents necessary for the audit trail related to a measure supported by the Fund are kept at the appropriate level for a **five** ~~ten~~ year period from 31 December of the year in which the last payment by the **managing authority** ~~Commission~~ to the **beneficiary** ~~Member State~~ is made; where a redress procedure has been initiated, an appeal has been lodged or where court proceedings have begun, the supporting documents shall be kept until those procedures or any subsequent recovery procedures are terminated; EE (Comments): Extending the document retention period compared to the current period 2021-2027 is not justified. The proposed deadline is neither proportionate nor reasonable, taking into account the existing time limits laid down in Regulation (EU) 2024/2509 (5 years) as well as the national requirements for the retention of accounting records (7 years). Furthermore, it lacks proportionality given that the period for Commiss63ion audits is shorter (3 years).

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	We consider it appropriate that the document retention period should not be longer than the final targets retention period. We also find that calculating the period starting from the Commission payment to the Member State creates excessive administrative burden for systems where intermediate bodies are involved, as they are responsible for informing beneficiaries about the document retention period, but they are not responsible for submitting payment applications to the Commission. EL (Drafting suggestions): (i) have systems and procedures in place to ensure that all supporting documents necessary for the audit trail related to a measure supported by the Fund are kept at the appropriate level for ~~a ten year~~ **a five year** period from 31 December of the year in which the last payment by the Commission to the Member State is made; where a redress procedure has been initiated, an appeal has been lodged or where court proceedings have begun, the supporting documents shall be kept until those procedures or any subsequent recovery procedures are terminated; EL (Comments):

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	It is suggested to limit the period to five (5) years (instead of 10 years period), in line with the provisions of the preceding CPR. FI (Drafting suggestions): (i) have systems and procedures in place to ensure that all supporting documents necessary for the audit trail related to a measure supported by the Fund are kept at the appropriate level for a ~~ten~~ **five** year period from 31 December of the year in which the last payment by the Commission to the Member State is made; where a redress procedure has been initiated, an appeal has been lodged or where court proceedings have begun, the supporting documents shall be kept until those procedures or any subsequent recovery procedures are terminated; FI (Comments): The requirement should be aligned with Financial Regulation Art 133. FR (Drafting suggestions): have systems and procedures in place to ensure that all supporting documents necessary for the audit trail related to a measure supported by the Fund are kept at the appropriate level for a ~~ten~~ **five** year period from

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	31 December of the year in which the last payment by the Commission to the Member State is made; where a redress procedure has been initiated, an appeal has been lodged or where court proceedings have begun, the supporting documents shall be kept until those procedures or any subsequent recovery procedures are terminated; FR (Comments): La Commission peut-elle expliquer pourquoi une période de 10 ans après le dernier paiement de la Commission aux Etats membres a été retenue pour l'archivage des documents alors que pour la programmation 2021-2027 et la FRR, la durée de conservation des documents était fixée à 5 ans après le dernier paiement au bénéficiaire ? HR (Drafting suggestions): (i) have systems and procedures in place to ensure that all supporting documents necessary for the audit trail related to a measure supported by the Fund are kept at the appropriate level for a ~~**ten**~~ **five** year period from 31 December of the year in which the last payment by the Commission to the Member State is made; where a redress procedure has been initiated, an appeal has been lodged or where court proceedings have begun, the

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	supporting documents shall be kept until those procedures or any subsequent recovery procedures are terminated; HR (Comments): If we understand correctly, all supporting documents necessary for the audit trail related to a measure supported by the Fund are kept at the appropriate level for a ten-year period from 31 December of the year in which the last payment by the Commission to the Member State is made. We would appreciate if the COM could explain the rationale for increasing the period for keeping the documents from 5 to 10 years. Also, it would be useful to clarify if this obligation refers to both the MS authorities and the beneficiaries. **HR proposes** to set the deadline as set out in Article 82 of the Act. Regulation (EU) 2021/1060, for a period of five years to lessen administrative burden of MS. If our proposal is not met we propose to store supporting documents only in digital form in line with digital and green policies. HU (Drafting suggestions):

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	have systems and procedures in place to ensure that all supporting documents necessary for the audit trail related to a measure supported by the Fund are kept ~~at the appropriate level~~ for a ~~ten~~ **five** year period from 31 December of the year in which the last payment by the Commission to the Member State is made; where a redress procedure has been initiated, an appeal has been lodged or where court proceedings have begun, the supporting documents shall be kept until those procedures or any subsequent recovery procedures are terminated; IE (Drafting suggestions): (**j**~~i~~) have systems and procedures in place to ensure that all supporting documents necessary for the audit trail related to a measure supported by the Fund are kept at the appropriate level for a **sev**~~t~~en year period from 31 December of the year in which the last payment by the Commission to the Member State is made; where a redress procedure has been initiated, an appeal has been lodged or where court proceedings have begun, the supporting documents shall be kept until those procedures or any subsequent recovery procedures are terminated; IE (Comments):

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	This provision is amended to reflect new numbering **This is an increase relative to the current programme and should be considered further to ensure it is beneficial, and in line with the general principle of simplifying the programme. IE preference is that it would remain at the 7-year period** LT (Drafting suggestions): have systems and procedures in place to ensure that all supporting documents necessary for the audit trail related to a measure supported by the Fund are kept at the appropriate level for a ~~ten~~ **five** year period from 31 December of the year in which the last payment by the Commission to the Member State is made; where a redress procedure has been initiated, an appeal has been lodged or where court proceedings have begun, the supporting documents shall be kept until those procedures or any subsequent recovery procedures are terminated; LT (Comments): It is suggested to limit the period to five (5) years (instead of 10 years period), in line with the provisions of the CPR. LU

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	(Comments): We propose to set a fixed date based on the eligibility end date and the deadlines for closing programmes and plans. This would avoid discussions about potential interpretations of this deadline and also avoid having “floating” dates. LV (Drafting suggestions): (i) have systems and procedures in place to ensure that all supporting documents necessary for the audit trail related to a measure supported by the Fund are kept at the appropriate level for a ~~ten~~ **five**-year period from 31 December of the year in which the last payment by the Commission to the Member State is made; where a redress procedure has been initiated, an appeal has been lodged or where court proceedings have begun, the supporting documents shall be kept until those procedures or any subsequent recovery procedures are terminated; LV (Comments): The requirement for a rigid 10-year document retention period is overly burdensome and restrictive compared to the flexibility offered by the Financial Regulation's principle of proportionality and considering that 10

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	years is a maximum, not a mandatory period. We propose a rational and proportionate 5-year period must be set in the NRPP/ MT (Comments): MT would like to confirm the following interpretation of this article as worded: 1) it is being understood that "*have systems and procedures in place*" is not explicitly requiring ***electronic*** systems and procedures and thus manual systems and procedures would be acceptable. To confirm. 2) "*all supporting documents*" is not defined. Clarification is required with reference to this point. PL (Drafting suggestions): i.have systems and procedures in place to ensure that all supporting documents necessary for the audit trail related to a measure supported by the Fund are kept at the appropriate level for a ~~**ten**~~ **three** year period from 31 December of the year in which the last payment by the Commission to the Member State is made; where a redress procedure has been initiated, an appeal has been lodged or where court proceedings have begun, the

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	supporting documents shall be kept until those procedures or any subsequent recovery procedures are terminated; PL (Comments): We see no justification for such a long document retention period, which is twice as long as in the current programming period. In accordance with Article 60(5), the Commission shall carry out audits during the implementation of the Fund and for up to three years after the date of the final payment. For the sake of consistency, we therefore propose a three-year period for the retention of documents, counting from 31 December of the year in which the Commission makes the last payment to the Member State. SI (Drafting suggestions): have systems and procedures in place to ensure that all supporting documents necessary for the audit trail related to a measure supported by the Fund are kept at the appropriate level for a **five** ~~ten~~ year period from 31 December of the year in which the last payment by the Commission to the Member State is made; where a redress procedure has been initiated, an appeal has been lodged or where court proceedings have begun, the

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	supporting documents shall be kept until those procedures or any subsequent recovery procedures are terminated; SK (Drafting suggestions): (i) have systems and procedures in place to ensure that all supporting documents necessary for the audit trail related to a measure supported by the Fund are kept at the appropriate level for a ~~ten~~ **five** year period from 31 December of the year in which the last payment by the Commission to the Member State is made; where a redress procedure has been initiated, an appeal has been lodged or where court proceedings have begun, the supporting documents shall be kept until those procedures or any subsequent recovery procedures are terminated; Add at the end of the paragraph: "**For the purposes of the record-keeping obligations laid down in this Regulation, electronic copies of documents and records, including scanned or dematerialised versions, which are stored in secure electronic systems ensuring the integrity, legibility and availability of the data and providing a reliable audit trail, shall be considered equivalent to the original paper documents for the entire retention**

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	period, without prejudice to stricter requirements under national law." SK (Comments): The period of 10 years from 31 December of the year in which the last payment by the Commission to the Member State was made for the storage of all underlying documents appears to be disproportionately long. We request a reduction the period according to the regulation No. 1060/2021. Furthermore, we also propose to add text, that would simplify administrative processes in a way of a MS being able to keep documents also in electronic format.
(j) make arrangements to ensure the effective examination of complaints concerning the use of the Fund, in accordance with their institutional and legal frameworks, and upon request by the Commission, examine complaints submitted to the Commission falling within the scope of the NRP Plan and inform the Commission of the results of these examinations;	EE (Drafting suggestions): (j) make arrangements to ensure the effective examination of complaints concerning the use of the Fund, in accordance with their institutional and legal frameworks, and upon request by the Commission, examine complaints submitted to the Commission falling within the scope

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	of the NRP Plan **or Interreg programme of the Interreg Plan** and inform the Commission of the results of these examinations; EE (Comments): Does this provision not apply to Interreg? It should apply to Interreg, and it is necessary to add clear reference to Interreg programme. IE (Drafting suggestions): (**k**~~j~~) make arrangements to ensure the effective examination of complaints concerning the use of the Fund, in accordance with their institutional and legal frameworks, and upon request by the Commission, examine complaints submitted to the Commission falling within the scope of the NRP Plan and inform the Commission of the results of these examinations; IE (Comments): **This provision is amended to reflect new numbering**

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(k) ensure that all exchanges of information between beneficiaries of funding and the NRP Plan authorities, as well as with the Commission, are carried out by means of electronic data exchange systems which includes, among others, use of automatic and interactive forms and calculations, ensures record-keeping and data storage in the system enabling both administrative verifications of payment claims submitted by beneficiaries and audits as well as allows for automatic synchronisation and transmission of data between beneficiaries' and Member States' systems;	BE (Drafting suggestions): ensure that all **official** exchanges of information between beneficiaries of funding and the **relevant** NRP Plan authorities, ~~as well as with the Commission~~, are carried out by means of electronic data exchange systems ~~which includes, among others, use of automatic and interactive forms and calculations, ensures record-keeping and data storage in the system enabling both administrative verifications of payment claims submitted by beneficiaries and audits as well as allows for automatic synchronisation and transmission of data between beneficiaries' and Member States' systems~~; BE (Comments): Communication with COM in next paragraph. DE (Drafting suggestions): k) ensure that all exchanges of information between beneficiaries of funding and the NRP Plan authorities, as well as with the Commission, are carried out by means of electronic data exchange systems **provided by the Commission** which includes, among others, use of automatic and

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	interactive forms and calculations, ensures record-keeping and data storage in the system enabling both administrative verifications of payment claims submitted by beneficiaries and audits as well as allows for automatic synchronisation and transmission of data between beneficiaries' and Member States' systems; DE (Comments): Various proposals for the technical simplification of data exchange are, in principle, to be welcomed. However, this would entail a need to link different systems of the Member States with those of the EU. Sufficient time would need to be made available for this, if necessary. We would appreciate if COM provides the IT systems for data exchanges between all levels (from beneficiaries, via all involved authorities to COM) to reduce costs for MS and regions and ensure interoperability. EE (Drafting suggestions): (k) ensure that all exchanges of information between beneficiaries of funding and the NRP Plan **or Interreg programme of the Interreg Plan** authorities, as well as with the Commission, are carried out by means of electronic data exchange systems which includes, among others, use of

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	automatic and interactive forms and calculations, ensures record-keeping and data storage in the system enabling both administrative verifications of payment claims submitted by beneficiaries and audits as well as allows for automatic synchronisation and transmission of data between beneficiaries' and Member States' systems; EE (Comments): Does this provision not apply to Interreg? It should apply to Interreg, and it is necessary to add clear reference to Interreg programme. HR (Comments): **HR asks for clarification:** It is stated here that the MS is not required to verify the underlying costs; however, the same provision does not appear to apply in the context of MA's management checks (Article 51). What is the difference? **HR questions:** Given that Article 58(2)(k) of the Proposal requires that all exchanges of information between beneficiaries and NRPP authorities, as well as the

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	Commission, be carried out by means of electronic data exchange systems – including the use of automatic and interactive forms and calculations, ensuring record-keeping and data storage, administrative verifications of payment claims, audits, and automatic synchronization and transmission of data between beneficiaries' and Member States' systems — how does the European Commission intend to ensure the implementation of this requirement, considering that experience from the 2021–2027 MFF has shown that establishing such complex systems entails lengthy processes and significant administrative burdens (such as public procurement procedures, data preparation, interface development, and staff training)? IE (Drafting suggestions): (**l**~~k~~) ensure that all exchanges of information between beneficiaries of funding and the NRP Plan authorities, as well as with the Commission, are carried out by means of electronic data exchange systems which includes, among others, use of automatic and interactive forms and calculations, ensures record-keeping and data storage in the system enabling both administrative verifications of payment claims submitted by beneficiaries and audits as well as allows for automatic

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	synchronisation and transmission of data between beneficiaries' and Member States' systems; IE (Comments): **<u>This provision is amended to reflect new numbering</u>** MT (Comments): The use of the word "*all*" might create a strait jacket for authorities as they currently exchange information outside electronic systems. As worded, it is not clear whether email correspondence will be accepted, and probably it would not be. A clarification is required. If it is confirmed that that data needs to be transmitted automatically or through an automatic synchronisation and transmission system, a discussion needs to happen on the impact this will have on internal processes, technology enhancement and data governance. SE (Comments):

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	It is still unclear for SE what is meant by automatic synchronization between the beneficiaries' and the Member States' systems. Which systems are referred to?
(l) ensure that all official exchanges of information with the Commission are carried out by means of an electronic data exchange system referred to in Annex XVI [SFC2028: electronic data exchange system between the Member States and the Commission]. Member States are not expected to verify the underlying costs of the operations and the measures when assessing the fulfilment of milestones and targets.	AT (Drafting suggestions): (l) ensure that all official exchanges of information with the Commission are carried out by means of an electronic data exchange system referred to in Annex XVI [SFC2028: electronic data exchange system between the Member States and the Commission]. ~~Member States are not expected to verify the underlying costs of the operations and the measures when assessing the fulfilment of milestones and targets.~~ AT (Comments): The last sentence does not make sense here. DE (Drafting suggestions): (l) ensure that all official exchanges of information with the Commission are carried out by means of an electronic data exchange

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	system referred to in Annex XVI [SFC2028: electronic data exchange system between the Member States and the Commission]. ~~**Member States are not expected to verify the underlying costs of the operations and the measures when assessing the fulfilment of milestones and targets.**~~ DE (Comments): This would require linking various systems of the Member States with those of the EU. We would appreciate if COM provides the IT systems for data exchanges between all levels (from beneficiaries, via all involved authorities to COM) to reduce costs for MS and regions and ensure interoperability. DE: The Commission must, however, ensure that the SFC2028-system is fully operational. The last sentence should be a stand-alone sub-paragraph. FI (Drafting suggestions): (l) ensure that all official exchanges of information with the Commission are carried out by means of an electronic data exchange system referred to in Annex XVI [SFC2028: electronic data exchange

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	system between the Member States and the Commission]. ~~Member States are not expected to verify the underlying costs of the operations and the measures when assessing the fulfilment of milestones and targets.~~ ensure that all official exchanges of information with the Commission are carried out by means of an electronic data exchange system referred to in Annex XVI [SFC2028: electronic data exchange system between the Member States and the Commission]. Member States are not expected to verify **nor report to the Commission** the underlying costs of the operations and the measures when assessing the fulfilment of milestones and targets. FI (Comments): Verification of fulfilment of milestones and targets is the task of MA, MS should not be expected to make any additional verifications. If MS are not to check costs in executing their tasks, this should be added as a separate paragraph. We notice a significant change as verifying of project costs (underlying costs) is not expected from the MS. Does this mean that there is no reporting obligation about the project costs to the Commission? Does the national certifying body still verify these costs?

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	FR (Drafting suggestions): (l) ensure that all official exchanges of information with the Commission are carried out by means of an electronic data exchange system referred to in Annex XVI [SFC2028: electronic data exchange system between the Member States and the Commission]. ~~Member States are not expected to verify the underlying costs of the operations and the measures when assessing the fulfilment of milestones and targets.~~ FR (Comments): Cette disposition apparaît mal placée, elle est remontée au (b) ci-avant. HU (Drafting suggestions): ensure that all official exchanges of information with the Commission are carried out by means of an electronic data exchange system referred to in Annex XVI [SFC2028: electronic data exchange system between the Member States and the Commission]. ~~Member States are not expected to verify the underlying costs of the operations and the measures when assessing the fulfilment of milestones and targets.~~ HU

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	(Comments): We do not see how the second sentence relates to the provision on electronic data exchange. IE (Drafting suggestions): (**m**~~l~~) ensure that all official exchanges of information with the Commission are carried out by means of an electronic data exchange system referred to in Annex XVI [SFC2028: electronic data exchange system between the Member States and the Commission]. Member States are not expected to verify the underlying costs of the operations and the measures when assessing the fulfilment of milestones and targets. IE (Comments): **This provision is amended to reflect new numbering** LT (Drafting suggestions): ensure that all official exchanges of information with the Commission are carried out by means of an electronic data exchange system referred to in Annex XVI [SFC2028: electronic data exchange system between the Member States and the Commission]. Member States are not expected to

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	verify the underlying costs of the operations and the measures when assessing the fulfilment of milestones and targets. **Each Managing Authority should be able to exchange data through electronic data exchange system independently and simultaneously.** LU (Comments): - The terminology 'not expected' is unclear. - **The descriptions of SFC2028 suggest a very complex system, which in turn requires significant costs and development efforts from MS. Therefore, it** could be considered **to remove the technical requirements from the basic act and discuss them further with the respective experts in secondary legislation**. PL (Drafting suggestions): (l) ensure that all official exchanges of information with the Commission are carried out by means of an electronic data exchange system referred to in Annex XVI [SFC2028: electronic data exchange system between the Member States and the Commission]. Member States ~~**are not expected to**~~

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	shall not verify the underlying costs of the operations and the measures when assessing the fulfilment of milestones and targets. PL (Comments): It should be clearly indicated that the Member States shall not verify the underlying costs of operations ('shall not verify' instead of "is not expected to".) It is necessary to establish clear rules in order to ensure legal certainty both for beneficiaries, who should know exactly what may be subject to control and by which institutions, and for the institutions themselves responsible for management and implementation – so that their responsibilities are clearly and precisely defined (including in the context of future system audits, e.g., by the EC or the ECA).
	DE (Drafting suggestions): **m) Member States are not expected to verify the underlying costs of the operations and the measures when assessing the fulfilment of milestones and targets.** FI

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	(Drafting suggestions): **(m) ensure compliance with the principles of the Rule of Law and the relevant provisions of the Charter.** FI (Comments): We prefer to refer broadly to the rule of law and the Charter, rather than specifically referencing Articles 8 and 9, as the focus should be on compliance with the Charter and the rule of law, rather than on meeting the requirements of the conditionality mechanism. Furthermore, other points in this article also do not reference other articles. HU (Drafting suggestions): **2 bis. Member States are not expected to verify the underlying costs of the operations and the measures when assessing the fulfilment of milestones and targets.** NL (Drafting suggestions): **(m) ensure compliance with the principles of the Rule of Law and the relevant provisions of the Charter.**

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	NL (Comments): According to NL this provision should also contain a reference to compliance with the Rule of Law and the Charter. PL (Drafting suggestions): **m) establish rules on the eligibility of expenditure incurred under operations, including the rules on the application of simplified cost options and financing not linked to costs.** PL (Comments): Given that the draft regulation does not include provisions concerning the eligibility of expenditure, including specific provisions for SCO and FNLC, it should be specified that Member States are responsible for establishing such rules. The NRP Regulation does not specify eligibility rules (as was the case in Article 63 of Regulation 2021/1060). Nor does it contain rules on the settlement of expenditure at the level of Member State (as in Articles 52 et seq. of Regulation 2021/1060). It therefore needs to be clarified

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	whether the eligibility rules and forms of support for beneficiaries will be solely at the discretion of the Member States. SE (Drafting suggestions): **(m) ensure compliance with the principles of the Rule of Law and the relevant provisions of the Charter.** SE (Comments): SE proposes a new paragraph as it is important for SE that this provision also contains a reference to compliance with the Rule of Law and the Charter. Suggesting to add a point (m) to p.58(2)
3. Member States shall inform the Commission by 15 February of each year on the progress in achieving the objectives established in the Plans, quantifying the fulfilment of each target and milestone, and progress achieved for output-based interventions supported by the Plans. This information shall be provided in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures]. If no quantification on progress of milestones and targets is available in the progress reporting systems, the Member state shall provide an	AT (Comments): According to the current procedure (Q4 of year N-1 belongs to the budget year N), the deadline (15 February) would be possible. Assuming that in the future the financial year corresponds to the calendar year, calculating the achievement of targets in this short time frame is not feasible. For example, for the application year 2025, the payment is

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estimation of progress achieved, in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures]. The information made available shall cover progress until the end of year N and shall be submitted as part of the annual assurance package referred to in Article 57(1), point (a).	currently planned for December 2025 and June 2026. The final output values can only be validly represented in June 2026. According to the statement from the EC, the financial year is expected to correspond to the calendar year in the future. We request clarification on where this is established in the legal text. BE (Drafting suggestions): 3. Member States shall inform the Commission by 15 February of ~~each~~ year **N+1** on the progress in achieving the objectives established in the Plans, quantifying the fulfilment of each target and milestone, and progress achieved for output-based interventions supported by the Plans. ~~This information shall be provided in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures]. If no quantification on progress of milestones and targets is available in the progress reporting systems, the Member state shall provide an estimation of progress achieved, in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures].~~ The information made available shall cover progress **until the 31st of October** of year N based on the payment applications to the Commission

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	and shall be submitted as part of the annual assurance package referred to in Article ~~57~~ **59**(1), point (a). BE (Comments): Question: Is 'quantifying' the correct term here? As this is not necessarily applicable to milestones and output-based interventions? It is unclear what the added value is of this annex IX on 'reporting on the implementation progress of the measures of the plan'? As long as we do not understand why this is necessary, we would propose to delete this annex. Regarding heading 1: Information on the payment applications submitted is already available to the commission and should be automatically uploaded in the system CZ (Drafting suggestions): 3. Member States shall inform the Commission by **30 April** ~~15 Fenruary~~ of each year on the progress in achieving the objectives established in the Plans, quantifying the fulfilment of each target and milestone, and progress achieved for output-based interventions supported by the Plans. This information shall be provided in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures]. If no

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Commission proposal	MS drafting suggestions and comments
	quantification on progress of milestones and targets is available in the progress reporting systems, the Member state shall provide an estimation of progress achieved, in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures]. The information made available shall cover progress until the end of year N and shall be submitted as part of the annual assurance package referred to in Article 57(1), point (a). CZ (Comments): CZ is of the opinion that 15 February is an extremely short deadline. CZ kindly requests an extension, taking into account the time required for comprehensive data collection." DE (Drafting suggestions): 3. Member States shall inform the Commission by 15 ~~**February**~~ **June** of each year on the progress in achieving the objectives established in the Plans, quantifying the fulfilment of each target and milestone, and progress achieved for output-based interventions supported by the Plans. This information shall be provided in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures].

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Commission proposal	MS drafting suggestions and comments
	If no quantification on progress of milestones and targets is available in the progress reporting systems, the Member state shall provide an estimation of progress achieved, in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures]. The information made available shall cover progress until the end of year N and shall be submitted as part of the annual assurance package referred to in Article **59** ~~57~~(1), point (a). DE (Comments): We doubt that all necessary information for the "annual assurance package" will already be available by 15 February each year and would welcome a later deadline for submitting the information. At least, clarification is needed regarding the expectations towards the audit authorities and the approach towards the assurance package (see also the question). This should also include information on progress made towards achieving the minimum percentage of the total allocation of the NRP Plan for climate and environmental objectives. Wrong reference in the last sentence. EE

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): Member States shall inform the Commission by ~~15 February~~ **31 March** of each year on the progress in achieving the objectives established in the Plans, quantifying the fulfilment of each target and milestone, and progress achieved for output-based interventions supported by the Plans EE (Comments): If we use 31 December as the cut-off date for the submission of information, February is too early for the submission of data. The approval of the annual project reports and the accounting procedures take a considerable amount of time at the beginning of the year. ES (Comments): Paying agencies shall be responsible for carrying out verifications to ensure the achievement of milestones and targets (Articles 51(1)(b) and 52(3)).We would like to obtain further details on the reporting procedure and on the methodology for assessing the fulfilment of milestones and targets as described in Annex VIII. FI (Comments):

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Commission proposal	MS drafting suggestions and comments
	Could the CION, please, verify that all CAP interventions are output based and result indicators are used only for evaluating the impacts? Which are result based interventions? It should be clarified what is meant by the estimated progress of the plan. Does it mean the number of funded but not completed projects, or the ongoing application procedure, etc.? If the Commission does not accept the Member State's estimates, will the Commission directly reduce its request for payment? This should be clarified. For the CAP, a lot of payments are made in December. Does the report cover just the period up to 31 October (N+ 10 months)? Or is the reporting period based on payments from 1 November to 31 October? In any case this is very demanding schedule for reporting. In this point is used term year N and in article 59(1)(a) financial year. Please, use same terms to avoid misunderstanding. QA 12856/2025 states that a simplified system whereby output indicators will be used both for the purpose of performance monitoring and triggering payments, reducing administrative burden for Member States. Thus, the reporting has to cover the same timetable as payment applications for year N. What is the relationship between reporting requirements and Article 70(6) and (7)? FR (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	Member States shall inform the Commission by 15 February of each year on the progress in achieving the objectives established in the Plans, quantifying the fulfilment of each target and milestone, and progress achieved for output-based interventions supported by the Plans. This information shall be provided in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures]. If no quantification on progress of milestones and targets is available in the progress reporting systems, the Member state shall provide an estimation of progress achieved, in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures]. The information made available shall cover progress until the end of year N**-1 for all measures and claim year N-2 for area-and animal- based interventions** for and shall be submitted as part of the annual assurance package referred to in Article **59**(1), point (a). FR (Comments): Ce paragraphe pourrait être déplacé dans l'article suivant. HR (Comments): **HR suggests:**

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Commission proposal	MS drafting suggestions and comments
	Although this paragraph represents one of the MS obligations, is it possible to include this paragraph under one of sections which deals with the data and reporting, than in this article, where most of the obligations refer to the irregularity, fraud, corruption and conflict of interest; or to change the title of mentioned Article? Considering how the Article 58(3) requires Member States to inform the Commission by 15 February each year on the progress made in achieving the objectives established in the Plans, using the template set out in Annex IX, and states that where quantitative data on the achievement of milestones and targets are not available, Member States are to provide an estimation of the progress made, also in accordance with the template in Annex IX – in this regard, how will these different types of data (quantitative information and qualitative assessments/estimations) be clearly and coherently presented within the same reporting template? HU (Comments): The information made available shall cover progress until the end of year N and shall be submitted as part of the annual assurance package referred to in Article 57(1), point (a).” Article 57(1)(a) does not exist in the referenced article and paragraph. The correct article is 59(1)(a).

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Commission proposal	MS drafting suggestions and comments
	IE (Drafting suggestions): 3. Member States shall inform the Commission by 15 ~~February~~ **April** of each year on the progress in achieving the ~~objectives established in the Plans, quantifying the fulfilment of each target and milestone, and progress achieved for~~ output-based interventions supported by the Plans. This information shall be provided in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures]. If no quantification on progress of milestones and targets is available in the progress reporting systems, the Member state shall provide an estimation of progress achieved, in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures]. The information made available shall cover progress until the end of year N and shall be submitted as part of the annual assurance package referred to in Article 57(1), point (a). IE (Comments): **This provision is amended to apply a practical deadline that takes account of the need for efficient implementation of the Plan and**

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Commission proposal	MS drafting suggestions and comments
	noting the volume of information required at claim stage. The proposed reporting requirements are onerous. LT (Drafting suggestions): Member States shall inform the Commission by ~~15 February~~ **1 March** of each year on the progress in achieving the objectives established in the Plans, quantifying the fulfilment of each target and milestone, and progress achieved for output-based interventions supported by the Plans. This information shall be provided in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures]. If no quantification on progress of milestones and targets is available in the progress reporting systems, the Member state shall provide an estimation of progress achieved, in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures]. The information made available shall cover progress until the end of year N and shall be submitted as part of the annual assurance package referred to in Article 57(1), point (a). LT (Comments): We propose to extend the deadline at least by the 1 March.

Commission proposal	MS drafting suggestions and comments
	Pasitarti dėl pasiūlymo, nes jei pratęsiame progress report, reikia pateikti argumentus ir tai suderinti su annual assorance package teikimu -63 str. LU (Comments): Could COM please clarify which authority would be responsible for this paragraph. LV (Drafting suggestions): 3. Member States shall inform the Commission by 15 **March**~~February~~ of each year on the progress in achieving the objectives established in the Plans, quantifying the fulfilment of each target and milestone, and progress achieved for output-based interventions supported by the Plans. This information shall be provided in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures]. If no quantification on progress of milestones and targets is available in the progress reporting systems, the Member state shall provide an estimation of progress achieved, in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures]. The information made available shall

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Commission proposal	MS drafting suggestions and comments
	cover progress until the end of year N and shall be submitted as part of the annual assurance package referred to in Article 57(1), point (a). LV (Comments): The deadline of 15 February should be changed to a later date, since 15 February leaves very limited time for national administrations to collect, process, and verify data on the implementation progress of interventions from the previous year. Many administrative checks, payment finalizations, and data validations continue into January and February, particularly for applications submitted late in the previous year. Reporting by 15 February risks inaccuracies or incomplete information, which could undermine the quality and reliability of the report. MT (Drafting suggestions): 3. Member States shall inform the Commission by 15 February of each year on the progress in achieving the objectives established in the Plans, quantifying the fulfilment of each target and milestone, and progress achieved for output-based interventions supported by the Plans. This information shall be provided in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures]. If no

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Commission proposal	MS drafting suggestions and comments
	quantification on progress of milestones and targets is available in the progress reporting systems, the Member State shall provide an estimation of progress achieved, in accordance with the template set out in Annex IX. The information made available shall cover progress until the end of year N and shall be submitted as part of the annual assurance package referred to in Article 57(1), point (a). ***Where necessary, Member States may submit the report without the prior assent of the audit authority, provided that such assent is obtained and transmitted within a reasonable timeframe thereafter. Alternatively, the Commission may allow for staggered submission deadlines to accommodate administrative and procedural constraints.*** MT (Comments): MT notes that multiple reporting requirements are due on 15 February, creating administrative burdens for smaller administrations where there is only one single audit authority whose assent is required prior to submission. MT proposes staggering or phasing the reporting deadlines to allow adequate time for validation and audit clearance. Alternatively, consideration could be given to removing the requirement for the audit authority's assent prior to submission, in order to ease the timing pressure on smaller administrations while maintaining overall accountability.

Commission proposal	MS drafting suggestions and comments
	RO (Comments): Is this reference to Annex IX likely to introduce duplication with implementing reports in the annul assurance package or an additional administrative task/burden? SI (Drafting suggestions): 3. Member States shall inform the Commission by ~~15 February~~ **15 June** of each year on the progress in achieving the objectives established in the Plans, quantifying the fulfilment of each target and milestone, and progress achieved for output-based interventions supported by the Plans. This information shall be provided in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures]. If no quantification on progress of milestones and targets is available in the progress reporting systems, the Member state shall provide an estimation of progress achieved, in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures]. The information made available shall cover progress until the end of year N and shall be submitted as part of the annual assurance package referred to in Article 57(1), point (a).

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Commission proposal	MS drafting suggestions and comments
	SI (Comments): The preparation deadline is too short, considering: 1) that reporting is done for the calendar year 2) that one document is reported for the entire country (coordination between different funds) 3) that preliminary procedures are required for which business deadlines are set, also in EU regulations (MA, monitoring committee…). SK (Comments): **We request to delete Annex IX, as it duplicates the information reported in the payment application (see the column "Quantitative indicators (targets) […]") and afterwards to modify all relevant provisions of the draft NRPP regulations that refer to Annex IX. We understand that, given the similar setup to the recovery and resilience plan, this is an effort by the EC to standardize the setup. However, in this case, since information on implementation progress can be extracted from the payment request template (Annex XI), we do not consider the implementation report to have any added value and consider it to be gold-plating.**

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Commission proposal	MS drafting suggestions and comments
	SI (Comments): It is not clear which of the 3 possible sets of reporting categories: a) investments, b) reforms or investments and c) other interventions the CAP interventions will fall into Please note that the reporting requirements for these 3 differ significantly: The table is not clear and not consistent across all three categories: in the case of "investments" the target value is reported, in the case of "reforms or investments" the milestone is reported (without defining the target value) and in the case of "other interventions" neither the definition of the milestone nor the target value for the impact is defined. The timeline for data collection for reporting is also not clear: cumulative or annual.
4. The Commission is empowered to adopt delegated acts in accordance with Article 86 [delegated acts] supplementing paragraph 2, point (g) of this Article, with rules on the criteria for determining the cases of suspected fraud, corruption and irregularity to be reported and on the data to be provided in that context.	BE (Comments): Question: in which case/situation would COM adopt delegated acts in this regard? It should be clear from the start which data HU (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	~~The Commission is empowered to adopt delegated acts in accordance with Article 86 [delegated acts] supplementing paragraph 2, point (g) of this Article, with rules on the criteria for determining the cases of suspected fraud, corruption and irregularity to be reported and on the data to be provided in that context.~~ MT (Comments): Caution is advised regarding the use of delegated acts in this context, and the opinion of the Council Legal Service may be required. The Commission already issues guidance which is often interpreted as mandatory." NL (Drafting suggestions): The Commission is empowered to adopt delegated acts in accordance with Article **87 [exercise of the delegation]** ~~86 [delegated acts]~~ supplementing paragraph 2, point (g) of this Article, with rules on the criteria for determining the cases of suspected fraud, corruption and irregularity to be reported and on the data to be provided in that context. NL (Comments):

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Commission proposal	MS drafting suggestions and comments
	In the view of NL this provision should refer to the provision on the conditions for exercise of the delegation (Article 87) instead of Article 86. PL (Drafting suggestions): ~~4. The Commission is empowered to adopt delegated acts in accordance with Article 86 [delegated acts] supplementing paragraph 2, point (g) of this Article, with rules on the criteria for determining the cases of suspected fraud, corruption and irregularity to be reported and on the data to be provided in that context.~~ PL (Comments): These provisions should be included in the Regulation. Transferring some of the provisions to delegated acts undermines the simplicity of the provisions and hinders the implementation of EU funds. RO (Drafting suggestions): **COM will provide methodological guidance to Member States for evaluating the functioning of the management and control systems.** RO

Commission proposal	MS drafting suggestions and comments
	(Comments): In correlation with Article 49(2) of the proposed Regulation and Article 63(3)(2) of the Financial Regulation, it would be necessary to clarify the evaluation mechanism regarding the efficient and effective functioning of the MCS provided for in Article 58. Thus, Article 49(2) provides that the maintenance of the CP, CAP, and the Maritime and Fisheries Policy authorities and their functioning will be considered to be in accordance with the KR, even though the KR have been reformulated or are new KR. With regard to the responsibilities of the MS to establish an effective and efficient MCS under Article 58, in conjunction with the provisions of Article 49(2), guidance should be provided on how to deal appropriately with situations where MCS/components of the MCS for the 2021-2027 programming period were initially classified in categories 3 or 4, but subsequently measures were taken to ensure the efficient and effective functioning of the relevant MCS and they were reclassified in categories 1 or 2. Further clarification from the COM is needed for the assessment of the functionality of the MCS, including the conditions for the continuity of the MCS.

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Article 59 ***Submission of the annual assurance package***	DE (Comments): In order to be able to submit the annual assurance package and the accompanying documentation (including annual assurance opinions and the summary of audits under Art. 53(2)) at a high audit standard, it must be clarified that assurance packages as well as the assurance opinions for each chapter of the plan may be prepared and submitted separately by the region responsible. HU (Comments): General comment: The proposal uses several adjectives in Articles 58 and 59 which, in the absence of a precise definition and in the context of the subject concerned (audit), could fracture assurance practices and invite ex-post disputes and audit risks. These elements must be defined or rectified directly in the basic act or in the mandatory templates. The article refers to the annual assurance package for payment applications submitted for the financial year, but the definition of "financial year" is not clarified in the regulation. IE (Comments): **What are the parameters for the financial year? Is it calendar year?**

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Commission proposal	MS drafting suggestions and comments
	IT (Comments): The combined provisions of Article 50(f) and Article 59(2) indicate that the Commission takes into account the information provided in the annual assurance package when assessing whether to interrupt or suspend payments or make financial corrections. Given that the reliability package appears to be unique, relating to the entire Plan, please clarify how the mechanism works in practice and whether there may be an impact on the best performing Managing Authorities on other measures. RO (Comments): **Comment for INTERREG**: This article should be carefully reviewed in regard with the use of the terms “Member State” and “Member States”, having in mind that, for Interreg, when “Member State” is used, it means “the Member State hosting the managing authority”, while when “Member States” or “each Member State” is used, it generally means the states participating in the Interreg chapter/programme

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Commission proposal	MS drafting suggestions and comments
1. For the purpose of Article 63 of Regulation (EU, Euratom) 2024/2509, Member States shall submit to the Commission by 15 February of each year following 2028 the following documents ('the annual assurance package'):	AT (Comments): In view of the new administrative structure (including the involvement of the coordinating authority), we consider the deadline set for the submission of the package rather difficult to meet. BE (Drafting suggestions): For the purpose of Article 63 of Regulation (EU, Euratom) 2024/2509, Member States shall submit to the Commission by 15 February of ~~each~~ year **N+1** following 2028 the following documents ('the annual assurance package'): BE (Comments): Clarification. DE (Drafting suggestions): 1. For the purpose of Article 63 of Regulation (EU, Euratom) 2024/2509, Member States **and their regions, as applicable,** shall

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Commission proposal	MS drafting suggestions and comments
	submit to the Commission by 15 **<u>June</u>** ~~**February**~~ of each year following 2028 the following documents ('the annual assurance package'): DE (Comments): We doubt that all necessary information for the "annual assurance package" will already be available by 15 February each year and would welcome a later deadline for submitting the information or a definition of the financial year as in previous regulations. 3 months from 31/10 should be calculated for sampling and audit work alone. This already takes into account the application of multi period audit work and a rather small last sample, as sufficient time for contradictory procedures is necessary. This timeframe does not leave enough time for creating, verifying and coordinating the elements of the assurance package until 15/02. If the financial year corresponds to the calendar year that will leave little room for an even shorter calendar of submitting the respective payment applications. Art. 65 (4) shortens the time for payment applications further. Therefore, late and large last payment applications for each year are to be expected and will probably extend the necessary time for audit work.

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Commission proposal	MS drafting suggestions and comments
	This corresponds to the so far unclear definition of the extent of audit work to verify milestones and targets. If there has to be an equal level of assurance comparable to the current audits of operations (funding periode 21-27), the time frame will not be sufficient. Either the assurance will have to be deduced from system audits or the deadlines or n+1 rule have to be extended. ES (Comments): Overall, the procedure appears similar to the current one. At present, there is a Commission guideline (Guideline No 4 on the certification of annual accounts) providing detailed instructions on the management declaration, including a template similar to that in Annex XII. Does the Commission intend to continue issuing guidelines providing more detailed instructions to Member States on the submission of the management declaration? Currently, in addition to reservations, it is possible to include “additional remarks” in cases of deficiencies that do not justify a reservation but should, in the opinion of the head of the paying agency, be brought to the Commission’s attention. Will this “intermediate” option remain available?

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Commission proposal	MS drafting suggestions and comments
	HR (Comments): In the context of simplification and reducing administrative burden, it would be helpful to clarify the added value of the report on the implementation progress of Plan measures, to be submitted by 15 February for the previous financial year (Article 59(1)(a)). **HR recommends** further clarification of the demarcation between this report and the Annual Performance Monitoring Report required under the PF Regulation, in order to avoid duplication and additional reporting requirements. HU (Comments): Hungary does not oppose the 15 February deadline, in case the accounting year remains as defined currently, i.e. the period from 1 July to 30 June of the following year. IT (Drafting suggestions): For the purpose of Article 63 of Regulation (EU, Euratom) 2024/2509, Member States shall submit to the Commission by 15 ~~February~~ **June** of

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Commission proposal	MS drafting suggestions and comments
	each year following 2028 the following documents (‘the annual assurance package’): IT (Comments): IT considers this deadline too tight, particularly for these reasons: • financial and physical data for many measures are available late (in particular for CAP and ERDF); • the Audit Authority has very limited time to complete ex post checks; it is difficult to consolidate information coming from multiple regional managing authorities. LT (Drafting suggestions): 1. For the purpose of Article 63 of Regulation (EU, Euratom) 2024/2509, Member States shall submit to the Commission by 1~~5 February~~ March of each year following 2028 the following documents (‘the annual assurance package’): LT (Comments):

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Commission proposal	MS drafting suggestions and comments
	The deadline for Annual assurance package should be set for a later date. LU (Comments): **The annual audit opinion must cover all irregularities, but performance reporting is new.** This could **complicate the audit if certain milestones are subjective or estimated (§3 Article 58). Performance vs. Actual Expenditure: The annual package includes performance measures, but the final statement is based on actual expenditures. There is a risk of confusion: milestones/targets do not always correspond to actual costs.** LV (Drafting suggestions): 1. For the purpose of Article 63 of Regulation (EU, Euratom) 2024/2509, Member States shall submit to the Commission by 15 **March**~~February~~ of each year following 2028 the following documents (‘the annual assurance package’): LV (Comments): Latvia proposes to extend the deadline for the submission of the annual assurance package from 15 February to 15 March. Latvia points out that

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Commission proposal	MS drafting suggestions and comments
	the Member State has an extremely short period of time after 30 October to prepare and submit to the European Commission a comprehensive set of documents for the entire NRP. We would like to underline that the preparation and verification of such a large volume of detailed documentation within such a short timeframe imposes a significant administrative burden on the Member State authorities and undermines their ability to carry out thorough checks and ensure the high quality of the information submitted. This additional month would provide the Member State with sufficient time to complete all necessary verifications, thereby contributing to a more efficient and transparent use of EU funds and strengthening the protection of financial interests. MT (Drafting suggestions): 1. For the purpose of Article 63 of Regulation (EU, Euratom) 2024/2509, Member States shall submit to the Commission by 15 February of each year following 2028***, or by another date agreed with the Commission to reflect national administrative processes,*** the following documents ('the annual assurance package'): MT (Comments):

Commission proposal	MS drafting suggestions and comments
	MT notes that multiple reporting requirements are due on 15 February, creating administrative burdens for smaller administrations where there is only one single audit authority whose assent is required prior to submission. MT proposes staggering or phasing the reporting deadlines to allow adequate time for validation and audit clearance. Alternatively, consideration could be given to removing the requirement for the audit authority's assent prior to submission, in order to ease the timing pressure on smaller administrations while maintaining overall accountability. PL (Drafting suggestions): 1. For the purpose of Article 63 of Regulation (EU, Euratom) 2024/2509, Member States shall submit to the Commission by ~~**15 February**~~ **1 March** of each year following 2028 the following documents ('the annual assurance package'): PL (Comments): We are concerned that the deadline for providing the assurance on reliability for a given budget year, calculated from the date of the last payment application, may prove to be too short. We propose extending this deadline by at least 1 March

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Commission proposal	MS drafting suggestions and comments
	SK (Drafting suggestions): 1. For the purpose of Article 63 of Regulation (EU, Euratom) 2024/2509, Member States shall submit to the Commission by 15 February of each year following 2028***, or by another date agreed with the Commission to reflect national administrative processes,*** the following documents ('the annual assurance package'): SK (Comments): Deadline of 15 February is too strict and as multiple reporting requirements are due on this date it is creating an administrative burden for MS. Therefore we ask for more flexibility.
(a) reporting on the implementation progress of the measures in the Plan set out in Article 58(4) [Responsibilities of Member States], in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures], referencing the payment applications submitted in the previous financial year;	BE (Drafting suggestions): (a) reporting on the implementation progress of the measures **in the chapters** of the Plan set out in Article 58(**4 3**) [Responsibilities of Member States], ~~in accordance with the template set out in Annex IX~~

Commission proposal	MS drafting suggestions and comments
	~~[Reporting on progress in implementation of measures]~~, referencing the payment applications submitted in the previous financial year; BE (Comments): What is the added value of the implementation progress report? We propose to omit this report as alle information can be integrated in the payment application. EL (Drafting suggestions): (a) reporting on the implementation progress of the measures in the Plan set out in Article 58~~(4)~~ **(3)[**Responsibilities of Member States], in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures], referencing the payment applications submitted in the previous financial year; EL (Comments): proposed typing correction: correct numbering of paragraph in the article. FI

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): reporting on the implementation progress of the measures in the Plan set out in Article 58(4) [Responsibilities of Member States], in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures], referencing the payment applications submitted **<u>until 31 October of year N</u>** ~~in the previous financial year;~~ FI (Comments): In this point is used term financial and in article 59(1)(a) year N. Please, use same terms to avoid misudendestanding. QA 12856/2025 states that a simplified system whereby output indicators will be used both for the purpose of performance monitoring and triggering payments, reducing administrative burden for Member States. Thus the reporting has to cover the same timetable as payment applications for year N. The reporting timetable for euros and outputs must be the same. FR (Drafting suggestions): (a) reporting on the implementation progress of the measures in the Plan set out in Article 58(**<u>3</u>**) [Responsibilities of Member States], in accordance with the template set out in Annex IX [Reporting on progress

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Commission proposal	MS drafting suggestions and comments
	in implementation of measures], referencing the payment applications submitted in the previous financial year for **all measures and reported in claim year N-2 for area- and animal- based interventions.** NL (Drafting suggestions): (a) reporting on the implementation progress of the measures in the Plan set out in Article ~~58(4)~~ **58(3)** [Responsibilities of Member States], in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures], referencing the payment applications submitted in the previous financial year; NL (Comments): Correction of crossreference. PL (Drafting suggestions): (a) reporting on the implementation progress of the measures in the Plan set out in Article 58~~(4)~~ **(3)** [Responsibilities of Member States], in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures], referencing the payment applications submitted in the previous financial year;

Commission proposal	MS drafting suggestions and comments
	PL (Comments): Incorrect reference. Article 59.1 (a) should refer to Article 58(3) which concerns reporting on the implementation progress of the measures and indicates the Annex IX as the template for providing in this information. RO (Drafting suggestions): reporting on the implementation progress of the measures in the Plan set out in Article 58~~(4)~~ **(3)** [Responsibilities of Member States], in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures], referencing the payment applications submitted in the previous financial year; RO (Comments): The references used in Article 59(1) (a) concerning the information to be provided in accordance with the template set out in Annex IX [Reporting on progress in implementing measures] are set out in Article 58(3) and not in Article 58(4), which contains provisions on the responsibilities of the COM.

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Commission proposal	MS drafting suggestions and comments
	SI (Comments): Is this the annual report? It should be clearly stated who prepares the annual report and whether it is prepared for the calendar or financial year? Is the reference to Article 58(4) correct? SK (Drafting suggestions): (a) reporting on the implementation progress of the measures in the Plan set out in Article 58~~(4)~~ **(3)** [Responsibilities of Member States], in accordance with the template set out in Annex IX [Reporting on progress in implementation of measures], referencing the payment applications submitted in the previous financial year; SK (Comments): Incorrect reference.
(b) the summary of the audits referred to in Article 53(2)(b) [functions of the audit authority];	AT (Comments):

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Commission proposal	MS drafting suggestions and comments
	This article and Art. 53(2)(b) referred to herein refer to themselves without providing any further information. A reference to an annex or a template, as has been the case to date for the annual control report, would be more effective. The contents of the "summary of audits" should also be specified. BE (Comments): Does the Commission consider the proposed deadlines to be feasible? Our audit authorities are rather critical in this regard. DE (Comments): (See also comments to Article 53).
(c) a management declaration, in accordance with the template set out in Annex XII, indicating that:	BE (Drafting suggestions): ~~a~~ management declaration**s**, in accordance with the template set out in Annex XII, indicating that: BE (Comments):

Commission proposal	MS drafting suggestions and comments
	It should be possible to work with multiple management declarations. FI (Drafting suggestions): a management declaration **<u>showing the results and outputs</u>,** in accordance with the template set out in Annex XII, indicating that: FI (Comments): Why a (single) management declaration? Aren't there several, if there are more than one MA/PA? According to the Article, the management declaration should indicate that the funds were properly used. What does this mean in practice as it is not necessary / possible to check payments but results? Do the results themselves already show that the funds have been properly spent?
(i) the information submitted with the payment application(s) is complete, accurate and reliable;	NL (Drafting suggestions): (i) the information submitted with the payment application(s) is complete, accurate and reliable **and the information referred to in point (a) provides a true and fair view of the implementation progress**;

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Commission proposal	MS drafting suggestions and comments
	NL (Comments): No substantial change, but merging points (i) and (iv) as they are clearly connected.
(ii) the funds were properly used;	HU (Drafting suggestions): the funds were ~~properly~~ used **in accordance with the applicable laws**; HU (Comments): In this point "properly" should be clarified, see our general comment for this article. NL (Drafting suggestions): ~~(ii) the funds were properly used;~~ NL (Comments): This is obsolete as already covered under points (i) and (iii).

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Commission proposal	MS drafting suggestions and comments
(iii) the management and control systems put in place function properly and give the necessary assurance that the funds were managed in accordance with all applicable laws, including on the prevention, detection, reporting and correction of conflicts of interests, corruption, double funding, fraud and other irregularities, and in line with the principle of sound financial management;	HU (Drafting suggestions): the management and control systems put in place function ~~properly~~ **regularly** and give the necessary assurance that the funds were managed in accordance with all applicable laws, including on the prevention, detection, reporting and correction of conflicts of interests, corruption, double funding, fraud and other irregularities, and in line with the principle of sound financial management; NL (Drafting suggestions): (iii) the management and control systems put in place function properly and give ~~the necessary~~ **reliable** assurance that the funds were managed in accordance with all applicable laws, including on the prevention, detection, reporting and correction of conflicts of interests, corruption, double funding, fraud and other irregularities, and in line with the principle of sound financial management; NL (Comments):

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	No substantial change, but suggestion to revert to known terms in the current CAP. PL (Comments): The requirements for management and control systems should be revised in light of the comments raised regarding Article 58.1, concerning the lack of justification for verifying double financing during project settlement and verifying the correctness of public procurement. Where simplifications are applied at the level of settlements with the European Commission and with the beneficiary, public procurement is not subject to monitoring or verification in the settlement of operations.
(iv) the information referred to in point (a) provides a true and fair view of the implementation progress;	BE (Drafting suggestions): ~~(iv) the information referred to in point (a) provides a true and fair view of the implementation progress;~~ BE (Comments): We do not understand the added value of this paragraph.

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Commission proposal	MS drafting suggestions and comments
	HU (Comments): In this point “true and fair view” should be clarified, see our general comment for this article. NL (Drafting suggestions): ~~(iv) the information referred to in point (a) provides a true and fair view of the implementation progress;~~ NL (Comments): No substantial change, suggested to merge with point (i).
(d) the annual audit opinion referred to in Article 53(2) [functions of the audit authority] in accordance with the template set out in Annex XII;	AT (Drafting suggestions): the annual audit opinion referred to in Article 53(2) [functions of the audit authority] in accordance with the template set out in Annex XII**I**; AT (Comments):

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Commission proposal	MS drafting suggestions and comments
	In our opinion the reference to Annex XII is not correct. According to Article 53 (2) it should be Annex XIII. BE (Drafting suggestions): (d) the annual audit opinion**s** referred to in Article 53(2) [functions of the audit authority] in accordance with the template set out in Annex XIII; BE (Comments): It should be possible to work with multiple audit opinions. DE (Comments): We assume that where several audit authorities exist, the annual certificate of validation based on the template in Annex XIII can be broken down by chapters and jointly signed by all audit authorities, without a central body having to issue an additional confirmation. Only in this way will the provisions on the certificate of validation reflect the regional reference of the NRPP Regulation and the particularities of national administrative structures, especially strong federal systems. (See also comments to Article 53).

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Commission proposal	MS drafting suggestions and comments
	FR (Drafting suggestions): (d) the annual audit opinion referred to in Article 53(2) [functions of the audit authority] in accordance with the template set out in Annex **XIII**; FR (Comments): Correction d'une erreur de référence. PL (Drafting suggestions): (d) the annual audit opinion referred to in Article 53(2) [functions of the audit authority] in accordance with the template set out in Annex ~~XII~~ **XIII**; PL (Comments): Article 59(1)(d) should refer to Annex XIII, which contains the template for the annual audit opinion. RO (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	the annual audit opinion referred to in Article 53(2) [functions of the audit authority] in accordance with the template set out in Annex **XIII** ~~XII~~; RO (Comments): Reference needs to be corrected. Annex XII refers to the template of the Management declarations. Correct reference is Annex XIII containing the template for the audit opinion SE (Drafting suggestions): (d) the annual audit opinion referred to in Article 53(2) [functions of the audit authority] in accordance with the template set out in Annex XII**I**; SE (Comments): Editorial remark: the reference to the annex is wrong. Reference should be made to annex XIII SK (Drafting suggestions):

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	(d) the annual audit opinion referred to in Article 53(2) [functions of the audit authority] in accordance with the template set out in Annex ~~XII~~ **XIII**; SK (Comments): Incorrect reference.
	FR (Drafting suggestions): **The deadline referred to in paragraph 1 may exceptionally be extended by the Commission to 1 March, upon communication by the Member State concerned.** FR (Comments): Reprise des dispositions existantes du règlement (UE) 2021/1060 et l'article 63 du règlement financier (EU, Euratom) 2024/2509 fréquemment utilisées pour permettre la finalisation du paquet d'assurance.
2. The Commission shall take into account the information provided in the annual assurance package in order to decide whether any	AT (Comments):

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of the measures specified in Articles 66, 67 and 68 [interruptions][suspension of payments][financial corrections] are necessary.	The wording of this paragraph is unclear. What exactly does it mean? Does it refer to the points in Annex VIII? PL (Drafting suggestions): 2. The Commission shall take into account the information provided in the annual assurance package **by 31 May of the year following the end of the financial year** in order to decide whether any of the measures specified in Articles 66, 67 and 68 [interruptions][suspension of payments][financial corrections] are necessary. PL (Comments): PL proposes to include the date for the Commission for satisfying itself that the accounts are complete, accurate and true
3. When submitting the final annual assurance package for the last financial year, the Member State shall confirm that the total payments from the Commission do not exceed the total amount paid by the Member State to the beneficiaries in implementing the Plan, taking into account the national contribution.	BE (Drafting suggestions): ~~When submitting the final annual assurance package for the last financial year, the Member State shall confirm that the total payments from the Commission do not exceed the total amount paid by the Member State to~~

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	~~the beneficiaries in implementing the Plan, taking into account the national contribution.~~ BE (Comments): Illogical request in the context of the new performance-based model. CZ (Drafting suggestions): ~~When submitting the final annual assurance package for the last financial year, the Member State shall confirm that the total payments from the Commission do not exceed the total amount paid by the Member State to the beneficiaries in implementing the Plan, taking into account the national contribution.~~ CZ (Comments): CZ disagrees with this provision, as this obligation is contrary to the performance principle on which the entire NRP Plan is based. In the performance financing model, payments to beneficiaries will not always be based on achieved results and may therefore vary from the payments to Member States (i. e. be lower or higher), which we understand to be one of the simplifications of the new financing model. In this context, the

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	proposed provision does not make any sense and complicates the monitoring of the use of allocations for Member States (i. e. for the managing authorities that manage the allocation and subsequently also for the audit authority which must confirm the fulfilment of this requirement). DE (Drafting suggestions): 3. When submitting the final annual assurance package for the last financial year, the Member State shall confirm that the total payments from the Commission do not exceed the total amount **agreed upon in the NRPP for the milestones and targets achieved in the period** ~~**paid by the Member State to the beneficiaries in implementing the Plan, taking into account the national contribution.**~~ DE (Comments): The provision concerning the "total amount paid by the Member State to the beneficiaries" is too narrow, since payments are not only linked to beneficiaries, but performance-based reimbursement should also take into account the implementation of legal reforms.

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	If it is expected, that the audit authority will proof this issue, the design of this proof for the NRPP should be possible in such a way that is described above for the audit opinion (see (Article 53 (2) a)). This does not mean that, if necessary, compensation can be provided between the chapters in the overall view. Additionally, audit authorities are not expected to verify underlying costs. This has to be taken into account if they should be part of these verifications. FI (Drafting suggestions): ~~3. When submitting the final annual assurance package for the last financial year, the Member State shall confirm that the total payments from the Commission do not exceed the total amount paid by the Member State to the beneficiaries in implementing the Plan, taking into account the national contribution.~~ FI (Comments): The question of a MS as a beneficiary needs to be solved and this paragraph deleted/modified to allow for MS as a beneficiary, esp. for reform-type measures

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	FR (Drafting suggestions): ~~**When submitting the final annual assurance package for the last financial year, the Member State shall confirm that the total payments from the Commission do not exceed the total amount paid by the Member State to the beneficiaries in implementing the Plan, taking into account the national contribution.**~~ FR (Comments): Ce paragraphe contraint les Etats membres à comparer les coûts engagés aux montants demandés à la Commission, ce qui ne s'inscrit pas dans la logique de performance. HR (Comments): This provision, in our understanding, represents a significant change compared to the current management system, given the direct communication between the audit authority and the Commission regarding the planning and announcement of audits. **HR believes** that this diminishes the importance of the managing authorities in the management system. What is the role of the "Competent

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	Authority" in monitoring the implementation of external audit recommendations?. LT (Drafting suggestions): ~~When submitting the final annual assurance package for the last financial year, the Member State shall confirm that the total payments from the Commission do not exceed the total amount paid by the Member State to the beneficiaries in implementing the Plan, taking into account the national contribution.~~ LT (Comments): In result-based system there should be no requirement to follow the payments to beneficiaries as it would enable checking not only results but also costs. LV (Drafting suggestions): ~~3. When submitting the final annual assurance package for the last financial year, the Member State shall confirm that the total payments from the Commission do not exceed the total amount paid by the Member~~

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	~~State to the beneficiaries in implementing the Plan, taking into account the national contribution.~~ LV (Comments): **LV disagrees with this provision, as this obligation is contrary to the performance principle on which the entire NRP Plan is based.** PL (Drafting suggestions): ~~**3. When submitting the final annual assurance package for the last financial year, the Member State shall confirm that the total payments from the Commission do not exceed the total amount paid by the Member State to the beneficiaries in implementing the Plan, taking into account the national contribution.**~~ PL (Comments): There is no justification for validating EC payment amounts against actual payments made to beneficiaries— a requirement that was understandable in the context of cohesion policy under previous MFFs, where EC payments were generally based on eligible expenditure incurred, but is incomprehensible in a situation where the level of

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	payments depends on the achievement of specific physical progress results rather than financial progress. The EC proposal contradicts the principle of simplifying implementation and performance-based approach. Furthermore, it may lead to excessive administrative burdens on the beneficiary, as well as on the MS and the EC. Therefore, we propose the deletion of paragraph 3. PT (Drafting suggestions): PT: ~~3. When submitting the final annual assurance package for the last financial year, the Member State shall confirm that the total payments from the Commission do not exceed the total amount paid by the Member State to the beneficiaries in implementing the Plan, taking into account the national contribution.~~ PT (Comments): PT: With the targets and milestones approach, there isn't a direct link between the amount received by the COM and the amount paid by the MS to the beneficiaries. Art. 24(7) already assures that that the amount of the estimated total costs of their NRP Plan remain reasonable and plausible throughout its

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	implementation, in accordance with the principle of sound financial management. RO (Comments): The proposed article could be reconsidered to be more consistent with the results-based model and the pay out value for the milestones and targets. SK (Drafting suggestions): ~~When submitting the final annual assurance package for the last financial year, the Member State shall confirm that the total payments from the Commission do not exceed the total amount paid by the Member State to the beneficiaries in implementing the Plan, taking into account the national contribution.~~ SK (Comments): The proposed article is inconsistent with the results-based model. For this reason we ask for its deletion.

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Article 60 ***Responsibilities of the Commission***	AT (Comments): In principle the responsibility of the EC to monitor her own funding for double funding with the NRPP should be specified here. DE (Comments): We need clarifications if and how this Article takes up our proposals regarding simplification of cohesion policy: • application of national law • Competent (national or regional) authorities are responsible for audit and control (legality and regularity). • no interventions by COM on the level of individual cases. Evidence of achievement of objectives vis-à-vis the Commission must be manageable. Excessive requirements would run counter to the simplification intended by introducing the "performance-based" approach. IE (Comments): **This article omits a number of provisions that are currently in Article 70 of the CPR (2021/1060).**

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	There is no requirement for a notice period prior to on-the-spot audits, likewise there is no timeframe for the provision of the preliminary audit findings to the MS, an opportunity for the MS to reply or for the issuing of the final audit report following receipt of the MS' reply. IT (Comments): The European Commission should clarify how methodological consistency will be ensured between national audits and Commission audits, particularly with regard to the assessment of qualitative targets or targets that are not easily measurable.
1. The Commission shall obtain reasonable assurance that Member States have put in place management and control systems that comply with the requirements laid down in this Regulation and that these systems function effectively and efficiently during the implementation of the Plans.	DE (Drafting suggestions): 1. The Commission shall obtain reasonable assurance that Member States have put in place management and control systems that comply with the requirements laid down in this Regulation and that these systems function effectively and efficiently during the implementation of the Plans. **The Commission shall confirm the effective functioning of the authorties to MS according to Art. 49 (1).**

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	DE (Comments): COM shall confirm actively the effective functioning of the systems. FR (Drafting suggestions): 1. The Commission shall obtain reasonable assurance that Member States have put in place management and control systems that comply with the requirements laid down in this Regulation and that these systems function effectively ~~and efficiently~~ during the implementation of the Plans. FR (Comments): Mise en cohérence avec l'Article 53.1 NL (Drafting suggestions): 1. The Commission shall obtain reasonable assurance that Member States have put in place management and control systems that comply with the requirements laid down in this Regulation and that these systems

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	function effectively and efficiently during the implementation of the Plans.
2. The Commission shall draw up, for the purposes of its own audit work, an audit strategy and an audit plan which shall be based on a risk-assessment and the principle of proportionality.	AT (Comments): For the sake of transparency, it could also be noted here that the EC shares this strategy and the audit plan with the national authorities. FR (Drafting suggestions): 2. The Commission shall draw up, for the purposes of its own audit work, an audit strategy and an audit plan which shall be based on a risk-assessment and the principle of proportionality. **The Commission informs annually the Member States about its audit strategy.** FR (Comments): La stratégie d'audit devrait être examinée par le Conseil, et non simplement communiquée, afin d'assurer un contrôle adéquat sur ce dispositif.

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	LU (Comments): Luxembourg pleads for a 'principle of proportionality' to be applied when it comes to audit work in smaller Member states and with small programmes.
3. The Commission and the audit authority shall coordinate their audit work.	AT (Comments): It could be specified how coordination between the EC and the audit authority should take place. Until now, audits have been carried out in parallel, despite the meetings. It would be necessary to know the EC's audit plan (see note above). HR (Comments): This provision, in **HR** understanding, represents a significant change compared to the current management system, given the direct communication between the audit authority and the Commission regarding the planning and announcement of audits. **HR believes** that this diminishes the importance of the managing authorities in the management

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	system. What is the role of the "Competent Authority" in monitoring the implementation of external audit recommendations?. NL (Drafting suggestions): 3. The Commission and the audit authority shall coordinate their audit work **in line with article 61 [the single audit approach]**. NL (Comments): Clarification of the aim of such coordination of work.
4. For the purpose of audits, the Commission officials or their authorised representatives shall, in accordance with Article 58(2), point (h) [responsibilities of MS], have access to all necessary records, documents and metadata, irrespective of the medium in which they are stored, relating to the plan implementation, including operations supported by the Fund or to management and control systems and shall receive copies in the specific format requested. The Commission officials or their authorised representatives may request supplementary information and perform on-the-spot audits.	BE (Drafting suggestions): 4. For the purpose of audits, the Commission officials or their authorised representatives may ~~request supplementary information and~~ perform on-the-spot audits. **Rules concerning on-the-spot audits shall be further defined by the Commission through implementing acts, specifying the scope, conditions, frequency, and minimum standards to ensure legal certainty and proportionality for Member States.** DE

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	(Drafting suggestions): 4. For the purpose of audits, the Commission officials or their authorised representatives shall, in accordance with Article 58(2), point (h) [responsibilities of MS], have access to all necessary records, documents and metadata, irrespective of the medium in which they are stored, relating to the plan implementation, including operations supported by the Fund or to management and control systems and shall receive copies in the specific format requested. The Commission officials or their authorised representatives may request supplementary information and perform on-the-spot audits**, only if:** **(a) there is a specific risk or suspicion of fraud, corruption or conflicts of interest or another serious non-compliance with the responsibilities of Member States referred to in Article 58 [Responsibilities of Member States];** **(b) there is a need to re-perform the work of the audit authority for obtaining assurance as to its effective functioning following the risk assessment exercise performed by the Commission;** **(c) there is evidence that the functioning of the audit authority does not comply with the key requirements laid down in Article 53**

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	[functions of the audit authority] and Annex IV [A&C requirements]. DE (Comments): In a consequent application of a performance-based approach and financing not linked to costs, wouldn't it be obsolete to store documents with the underlying costs? EE (Drafting suggestions): 4. For the purpose of audits, the Commission officials or their authorised representatives shall, in accordance with Article 58(2), point (h) [responsibilities of MS], have access to all necessary records, documents and metadata, irrespective of the medium in which they are stored, relating to the plan implementation, including operations supported by the Fund or to management and control systems and shall receive copies in the specific format requested. The Commission officials or their authorised representatives may request supplementary information and perform on-the-spot audits. **In the case of classified information, the auditor must have a Personnel Security Clearance**

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	Certificates at the appropriate level and the auditee has the right to verify the existence of the Certificate. EE (Comments): In defence-related operations, some information may be classified as confidential or more, and therefore auditors must also have the appropriate level of certificate if they want to see all the information in the operation. Due to Russian information war, such a security risk cannot be underestimated and background checks are necessary for all people who come into contact with defence information. It should be also emphasized that if a Member of Parliament requests classified information from the European Commission, the Member must also have the appropriate level of certificate. ES (Comments): Clarification is requested on whether copies are to be provided in the formats required for recording and storage under the applicable legislation, or in the formats requested by the Commission at the time of the audit. If the latter applies, this should be specified as “where technically feasible.”

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	MT (Comments): MT seeks clarification on the provision stating that the Commission "*shall receive copies in the specific format requested*." MT would like to understand what formats are envisaged. PL (Drafting suggestions): 4. For the purpose of audits, the Commission officials or their authorised representatives shall, in accordance with Article 58(2), point (h) [responsibilities of MS], have access to all necessary records, documents and metadata, irrespective of the medium in which they are stored, relating to the plan implementation, including operations supported by the Fund or to management and control systems and shall receive copies ~~**in the specific format requested**~~ **on request**. The Commission officials or their authorised representatives may request supplementary information ~~**and perform on-the-spot audits.**~~ **Access to all necessary records, documents, metadata shall be granted proportionally and in line with the audit and control system set up by the Member State.** PL (Comments):

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	There is no justification for requesting data from Member States in a format determined ad hoc by the European Commission. The Commission should obtain copies of data (documents) only in the format in which Member States originally collected them. It is important to emphasize that any requirements concerning Member States' IT systems should be agreed upon with the participation of Member States at the earliest possible stage and specified at the level of regulations or annexes to the regulations, rather than delegated acts. In line with proposals for the effective implementation of the single audit principle, auditing operations should be the sole responsibility of the Member State. Therefore, the reference proposing the EC's right to conduct on-the-spot audits should be removed. The Member State is required to establish an effective control system that fully complies with the requirements of this Regulation and other legal requirements. The Commission confirms the proper functioning of the control system during EPSA audits and through annual system audits carried out by the audit authority. Therefore, European Commission audits should not go beyond the control system adopted in the Member State, but should be consistent and coherent with it, and the documentation required for audits should be proportionate to the legal requirements and risks identified by the Member State.

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5. The Commission shall carry out audits during the implementation of the Fund and up to three years following the date of the final payment.	DE (Drafting suggestions): 5. The Commission shall carry out audits **of the national and regional audit authorities** during the implementation of the Fund and up to three years following the date of the final payment **only if paragraph 4 (a), (b) or (c) applies**. EE (Drafting suggestions): 5. The Commission shall carry out audits during the implementation of the Fund and up to three years following the date of the final payment **by the managing authority to the beneficiary**. EE (Comments): We consider it necessary to clearly define which last payment is meant. FI (Drafting suggestions): The Commission shall carry out audits **based on comprehensive Agenda with exact timetables** during the implementation of the Fund and up to

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	three years following the date of the final payment **of the Chapter in question.** FI (Comments): Audits have to be well organized to save MSs recourses. There should be no need to hold in stand by position hundreds of people. MS have to have information and time to mobilise the best people. Three years' retroactivity in audits from any aid paid under any Chapter of the Plan means long storage obligations to history and a high cost for that. Is that appropriate? Compare the financial correction rates in Annex XIV, thus this is an important and costly matter for the MSs. FR (Drafting suggestions): 5. The Commission shall carry out audits during the implementation of the Fund and up to three years following the date of the final payment. **The Commission shall give sufficient prior notice of an audit to the Member State concerned, taking into account the administrative impact on managing authorities or paying agencies when organising audits.** FR

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	(Comments): L'articulation entre la durée de 3 ans indiquée dans cet article et la durée de conservation de 10 ans prévue à l'article 58.2 (h) ii) doit être clarifiée. IE (Comments): **Is this at a per plan or chapter basis?** NL (Drafting suggestions): 5. The Commission ~~shall~~ **may** carry out audits ~~and up to three during the implementation of the Fund two years following the date of the final payment~~. **with a view to obtaining the reasonable assurance as referred to in the first paragaraph of this article. Financing shall not be refused for payments which are effected more than 24 months before the Commission notifies the Member State in writing of its findings.** NL (Comments): Taking due account of the Single audit approach and in line with the spirit of the proposed delivery model which must ensure that Member States

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	implement the policy in an efficient manner by doing so protecting the financial interest of the Union; The period of 24 months ensures legal certainty for Member States and has been proven effective in protecting the financial interest of the Union under the CAP regime, which generally demonstrated to be substantially less error prone than other structural funds (see ECA annual reports as of 2014); verbatim from the new delivery model under the current CAP regime. PL (Drafting suggestions): 5. The Commission will carry out audits during the implementation of the Fund and up to three years following **submission of annual assurance package** ~~**the date of the final payment**~~ **in which the expenditure concerned was included**. PL (Comments): In accordance with Article 59 of the draft CPR, the audit package will be submitted annually to the European Commission, which may decide to apply any of the measures set out in Articles 66, 67 and 68 [interruption of payments] [suspension of payments] [financial corrections]. Once this

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	decision is taken, the clearing mechanism is terminated and there is no need to prolong audit competence for any longer. There is no additional form (and term) of acceptance of accounts in the regulation. SK (Drafting suggestions): "The Commission ~~shall~~ **may** carry out audits during implementation of the Fund and up to three years following the date of the final payment. **That three-year period shall not be interpreted as allowing the indefinite re-opening of audits already concluded in respect of the same milestones or targets in the absence of new relevant facts or indications of serious irregularities.**" SK (Comments): The proposed addition clarifies that the three-year audit window is not meant to permit repeated or open-ended re-auditing of the same milestones, thereby providing legal certainty for beneficiaries and preventing unnecessary administrative burden. It also ensures that re-opening audits is limited to situations where genuinely new facts or serious irregularities justify such action.

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6. The Commission is not expected to verify the underlying costs of the operations for the purpose of its audit work.	BG (Drafting suggestions): 6. The Commission ~~is not expected to~~ **shall not** verify the underlying costs of the operations for the purpose of its audit work. BG (Comments): In order to ensure legal certainty, the text have to be aligned with the proposed performance-based model, under which the Commission should verify only the fulfilment of milestones and targets. DE (Drafting suggestions): 6. The Commission is not expected to verify **neither** the underlying costs of the operations **at beneficary level nor of measures at Member States' or regional level** for the purpose of its audit work **except in case paragraph 4 (a), (b) or (c) applies**. DE (Comments): We ask COM for clarifications on the handling of Member State-specific structures for cost verification and the new performance-based approach.

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	EE (Drafting suggestions): 6. The Commission ~~is~~ **shall** not ~~expected to~~ verify the underlying costs of the operations for the purpose of its audit work. EE (Comments): Since a new performance-based system will apply and we are moving towards increased use of simplified cost options and FNLC-type schemes, there must be a common understanding that verification of actual costs is not justified. FI (Drafting suggestions): The Commission is not expected to verify the underlying costs of the operations for the purpose of its audit work. FI (Comments): The Commission is not expected to verify the underlying costs, but the text leaves the possibility that they may also check the costs of projects if they so wish. Thus, what will happen if the Commission identifies problems in them? A similar observation therefore also applies to the

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	managing authority and audit authority. In the case of suspected fraud or other serious cases, it must be possible to check the costs, but can this be a problem if not all receipts are found in the Commission's audit? To what extent can underlying costs be a basis for financial corrections of the Commission? LU (Comments): The terminology 'not expected' needs to be further clarified. PL (Drafting suggestions): The Commission ~~is not expected to~~ **shall not** verify the underlying costs of the operations for the purpose of its audit work. PL (Comments): It should be clearly indicated that the Commission shall not verify the underlying costs of operations ('shall not verify' instead of "is not expected to"). It is necessary to establish clear rules in order to ensure legal certainty both for beneficiaries, who should know exactly what may be subject to control and by which institutions, and for the institutions themselves

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	responsible for management and implementation – so that their responsibilities are clearly and precisely defined (including in the context of future system audits, e.g., by the EC or the ECA). SI (Drafting suggestions): The Commission **shall not** ~~is not expected to~~ verify the underlying costs of the operations for the purpose of its audit work. SI (Comments): It is very important to clearly state whether the Commission will verify the cost or not.
	BE (Drafting suggestions): **The Commission shall ensure the avoidance of double funding from the Union budget from the single fund in shared management with funds under direct and indirect management by contacting the national authorities in the context of their ex ante checks before the awarding of the funding.**

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Article 61 ***Single audit approach***	HU (Comments): It should be made clear whether, in the future, access to the currently available single audit principle for all Member States would be conditional upon voluntarily joining the EPPO. If this is the case, the single-audit principle will fragment across Member States and repeated audits will inevitably proliferate; if not, the regulation must guarantee single audit for all and strictly limit any re-performance to defined, exceptional triggers. IE (Comments): **The opinion of the Commission Audit Service and the Court of Auditors will be required before their can be meaningful discussion of this article** LU (Comments): There is a need to clarify whether the European Court of Auditors (ECA) is considered part of the 'single audit' approach. MT (Comments):

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	MT positively notes the introduction of the single audit approach, which represents an improvement compared to the RRF, where the intensity and frequency of audits were excessive. This concern was also recognised in the Council Conclusions on the mid-term evaluation of the Recovery and Resilience Facility, reproduced below: *11. ACKNOWLEDGES the requirements in terms of Audit and Control, which exist to protect the financial interests of the Union and CALLS on the relevant audit authorities to ensure harmonisation and proportionality in auditing practices and to avoid, through a stronger coordination, unnecessary overlaps in the control of the achievement of milestones and targets.*
	FR (Comments): La Commission envisage-t-elle d'encadrer davantage le recours par l'autorité d'audit à des prestataires et si oui comment ?
1. When carrying out audits, the Commission and the audit authorities shall take due account of the principles of single audit and proportionality in relation to the level of risk to the budget of the Union.	BE (Comments): Is proportionality applied at the chapter level as well, and what does this mean for chapters with small populations/budgets?

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	DE (Drafting suggestions): 1. When carrying out audits**, the European Commission, other European institutions, the European Court of Auditors** and the **national and regional** audit authorities shall take due account of the principles of single audit and proportionality in relation to the level of risk to the budget of the Union. **They shall also take into account, that the performance based appraoch does not require MS and regions to verify the underlying costs of operations and measures and, therefore, have no obligation to keep track of documents related to costs.** DE (Comments): All involved institutions need to respect the new performance-based approach and the single audit approach. National and regional authorities are responsible for auditing, in particular the auditing work related to beneficiaries. FI (Comments):

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	The aim is welcomed, but according to experience during the current period the single audit has not worked effectively concerning the CAP. How will the single audit approach improved in future by CION?It is good that EPPO participation has been taken into account in this Article. Could EPPO countries be completely exempted from Commissions own audit to the Member State? IT (Drafting suggestions): When carrying out audits, the Commission and the audit authorities shall take due account of the principles of single audit and proportionality in relation to the level of risk to the budget of the Union. **Audits and controls carried out under this Article shall not result in repeated audits of the same milestone or target unless they are expressly and in writing justified by new facts, new evidence or serious indications of irregularities that could not reasonably have been known at the time of the previous audit. Any decision by the Commission or other Union body to carry out a repeat audit of the same milestone or target shall state the reasons and the new elements on which it is based.** IT

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Commission proposal	MS drafting suggestions and comments
	(Comments): In order to ensure operational clarity and full compliance with the principles of proportionality and single audit, it is proposed to explicitly include in the text the requirement for coordination among control authorities. In practical terms, a reference to inter-authority cooperation would help avoid duplication of checks or gaps in controls, while ensuring the protection of the Union's financial interests. LU (Comments): Luxembourg pleads for a 'principle of proportionality' to be applied when it comes to audit work in smaller Member states and with small programmes. SK (Drafting suggestions): **Add at the end of the paragraph:** **Audits and controls carried out under this Article shall not result in repeated audits of the same milestone or target unless they are expressly and in writing justified by new facts, new evidence or serious indications of irregularities that could not reasonably have**

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	been known at the time of the previous audit. Any decision by the Commission or other Union body to carry out a repeat audit of the same milestone or target shall state the reasons and the new elements on which it is based. SK (Comments): We would like to strengthen the principles of single audit and proportionality by ensuring that milestones or targets are not subjected to unnecessary repeat audits, while still allowing additional audits when genuinely new facts or serious indications of irregularities arise. It thus prevents duplicative administrative burden while safeguarding the Union budget when new risks are identified.
2. The Commission and audit authorities shall first use all the information and records referred to in Article 58(2), point (h) (Responsibilities of Member States), including results of management verifications, and may request and obtain additional documents and audit evidence from the plan authorities and beneficiaries concerned where, based on their professional judgement, this is required to support robust audit conclusions.	AT (Drafting suggestions): The Commission and audit authorities shall first use all the information and records referred to in Article 58(2), point (h) (Responsibilities of Member States), including results of management verifications, and may request and obtain additional documents and audit evidence from the plan authorities and beneficiaries concerned **including on-the-spot-audits**

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	and interviews where, based on their professional judgement, this is required to support robust audit conclusions. DE (Drafting suggestions): 2. The **European** Commission, **other European institutions the European Court of Auditors** and the **national and regional** and audit authorities shall **respect the single audit approach. National and regional and audit authorities shall be responsible for auditing beneficiaries. The European Commission, other European institutions and the European Court of Auditors shall** first use all the information and records referred to in Article 58(2), point (h) (Responsibilities of Member States), including results of management verifications, and may request and obtain additional documents and audit evidence from the plan authorities and beneficiaries concerned where, based on their professional judgement, this is required to support robust audit conclusions. LU (Comments): Management declarations should be signed by the managing authority in charge of the specific chapter. The coordination authority (in case that

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	authority will exist) should be responsible for the collection of the management declarations but should not be responsible to provide a global signature. SK (Drafting suggestions): 2. The Commission and audit authorities shall first use all the information and records referred to in Article 58(2), point ~~(h)~~ **(i)** (Responsibilities of Member States), including results of management verifications, and may request and obtain additional documents and audit evidence from the plan authorities and beneficiaries concerned where, based on their professional judgement, this is required to support robust audit conclusions. SK (Comments): Incorrect reference.
3. For Plans for which the Commission concludes that the opinion of the audit authority is reliable, and the Member State concerned participates in the enhanced cooperation on the establishment of the	BE (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
EPPO, the Commission's own audits shall be limited to auditing the work of the audit authority.	For Plans for which the Commission concludes that the opinion of the audit authority **concerned** is reliable, and the Member State concerned participates in the enhanced cooperation on the establishment of the EPPO, the Commission's own audits shall be limited to auditing the work of the **concerned** audit authority. BE (Comments): Several audit authorities/audit opinions. EE (Comments): There is a reference in Article 1.1(b) to National and Regional Partnership Plans as the 'NRP Plans') but there is no reference to „the Plans". The wording needs to be harmonised. ES (Comments): It provides that, where the Commission concludes that the opinion of the audit authority is reliable and the Member State participates in enhanced cooperation on the European Public Prosecutor's Office (EPPO), the Commission's audit work shall be limited to auditing the work of the audit authority.

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	At present (in the CAP context) the single audit principle is linked solely to the reliability of the work performed by the certification bodies (equivalent to audit authorities). As this is a new element, could the Commission explain how the EPPO is linked to the single audit principle? HU (Drafting suggestions): For Plans for which the Commission concludes that the opinion of the audit authority is reliable~~, and the Member State concerned participates in the enhanced cooperation on the establishment of the EPPO,~~ the Commission's own audits shall be limited to auditing the work of the audit authority. HU (Comments): In addition to our comment above regarding this article, we would also note that while the reference to EPPO can be found in the current CPR, no such EPPO-related condition exists under the current CAP framework. If the intention of merging existing policies under a single framework is to achieve greater simplification, it is not clear why the stricter approach

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	should prevail. We would therefore suggest reconsidering the inclusion of an EPPO-related condition in this context. LU (Comments): What is the d**efinition of "reliable opinion"**? There is a r**isk of divergent interpretation between MS and the** d**efinition of "reliable opinion"**. NL (Drafting suggestions): 3. For Plans for which the Commission concludes that the ~~opinion~~ **work** of the audit authority is reliable, and the Member State concerned participates in the enhanced cooperation on the establishment of the EPPO, the Commission's ~~own audits shall be limited to auditing~~ **shall take assurance from** the work of the audit authority. NL (Comments): The opinion is too broad as to determine the reliability of an audit authority; in such a case a successful implementation of the single audit approach is very unlikely/doomed to fail;

Commission proposal	MS drafting suggestions and comments
	text is verbatim from the new delivery model under the current CAP regime.
	NL (Drafting suggestions): **3a. In case the Commission concludes it cannot rely on the work of the audit authority concerned, it shall inform the Member State of the underlying reasons.** NL (Comments): As to ensure that the Single audit-approach effectively can be implemented, the Commission must make sure that Member States are being made aware for what reasons the Commission cannot rely on the audit authorities' works. By doing so audit authorities are being put in a position to improve their work, so that in the future the Commission can make use of it.
4. The Commission and the audit authority may decide not to audit milestones and targets in any year where they have already been subject to an audit by the European Court of Auditors.	BE (Drafting suggestions):

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	The Commission and the audit authority **concerned** may decide not to audit milestones and targets in any year where they have already been subject to an audit by the European Court of Auditors. ES (Comments): As this is a new element, could the Commission clarify the link between the European Court of Auditors and the single audit principle? FI (Drafting suggestions): The Commission and the audit authority ~~may~~ **shall** decide not to audit milestones and targets in any year where they have already been subject to an audit by the European Court of Auditors. FI (Comments): There is a considerable number of overlapping inspections and inspection authorities, which does not seem to lead to simplification. If the ECA has made an audit, could that be considered sufficient? In that case, the wording should be “shall” instead of “may”. FR

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): ~~**The Commission and the audit authority may decide not to audit milestones and targets in any year where they have already been subject to an audit by the European Court of Auditors.**~~ **Milestones and targets shall not be subject to more than one audit per year by either the audit authority or the Commission. Milestones and targets shall not be subject to an audit by the Commission or the audit authority in any year where there has already been an audit in that year by the Court of Auditors, provided that the results of that Court of Auditors' audit for such** **milestones and targets can be used by the audit authority or the Commission for the purpose of fulfilling their respective tasks** FR (Comments): Reprise des dispositions actuelles du règlement (UE) 2021/1060 (article 80 relatif à l'audit unique) : en application du principe de l'audit unique, un jalon ou une cible déjà audité par la Cour des comptes européenne ne devrait pas être réauditée par la Commission ou par l'autorité d'audit. LU (Drafting suggestions):

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	The Commission and the audit authority *shall* decide not to audit milestones and targets in any year where they have already been subject to an audit by the European Court of Auditors. LU (Comments): In accordance with the single audit approach we should avoid multiple audits. NL (Drafting suggestions): 4. The Commission and the audit authority may decide not to audit milestones and targets in any **financial** year where they have already been subject to an audit by the European Court of Auditors. **In case the Commission would make use of the results of such an audit in order to build its assurance**, **Member States are provided opportunities to be heard at least equal to those in an audit performed by the Commission.** NL (Comments):

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	Note; the Commission in such a case would have to take assurance from the work of the ECA, whilst in principle it is the ECA who is auditing the Commission; this entails that in an audit performed by the ECA the Member States would have to be granted opportunities to be heard of equal value to those in an audit performed by the audit authority or Commission. PL (Drafting suggestions): 4. The Commission and the audit authority ~~**may decide**~~ **shall not** ~~to~~ audit milestones and targets in any year where they have already been subject to an audit by the European Court of Auditors. PL (Comments): It is necessary to ensure legal certainty and compliance with the single audit principle by clearly stating that the EC and the IA will not audit milestones and targets in any year in which they have already been audited by the ECA.

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5. Notwithstanding paragraph 3, any milestone and target may be subject to more than one audit, if the audit authority concludes, based on its professional judgement, that it is not possible to draw up a valid audit opinion.	AT (Comments): It would be important to clarify that when a competent body reviews the milestones and targets, the results must be taken into account by all other review bodies. In any case, parallel and contradictory results of checks in context with milestones and targets should be avoided. BE (Drafting suggestions): Notwithstanding paragraph 3, any milestone and target may be subject to more than one audit, if the **concerned** audit authority concludes, based on its professional judgement that it is not possible to draw up a valid audit opinion. HR (Comments): **HR asks**, how is this point connected with point (3) which describes commission audits and point 5 describes AA audits. **HR supports** strengthening the approach of carrying out audits according to the single audit model.
	BE

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): **When the Commission decides to re-audit a nationally audited milestone on the basis of the above paragraph, it shall consult the relevant national audit authority before commencing this audit.**
6. Paragraph 2 shall not apply where:	SK (Drafting suggestions): 6. Paragraph ~~2~~ **3** shall not apply where: SK (Comments): Incorrect reference.
(a) there is a specific risk or suspicion of fraud, corruption or conflicts of interest or another serious non-compliance with the responsibilities of Member States referred to in Article 58 [Responsibilities of Member States];	
(b) there is a need to re-perform the work of the audit authority for obtaining assurance as to its effective functioning following the risk assessment exercise performed by the Commission;	

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(c) there is evidence that the functioning of the audit authority does not comply with the key requirements laid down in Article 53 [functions of the audit authority] and Annex IV [A&C requirements].	FR (Drafting suggestions): (c) there is evidence that the functioning of the audit authority does not comply with the key requirements laid down in Article 53 [functions of the audit authority] and Annex IV [A&C requirements]. **The Commission shall inform the Member State of the reasons why paragraph 2 cannot be applied.**
7. The Commission and the audit authorities shall meet on a regular basis and, unless otherwise agreed, at least once a year to examine the audit strategy, the annual control report and the audit opinion, to coordinate their audit plans and methods, and to exchange views on issues relating to the improvement of management and control systems.	AT (Drafting suggestions): The Commission and the audit authorities shall meet on a regular basis and, unless otherwise agreed, at least once a year to examine the audit strategy, the annual control report and the audit opinion, to coordinate their audit plans and methods, and to exchange views on issues relating to the improvement of management and control systems. **Managing Authorites and Coordinating Authorities shall be invited and may participate as obeservers.** AT

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Commission proposal	MS drafting suggestions and comments
	(Comments): The managing authorities and coordinating bodies should be involved in the discussion as stakeholders. ES (Comments): The "annual control report" referred to in this article – is it the summary of audits forming part of the reliability package mentioned in Article 59(1)(b)? If so, consistent terminology should be used. If not, could the Commission clarify what this annual control report entails and who is responsible for submitting it? IE (Drafting suggestions): 7. The Commission**,** ~~and~~ the audit authorities**,** **the Member State and the Coordinating Authority** shall meet on a regular basis and, unless otherwise agreed, at least once a year to examine the audit strategy, the annual control report and the audit opinion, to coordinate their audit plans and methods, and to exchange views on issues relating to the improvement of management and control systems. IE (Comments):

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	This provision is amended to include the Member State and Coordinating Authority in such meetings.

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Article 62 ***Control system for farm stewardship and common fisheries policy***	AT (Comments): This article should be moved to the CAP Regulation, as it specifically refers to CAP measures. BE (Comments): As this article is CAP/CFP-specific, this should be part of the CAP/CFP regulation instead of the NRPP regulation. FR (Comments): Réserve générale d'examen sur la rédaction de cet article. La place de cet article dans le Règlement PPNR ou le règlement PAC et PCP sectoriel doit par ailleurs être discutée. HU (Comments): This article should be moved to the CAP regulation. IE (Comments): **IE proposes that negotiation of this article be moved to the CAP AHWP**

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Commission proposal	MS drafting suggestions and comments
	Can penalties or reductions applied by the MS on CAP funds be retained and reused within the fund (currently CAP Pillar 1 admin penalties returned as assigned revenue to EU) **What is the purpose of the 2027 report from the commission regarding Arachne – we understood that the unique identifier across all funds was to support Arachne use in risk assessment. It would be very late in 2027 to put systems in place to support the use of Arachne and the use of a single beneficiary identifier should the use of Arachne become mandatory then.** RO (Comments): This article should be moved to the CAP regulation. SE (Comments): Editorial remark: Sweden proposes that Article 62 is divided into two separate Articles, one for the CAP and one for CFP, in order to make the regulatory framework easier to follow. SI (Comments):

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Commission proposal	MS drafting suggestions and comments
	We suggest transferring the paragraphs for farm stewardship in the CAP legal proposal. SK (Comments): We suggest to move this article to the CAP regulation.
	HU (Comments): Overall, our view is that the regulation is not moving towards simplification.
1. Member States shall as part of the controls referred to in Article 58 [Responsibilities of Member States] verify the compliance of beneficiaries with the requirements of the farm stewardship referred to in Article 3 of Regulation (EU) 202X/XXXX [CAP Regulation] and with Article XX paragraph XX of Regulation (EU) 202X/XXXX [CFP Regulation].	ES (Comments): When defining the beneficiaries concerned, those receiving support from interventions in outermost regions are included. It is considered that this should be limited solely to support equivalent to the IACS (direct payments) for interventions in outermost regions, as is currently the case, since other measures target areas other than land or livestock. This will be considered a red line by the Autonomous Community of the Canary Islands.

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Commission proposal	MS drafting suggestions and comments
	As provided in Article 83(6) of Regulation (EU) 2021/2116, the proposal should set a minimum percentage of beneficiaries to be subject to on-the-spot checks – set at 1 % – and reflect that such checks may, where appropriate, be carried out through the area monitoring system. This would ensure a uniform control rate across the EU and prevent discrepancies between MSs. FI (Comments): General comment: Concerning all requirements, including control requirements, could it be possible that these come solely from the Union legislation and not from the audit side in a way that goes beyond the legislative requirements? The dominance of audit side is the current practice in the CAP and CFP and it does not allow foresight and efficient resource planning. Could MSs legitimated expectations be guaranteed? IT (Drafting suggestions): 1. Member States shall as part of **their Integrated Administration and Control System (IACS) or** the controls referred to in Article 58 [Responsibilities of Member States] verify the compliance of beneficiaries with the requirements of the farm stewardship referred to in

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Commission proposal	MS drafting suggestions and comments
	Article 3 of Regulation (EU) 202X/XXXX [CAP Regulation] and with Article XX paragraph XX of Regulation (EU) 202X/XXXX [CFP Regulation IT (Comments): If the paying agency deems the sector controls to be inadequate, it should be able to carry out the controls directly, also taking into account that responsible management practices no longer constitute a baseline for any agri-environmental measure. LU (Drafting suggestions): **This article should be fully moved to the CAP regulation.** LU (Comments): **The Commission maintains the 'once only' principle, which we support in principle. We would still like to point out that this requires close coordination between the various authorities responsible for the different specific areas.** NL

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): 1. Member States shall as part of the controls referred to in Article 58 [Responsibilities of Member States] verify the compliance of beneficiaries with the requirements of the farm stewardship referred to in Article 3 of Regulation (EU) 202X/XXXX [CAP Regulation] **and the control system from** Article XX paragraph XX of Regulation (EU) 202X/XXXX [CFP Regulation]. NL (Comments): To improve readability and clarify that farm stewardship does not apply to the fisheries sector.
Where the area eligible for the support referred to in the first subparagraph, as declared in the geo-spatial application referred to in Article 70 [IACS], does not exceed 10 hectares, the beneficiaries shall be exempted from controls and penalties under this Article.	AT (Comments): In principle, the exemption for farms up to 10 ha is welcomed. The reference to 10 ha of eligible area in the proposal should be replaced by a reference to 10 ha of farm size. The current wording (in Regulation 2021/2115) should be adopted, as otherwise there would be different area sizes for each measure for a given farm.

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	BE (Comments): It would be useful to articulate this point more clearly, enhancing its feasibility for the paying agency and ensuring greater clarity for the farming community. We are concerned that farmers are being misled because they may still be inspected/fined for the same elements by national/regional authorities. FI (Drafting suggestions): Where the area eligible for the support referred to in the first subparagraph, as declared in the geo-spatial application referred to in Article 70 [IACS], does not exceed 10 hectares **and concerning crop diversification/rotation does not exceed 30 hectares**, the beneficiaries shall be exempted from controls and penalties under this Article. FI (Comments): According to this Article, farms with a maximum of 10 ha are exempted from social conditionality. According to the CAP Regulation, social conditionality applies also to farms receiving support for small farms.

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Commission proposal	MS drafting suggestions and comments
	Does this mean that social conditionality applies to small farms, but they cannot be penalized? Continuity concerning GAEC 7 is needed. HR (Comments): **HR asks** for clarification whether farmers according to the provisions of Art. 62. paragraph 1, sub-paragraph 2 could be exempted from controls and fines within the framework of compliance checks with DNSH rules? MT (Comments): While we welcome this, we need clarification concerning Farm Stewardship pertaining to Small Farmers, i.e. farmers receiving support under Article 7 of the CAP Regulation (COM(2025)560). We understand, also following reading of document WK 12856/25, that Small Farmers supported under Article 7 are not subject to Farm Stewardship. We also understand that farmers whose eligible area **does not exceed 10 hectares**, in accordance with the second subparagraph of paragraph 1 of Article 62 of the NRP, **are subject to Farm Stewardship, but exempt from controls and penalties.**

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Commission proposal	MS drafting suggestions and comments
	In situations where most farmers are small holdings (i.e. with holdings whose eligible area does not exceed 10ha and therefore not subject to controls and penalties), **how does the CION propose that this is managed?** We are **particularly concerned for cases where farmers are small holdings** (i.e. with holdings whose eligible area does not exceed 10ha and therefore not subject to controls and penalties), but opt to received support under DABIS, CIS and AECAs: If they are exempted from controls and penalties, but a non-compliance with protective practices is observed during inspections related to any of the interventions mentioned, how should MS go about ensuring compliance? And how are we to ensure that their treatment is not incongruent with that of Small Farmers under Article 7 of the CAP, who are not subject to Farm Stewardship, but are to comply with the Do No Significant Harm guidelines, which are still too far in the future for MS to assess as yet? The guidelines for DNSH are expected by January 2027, which is too late for MS to make the necessary planning. **We call on the Commission to provide these guidelines within shorter timeframes.**

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Commission proposal	MS drafting suggestions and comments
Where a beneficiary has been selected for an on-the-spot check on an aid application or on a payment claim, Member States shall, to the extent possible and taking account of the associated risks, not select that beneficiary for a subsequent check and control sample for that year, except when the circumstances require more than one on-the-spot check in order to ensure the effective protection of the financial interests of the Union. This provision shall not reduce the level of checks.	DE (Drafting suggestions): ~~**Where a beneficiary has been selected for an on-the-spot check on an aid application or on a payment claim, Member States shall, to the extent possible and taking account of the associated risks, not select that beneficiary for a subsequent check and control sample for that year, except when the circumstances require more than one on-the-spot check in order to ensure the effective protection of the financial interests of the Union. This provision shall not reduce the level of checks.**~~ DE (Comments): It is important to take precautions here to ensure a level playing field between Member States. HR (Comments): **HR asks** for clarification how the third subparagraph is applied in the context of the CFP, taking into account Article 3 paragraph 4 of the

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Commission proposal	MS drafting suggestions and comments
	Proposal for establishing the conditions for the implementation of the Union support to the Common Fisheries Policy. Namely, part of the provisions is set in this proposals and part in the financing CFP. MT (Drafting suggestions): *Where a beneficiary has been selected for an on-the-spot check on an aid application or on a payment claim, Member States shall, to the extent possible* ***in principle,*** *and taking account of the associated risks* ***and additional administrative burden****,* ~~*not*~~ ***avoid*** *select****ing*** *that beneficiary for a subsequent check and control sample for that year, except when the circumstances require more than one on-the-spot check in order to ensure the effective protection of the financial interests of the Union. This provision shall not reduce the level of checks.* MT (Comments): Malta is submitting the same drafting suggestions already submitted during the Omnibus III discussions with regard to the concept of a single on-the-spot check, as described in the third subparagraph of Article 62 (1) of the NRP proposal. SE

Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): Where a beneficiary has been selected for an on-the-spot check on an aid application or on a payment claim, Member States shall, to the extent possible and taking account of the associated risks, not select that beneficiary for a subsequent **on-the-spot** check **for farm stewardship** ~~and control sample~~ for that year, except when the circumstances require more than one on-the-spot check in order to ensure the effective protection of the financial interests of the Union. This provision shall not reduce the level of checks. SE (Comments): SE would like a clarification about this provision. Does it mean that we cannot inspect more than one support measure during the same inspection, since we are not permitted to make the selection for more than one inspection? SE would also like a clarification whether the principle of subsequent checks in Article 62 (1) only applies to farm stewardship or also includes common fisheries policy. If it only refers to farm stewardship it should be clarifyed in the text. Or by separating them in diffent articles.

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Commission proposal	MS drafting suggestions and comments
2. Member States shall make use of their control and enforcement systems in the areas of climate and environment, public health, plant health and animal welfare, social and employment legislation, applicable labour standards, fisheries and aquaculture to ensure that beneficiaries of the support comply with the requirements set out in the first paragraph.	AT (Comments): Experience shows that national implementation systems in sectoral provisions are insufficient for the implementation of supporting measures. Focusing solely on enforceable decisions in environmental law appears to be too much of a departure from previous implementation. An adjustment is proposed to enable the continuation of the existing, proven environmental conditionality management systems. As in the previous environmental conditionality (GAEC + SMR), Member States will in future be free to decide whether and to what extent they use existing systems (“may” instead of “shall”). BE (Drafting suggestions): Member States shall make use of the control and enforcement systems **of the competent control authorities, whose controle and enforcement system comply with the control requirements of their applicable law**, in the areas of climate and environment, public health, plant health and animal welfare, social and employment legislation, applicable labour standards, fisheries and aquaculture to ensure that beneficiaries of the support comply with the requirements set out in the first paragraph.

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Commission proposal	MS drafting suggestions and comments
	BE (Comments): Clarification of the text. The amendment states that the control requirements and control bodies of the competent control authorities are sufficient for the control requirements of Farm Stewardship. May the paying agency perform controls on SMR? Should the paying agency perform controls on the protective farming practices? DE (Comments): Can the Commission confirm that the provisions of Article 62 apply only to SMR and social conditionality, while the provisions of Article 70 are relevant to the control and enforcement system for protective practices? FI (Drafting suggestions): Member States shall make use of their control and enforcement systems **whenever possible** in the areas of climate and environment, public health, plant health and animal welfare, social and employment legislation, applicable labour standards, fisheries and aquaculture to ensure that beneficiaries of the support comply with the requirements set out in the first paragraph.

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Commission proposal	MS drafting suggestions and comments
	FI (Comments): The current control and enforcement systems may not always cover controls of protective practices and or all requirements related SMRs, so there is still a need for separate control made by the paying agency. Furthermore, using current control and enforcement systems may lead to less coherent farm stewardship control system as actors doing grading of the severity, extent, permanence or reoccurrence and intentionality of the non-compliance will increase. We therefore propose chancing word “shall” to “may” and to paragraph 2 of the Article. HR (Comments): This Article defines that Member States shall make use of their control and enforcement systems in the areas of climate and environment, public health, plant health and animal welfare, social and employment legislation, applicable labour standards, fisheries and aquaculture to ensure that beneficiaries of the support comply with the requirements set out in the first paragraph. The first paragraph makes a reference to CFP regulation, which defines the eligibility under condition of compliance

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	with the CFP (i.e. serious infringements, IUU and non-cooperative third countries). **HR would appreciate clarification** if the provision of the third paragraph of Article 62(2), when referring to compliance in areas of climate and environment, public health, plant health and animal welfare, social and employment legislation, applicable labour standards, fisheries and aquaculture, is related to previously mentioned compliance provided for in the CFP financing regulation or the scope goes beyond such provisions? LU (Comments): **According to our reading of paragraph 2, checks will now follow the current approach applied in the field of social conditionality. The paying agency no longer carries out sampling but takes into account the results of checks carried out by the specific authorities within the framework of their regulations. C**ould **the Commission confirm this?** MT (Comments): Malta requests a clarification regarding Article 62 (2) of the NRP proposal, which seems to indicate that MS Paying Agencies will no longer be

Commission proposal	MS drafting suggestions and comments
	responsible for checking for compliance with Farm Stewardship conditions, and that this duty will be taken up by respective national competent authorities. **Can this be confirmed?** PL (Drafting suggestions): 2. Member States ~~**shall**~~ **may** make use of their control and enforcement systems in the areas of climate and environment, public health, plant health and animal welfare, social and employment legislation, applicable labour standards, fisheries and aquaculture to ensure that beneficiaries of the support comply with the requirements set out in the first paragraph. PL (Comments): We ask the EC to explain the reasons for the proposed change in relation to the current provisions on conditionality (Article 83(3) of Regulation 2021/2116), where the use of existing control systems is voluntary. How should this change be understood and what changes should be made to the control system? Regardless of the above, the proposed solution should be voluntary for Member States. This would enable controls to be carried out in the same way as it is currently.

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Commission proposal	MS drafting suggestions and comments
	SI (Drafting suggestions): 2. Member States shall make use of their control and enforcement systems in the areas of climate and environment, public health, plant health and animal welfare, social and employment legislation, applicable labour standards, fisheries and aquaculture to ensure that beneficiaries of the support comply with the requirements set out in the first paragraph **when these relate to statutory management requirements, listed in Annex I, Parts A and B, of Regulation (EU) 202X/XXXX [CAP Regulation]**. SI (Comments): The amendment aims at clarifying which requirements are covered by using existing control and enforcement systems.
3. The managing authority or paying agency shall be notified where relevant at least once a year of cases of non-compliance where enforceable decisions in that respect have been made under the applicable control and enforcement systems referred to in paragraph 2. That notification shall include an assessment and grading of the severity,	BE (Drafting suggestions): 3. The managing authority or paying agency shall be notified where relevant at least once a year of cases of non-compliance where

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extent, permanence or reoccurrence and intentionality of the non-compliance concerned.	enforceable decisions in that respect have been made under the applicable control and enforcement systems referred to in paragraph 2. That notification shall include **the necessary information to assess and grade** ~~an assessment and grading of~~ the severity, extent, permanence or reoccurrence and intentionality of the non-compliance concerned. **The competent authority shall exchange the data and control results with the paying agency.** BE (Comments): We need a clear legal basis to implement this article compliant to GDPR. The paying agency obtains (with difficulty) data from other administrations that manage the systems mentioned in point 2, but these administrations do not always have the means to carry out the requested assessment. It is up to the Member States to organise themselves to carry out this assessment ES (Comments): Therefore, the regulation should specify that the control authorities (labour authorities) are responsible for notifying the paying agency of

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Commission proposal	MS drafting suggestions and comments
	non-compliances, and that the paying agency's responsibility is limited to applying the corresponding penalty. The aim is to ensure that the paying agency does not assume the responsibilities of the labour authorities, thereby avoiding jurisdictional conflicts and administrative duplication. Where non-compliance is detected through the area monitoring system, and given that 100 % of areas are monitored, the penalty should be lower, in line with Article 85(4) of Regulation 2021/2116 and Regulation 2022/1172, which set it at 0.5 %. It should also be provided that where the penalty is below a certain threshold, it need not be applied to the beneficiary, in order to avoid disproportionate recovery costs for the paying agencies. A threshold of €250 is proposed, in line with Article 10(5) of Law 30/2022. Furthermore, as in Article 85(3) of Regulation (EU) 2021/2116, it should be stated that where non-compliance has no or insignificant consequences, no penalty shall be applied. HR (Comments): According to **HR** understanding and according to the Commission's explanations from the WG HAQ meeting (16 and 17 September), controls

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	are carried out by the competent control bodies and provide information on identified irregularities/non-compliances. **HR believes** that controls under the CAP should be carried out by an accredited paying agency because it has the necessary experience and established systems of checks and controls that may need to be adapted to new requirements. We ask the Commission for confirmation and clarification. HU (Drafting suggestions): The managing authority or paying agency shall be notified where relevant at least once a year of cases of non-compliance where enforceable decisions in that respect have been made under the applicable control and enforcement systems referred to in paragraph 2. That notification shall include an assessment and grading of the severity, extent, permanence or reoccurrence ~~and intentionality~~ of the non-compliance concerned. HU (Comments): Experience shows that the concept of "intentionality" cannot be proven in practice and is often undefendable in court. The Commission has so far refrained from this. We recommend deleting it from the text.

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	PL (Drafting suggestions): 3. **If the Member State decides to apply paragraph 2 ,** ~~T~~the managing authority or paying agency shall be notified where relevant at least once a year of cases of non-compliance where enforceable decisions in that respect have been made under the applicable control and enforcement systems referred to in paragraph 2. That notification shall include an assessment and grading of the severity, extent, permanence or reoccurrence and intentionality of the non-compliance concerned. PL (Comments): This change is related to the proposed amendment in paragraph 2. This paragraph should apply only if the Member State decides to apply provisions set in paragraph 2. SI (Drafting suggestions): 3. The ~~managing authority or~~ paying agency shall be notified where relevant at least once a year of cases of non-compliance where enforceable decisions in that respect have been made under the applicable control and enforcement systems referred to in paragraph 2. That

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	notification shall **provide information on** ~~include an assessment and grading of~~ the severity~~, extent~~, permanence or reoccurrence and intentionality of the non-compliance concerned **based on assessments underlining enforceable decisions of Member State's authorities or bodies responsible for the control and enforcement of the national legislation implementing legal acts in Annex I, Parts A and B, of Regulation (EU) 202X/XXXX [CAP Regulation]**. SI (Comments): Taking into account the experience with social conditionality under the CAP Strategic Plan 2023-2027, the amendment is necessary as to allow simplification. Regarding this official notification, no or only limited additional workload should be placed on existing national control and enforcement systems that are responsible for EU directives & regulations in Annex I, Parts A and B, of Regulation (EU) 202X/XXXX [CAP Regulation] or on the CAP paying agency.
4. The administrative penalties referred to in paragraph 5 shall only apply to non-compliance with the requirements of the farm stewardship referred to in Article 3 of Regulation XX *[CAP, farm stewardship]* where	DE (Comments):

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that non-compliance is the result of an act or omission directly attributable to the beneficiary concerned, and where one or both of the following conditions are met:	Does this directly include acts or omissions on the holding committed by companies, employees or family members, appointed by the beneficiary with an agricultural activity? LU (Drafting suggestions): The administrative penalties referred to in paragraph 5 shall only apply to non-compliance with the requirements of the farm stewardship referred to in Article ~~3~~ 4 of Regulation XX *[CAP, farm stewardship]* where that non-compliance is the result of an act or omission directly attributable to the beneficiary concerned, and where one or both of the following conditions are met: LU (Comments): **Minor error: The reference should refer to Article 4, point 22(a).**
(a) the non-compliance is related to the agricultural activity of the beneficiary, as defined by Member States in their NRP Plans in accordance with Article 4, point (21), point (a) [*framework definition of agricultural activity*];	SI (Comments): The text could be more precise.

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(b) the non-compliance concerns the holding as defined in Article 4(15) [*definitions - holding*] or other areas managed by the beneficiary situated within the territory of the same Member State.	SI (Drafting suggestions): (b) the non-compliance concerns**:** **i)** the holding as defined in Article 4(15) [*definitions - holding*] or **ii)** other areas **for which support is claimed and are** managed by the beneficiary situated within the territory of the same Member State. SI (Comments): All areas, not only forests, for which the CAP support is not claimed should be exempted.
However, if the non-compliance concerns forest areas, the penalties referred to in paragraph 5 shall not be applied where no support is claimed for the area concerned.	SI (Drafting suggestions): ~~However, if the non-compliance concerns forest areas, the penalties referred to in paragraph 5 shall not be applied where no support is claimed for the area concerned.~~

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5. Member States shall set up a system of administrative penalties applying to beneficiaries referred to in paragraph 4 who do not comply, at any time in the calendar year concerned, with the requirements of the farm stewardship.	AT (Comments): The consideration of sanctions already imposed by other national authorities in the calculation of penalties for beneficiaries is viewed critically. Coordinating this in terms of timing appears difficult and involves additional administrative work. BE (Comments): It is up to the Member States to organise themselves to carry out this assessment How to interpret this ? Has the non-compliance to be assessed at a specific time of the year, or every time of the year ? IE (Comments): **IE has asked for clarification regarding whether this penalty regime is confined to breaches of Farm Stewardship? Ireland currently apply a penalty regime in relation to schemes such as the Complementary Income Support for Young Farmers which imposes additional penalties as well as reduction or exclusion of the total amount of the payments under the measures listed in Article 35.**

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The penalties shall consist of the reduction or exclusion of the total amount of the payments under measures listed in Article 35(1), points (a) to (f), and (o) and (p) to the extent they concern support for local agricultural products, of Regulation (EU) 202X/XXXX [CAP Regulation] granted or to be granted to the beneficiary concerned in respect of aid applications that the beneficiary has submitted or will submit in the course of the calendar year of the finding of the non-compliance. The penalties shall be calculated on the basis of the payments granted or to be granted in the calendar year in which the non-compliance occurred. However, where it is not possible to determine the calendar year in which the non-compliance occurred, the reductions or exclusions shall be calculated on the basis of the payments granted or to be granted in the calendar year of the finding of the non-compliance.	FI (Drafting suggestions): The penalties shall consist of the reduction or exclusion of the total amount of the payments under measures listed in Article 35(1), points (a) to (f), and (o) and (p) to the extent they concern support for local agricultural products, of Regulation (EU) 202X/XXXX [CAP Regulation] granted or to be granted to the beneficiary concerned in respect of aid applications that the beneficiary has submitted or will submit in the course of the calendar year of the finding of the non-compliance. The penalties shall be calculated on the basis of the payments granted or to be granted in the calendar year ~~in which~~ **of the finding of** the non-compliance ~~occurred. However, where it is not possible to determine the calendar year in which the non-compliance occurred, the reductions or exclusions shall be calculated on the basis of the payments granted or to be granted in the calendar year of the finding of the non-compliance.~~ FI (Comments):

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	This is challenging because the year of offence is not necessarily known. Administratively, it would be simpler to concentrate only on the year of observation and to impose sanctions accordingly IE (Comments): **Note that this does not cover ESSPO which would fall under "Article 35 (1) (n) support for territorial and local cooperation initiatives.** SE (Comments): SE believes that Member States should be provided with flexibility to determine these details on national level.
For the calculation of those penalties, account shall be taken of the severity, extent, permanence or reoccurrence and intentionality of the non-compliance determined, in line with the assessment referred to in paragraph 3. A penalty imposed pursuant to the national legislation implementing the legal acts listed in Annex I, parts A and B, to Regulation XX [CAP] for the same act or omission of a farmer or other	BE (Drafting suggestions): For the calculation of those penalties, account shall be taken of the severity, extent, permanence or reoccurrence and intentionality of the non-compliance determined, in line with the assessment referred to in paragraph 3. **The Member State, or region, may decide to take into account in the penalty system certain** ~~penalty~~ **penalties** imposed

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beneficiary shall be taken into account in the calculation of penalties referred to in the first subparagraph.	pursuant to the national legislation implementing the legal acts listed in Annex I, parts A and B, to Regulation XX [CAP] for the same act or omission. ~~of a farmer or other beneficiary shall be taken into account in the calculation of penalties referred to in the first subparagraph.~~ BE (Comments): We support the principle, as a possibility for the MS / regions, but the implementation is very complex. This method requires a lot of exchange, while this can be solved more easily by reducing certain sanctions in the sanctions table. DE (Drafting suggestions): For the calculation of those penalties, account shall be taken of the severity, extent, permanence or reoccurrence and intentionality of the non-compliance determined, in line with the assessment referred to in paragraph 3 **~~A penalty imposed pursuant to the national legislation implementing the legal acts listed in Annex I, parts A and B, to Regulation XX [CAP] for the same act or omission of a farmer or other beneficiary shall be taken into account in the calculation of penalties referred to in the first subparagraph.~~**

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	DE (Comments): It should be clearly fixed how a penalty imposed pursuant to the national legislation is to be taken into account.] FI (Drafting suggestions): For the calculation of those penalties, account shall be taken of the severity, extent, permanence or reoccurrence ~~and intentionality~~ of the non-compliance determined, in line with the assessment referred to in paragraph 3. A penalty imposed pursuant to the national legislation implementing the legal acts listed in FI (Comments): Intentionality of non-compliance is very difficult to prove. Intentionality should be removed from the list to simplify matters. SE (Comments): SE believes that Member States should be provided with flexibility to determine these details on national level.

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	SI (Drafting suggestions): For the calculation of those penalties **in relation to statutory management requirements, listed in Annex I, Parts A and B, of Regulation (EU) 202X/XXXX**, account shall be taken of the severity~~, extent,~~ permanence or reoccurrence and intentionality of the non-compliance determined, in line with **the information** ~~the assessment~~ referred to in paragraph 3. A penalty imposed pursuant to the national legislation implementing the legal acts listed in Annex I, parts A and B, to Regulation XX [CAP] for the same act or omission of a farmer or other beneficiary shall be taken into account in the calculation of penalties referred to in the first subparagraph. SI (Comments): The amendment is related to the proposed amendment of para 3. If a simple deduction is not considered as appropriate way of taking into account "national" penalties, then the last sentence is to be amended.
The expenditure which has been reduced as a result of the application of a penalty shall be considered legal and regular. The reduction shall, as a	DE

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general rule, be 3 % of the total amount of the payments. In the case of intentional non-compliance, the reduction shall be at least 15 % of the amount of those payments.	(Drafting suggestions): The expenditure which has been reduced as a result of the application of a penalty shall be considered legal and regular. The reduction shall, as a general rule, be 3 % of the total amount of the payments. In the case of intentional non-compliance, the reduction shall be at least 15 % of the amount of those payments. **Member States may retain 25 % of the amounts resulting from the reductions and exclusions.** DE (Comments): Current provision to retain 25 % in Article 86 of Reg. (EU) 2021/2115 should be continued. FI (Drafting suggestions): The expenditure which has been reduced as a result of the application of a penalty shall be considered legal and regular. The reduction shall, as a general rule, be ~~3~~ **1** % of the total amount of the payments. In the case of intentional non-compliance, the reduction shall be at least **7** ~~15~~ % of the amount of those payments. FI (Comments):

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	General rule for penalty, i.e. 3% is a severe penalty because it concerns the total amount of the payments. That is why there is room for moderation and lowering, for example to 1 %. HR (Comments): **HR asks** can reductions in payments of less than 3% of the total payment be applied, if it is a minor irregularity, for example, a reduction in payment of 1%? Can payments reductions be set up gradually? PL (Drafting suggestions): The expenditure which has been reduced as a result of the application of a penalty shall be considered legal and regular. The reduction shall, as a general rule, be 3 % of the total amount of the payments. In the case of intentional non-compliance, the reduction shall be at least 15 % of the amount of those payments. **Member States may decide not to apply an administrative penalty to a beneficiary per a calendar year when the amount of the penalty is EUR 100 or less; however, the beneficiary shall be informed about the finding of the non-compliance and about the obligation to take remedial action for the future.** PL

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	(Comments): Member States should be able not to apply a penalty on the beneficiary due to the effectiveness of the solution and previous good practice. SE (Comments): SE believes that Member States should be provided with flexibility to determine these details on national level.
Member States shall provide that no administrative penalty shall be imposed if:	
(a) The non-compliance is due to force majeure or exceptional circumstances;	HU (Drafting suggestions): (a) The non-compliance is due to force majeure **~~or exceptional circumstances~~**; HU (Comments): We recommend deleting this phrase. We are concerned that it could cover a wide range of situations, which could lead to customers objecting to

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	decisions regarding non-compliance. Even if we try to define what falls into this category. Any resourceful farmer can find exceptional circumstances that they can use to justify their failure to comply with a regulation. In our opinion, this is not the right direction to take. PL (Comments): It is necessary to clarify what "exceptional circumstances" means.
(b) The non-compliance is due to an order from a public authority.	
	BE (Drafting suggestions): **Where the non-compliance has no or only insignificant consequences for the achievement of the objective of the standard or requirement concerned, no administrative penalty shall be applied.** BE (Comments): from article 85, 3 of R 2021/2116.
6. In case of a non-compliance with Article XX of Regulation (EU) XX [Common Fisheries Policy], the support paid to the beneficiary shall	FI

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be recovered and an application for support submitted by a beneficiary shall be inadmissible for a specified period of time laid down pursuant to paragraph 8 of this Article, if it has been determined through a final decision by the competent authority concerned that the beneficiary has committed fraud.	(Comments): We find it peculiar that under this paragraph recovery should take place if the operator commits infringements of the CFP Regulation AND commits fraud. In practice, Art 58(2)(c) also requires remedial action in cases of fraud. In other words, is this paragraph, written this way, necessary in general, since it is already governed by the previous horizontal principle? Or, to put it differently, why should CFP be regulated differently in the correction of fraud cases? Article 62(7) This requires recovery of funding if the operator commits an environmental offence in aquaculture project. Why is this limited to the aquaculture? If so, should there not be a general principle throughout the NRP fund? In addition, we do not understand why the CFP Financial Regulation stipulates that infringements lead to inadmissibility of applications (inadmissibility) and, in the NRP, to the recovery of similar cases. FR (Comments): La Commission pourra-t-elle préciser les règles visées par l'article XX du règlement sur la politique commune des pêches ? Les infractions graves à la politique commune de la pêche sont citées aux articles 42 du règlement 1005/2008 et article 90 du règlement 1224/2009.

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	Comment la Commission justifie-t-elle la multiplicité des sanctions possibles sous le règlement sur le contrôle des pêches ? Il existe également une interrogation sur la cohérence de cet alinéa qui évoque à la fois les cas d'inadmissibilité pour non-respect des règles de la PCP et les cas de fraude. HR (Comments): Paragraph 6 refers to CFP financing regulation, but also it refers to "a final decision by the competent authority concerned that the beneficiary has committed fraud". The link is not clear, taking into account the wording "committed fraud" in this proposal and provisions in the CFP financing proposal referring to serious infringements, environmental offences etc., which are not, in the current proposal, "classified" as committed fraud. IE (Comments): **2(6) & 62(7) COM 559 (CFP): These both reference the same Article in COM 559 – Article 3(4) – these two paragraphs would be better consolidated into a single paragraph which is expressed more clearly**

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	– in terms of the recouping of aid paid to anyone comprehended by that Article, and their inadmissibility for aid also. - **Currently such applications are inadmissible under EMFAF Implementing Regulation 2022/2181. This sets out that aid shall be recouped where the situations referred to occur between the date of application for the aid and up to 5 years following same. It also sets out the period of inadmissibility. IE position is that the delegated acts under para 8 should be consistent with the provisions of Regulation (EU) 2022/2081**
7. Where a case as listed in Article XX of Regulation (EU) XX [Common Fisheries Policy] occurs between in the period of application and the five years after the final payment, the support paid to the beneficiary shall be recovered. The recovery shall be proportionate to the nature, gravity, duration and repetition of the serious infringements or offences by the beneficiary concerned and the importance of support to the economic activity of that beneficiary.	FR (Comments): Compte-tenu de la multiplicité des sanctions possibles sous le règlement sur le contrôle des pêches, en faire, de manière exhaustive, un critère d'exclusion des aides, semble disproportionné. SE (Drafting suggestions):

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	7. Where a case as listed in Article XX of Regulation (EU) XX [Common Fisheries Policy] occurs ~~between~~ in **between** the period of application and the five years after the final payment, the support paid to the beneficiary shall be recovered. The recovery shall be proportionate to the nature, gravity, duration and repetition of the serious infringements or offences by the beneficiary concerned and the importance of support to the economic activity of that beneficiary. SE (Comments): Editorial comment
8. In order to ensure a level playing field among Member States and the effectiveness, proportionality and dissuasive effect of the penalties referred to in paragraph 5 and recoveries and inadmissibility referred to Article XX of Regulation EU XX [Common Fisheries Policy], and in paragraph 6 and 7 of this Article, the Commission is empowered to adopt delegated acts in accordance with Article 86 supplementing this Regulation with	FI (Comments): Provisions on the inadmissibility are laid down in the CFP Financial Regulation. Why, then, does this NRP Regulation authorize the Commission to lay down more detailed provisions on the issues involved? Wouldn't it be more logical to regulate the whole framework in a single regulation? IE

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	(Comments): **Penalties in paragraph 5 do not apply to ESSPO and 6 and 7 are specific to non-compliance under the Common Fisheries Policy.** **Note that this does not cover ESSPO which would fall under "Article 35 (1) (n) support for territorial and local cooperation initiatives** MT (Comments): Malta registers its disagreement with Article 62 (8) of the NRP proposal, which allows the CION to adopt delegated acts in relation to penalties applied by MS, and notes that the appropriate legislative procedure would be for CION to adopt implementing acts in such instances. NL (Drafting suggestions): In order to ensure a level playing field among Member States and the effectiveness, proportionality and dissuasive effect of the penalties referred to in paragraph 5 and recoveries and inadmissibility referred to Article XX of Regulation EU XX [Common Fisheries Policy], and in paragraph 6 and 7 of this Article, the Commission is empowered to adopt delegated acts in accordance with Article ~~86~~ **87** supplementing this Regulation with

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	NL (Comments): In the view of NL this provision should refer to the provision on the conditions for exercise of the delegation (Article 87). SE (Drafting suggestions): ~~**8. In order to ensure a level playing field among Member States and the effectiveness, proportionality and dissuasive effect of the penalties referred to in paragraph 5 and recoveries and inadmissibility referred to Article XX of Regulation EU XX [Common Fisheries Policy], and in paragraph 6 and 7 of this Article, the Commission is empowered to adopt delegated acts in accordance with Article 86 supplementing this Regulation with**~~ SE (Comments): SE is hesitant to the proposed empowerment. Conditions and requirements need to be set out in the basic act in order to provide both Member States and beneficiaries with the necessary predictability. SI (Drafting suggestions):

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	8. In order to ensure a level playing field among Member States and the effectiveness, proportionality and dissuasive effect of the penalties referred to in paragraph 5 and recoveries and inadmissibility referred to Article XX of Regulation EU XX [Common Fisheries Policy], ~~and in paragraph 6 and 7 of this Article,~~ the Commission is empowered to adopt delegated acts in accordance with Article 86 supplementing this Regulation with SI (Comments): Currently, there are no delegated acts for social conditionality and are not needed also in the future. The same could apply also for "conditionality".
(a) detailed rules on the application and calculation of the penalties;	
(b) the identification of the threshold triggering, and the period of time of, the inadmissibility as well as the arrangements for recovering the support granted, including thresholds triggering it.	

Article 63 ***Data collection and recording***	AT (Comments): On principle as follows: The depth and scope of the information requested must be proportionate, and data collection and transmission must be carried out in a measured and targeted manner; there must also be a clear purpose and added value. Double reporting must be avoided, and data protection and data security must be guaranteed. It should also be clearly specified what the consequences will be if the requested data is not available. BE (Comments): To bring more proportionality in the data collection we request a clear fiche/information document from COM with a list of all the data that is requested from Member States, with clarification why this data is collected , how COM will use this data as well as an assessment of its compatibility with GDPR. For example, we do not see added value to provide a national identification number of a beneficiary for the purpose of performance monitoring and evaluation. For many data-fields the added value seems to be very limited and the burden high. As long as we have no clarity on this, we reserve our position on the data collection and recording requirements.

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	We also want to propose a threshold for the application of this article. The data that is not included in art. 64, should not be provided when the support to the beneficiary is less than [EUR] in that year. DE (Comments): We would appreciate a separate Fiche with an overview of the data requirements in this article and their sources in the current legislation. New data requirements should be highlighted in the Fiche. Otherwise, an assessment of the new/old data requirements of Art. 63 is difficult for MS. There is no apparent improvement on Annex XVII of the current CPR 2021/1060. Taking into account the principle of data economy, the mandatory data collection and recording should be restricted to the amount necessary for reporting (Annex VII of the current CPR 2021/1060). We need restraints with regard to the data collection requirements, especially with regard to beneficial owners and (sub-)contractors and especially with regard to the application of SCO and performance-based reimbursement.

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	In this context the Fiche should also elaborate on the future role of the single integrated IT system (ARACHNE+) provided by the Commission in line with the Financial Regulation. FR (Comments): La place d'un certain nombre de dispositions de cet article 63 dans le Règlement PPNR ou le règlement PAC sectoriel doit être discutée. HU (Comments): The proposal creates additional IT and data-related burdens and does not contribute to the objective of simplification. IE (Comments): **We welcome the Presidency's proposal at the AHWP NRP regarding the movement of certain CAP-specific provisions as a starting point to further discussion. In addition to the proposed movement of articles, and in order to ensure consistency, we propose the movement the elements of this article, which reflect pure CAP elements (recording (para Paragraph 1(a)(viii)Paragraph**

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	1(f)Paragraph 1(g)) be moved while leaving core NRPP structures intact. **How beneficiary/recipient/contractor data will be protected in the context of such a system also needs to be considered. There are considerable GDPR implications and developing interoperability will be challenging.** **The existing reporting requirements have caused serious difficulties in processing payments due to the onerous nature and details required, Article 63 will exacerbate the situation and make for very complicated payment systems** **This Article is very prescriptive about what data is to be collected on various entities. The GDPR data minimisation requirements only allow for this to be collected if it is to be used. MS appear to be obliged to collect this regardless of its use. This may be considered excessive under GDPR is not actually by Ireland.** LV (Comments): It should be clarified whether article 63 applies to INTEREG plan. MT (Comments):

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	MT considers Article 63 as extremely problematic due to its complexity and lack of proportionality. The same data collection and publication requirements apply to large projects and small grants, creating an excessive burden for smaller administrations. Clarification is also needed on whether the provisions on data "for contractors" apply to aid schemes, as in such cases payments are made to beneficiaries rather than directly to contractors. Malta requests clarification regarding the concept of automatic data exchange mentioned here. The CION is invited to detail the form the data being requested, and whether its transmission will be continual or periodical. Also, to note the addition of the term "*collect*". Clarification required on whether the collection of the information in Word, Excel, and other Microsoft Office formats outside of database system be considered as acceptable. Furthermore, more information is required on the interplay between this article and Article 21 of the CAP proposal, if any. RO (Comments): COMMENT from **INTERREG**: This article should be carefully reviewed in regard with the use of the terms "Member State" and "Member States",

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	having in mind that, for Interreg, when "Member State" is used, it means "the Member State hosting the managing authority", while when "Member States" or "each Member State" is used, it generally means the states participating in the Interreg chapter/programme. SE (Comments): We need to analyse the provisions in this Article further. The requirements for data collection/data transfer and recording are more extensive than in the current period and in the CPR. This means that IT system development will be required. Furthermore, some of the requirements are too extensive or need to be further defined. SI (Comments): We suggest transferring the Article in the CAP legal proposal. SK (Comments): Article 63 **Data collection and recording** **SK considers Article 63 as extremely problematic** due to its complexity and lack of proportionality. The same data collection and

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	publication requirements apply to large projects and small grants, creating an excessive burden for smaller administrations. Clarification is also needed on whether the provisions on data “for contractors” apply to aid schemes, as in such cases payments are made to beneficiaries rather than directly to contractors

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	DE (Comments): For the Interreg plan, data provision must be provided separately due to the multinational character of the operations. FR (Drafting suggestions): **Member States and the Commission should only be allowed to process personal data where necessary for the discharge, audit, and control of the use of funds in the context of the implementation of reforms and investment projects under the National and Regional Plan (NRP). Personal data should be processed in accordance with Regulation (EU) 2016/6791 or (EU) 2018/17252 of the European Parliament and of the Council, whichever of those two Regulations is applicable**. FR (Comments): Proposition d'ajout afin de mentionner le nécessaire respect de la protection des données personnelles dans le cadre des audits (ajout sur la base de l'article du règlement FRR).

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1. For the purposes of audit and controls, transparency and performance monitoring and evaluation, Member States shall collect, record and store electronically the information referred to in points (a) to (g), while ensuring the security, integrity and confidentiality of data and the authentication of users and allowing automated data exchange with the electronic system identified by the Commission:	AT (Comments): Processing of personal data requires purpose limitation. For each category of data, the purpose, legal basis, controllers and recipients must be defined. The NIS 2 Directive requires in particular encryption and access controls. Introduce a de minimis limit: Small orders, e.g.. <5000 Euros are not to be entered due to de minimis. The administrative burden does not justify the benefit BE (Drafting suggestions): 1. For the purposes of audit and controls, transparency and performance monitoring and evaluation, Member States shall collect, record and store electronically the information referred to in points (a) to (g), while ensuring the security, integrity and confidentiality of data and the authentication of users and allowing ~~automated~~ data exchange with the electronic system identified by the Commission: DE (Comments):

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	With regard to the data collection obligations under the proposal, DE advocates streamlining. For example, beneficial owners should only have to be recorded for beneficiaries, not for contractors and final recipients. For contractors, at least as before, a limitation to contracts above EU thresholds is necessary. Some of the proposed requirements would entail a significant expansion of data collection and processing, which would in turn require adjustments to Member States' systems. It would therefore be desirable to have a central development and provision of a uniform IT system for data exchange at EU level for the implementation of all funds covered here, instead of providing for parallel developments and adjustments. The IT system for home funds DEU (ITSI) was developed for 2021-2027. The functionalities must be adapted to meet the requirements of the new NRPP Regulation. Since some of the data is currently stored at beneficiary level and only needs to be transmitted to the administrative authorities on an ad hoc basis, the new proposal means more administrative work and bureaucracy. ES

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	(Comments): In the CAP, the definition of data to be collected and stored is set out generally in the basic act and further specified in an implementing regulation. The level of detail used to describe the data is not appropriate for a basic act, as any adaptation would require a new legislative procedure. The current system based on implementing acts is therefore deemed more suitable. For legal persons (beneficiaries, recipients, contractors), information is requested on “all beneficial owners”. Currently, information is provided only on “corporate groups”. FR (Comments): Il convient à la Commission de clarifier quel système elle souhaite utiliser. IE (Drafting suggestions): 1. For the purposes of audit and controls, transparency and performance monitoring and evaluation, Member States shall collect, record and store electronically the information referred to in points (a) to

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	(g) **as appropriate to the chapter involved**, while ensuring the security, integrity and confidentiality of data and the authentication of users and allowing automated data exchange with the electronic system identified by the Commission: IE (Comments): **63(1)(a) sets out more extensive requirements in relation to beneficiary data. It is unclear how this will work in practice and difficult to envisage a scenario where an entity without legal personality would be granted aid – how could they be held accountable for compliance with the terms of the aid? CPR refers only to legal entities or natural persons.** LT (Drafting suggestions): For the purposes of audit and controls, transparency and performance monitoring and evaluation, Member States shall collect, record and store electronically the information referred to in ~~points (a) to (g)~~ **Annex ….**, while ensuring the security, integrity and confidentiality of data and the authentication of users and allowing automated data exchange with the electronic system identified by the Commission.

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	LT (Comments): It would be more convenient the information from the Art. 63 (1) to move into additional Annex of the Regulation (as it is in 2021-2027 CPR Annex XVII). LU (Comments): In which data base should all this data be managed? In which way would our farmers register be impacted? LU believes that the data requested is **very granular** and **goes beyond information necessary to implement controls. Relevant information can be provided in the framework of audits on a more specific sample**. T**he information requested through Art. 63 c**ould create additional **administrative burden for the beneficiary and the MA/PA. The automated data exchange is very complex for LU, especially given the request that the information needs to be exchanged twice a year and for CAP interventions with a very short delay after closure of the financial year (by 31 oct.). We suggest simplifying the article to a minimum of requirements.** LV

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	(Comments): Collecting and regularly transmitting data to the European Commission in such scope and frequency, may create disproportionate administrative and financial, especially for CAP chapters. Furthermore, it should be taken into account that the number of CAP beneficiaries could be significantly higher than in the case of Cohesion Policy. MT (Comments): MT seeks clarification on the requirement for "*automated data exchange with the electronic system identified by the Commission*." As things currently stand, no automated data transmission mechanism is in place. MT would therefore like to understand how such interoperability is envisaged, what technical specifications will apply, and whether transitional arrangements or flexibility will be foreseen for systems that are not yet integrated. PL (Comments): It is necessary to clarify whether it is to be one system run by a coordination auditor or a managing auditor (if no coordination auditor has been appointed).

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Commission proposal	MS drafting suggestions and comments
	SE (Drafting suggestions): 1. For the purposes of audit and controls, transparency and performance monitoring and evaluation, Member States shall collect, record and store electronically the information referred to in points (a) to (g~~), while ensuring the security, integrity and confidentiality of data and the authentication of users~~ and allowing exchange with the electronic system identified by the Commission: SE (Comments): SE proposes a deletion as the wording is contained in other legislation. SI (Comments): We suggest reducing the list of information to only those strictly necessary and to keep the list the same as currently for the purpose of the CAP Strategic Plan in order to minimize cost for up-grading the IT system.
(a) on the beneficiary:	AT

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Commission proposal	MS drafting suggestions and comments
	(Comments): For points (a) to (g), details should be laid down in a technical annex or implementing act. This serves the readability of the regulation and makes adjustments more flexible FI (Comments): Is a member state a beneficiary of reform-type measures? If yes, reference to a document setting out the conditions for support is problematic in point v. IE (Comments): **The requirement to gather information on the beneficiaries are extensive and increases the admin burden on the MS and beneficiary in comparison to the RRF.**
(i) whether the beneficiary is a public or private law body, or an entity with or without legal personality, or a natural person or a group of natural persons;	IE (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	(i) whether the beneficiary is **legally** a public or private ~~law~~ body, or an entity with or without legal personality, or a natural person or a group of natural persons; IE (Comments): **This provision is amended to remove any inference that the body is engaged in functions solely to do with law.** **Separately, how is it in envisaged that an entity without legal personality be granted aid or be held accountable for compliance with the terms of the aid? CPR refers only to legal entities or natural persons.** MT (Comments): Malta notes the addition of the term "*group of natural persons*".
(ii) the entity's full legal name, address, and their VAT identification number or tax identification number where available or another unique identifier established at country level;	DE (Comments):

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Commission proposal	MS drafting suggestions and comments
	At minimum, we need the flexibility to use other identifiers than the tax ID. It would be best if data collection requirements would correspond to what is required for the transparency register. EE (Comments): It remains unclear why a VAT number is required, whether the company's registry code could not be sufficient.
(iii) if natural person, first and last name, date of birth, locality and national identification number;	AT (Drafting suggestions): If natural person, first and last name, date of birth, locality and national identification number, **or another unique identifier established at country level**;" AT (Comments): Lit. a (iii) and Lit. c(i) lit d(i): In principle, we welcome the fact that other unique national identifiers can also be used to clearly identify relevant persons and companies. However, this is overlooked in two places: in the case of the "beneficiary" and the "contractor":

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Commission proposal	MS drafting suggestions and comments
	DE (Drafting suggestions): **(iii) if natural person, first and last name, date of birth, locality ~~and national identification number~~** DE (Comments): It would be best if data collection requirements would correspond to what is required for the transparency register. In any case, natural persons should be sufficiently identified without a national identification number. FI (Drafting suggestions): if natural person, first and last name, date of birth, locality and ~~**national identification number**~~ **a unique identifier, where applicable**; FI (Comments): The text should be aligned with Financial Regulation Art 38. The data protection rules must be respected and sensitive information should not be collected. IE

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Commission proposal	MS drafting suggestions and comments
	(Comments): **The collection of the national identification number (if this means a general national identification number rather than a national identification number solely linked to agriculture) needs to be justified.** **GDPR data minimisation requirements only allow for this to be collected if it is to be used.** **MS appear to be obliged to collect this regardless of its use. This may be considered excessive under GDPR.** MT (Comments): If the national ID No is available, why do we need the Date of Birth as well? To clarify what is meant by locality. Would a particular NUTS code level suffice? Is it the locality of birth, residence, workplace, or other? (Vide point b (iv) below which be related) SK (Comments):

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Commission proposal	MS drafting suggestions and comments
	We would like to clarify what is meant by **locality**. Would a particular NUTS code level suffice? Is it the locality of birth, residence, workplace, or other? What is the relation with the point b (iv) below?
(iv) information on all beneficial owners of the beneficiary, if any, as defined in Article 4(6) of Directive (EU) 2015/849 of the European Parliament and of the Council[1], namely first name(s) and last name(s), date(s) of birth and VAT registration number(s) or tax identification number(s) where available or another unique identifier at country level;	BG (Comments): We believe that only substantial data for the purposes of monitoring, evaluation, financial management verifications and audits should be reported regularly from MS. With reference to the information of contracts and data of benefical owners of the contractors, regardless are they under the treshold of the relevant Public Procurement Directive, we believe that there is a room for avoidance of unnecessary burden, in line with the approach of the current CPR in force. DE (Comments):

[1] Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ L 141, 5.6.2015, p. 73, ELI: http://data.europa.eu/eli/dir/2015/849/oj).

Commission proposal	MS drafting suggestions and comments
	It would be best if data collection requirements would correspond to what is required for the transparency register. In any case, natural persons should be sufficiently identified without a national identification number. FR (Drafting suggestions): (iv) information on all beneficial owners of the beneficiary, if any, as defined in Article 4(6) of Directive (EU) 2015/849 of the European Parliament and of the Council[2], namely first name(s) and last name(s), date(s) of birth and VAT registration number(s) or tax identification number(s) where available or another unique identifier at country level; **Member States may comply with this requirement by using the data stored in the registers as referred to in Article 30 of Directive (EU) 2015/849.** FR (Comments): Par soucis de simplification et de réduction de la charge administrative, les États membres devraient être autorisés à se conformer à leur

[2] Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ L 141, 5.6.2015, p. 73, ELI: http://data.europa.eu/eli/dir/2015/849/oj).

Commission proposal	MS drafting suggestions and comments
	obligation en matière de collecte d'information sur les bénéficiaires effectifs en utilisant uniquement les données stockées dans les registres des bénéficiaires. La date de naissance, le numéro TVA et le numéro d'identification fiscal ne sont pas disponibles dans les registres des bénéficiaires effectifs des Etats membres. Par conséquent, il est souhaitable de reprendre uniquement les données disponibles dans les registres des bénéficiaires effectifs. IE (Drafting suggestions): (iv) information on all beneficial owners of the beneficiary, if any, as defined in Article **3**~~4~~(6) of Directive (EU) 2015/849 of the European Parliament and of the Council[3], namely first name(s) and last name(s), date(s) of birth and VAT registration number(s) or tax identification number(s) where available or another unique identifier at country level; IE (Comments):

[3] Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ L 141, 5.6.2015, p. 73, ELI: http://data.europa.eu/eli/dir/2015/849/oj).

Commission proposal	MS drafting suggestions and comments
	This provision is amended to correct a typo –reference should be to Art 3 (6), not Article 4 (6) **Identification of beneficial owners could be challenging – payee is currently the beneficiary.** **Implications for application systems and data collection would have to be assessed carefully.** **The article on beneficial owners should be Article 3(6) and not 4(6).** LT (Drafting suggestions): (iv) information on all beneficial owners of the beneficiary, if any, as defined in Article ~~4(6)~~ **3(6)** of Directive (EU) 2015/849 of the European Parliament and of the Council , namely first name(s) and last name(s), date(s) of birth and VAT registration number(s) or tax identification number(s) where available or another unique identifier at country level; **Member States may comply with this requirement by using the data stored in the registers as referred to in Article 30 of Directive (EU) 2015/849, provided a unique identification number is included.** LT (Comments):

Commission proposal	MS drafting suggestions and comments
	The text differs in comparison to the text on beneficial owners from CPR 2021-2027 - why there is a difference? ("Information on all beneficial owners of the beneficiary, if any, as defined in Article 3(6) of Directive (EU) 2015/849, namely first name(s) and last names(s), dates(s) of birth and VAT registration number(s) or tax identification number(s). Member States may comply with this requirement by using the data stored in the registers as referred to in Article 30 of Directive (EU) 2015/849, provided a unique identification number is included .") LU (Comments): Can the COM provide more information on: **“information on all beneficial owners of the beneficiary”**
(v) the amount of Union contribution committed in the document setting out the conditions for support;	AT (Comments): The Union contribution will only be determined after settlement/payment, so nothing can be committed in advance. Also relevant for lit e (v). FR (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	~~(v) the amount of Union contribution committed in the document setting out the conditions for support;~~ FR (Comments): Cette disposition apparaît contraire à la logique de performance et l'absence de contrôle par les coûts.
(vi) indication of the associated measure under the Plan with the measure's sequence number and operation's identifier;	
(vii) in relation to financial instruments, information whether the beneficiary is the body that implements a holding fund or, where there is no holding fund structure, the body that implements a specific fund, or, where the managing authority implements financial instrument directly, information on the managing authority.	
(viii) In relation to CAP interventions referred to in Article 35(1),	FR (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	In relation to CAP interventions referred to in **Article 35(1) (a) to (g), (i) and (j)** FR (Comments): Il convient de mentionner ici uniquement les interventions de la PAC en faveur des agriculteurs et des sylviculteurs. En outre, la place de cette disposition dans le Règlement PPNR ou le règlement PAC sectoriel devra par ailleurs être discutée. HU (Comments): CAP related points of this article should be moved to the CAP regulation. In several interventions there is no added value of this kind of data and it has no effect on indicators, therefore more flexibility would be necessary for this data collection rule. SK (Comments): We suggest to move this article to the CAP regulation.

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Commission proposal	MS drafting suggestions and comments
• gender, whether the beneficiary is a farmer, a forest holder, a young farmer, a newly-set-up business; for sectoral interventions, the type of producer organisation;	FR (Comments): la place de cette disposition dans le Règlement PPNR ou le règlement PAC sectoriel devra par ailleurs être discutée. HU (Comments): CAP related points of this article should be moved to the CAP regulation IE (Drafting suggestions): Gender **as applicable**, whether the beneficiary is a farmer, a forest holder, a young farmer, a newly-set-up business; for sectoral interventions, the type of producer organisation; IE (Comments): **"this provision is amended to provide for 'as applicable'** **LEADER is listed in Article 35 (1) CAP Interventions, therefore a CAP Beneficiary cannot solely be considered as a farmer it must include other beneficiaries, consideration should be given to include natural or legal person, public or private body in this list.**

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Commission proposal	MS drafting suggestions and comments
	Cion clarification needed on applicability of data requirement for PO members as the PO entity is the beneficiary of grant aid not individual members. PL (Drafting suggestions): gender, whether the beneficiary is a farmer, a forest holder, a young farmer, ~~**a newly-set-up business**~~; for sectoral interventions, the type of producer organisation; PL (Comments): It is not clear why a Member State should collect information about "a newly-set-up business"
• geolocation of the holding, whether it is located in an area with natural or specific constraints as referred to in Article 8 of Regulation (EU) 202/XXXX [CAP Regulation][Payment for natural or other area-specific constraints], in a nitrate vulnerable zone[4], in Natura 2000 area as referred to in Article 9 of that	DE (Drafting suggestions): geolocation of ~~**the holding**~~ **agricultural areas**, whether it is located in an area with natural or specific constraints as referred to in Article 8 of

[4] As designed under Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1, ELI: http://data.europa.eu/eli/dir/1991/676/oj).

Commission proposal	MS drafting suggestions and comments
Regulation [Support for disadvantages resulting from certain mandatory requirements];	Regulation (EU) 202/XXXX [CAP Regulation][Payment for natural or other area-specific constraints], in a nitrate vulnerable zone[5], in Natura 2000 area as referred to in Article 9 of that Regulation [Support for disadvantages resulting from certain mandatory requirements]; DE (Comments): Replace “holding” by “agricultural areas”. What is geolocation of the holding? Stables? Houses? Areas? Animals? Expl. Number 3 (in the Drafting suggestions): As designed under Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1, ELI: http://data.europa.eu/eli/dir/1991/676/oj). ES (Comments): For CAP interventions (Article 63(1)(a)(viii), second indent), the geolocation of the holding and its location in areas with natural constraints, nitrate-vulnerable zones or Natura 2000 sites is requested. Clarification is requested as to what the Commission intends by this

[5] As designed under Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1, ELI: http://data.europa.eu/eli/dir/1991/676/oj).

Commission proposal	MS drafting suggestions and comments
	requirement: would all shareholders or members of a cooperative or agricultural company have to be listed? Such a requirement would create a considerable administrative burden. FR (Comments): La place de cette disposition dans le Règlement PPNR ou le règlement PAC sectoriel devra par ailleurs être discutée. HU (Comments): CAP related points of this article should be moved to the CAP regulation IE (Drafting suggestions): geolocation of the holding **as applicable**, whether it is located in an area with natural or specific constraints as referred to in Article 8 of Regulation (EU) 202/XXXX [CAP Regulation][Payment for natural or other area-specific constraints], in a nitrate vulnerable zone[6], in Natura 2000 area as referred to in Article 9 of that Regulation [Support for disadvantages resulting from certain mandatory requirements];

[6] As designed under Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1, ELI: http://data.europa.eu/eli/dir/1991/676/oj).

Commission proposal	MS drafting suggestions and comments
	IE (Comments): **<u>“this provision is amended to provide for ‘as applicable’</u>** SE (Comments): SE is of the opinion that it needs to be clarified whether "Natura 2000 area" refers to the entire agricultural holding or only parts of it. It may be more difficult to define this meaningfully at farm level compared to the other types of areas, as Natura 2000 often consists of small and fragmented parcels.
• the type of farming[7], whether the holding is farmed organically[8], the total number of hectares of arable land, of permanent grassland area, with permanent crops, on which no agricultural	AT (Drafting suggestions): • ~~the type of farming,~~ whether the holding is farmed organically, the total number of hectares of arable land, of permanent grassland area, with

[7] As defined in the Union typology for holdings referred to in Article 5b of Council Regulation (EC) No 1217/2009 of 30 November 2009 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Community (OJ L 328, 15.12.2009, p. 27, ELI: http://data.europa.eu/eli/reg/2009/1217/oj).

[8] As laid down in Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/848/oj).

Commission proposal	MS drafting suggestions and comments
activity is performed but which are eligible, the total number of hectares subject to stewardship, out of which protected practices;	permanent crops, ~~on which no agricultural activity is performed but which are eligible,~~ the total number of hectares subject to stewardship, out of which protected practices; ES (Comments): Clarification is requested on how to report holdings that are only partly organic. FI (Drafting suggestions): the type of farming5, whether the holding is farmed organically6, the total number of hectares of arable land, of permanent grassland area in **Natura 2000 area,** ~~with~~ **the total number of hectares of** permanent crops, **the total number of hectares of** on which no agricultural activity is performed but which are eligible, the total number of hectares subject to stewardship, out of which protected practices; FI (Comments): Sub-categories for agricultural areas, i.e. permanent grassland and permanent plants have not been defined. Still, they must be reported. So, what is reported and why? This reporting requirement is neither limited to

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Commission proposal	MS drafting suggestions and comments
	permanent grassland in Natura 2000 area. Thus, there is difference between this reporting requirement and Annex I of CAP Regulation. FR (Comments): la place de cette disposition dans le Règlement PPNR ou le règlement PAC sectoriel devra par ailleurs être discutée. HU (Comments): CAP related points of this article should be moved to the CAP regulation IE (Drafting suggestions): the type of farming[9] **as applicable**, whether the holding is farmed organically[10], the total number of hectares of arable land, of permanent grassland area, with permanent crops, on which no agricultural activity is

[9] As defined in the Union typology for holdings referred to in Article 5b of Council Regulation (EC) No 1217/2009 of 30 November 2009 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Community (OJ L 328, 15.12.2009, p. 27, ELI: http://data.europa.eu/eli/reg/2009/1217/oj).

[10] As laid down in Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/848/oj).

Commission proposal	MS drafting suggestions and comments
	performed but which are eligible, the total number of hectares subject to stewardship, out of which protected practices; IE (Comments): **“this provision is amended to provide for ‘as applicable’** IT (Drafting suggestions): the type of farming[11], whether the holding is farmed organically[12], the total number of hectares of arable land, of permanent grassland area, with permanent crops, **hectars** on which no agricultural activity is performed, but which are **still** eligible **hectars**, the total number of hectares subject to stewardship, out of which protected practices IT (Comments):

[11] As defined in the Union typology for holdings referred to in Article 5b of Council Regulation (EC) No 1217/2009 of 30 November 2009 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Community (OJ L 328, 15.12.2009, p. 27, ELI: http://data.europa.eu/eli/reg/2009/1217/oj).

[12] As laid down in Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/848/oj).

Commission proposal	MS drafting suggestions and comments
	We propose to resume the wording used in the Regulation (EU) 2022/1475, which is clearer NL (Drafting suggestions): • the type of farming , whether the holding is farmed organically , the total number of hectares of ~~arable land, of permanent grassland area, with permanent crops, on which no agricultural activity is performed but which are eligible~~ **agricultural area**, the total number of hectares subject to stewardship, out of which protected practices; NL (Comments): To bring it in line with the simplification of definitions of Article 4 in which arable land, permanent grassland and permanent crops have disappeared.
(b) on the recipient and the final recipient:	IE (Comments): **Clarify level of detail required (e.g. member names etc?)** LT

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): (b) on recipient and final recipient, **except for the Interreg projects:** LT (Comments): Pateiktite paaiškinimą
(i) whether the recipient or the final recipient is a natural or legal person and in case of a legal person, whether it is a public or a private law body;	IE (Drafting suggestions): (i) whether the recipient or the final recipient is a natural or legal person and in case of a legal person, whether it is **in law** a public or a private ~~law~~ body; IE (Comments): **This provision is amended to correct terminology regarding legal status of the body**
(ii) in the case of a legal person, the recipient's or the final recipient's full legal name and their VAT identification number or tax identification number where available or another unique identifier established at	DE (Comments):

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Commission proposal	MS drafting suggestions and comments
country level, and in the case of a natural person, the first and last name of the recipient, the date of birth and the tax identification number where available or another unique identifier;	At minimum, we need the flexibility to use other identifiers than the tax ID. It would be best if data collection requirements would correspond to what is required for the transparency register.
(iii) for financial instruments concerning interventions supporting the Common Agricultural Policy implemented under shared management, gender, whether the final recipient is a farmer, a forest holder, a young farmer, a newly-set-up business, and the number of contracts signed between the final recipient and the bank;	EE (Drafting suggestions): (iii) for financial instruments concerning interventions supporting the Common Agricultural Policy implemented under shared management, gender, whether the final recipient is a farmer, a forest holder, a young farmer, a newly-set-up business, and **<u>if needed</u>** the number of contracts signed between the final recipient and the bank**;** EE (Comments): There should be now additional requirements for financial instruments under CAP compared to other financial instruments under NRP, that are not specifically needed for effective implementation. It does not seem reasonable to ask for information regarding number of contracts signed between the final recipient and the bank. The number of loan contracts and their content should be asked only if needed.

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Commission proposal	MS drafting suggestions and comments
	FI (Comments): Does this really require (in the case of contractors) that all information on the contractor's previous contracts should be recorded? This may result in a significant administrative burden for both authorities and applicants and increase the costs of developing IT systems. What is the value added of this information? FR (Comments): La place de cette disposition dans le Règlement PPNR ou le règlement PAC sectoriel doit être discutée. IE (Comments): **LEADER is listed in Article 35 (1) CAP Interventions, therefore a CAP Beneficiary cannot solely be considered as a farmer or forest holder, it must include other beneficiaries, consideration should be given to include natural or legal person, public or private body in this list.** NL (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	for financial instruments concerning interventions supporting the Common Agricultural Policy implemented under shared management, gender, whether the final recipient is a farmer, a forest holder, a young farmer, a newly-set-up business, ~~and the number of contracts signed between the final recipient and the bank;~~ NL (Comments): That would lead to a stark increase in administrative burden.
(iv) the locality of the recipient or the final recipient, namely the address of the recipient when the recipient or the final recipient is a legal person; the region on NUTS 2 level when the recipient or the final recipient is a natural person and is domiciled in the Union or the country when the recipient or the final recipient is a natural person and is not domiciled in the Union;	
(v) information on all beneficial owners of the recipient or the final recipient, if any, as defined in Article 3(6) of Directive (EU) 2015/849, namely first name(s) and last name(s), date(s) of birth and VAT	DE (Comments):

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Commission proposal	MS drafting suggestions and comments
registration number(s) or tax identification number(s) where available or another unique identifier at country level;	At minimum, we need the flexibility to use other identifiers than the tax ID. It would be best if data collection requirements would correspond to what is required for the transparency register. FR (Drafting suggestions): (v) information on all beneficial owners of the recipient or the final recipient, if any, as defined in Article 3(6) of Directive (EU) 2015/849, namely first name(s) and last name(s), date(s) of birth and VAT registration number(s) or tax identification number(s) where available or another unique identifier at country level; **Member States may comply with this requirement by using the data stored in the registers as referred to in Article 30 of Directive (EU) 2015/849.** FR (Comments): Par soucis de simplification et de réduction de la charge administrative, les États membres devraient être autorisés à se conformer à leur obligation en matière de collecte d'information sur les bénéficiaires effectifs en utilisant uniquement les données stockées dans les registres des bénéficiaires. La date de naissance, le numéro TVA et le numéro d'identification fiscal ne sont pas disponibles dans les registres des

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Commission proposal	MS drafting suggestions and comments
	bénéficiaires effectifs des Etats membres. Par conséquent, il est souhaitable de reprendre uniquement les données disponibles dans les registres des bénéficiaires effectifs. Le règlement 2021/1060 qui encadre les fonds de la politique de cohésion pour la période 2021/2027, offrait cette possibilité de collecte des données en reprenant les données des registres. IE (Comments): **The collection of some of these identifiers may be considered excessive under GDPR.** LT (Drafting suggestions): (v) information on all beneficial owners of the recipient or the final recipient, if any, as defined in Article 3(6) of Directive (EU) 2015/849, namely first name(s) and last name(s), date(s) of birth and VAT registration number(s) or tax identification number(s) where available or another unique identifier at country level; **Member States may comply with this requirement by using the data stored in the registers as referred to in Article 30 of Directive (EU) 2015/849, provided a unique identification number is included**

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Commission proposal	MS drafting suggestions and comments
(vi) the amount of Union contribution committed, the indication of the associated measure under the Plan and the operation's identifier.	FR (Drafting suggestions): ~~vi) the amount of Union contribution committed, the indication of the associated measure under the Plan and the operation's identifier.~~ FR (Comments): Les coûts sont déterminés à l'échelle de la mesure, ils ne peuvent pas être fournis au niveau de chaque récipiendaire.
(c) on the contractor:	AT (Comments): If the information does relate to suppliers of the beneficiaries, then for the sake of simplification, it should be clarified in points (c) and (d) that when simplified cost options and "finance not linked to costs" (FNLC) approaches are applied, suppliers (point (c)) and subcontractors (point (d)) are not to be included. EE (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	(c) on the contractor, **except for indirect costs and exclusively in relation to public procurement procedures exceeding the Union thresholds:** EE (Comments): We suggest continuing the same practice as during the 2021-2027 programming period, i.e. provide details on contractors, their beneficial owners, and contracts only when Union procurement rules apply and thresholds are exceeded. According to QA00270 during the 2021-2027 programming period the Commission has clarified that, for Funds covered by the CPR, managing authorities do not have to record and store electronically data on contractors, their beneficial owners, contracts and sub-contractors in fields 23 and 24 of Annex XVII CPR for indirect costs covered by any type of SCOs, i.e., unit cost, lump sum, flat rate under the CPR. Changing the practice and collecting additional data on all contracts, including those related to indirect costs, in the new funding period increases remarkably the administrative burden for beneficiaries. The potential benefit (i.e. information about even the smallest contracts) would be minimal, if any. FI

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Commission proposal	MS drafting suggestions and comments
	(Drafting suggestions): (c) on the contractor, **required where public procurement procedures above the Union thresholds are concerned**: FI (Comments): The requirement should be limited to public procurement procedures above the Union thresholds to avoid excessive administrative burden Alternative to amend this article/para: Definition of 'contractor' in article 4 should be amended: 'contractor' means an entity or a natural person with whom the beneficiary or the recipient enters into a contract **above thresholds set in Union or national law on public procurement** for the specific purpose of implementing one or more operations or a part thereof. If not, this point should be amended to include mention of contractor in the meaning of Union/national public procurement legislation. HR (Comments): **HR asks for clarification** in what way would we collect information about contractors if there is no need to check underlying expenditure. How could

Commission proposal	MS drafting suggestions and comments
	we know that information provided is accurate or relevant? Shouldn't we be focused on achievements of targets? LT (Drafting suggestions): (c) on the contractor, **except for Interreg projects:** LT (Comments): To apply this new requirement for every type of projects/operations would be excessive collection of redundant data in projects, also it would cause an extremely high administrative burden for project implementers and require expensive IT solutions for data systems of the programmes. MT (Comments): These requirements should not be applicable to Aid Schemes as well as investments governed by Article 35 of this Regulation (CAP investments). SE (Drafting suggestions): on the contractor**, <u>where public procurement procedures above the Union thresholds are concerned</u>**:

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Commission proposal	MS drafting suggestions and comments
	SE (Comments): SE believes that the requirements in Article 63(1) (c) and (d) to collect data on contractors and subcontractors may affect the ambition for simplification. A response in a questions and answers document from the Commission on 2 October 2025 states that there will be no lower limit for when this data should be collected. In this case, there will be a difference compared to today´s regulation (CPR Annex XVII), where the corresponding requirements only apply when contracting authorities have made purchases above the EU thresholds in accordance with the national regulation in Sweden (the Swedish public procurement act (LOU)). SE therefore believes that it is more desirable to have a limit from the threshold value upwards in the same way as applies to current programs in order to limit the administrative burden. SI (Drafting suggestions): on the contractor~~:~~ **only where public procurement procedures above the Union thresholds are concerned and where simplified cost options are not used for the costs of the contractor:** SI

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Commission proposal	MS drafting suggestions and comments
	(Comments): According to the current regime (Regulation (EU) 2021/1060), data on the beneficial owners of the contractors and subcontractors are collected only in the case of beneficiaries who are obliged to public procurement. It is important to make it clear also in NRPP. We believe that there would be a significant additional administrative burden in the case when the data should be collected for all contractors of every beneficiary. We believe that the implementation of such provision may pose a major problem for beneficiaries who are not subject / obliged to public procurement, as they do not have the appropriate legal basis to request information from their contractors and may therefore have difficulties in engaging contractors. In addition, it is important to make it clear that the data don´t have to be collected when SCOs are used. Otherwise, the use of SCOs will not be possible, as the beneficiaries will still have to report costs and other data on their contractors.
(i) the name and VAT registration or tax identification number;	AT (Drafting suggestions): (i) the name, VAT registration or tax identification number, **or another unique identifier established at country level**"

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	AT (Comments): See comment lit. a (iii) DE (Drafting suggestions): (i) the name and VAT registration or tax identification number **or another unique identifier**; DE (Comments): At minimum, we need the flexibility to use other identifiers than the tax ID. It would be best if data collection requirements would correspond to what is required for the transparency register. SK (Drafting suggestions): (i) the name and VAT registration or tax identification number **or another unique identifier established at country level**; SK (Comments):

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	We request to extend the VAT registration by another parameter, as mentioned under a) and b).
(ii) information on all beneficial owners of the contractor, if any, as defined in Article 3(6) of Directive (EU) 2015/849, namely first name(s) and last name(s), date(s) of birth and VAT registration number(s) or tax identification number(s) where available or another unique identifier at country level;	BG (Drafting suggestions): **<u>If public the procurement procedure is above the Union threshold,</u>** information on all beneficial owners of the contractor, if any, as defined in Article 3(6) of Directive (EU) 2015/849, namely first name(s) and last name(s), date(s) of birth and VAT registration number(s) or tax identification number(s) where available or another unique identifier at country level BG (Comments): We believe that only substantial data for the purposes of monitoring, evaluation, financial management verifications and audits should be reported regularly from MS. With reference to the information of contracts and data of beneficial owners of the contractors, regardless are they under the threshold of the relevant Public Procurement Directive, we believe that there is a room for avoidance of unnecessary burden, in line

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	with the approach of the current CPR in force (see ANNEX XVII to art. 72, requirement 23). FR (Drafting suggestions): (ii) information on all beneficial owners of the contractor, if any, as defined in Article 3(6) of Directive (EU) 2015/849, namely first name(s) and last name(s), date(s) of birth and VAT registration number(s) or tax identification number(s) where available or another unique identifier at country level; **Member States may comply with this requirement by using the data stored in the registers as referred to in Article 30 of Directive (EU) 2015/849.** FR (Comments): Par soucis de simplification et de réduction de la charge administrative, les États membres devraient être autorisés à se conformer à leur obligation en matière de collecte d'information sur les bénéficiaires effectifs en utilisant uniquement les données stockées dans les registres des bénéficiaires. La date de naissance, le numéro TVA et le numéro d'identification fiscal ne sont pas disponibles dans les registres des bénéficiaires effectifs des Etats membres. Par conséquent, il est

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	souhaitable de reprendre uniquement les données disponibles dans les registres des bénéficiaires effectifs. Le règlement 2021/1060 qui encadre les fonds de la politique de cohésion pour la période 2021/2027, offrait cette possibilité de collecte des données en reprenant uniquement les données des registres. IE (Comments): **The collection of some of these identifiers may be considered excessive under GDPR.** LT (Drafting suggestions): (ii) information on all beneficial owners of the contractor, if any, as defined in Article 3(6) of Directive (EU) 2015/849, namely first name(s) and last name(s), date(s) of birth and VAT registration number(s) or tax identification number(s) where available or another unique identifier at country level; **Member States may comply with this requirement by using the data stored in the registers as referred to in Article 30 of Directive (EU) 2015/849, provided a unique identification number is included.**
	BE

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	(Drafting suggestions): **The Member States shall be connected to BORIS to facilitate the collection of the above mentioned data.**
(iii) information on all contracts, namely name, date, reference, contract amount and any relevant identifier or identification number;	AT (Comments): What exactly is meant by contracts? Could you please provide examples? FI (Drafting suggestions): (iii) information on all contracts **above thresholds set in Union or national law on public procurement**, namely name, date, reference, contract amount and any relevant identifier or identification number LT (Drafting suggestions): (iii) information on all **project related** contracts, namely name, date, reference, contract amount and any relevant identifier or identification number; RO (Drafting suggestions):

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	information on ~~all~~ contracts, namely name, date, reference, contract amount and any relevant identifier or identification number; RO (Comments): Information on the contracts cannot be exhaustive – reference is possible to contracts under NRP Plan SK (Drafting suggestions): (iii) information on **the**~~all~~ contract**s**, namely name, date, reference, contract amount and any relevant identifier or identification number; SK (Comments): The requirement to provide information on all contracts under "contractor" suggests an obligation to record data for all contractor contracts, not only those related to NRPP operations.
(iv) indication of the associated measure under the Plan with the measure's sequence number and operation's identifier.	
	BE

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	(Drafting suggestions): **This information on the contractor shall not be required for actions under the simplified cost option.** **The information referred to in subparagraph c of this Article shall be required only where the value of public procurement is greater than the Union thresholds set out in Article 4 of Directive 2014/24/EU of the European Parliament and of the Council.**
(d) on the subcontractor:	EE (Drafting suggestions): (d) on the subcontractor, **except for indirect costs and only where information is recorded on a contractor under point c at the first level of sub-contracting and only for sub-contracts above EUR 50 000 total value** EE (Comments): We suggest continuing the same practice as during the 2021-2027 programming period, i.e. provide details on contractors, their beneficial owners, and contracts only when Union procurement rules apply and thresholds are exceeded. According to QA00270 during the 2021-2027 programming period the Commission has clarified that, for Funds

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	covered by the CPR, managing authorities do not have to record and store electronically data on contractors, their beneficial owners, contracts and sub-contractors in fields 23 and 24 of Annex XVII CPR for indirect costs covered by any type of SCOs, i.e., unit cost, lump sum, flat rate under the CPR. Changing the practice and collecting additional data on all contracts, including those related to indirect costs, in the new funding period increases remarkably the administrative burden for beneficiaries. The potential benefit (i.e. information about even the smallest contracts) would be minimal, if any. FI (Drafting suggestions): (d) on the subcontractor, **required where public procurement procedures above the Union thresholds are concerned:** (d) on the subcontractor**, where total value of the sub-contract exceeds 50 000 euro in a contract above thresholds set in Union or national law on public procurement**: FI (Comments): The requirement should be limited to public procurement procedures above the Union thresholds to avoid excessive administrative burden

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	Only in case of contracts above thresholds set in Union or national law on public procurement and subcontracts of above 50 000 euro. HR (Comments): **HR asks for clarification** in what way would we collect information about contractors if there is no need to check underlying expenditure. How could we know that information provided is accurate or relevant? Shouldn't we be focused on achievements of targets? LT (Drafting suggestions): (d) on the subcontractor, **except for Interreg projects:** LT (Comments): To apply this new requirement for every type of projects/operations would be excessive collection of redundant data in projects, also it would cause an extremely high administrative burden for project implementers and require expensive IT solutions for data systems of the programmes. MT (Comments):

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	These requirements should not be applicable to Aid Schemes as well as investments governed by Article 35 of this Regulation (CAP investments). SE (Drafting suggestions): on the subcontractor**, <u>where information is recorded on a contractor under 1 (c), and only for sub-contracts above EUR X total value</u>**: SE (Comments): Please see comment on (c). X should be defined in the Regulation. SI (Drafting suggestions): on the subcontractor~~:~~ **<u>only where public procurement procedures above the Union thresholds are concerned and where simplified cost options are not used for the costs of the contractor:</u>** SI (Comments): Same comment as for point c).
(i) the name, VAT registration or tax identification number;	AT

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	(Drafting suggestions): (i) the name, VAT registration or tax identification number, **or another unique identifier established at country level**" AT (Comments): See comment lit. a (iii) and c (i) SK (Drafting suggestions): (i) the name, VAT registration or tax identification number **or another unique identifier established at country level**; SK (Comments): We request to extend the VAT registration by another parameter, as mentioned under a) and b).
(ii) information on the sub-contract, namely name, date, reference, contract amount and any relevant identifier or identification number;	FI (Drafting suggestions):

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	(ii) information on the sub-contract **total value of which exceeds 50 000 euro**, namely name, date, reference, contract amount and any relevant identifier or identification number;
(iii) indication of the associated measure and operation under the Plan with the measure's sequence number and operation's identifier.	
	BE (Drafting suggestions): **This information shall not by required for actions under the simplified cost option.** **The required information under this subparagraph shall be required only:** **(a) for the first level of sub-contracting;** **(b) where that information is recorded regarding the respective contractor; and** **(c) for sub-contracts with a total value greater than EUR 50 000.** **If the contractor is from a third country, the Managing Authority shall make every effort to collect this information but shall strive to an obligation of means rather than an obligation of result.**

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(e) on the operation:	FI (Comments): Are reform-type measures implemented by the MS operations? If yes, reference to calls for proposals/tenders in point iii and references to date of application and document setting out conditions for support in point iv, v and viii are problematic
(i) name and unique identifier and geolocation of the operation or, for mobile operations, operations implemented in the cloud or operations covering several locations, the location of the beneficiary;	MT (Comments): MT seeks clarification on the requirement referring to the geolocation requirement. Given Malta's small geographic size, the publication of geolocation data offers limited additional transparency, and MT therefore questions the proportionality and added value of requiring such information in this context.
(ii) short description and objectives of the operation, with the exception of the CAP interventions referred to in Article 35(1), points (a) to (g), (o) and (p);	FI (Drafting suggestions):

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	short description and objectives of the operation, with the exception of the CAP interventions referred to in Article 35(1), points (a) to (g), (o) and (p) **and 35(11).** FI (Comments): There is an exemption concerning small farmers (CAP). Why there is no relief for small-scale fishermen? LU (Comments): **Art. 27 §6 of the CMO proposal makes reference to art. 63 1e) but is not mentioned in §6e ii). In any case, we are also of the opinion that school schemes should not be included in the obligations of this article.**
(iii) unique identifier of the call(s) of proposals and tenders under which the operation was selected and the related information in accordance with Article 12(4) of Regulation (EU) [Performance Regulation];	FR (Drafting suggestions): iii) **Where applicable**, unique identifier of the call(s) of proposals and tenders under which the operation was selected and the related

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	information in accordance with Article 12(4) of Regulation (EU) [Performance Regulation]; FR (Comments): La proposition de règlement actuelle n'impose pas la publication d'appels à propositions et d'appels d'offres afin de sélectionner les opérations.
(iv) date of submission of the application for funding and date of the document setting out the condition for support;	
(v) amount of Union contribution as set out in the document setting out the conditions for support;	AT (Comments): See comment lit. a (v) FR (Drafting suggestions): ~~(v) amount of Union contribution as set out in the document setting out the conditions for support;~~ FR

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	(Comments): Cette disposition apparaît contraire à la logique de performance et l'absence de contrôle par les coûts.
(vi) amount paid out to the beneficiary for the operation;	FI (Comments): total amount or Union contribution? Does "paid out to" include using national budget without any payments occurring for beneficiaries (that are MS Authorities?) FR (Drafting suggestions): ~~(vi) amount paid out to the beneficiary for the operation;~~ FR (Comments): Même commentaire. LT (Drafting suggestions): amount paid out to the beneficiary **or, in case of Interreg, the lead beneficiary,** for the operation;

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	LT (Comments): Lead beneficiary principle applied for Interreg projects.
(vii) co-financing rate applicable to the associated Chapter of the Plan and, where applicable, additional national financing;	AT (Comments): Why is reference made here to the co-financing rate of the chapter and not of the measure where it is specified (cf. Art. 20)? Does this refer to the budget line? FI (Comments): Does co-financing rate of a chapter refer to an average of measures included in said chapter (measures can have varying co-financing rates)?
(viii) start date and end date of the operation as indicated in the document setting out the conditions for support;	EE (Drafting suggestions):

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	(viii) start date and end date of the operation as indicated in the document setting out the conditions for support **which have been updated according to the actual situation**; EE (Comments): From two separate points (viii and ix), it can be understood that both dates (the initially planned dates and the actual dates) will remain available on the website. We consider it reasonable that, if the project period changes, only the actual date is relevant from the perspective of data collection and publication. MT (Comments): MT notes these two requirements (viii and ix) to indicate both the *"end date in the support document"* and the *"actual physical completion date."* MT is concerned that differences between these two dates could be interpreted negatively or create misalignment during audits or reporting. Clarification is therefore requested on how such discrepancies will be assessed to ensure that legitimate administrative or implementation delays do not result in adverse findings against the Member State.

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(ix) actual date when the operation is physically completed or fully implemented;	FR (Drafting suggestions): (ix) **<u>If different</u>**, actual date when the operation is physically completed or fully implemented; FR (Comments): La date réelle de fin de réalisation de l'opération est le plus souvent identique à la fin date prévue dans le document visé au point (viii). L'ajout permet de ne pas collecter deux fois la même information. EE (Drafting suggestions): ~~(ix) actual date when the operation is physically completed or fully implemented~~; EE (Comments): Please see previous row viii, column Comments
(x) currency of the operation as set out in the document setting out the condition for support;	

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(xi) unique identifier of the Plan under which the operation is supported;	
(xii) information on whether the operation is with the participation of a third country or takes place in a third country; if so, identification of that third country;	
(xiii) sequence number of the measure, milestone and target, intervention field and performance indicators pursuant to Article 14 of Regulation [Performance Regulation] to which the operation contributes and the progress in achievements and for each indicator;	FI (Drafting suggestions): (xiii) sequence number of the measure, milestone and target, intervention field and performance indicators pursuant to Article 14 of Regulation [Performance Regulation] to which the operation **is expected to contribute** ~~contributes~~ and the progress in achievements and for each indicator; FI (Comments):

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	Milestones and targets are not set at the level of operation, but for measures. Therefore not all operations eventually contribute to milestones and targets. RO (Drafting suggestions): (xiii) sequence number of the measure, milestone and target, intervention field and performance indicators pursuant to Article 14 of Regulation [Performance Regulation] to which the operation contributes and the progress in achievements ~~and~~ for each indicator; RO (Comments): For the clarity of the text
(xiv) for CAP interventions referred to in Article 35(1): the eligible area, the farming practices covered where applicable, whether this farming practice is newly implemented, the agricultural sector, group of farmers or area targeted, the type of area supported the area or number of animals or capital insured, the category of investments, the type of training;	AT (Drafting suggestions): (xiv) for CAP interventions referred to in Article 35(1): the eligible area, the farming practices covered where applicable, ~~whether this farming practice is newly implemented,~~ the agricultural sector, group of farmers or area targeted, the type of area supported the area or number of

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	animals or capital insured, the category of investments, the type of training; AT (Comments): There are several reasons why it is asked for the deletion of the new data collection requirement “whether this farming practice is newly implemented”: - The requirement would have to be imposed on a parcel level, which would entail a considerable administrative burden for farmers and authorities. - It is unclear, at what point a measure is considered “newly” As the Commission explained in its presentation, it would like to collect this data in order to improve the assessment of environmental and climate benefits and to better grasp funding additionality. For us, this indicates a connection to the highly questionable “rough estimates on GHG emissions tool” (as well as carbon farming/nature credits). In this context, we can say that our experiences to date has shown that this information would still not lead to a correct calculation of GHG emissions (or soil carbon content). Much more complex considerations of land management are necessary for this, that cannot be carried out on the basis of funding

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	information alone. In this respect, we do not see any added value in the collection of this data, but rather a great risk of misinterpretation, miscalculation and added administrative effort. FR (Drafting suggestions): for CAP interventions referred to in Article **35(1) (a) to (g) , (i) and (j)**: the eligible area, the farming practices covered where applicable, whether this farming practice is newly implemented, the agricultural sector, group of farmers or area targeted, the type of area supported the area or number of animals or capital insured, the category of investments, the type of training. FR (Comments): La place de cette disposition dans le Règlement PPNR ou le règlement PAC sectoriel doit être discutée. EE (Drafting suggestions): (xiv) for CAP interventions referred to in Article 35(1) **if applicable**: the eligible area, the farming practices covered where applicable, whether this farming practice is newly implemented, the agricultural sector, group

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	of farmers or area targeted, the type of area supported the area or number of animals or capital insured, the category of investments, the type of training; EE (Comments): Article 35 (1) also states interventions like LEADER, rural businesses and start-ups. FI (Comments): Is it really question about whether a certain farmer has insurance for certain animals and area? It would be an expensive project to start collecting this information from several commercial insurance companies. Also, insurance information is a business secret. Would information provided by the farmer himself be sufficient to establish the existence of the insurance? What is meant by the 'newly implemented', is it sector-specific or operator-specific data? What is meant by the 'investment category'? HU (Comments): CAP related points of this article should be moved to the CAP regulation

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	IE (Comments): “this provision is amended to provide for ‘as applicable’ LEADER is listed in Article 35 (1) CAP Interventions, this list is too descriptive towards farmers only, consideration should be given to include category of investments in economic development, job creation, rural infrastructure, sustainable development and climate change SE (Comments): Is” farming practices”, farming practices according to the JRC clarification (Article 36.1e)?
(xv) information on whether the financial instrument is combined with programme support in the form of grants within the meaning of Article 71;	
(xvi) information on whether the financial instrument operation is implemented across consecutive programming periods concerned below:	CZ (Drafting suggestions):

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the 2021-2027 programming period and post- the 2027-2034 programming period;	(xvi) information on whether the financial instrument operation is implemented across consecutive programming periods concerned below: the 2021-2027 programming period and post- the 202~~7~~**8**-2034 programming period; CZ (Comments): CZ - Correction of a typographical error. PL (Drafting suggestions): (xvi) information on whether the financial instrument operation is implemented across consecutive programming periods concerned below: the 2021-2027 programming period and post- the 202~~7~~**8**-2034 programming period; PL (Comments): It should be “2028” instead of “2027”.

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(xvii) where the financial instrument is organised through a holding fund, information about the body implementing a specific fund under the holding fund	
(xviii) in relation to financial instrument operations, the amount of private and public resources mobilised in addition to the Funds, by product: loans; guarantees; equity of quasi-equity; grants within a financial instrument operation.	
(f) on Community-Led Local Development, in relation to each Local Action Group (LAG):	HU (Comments): CAP related points of this article should be moved to the CAP regulation.
(i) number of members by category, number of members in decision making by category and gender, inclusion of young people in decision-making;	FI (Comments): It is not possible nor necessary to provide this information twice per year and it should be enough to provide the data just once in the beginning of the programming period.

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	HU (Comments): CAP related points of this article should be moved to the CAP regulation
(ii) Number of actions implemented by type of beneficiary and by area, number of actions with innovation; amount of Union contribution committed and paid to actions for capacity building and preparatory actions, and for the management, monitoring and evaluation of the strategy and its animation;	AT (Drafting suggestions): (ii) Number of **operations** ~~actions~~ implemented by type of beneficiary and by **objectives/**area**s**, number of actions with innovation; amount of Union contribution committed and paid to **operations**~~actions~~ for capacity building and preparatory actions, and for the management, monitoring and evaluation of the strategy and its animation; AT (Comments): 'area' could be misunderstood in the sense of LAG´s geographical area, therefore addition of the term 'objectives' for clarification The term "actions" is not clearly defined, the regulation offers a definiton for "operations" in article 4 (9) therefore we would prefere this term EE

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	(Comments): What is meant under number of actions implemented by area? Is it meant number of actions by local action group (territory)? FI (Drafting suggestions): (ii) Number of ~~actions~~ **operations** implemented by type of beneficiary and by area, number of actions with innovation; amount of Union contribution committed and paid to actions for capacity building and preparatory actions, and for the management, monitoring and evaluation of the strategy and its animation; FI (Comments): What is capacity building here, does it mean preparing a future strategy? Or does it mean animation of the strategy? Could it be clarified that the amount paid to capacity building and preparatory actions + monitoring etc. is to be reported as one sum. It must not be required to report these separately, as it is not possible to draw a clear line between capacity building and management HU (Comments):

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	CAP related points of this article should be moved to the CAP regulation LU (Comments): How does COM understand "number of actions ... by area"? Does area refer to LAG? Or does it refer to the area in which projects have been implemented. The latter presents a challenge as software projects have a rather fluid geographical area.
(iii) Support of LAG provided for regional development, employment and social policy, or for the development of coastal and aquaculture communities;	AT (Comments): Support provided under CLLD should always contribute to regional or local development. It is unclear what specific data must be reported FI (Drafting suggestions): Support of LAG provided for ~~regional development, employment and social policy, or for the development of coastal and aquaculture communities~~ **for the implementation of the local development strategy.** FI

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	(Comments): What does this mean in practice? These categories are overlapping and no exhaustive. HU (Comments): CAP related points of this article should be moved to the CAP regulation IE (Drafting suggestions): (iii) Support of LAG provided for **ruralk** regional **and community** development, employment ~~and~~ **or** social policy**.**~~, or for the development of coastal and aquaculture communities;~~ IE (Comments): This provision is amended to provide for "rural, regional and community development, employment or social policy" may be more suitable alternative. It is unclear why coastal and aquaculture communities are specifically referred to. LU (Comments):

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	What does COM understand under "Support of LAG provided for regional development, employment and social policy ..."? These categories are not mutually exclusive, and the definition of LAG is to support regional development. This remains unclear. MT (Drafting suggestions): (iii) Support of LAG provided for regional development, employment and social policy, or for the development of coastal and aquaculture communities, ***as applicable***; RO (Comments): Paragraph 1, Point f) (iii) requires further clarification on the type of data to be collected. The current wording does not specify whether it concerns actions financed by the SDS, other forms of support (e.g. animation, operation, etc.) or the total support granted to the strategies. It would also be useful to clarify the categories mentioned (regional development, employment and social policy) and how they should be tracked, in particular in the context of the CAP-specific LEADER.

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(g) on each EIP-AGRI operational group:	HU (Comments): CAP related points of this article should be moved to the CAP regulation. FR (Comments): La place de cette disposition dans le Règlement PPNR ou le règlement PAC sectoriel doit être discutée.
(i) title of the project; project coordinator and partner(s): type of partner, name, address, email and telephone; start and end date, objectives and nature of the project; key thematic areas addressed; territorial scope, geographical location; 'practice abstract(s)' with main findings of the project; project contribution to CAP specific objectives; final report.	HU (Comments): CAP related points of this article should be moved to the CAP regulation.
(ii) if applicable, funding source(s) additional to Union contribution and cofinancing.	HU (Comments): CAP related points of this article should be moved to the CAP regulation.

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2. Member States shall make available to the Commission the information referred to in paragraph 1 two times per year via automatic data exchange arrangements.	AT (Drafting suggestions): Member States shall make available to the Commission the information referred to in paragraph 1 two times per year via automatic data exchange arrangements. **Member States shall report the variables set out in points paragraph 1 (f) only in 20[xx] and 20[xx].** AT (Comments): Reporting data twice a year for each LAG would be an unreasonable administrative burden and would not add any value compared to the existing requirement to report twice per period. BE (Drafting suggestions): Member States shall make available to the Commission the information referred to in paragraph 1 once per year ~~via automatic data exchange arrangements~~. **The principle of only-once should be followed. Data**

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	that has already been provided through other channels, for example Arachne, can therefore be excluded. BE (Comments): Question: Is point 2 applicable for the CAP ? If yes, what is requested? Disaggregated data on interventions and beneficiaries (DIB), like in Article 9-10 of Commission Implementing Regulation (EU) 2022/1475 of 6 September 2022 laying down detailed rules for implementation of Regulation (EU) 2021/2115 of the European Parliament and of the Council as regards the evaluation of the CAP Strategic Plans and the provision of information for monitoring and evaluation ? DE (Comments): Various proposals for the technical simplification of data exchange are, in principle, to be welcomed. However, this would entail a need to link different systems of the Member States with those of the EU. Sufficient time would need to be made available for this, if necessary. With regard to the objective of reducing bureaucracy, we see no need for the twice-yearly transmission of the extensive data packages. ES

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	(Comments): All the information referred to in the previous paragraph shall be made available to the Commission twice a year. Currently, under the CAP, it is submitted once (on 30 April of year N+1). Clarification is requested regarding the exact dates for data submission. FI (Drafting suggestions): Member States shall make available to the Commission the information referred to in paragraph 1 ~~two times~~ **once** per year via automatic data exchange arrangements**, or where relevant, once per financing period**. FI (Comments): For the sake of simplification, would it be sufficient to make data available to Commission once a year? What is the added value of informing the CION twice a year? In case of f.ii (members of LAGs) it should be sufficient to provide the data just in the beginning of the programming period, as is the case 2023-2027. FR (Drafting suggestions):

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	2. Member States shall make available to the Commission the information referred to in paragraph 1 ~~two times per year~~ **upon its justified request based on specific risk assessments.**~~via automatic data exchange arrangements.~~ FR (Comments): La transmission de l'ensemble des informations visées au paragraphe 1 de manière automatique deux fois par an introduirait une charge administrative disproportionnée pour les Etats membres. Il est proposé de procéder à ces transmissions sur demande expresse de la Commission dans des cas dûment justifiés. IE (Drafting suggestions): 2. Member States shall make available to the Commission the information referred to in paragraph 1 ~~two~~**nce** ~~times~~ per year via ~~automatic~~ data exchange arrangements. IE (Comments): **This provision is amended to provide for once rather than twice yearly reporting and remove the reference to 'automatic'**

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	LT (Drafting suggestions): Member States shall make available to the Commission the information referred to in paragraph 1 ~~two~~ **one** time~~s~~ per year via automatic data exchange arrangements. LT (Comments): We propose the submission of the information once in a year. Also it should be indicated the date until when the information shall be submitted, i. e. *at the latest by 31 October*. PL (Drafting suggestions): 2. Member States shall make available to the Commission the information referred to in paragraph 1, two times per year via automatic data exchange arrangements. **The Commission shall create a technical infrastructure enabling automatic, standardised data transfer by Member States.** PL (Comments):

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	Automatic data exchange between Member States and the European Commission twice a year is only possible if the European Commission is required to prepare technical solutions that enable this. SE (Comments): SE is hesitant to the requirement on automatic transfer as it imposes new and comprehensive requirements for interoperability between national systems. Could the Commission justify why we need automatic transfers to the Commission (via SFC2028) when we are only required to submit data twice a year and currently enter the data via electronic forms for equivalent reporting? If the requirement for "via automatic data exchange arrangements" could be removed, it would provide significant simplification for the authorities. Furthermore, it would be desirable to divide data into two groups, that which must be reported to the Commission, and data which must be collected but does not need to be shared with the Commission, in a similar way as today.

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3. In relation to the data referred to in paragraph 1 related to the CAP interventions , the Member States shall make available to the Commission annually at the latest by 31 October of the year N the information concerning area and animal-based payments made in claim year N-1, sectoral interventions implemented in calendar year N-1, and any other interventions as appropriate.	AT (Comments): This point should specifically apply for CAP interventions and should be formulated in such a way that it can be distinguished from paragraph 2. Harmonization of deadlines should be sought in order to avoid multiple notifications and duplication of IT work. It is very important, that all Member states use the same time periodes for the same interventions and they have to be set by the regulation (not “as appropriate”). Otherwise, any evaluation or comparison is extremely difficult. Clarification is needed if it’s the calender year or the claim year BE (Drafting suggestions): In relation to the data referred to in paragraph 1 related to the CAP interventions , the Member States shall make available to the Commission annually at the latest by 31 October of the year N**+1** the information concerning area and animal-based payments made in claim year N-1, sectoral interventions implemented in calendar year N-1, and any other interventions as appropriate. BE (Comments):

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	Questions: - What is meant by 'as appropriate'? - Why this reference not year N and year N-1 for (some) CAP interventions ? Is it consistent with the general NRP requirements (in Art 58.3 and Art 59.1.a)? - Does point 3 refer to DIB data ? (see previous comment) ES (Comments): It states that data on area- and animal-based CAP interventions relating to claim year N-1 must be made available by 31 October of year N at the latest. Confirmation is requested as to whether the claim year concerned is N-1 or whether this should read N-2. FR (Drafting suggestions): 3. In relation to the data referred to in paragraph 1 related to the CAP interventions, the Member States shall make available to the Commission annually at the latest by 3**0**~~1~~ **April** ~~October~~ of the year N the information concerning area and animal-based payments made in claim year **N-~~1~~2**, sectoral interventions implemented in calendar year **N-~~1~~2**, and …

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	FR (Comments): Dans la présente programmation PAC, l'article 15 du règlement (EU) 2022/1475 dispose que les Etats membres doivent "report the disaggregated data on interventions and beneficiaries on an annual basis, by 30 April of the year N in relation to interventions for which payments have been made in the agricultural financial year (hereinafter FY) N-1". La délégation alerte quant à la réduction du temps de consolidation des données alors que le calendrier de paiement des mesures SIGC est inchangé. En outre, la place de cette disposition dans le Règlement PPNR ou le règlement PAC sectoriel doit être discutée. HR (Comments): Please clarify through which system data related to CAP interventions is submitted - SFC or ISSAM. We believe that the scope of data for the CAP is quite extensive and given that the agricultural financial year ends on 15.10., the deadline for submitting data until 31.10. is very short. HU (Comments):

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	CAP related points of this article should be moved to the CAP regulation NL (Drafting suggestions): In relation to the data referred to in paragraph 1 related to the CAP interventions , the Member States shall make available to the Commission annually at the latest by ~~31 October of the year N~~ **30 April of the year N+1** the information concerning area and animal-based payments made in claim year N-1, sectoral interventions implemented in calendar year N-1, and any other interventions as appropriate. NL (Comments): 31 October of year N is not feasible as this coincides with the end date for declarations.
4. Member States shall set up their systems for collection of data in a digital-ready and interoperable way based on the principle that data is collected only once and re-used. Member States shall ensure that beneficiaries, recipients, final recipients, contractors and sub-contractors are to the extent possible not confronted with duplication of data requests, have access to all relevant data related to them and can easily reuse these	AT (Comments): In order to implement this in practice, it is crucial that the EU specifies uniform and binding data interface standards that enable smooth interoperability with existing national registers and databases. This is the

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data to complete and submit applications. Whenever possible, Member States shall re-use existing registers and databases.	only way to prevent parallel structures from emerging and additional administrative work from being created. Open interfaces, schema publications, code lists with EU vocabularies, Semic and Inspire, validation APIs are provided, schema versioning is provided, backward compatibility of 1 year is ensured, national identification systems are integrated and accepted on EC page. Clarification whether pull or push interfaces are provided on EC side providing error codes BE (Drafting suggestions): Member States shall set up, **where possible,** their systems for collection of data in a digital-ready ~~and interoperable way~~ based on the principle that data is collected only once and re-used. Member States shall ensure that beneficiaries, recipients, final recipients, contractors and sub-contractors are to the extent possible not confronted with duplication of data requests, have access to all relevant data related to them and can easily reuse these data to complete and submit applications. Whenever possible, Member States shall re-use existing registers and databases, **including the databases provided by the European Commission.** DE

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	(Drafting suggestions): 4. **The Commission** ~~**Member States**~~ shall set up ~~**their**~~ systems **that shall be used by Member States and regions** for collection of data in a digital-ready and interoperable way based on the principle that data is collected only once and re-used. Member States shall ensure that beneficiaries, recipients, final recipients, contractors and sub-contractors are to the extent possible not confronted with duplication of data requests, have access to all relevant data related to them and can easily reuse these data to complete and submit applications. Whenever possible, Member States shall re-use existing registers and databases. DE (Comments): This would require linking various systems of the Member States with those of the EU. We ask the COM to provide such a uniform system to be used by MS and regions. IE (Comments): **The requirement to have an interoperable system for collecting data will require significant change and/or replacement of existing systems**

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	across multiple sectors. It will result in significant additional costs, in the context of a reduced allocation for technical assistance (per NRPP Article 13) and will also take a significant time to put in place, which may impact programme implementation. **It would be worth considering in more detail how this could be managed at both union and MS level in the most cost-effective and time efficient manner.** LU (Comments): Luxembourg please for the application of the principle of proportionality in practice to 'systems for the collection of data" and reporting obligations. MT (Drafting suggestions): 4. Member States shall set up their systems for collection of data in a digital-ready and interoperable way based on the principle that data is collected only once and re-used. They shall ensure that beneficiaries, recipients, final recipients, contractors and subcontractors are to the extent possible not confronted with duplication of data requests, have access to all relevant data related to them and can easily reuse these data to complete

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	and submit applications. Whenever possible, Member States shall re-use existing registers and databases. ***Access to data shall be granted only in relation to applications that are formally submitted and deemed eligible for support and shall not extend to information generated solely for the purpose of application preparation.*** MT (Comments): MT notes the provision requiring that beneficiaries, recipients, and contractors have access to all relevant data related to them and can reuse such data to complete and submit applications. MT cautions that this provision could unintentionally encourage potential beneficiaries to submit "dummy" applications in order to trigger data collection and subsequently request access to the information generated by the Managing Authority. Such data often has commercial value and requires significant administrative effort to compile. MT therefore requests clarification and safeguards to ensure that access rights apply only to genuine applications and that managing authorities are not obliged to generate or share data beyond what is necessary for legitimate implementation purposes. PL

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	(Drafting suggestions): 4. Member States shall set up their systems for collection of data in a digital-ready and interoperable way based on the principle that data is collected only once and re-used. Member States shall ensure that beneficiaries, ~~**recipients, final recipients, contractors and sub-contractors**~~ are to the extent possible not confronted with duplication of data requests, have access to all relevant data related to them and can easily reuse these data to complete and submit applications. **4a.** Whenever possible, Member States **and the Commission** shall re-use existing **public** registers and databases. PL (Comments): Article 63(4) stipulates that Member States shall ensure wide access (at the level of beneficiaries, recipients, final recipients, contractors and subcontractors) to all relevant data concerning them and the possibility of easy reuse of such data for the purpose of completing and submitting applications. The implementation of such an obligation in practice may not be feasible or will lead to unnecessary administrative burdens particularly with regard to entities that do not use the IT systems of Member States directly

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	because they do not submit applications and their data is entered by beneficiaries. Therefore, the reference to such entities should be removed from this provision. The obligation to use existing databases and registers should apply not only to Member States, but also (and above all) to the Commission, and should include a reference to public databases and registers. We propose that the provision be amended in this respect and included as a separate paragraph. SE (Comments): Could the Commission clarify what possibilities we have at national level to use existing registers and databases to create the interoperability required by the Commission? For the level of data sharing and interoperability between authorities required by the proposal—that is, that data should be collected only once from the applicant and then, as far as possible, re-used between authorities and from existing registers—to be practically feasible, it would require extensive legal and technical development as well as coordination at national level. The requirement is challenging and,

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	depending on the level of ambition, may be difficult to meet. Against this background, SE believes that more flexibility is required. This could be achieved through gradual introduction or if part is made voluntary during the first years. SI (Drafting suggestions): 4. Member States shall set up their systems for collection of data in a digital-ready and interoperable way based on the principle that data is collected only once and re-used**, if possible**. Member States shall ensure that beneficiaries, recipients, final recipients, contractors and sub-contractors are to the extent possible not confronted with duplication of data requests, have access to all relevant data related to them and can easily reuse these data to complete and submit applications. Whenever possible, Member States shall re-use existing registers and databases.
	LT (Drafting suggestions): **5. Beneficiaries of support under the NRPP interventions shall provide to the managing authority, or other bodies delegated to perform functions on its behalf, all the information necessary for the purpose of monitoring and evaluation of the NRPP.**

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	LT (Comments): The Regulation should make it clear that beneficiaries must also be informed of their possible inclusion in the policy evaluation process through specific evaluations, and that this process is separate from marketing or other voluntary surveys. The same provision is necessary as in the regulation 2021/2115 art. 131.
5. The Commission is empowered to adopt delegated acts in accordance with Article 86 [Exercise of the delegation] to amend the data categories set out in paragraph	AT (Comments): The introduction of new categories of data collection at short notice through delegated acts should be avoided, as this would entail considerable technical and organizational effort for Member States. o Before new data categories are adopted, a technical consultation with Member States should be carried out, a data protection and impact assessment should become mandatory, and sufficient lead times (at least 12–18 months) should be granted for implementation in national IT systems. o Changes to data interfaces must be clearly specified and communicated in good time to ensure the functionality of administrative and payment systems.

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	BE (Drafting suggestions): ~~The Commission is empowered to adopt delegated acts in accordance with Article 86 [Exercise of the delegation] to amend the data categories set out in paragraph~~ BE (Comments): It should be clear from the start which data should be collected and why (see general comment on this article). ES (Comments): The Commission is empowered to adopt delegated acts amending the data categories, but it is unclear to which paragraph this refers. Clarification should be made that this refers to paragraph 1. In any case, the current system using implementing acts is considered more appropriate. FI (Drafting suggestions):

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	The Commission is empowered to adopt delegated acts in accordance with Article 86 [Exercise of the delegation] to ~~amend~~ **reduce** the data categories set out in paragraph. FI (Comments): The empowerment for delegation is far too broad. Any changes during the programming period would require changes to information systems. What would be the impacts of changing the data collected during the programming period? The information added during the period does not describe the whole period. Should the Regulation be self standing to give legal certainty to the MSs? IT (Drafting suggestions): ~~5. The Commission is empowered to adopt delegated acts in accordance with Article 86 [Exercise of the delegation] to amend the data categories set out in paragraph~~ IT (Comments): Once implemented, information systems must maintain stability and cannot undergo continuous changes; adding further information to be

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	collected should not be allowed. The reference paragraph number is missing. NL (Drafting suggestions): The Commission is empowered to adopt delegated acts in accordance with Article ~~86~~ **87** [Exercise of the delegation] to amend the data categories set out in paragraph NL (Comments): In the view of NL this provision should refer to the provision on the conditions for exercise of the delegation (Article 87) instead of Article 86. PL (Drafting suggestions): ~~**5. The Commission is empowered to adopt delegated acts in accordance with Article 86 [Exercise of the delegation] to amend the data categories set out in paragraph.**~~ PL (Comments):

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	The scope of data should be specified prior to the adoption of the NRP Regulation and not in a delegated act, so that Member States are informed of the requirements as early as possible and can prepare or adapt their national IT systems. As a rule, these requirements should not be changed during the financial perspective, as such changes could disrupt the reporting model and the transparency of IT system collecting data. SE (Comments): SE is hesitant to the proposed empowerment to adopt delegated acts to amend the data categories. All relevant categories should be set out in the basic regulation in order to provide the authorities with the best possible conditions for the implementation.
	EE (Drafting suggestions): New paragraph: "**In relation to CFP interventions additional reporting requirements maybe established in the Regulation EU XX [Common Fisheries Policy]**" EE

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	(Comments): The provision is needed to ensure the continuity of CFP specific Infosys reporting.
Article 64 ***Transparency***	AT (Comments): The transparency objectives are understandable, but their practical implementation appears problematic given the tight deadlines, the scope, and the sensitivity of the data. Greater proportionality and clearer guidelines on data protection would be desirable. SI (Comments): We suggest transferring the Article in the CAP legal proposal.
1. The Member State shall, within six months of the adoption of the Council decision referred to in Article 23 [Commission proposal and Council implementing decision], ensure that a website is operational where information on support under this Regulation is available, covering the Plan's objectives, activities, available funding opportunities and achievements.	BE (Drafting suggestions): The Member State shall, within ~~six~~ **twelve** months of the adoption of the Council decision referred to in Article 23 [Commission proposal and Council implementing decision], ensure that a **website portal** ~~website~~ is operational where information on support under this Regulation is

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	available, covering the Plan's objectives, activities, available funding opportunities **public procurement information will be based on the existing websites** and achievements. **Where relevant, this portal redirects to the websites of the different managing authorities of the plan or the websites related to public procurement.** DE (Comments): We suggest to add "and regular updates on performance" to the points on which member states inform on their websites, which would be, e.g., information on the agreed percentage of the total Union allocation of the NRP Plan dedicated to the Union's climate and environmental objectives as referred to in point (r) of Article 22(2). A clarification is needed whether there can be only one website per Member State or if there can be multiple websites for the different chapters of a Plan. EE (Drafting suggestions): 1. The Member State shall, within six months of the adoption of the Council decision referred to in Article 23 [Commission proposal and Council implementing decision], ensure that a website is operational

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	where information on support under this Regulation is available, covering the **NRP** Plan's **or Interreg programme of Interreg Plan** objectives, activities, available funding opportunities and achievements. HR (Comments): Although **HR understands** that MS shall not be required to make the data publicly available where the disclosure is not permitted for reasons of security and public order but we believe, isn't it necessary to strengthen the expression in this article regarding the confidentiality in terms of defence investments like it is determined in MTR2 Regulation? IT (Comments): Six months from the adoption of the Council decision may represent an challenging deadline for the full operationalization of national portals, considering the need to integrate data from multiple managing authorities and regional information systems LT (Drafting suggestions): The Member State shall, within **one year** ~~six months~~ of the adoption of the Council decision referred to in Article 23 [Commission proposal and

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	Council implementing decision], ensure that ~~a~~ website**s are** ~~is~~ operational where information on support under this Regulation is available, covering the Plan's objectives, activities, available funding opportunities and achievements. LT (Comments): One year after the of the adoption of the Council decision should be the term to make a new website fully operational. SI (Comments): Will a Member State have the option to add links to individual policy websites to the single-entry website? SK (Drafting suggestions): The Member State shall, within six months of the adoption of the ~~**Council**~~ **Commission** decision referred to in Article 23 [Commission proposal and Council implementing decision], ensure that a website is operational where information on support under this Regulation is available, covering the Plan's objectives, activities, available funding opportunities and achievements.

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	SK (Comments): In accordance with our previous comments regarding elimination of the role of the Council in the Plan approval process.
2. The Member State shall ensure the publication of the information set out in Article 63(1) [Data collection and recording] on the website referred to in paragraph 1 of this Article, subject to the protection of personal data and the exceptions listed in paragraph 5 of this Article. The information shall be updated at least every six months.	BE (Drafting suggestions): The Member State shall ensure the publication of the information set out in Article 63(1) [Data collection and recording] on the **portal**~~websites~~ referred to in paragraph 1 of this Article, subject to the protection of personal data and the exceptions listed in paragraph 5 of this Article. The information shall be updated at least every **year** ~~six months~~. BE (Comments): What should be published is also connect to our general comment on data collection in article 63. We request a clear fiche/information document from COM with a list of all the data that is requested from Member States, with clarification why this data is collected and how COM will use this data. In this document it

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	should also be clarified which data should be published/made public and why. As long as we have no clarity on this, we reserve our position on the data transmission requirements and data publication requirements. DE (Comments): The envisaged publication by the Member State of all data to be collected pursuant to Article 63(1) of the proposal appears questionable from a data protection point of view. With regard to the objective of reducing bureaucracy, we see no need for publication obligations every six months. EE (Comments): We believe that all the data in article 63 (1) should not be published, for example the data related to natural persons. To avoid different interpretations by the MS-s it is necessary to establish concrete list of data to be published. ES (Comments): Clarification is needed on the exact information to be published. For instance, in the CAP interventions mentioned, point (a)(ix) does not exist

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	in paragraph 1. If the intention is to publish all the information listed there, it would represent an excessive amount compared with the current transparency requirements. FI (Drafting suggestions): The Member State shall ensure the publication of the information set out in Article 63(1) [Data collection and recording] on the website referred to in paragraph 1 of this Article, subject to the protection of personal data and the exceptions listed in paragraph 5 of this Article. The information shall be updated ~~at least every six months~~ **once a year or where relevant, once per financing period.** FI (Comments): How does this relate the data collection of natural persons required in the previous Article, e.g. Article 63, paragraph 1a III? Is it the idea that the data must be collected, but not all of them may be published FR (Drafting suggestions): 2. The Member State shall ensure the publication of the information set out in Article 63(1) [Data collection and recording] on the website

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	referred to in paragraph 1 of this Article, subject to the protection of personal data and the exceptions listed in paragraph 5 of this Article. The information shall be updated at least every **year** ~~six months.~~ FR (Comments): Il est proposé une actualisation annuelle afin de ne pas alourdir la charge administrative pour les Etats membres. IE (Comments): **Is performance data published based on claims submitted for reimbursement to the EU or payments made?** MT (Drafting suggestions): 2. The Member State shall ensure the publication of the information set out in Article 63(1) [Data collection and recording] on the website referred to in paragraph 1 of this Article, subject to the protection of personal data and the exceptions listed in paragraph 5 of this Article. The information shall be updated at least every six months. ***For aid schemes with a single beneficiary, as well as investments governed by Article 35 of this***

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	Regulation, publication may be limited to information relating to that beneficiary, where including supplier details would be disproportionate. MT (Comments): MT notes that the publication requirements set out in this provision are excessive in the context of aid schemes where there is only one beneficiary. In such cases, the obligation to publish not only beneficiary data but also information on their suppliers goes beyond what is necessary for transparency and creates a disproportionate administrative burden. For aid schemes, as well as investments governed by Article 35 of this Regulation the requirement should therefore stop at publication at beneficiary level, as the managing authority has no direct relationship with the beneficiary's suppliers. MT requests that an exemption or simplified approach be introduced for small-scale or single-beneficiary aid schemes. NL (Drafting suggestions): ~~The Member State shall ensure the publication of the information set out in Article 63(1) [Data collection and recording] on the website referred to in paragraph 1 of this Article, subject to the protection of personal data~~

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	~~and the exceptions listed in paragraph 5 of this Article. The information shall be updated at least every six months.~~ NL (Comments): This is a burdensome request especially in the work of filtering between personal data and exceptions. What is the added value for citizens? Focus on measures seems more logical. PL (Comments): In the context of **Art. 12 of Performance Framework Regulation** (in relation to art. 49.9 NRP Regulation), **the issue of obtaining data for the purposes of the EC's central portal (Single Gateway) requires further clarification**. Passing on all responsibilities on Member States is inconsistent with the Commission's commitment made during the recast of EU Financial Regulation (2024/2509) – according to which the Commission was to use the data submitted to its new integrated IT system (including a single tool for data mining and point-based risk assessment, known as the new Arachne) also for the purposes of fulfilling its obligations to publish information on recipients of EU funds on its "centralised website" [Articles 38 and 277 of Reg. 2024/2509]. It is

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	unclear whether the proposal on voluntary use of the Commissions IT system (including new Arachne) by Member States (as stipulated in art. 49.9 NRP Regulation) means that the Commission has abandoned its intention (as declared in joint statement attached to the EU Financial Regulation amended in 2024) to reopen renegotiate the provisions on the use of the EC's IT system in shared management? The use of the Commission's IT system (including new Arachne) should be mandatory for all institutions responsible for implementing the EU budget, regardless of the management model (direct, indirect, or shared management) as a condition for the effectiveness, traceability and transparency and to avoid the discretionary imposition of obligations by the EC on selected MS (as was the case within RRF). RO (Drafting suggestions): The Member State shall ensure the publication of the information set out in Article 63(1) [Data collection and recording] on the website referred to in paragraph 1 of this Article, subject to the protection of personal data and the exceptions listed in paragraph 5 of this Article. The information shall be updated at least every six months**. The first initial version of NRPP submitted for EC approval should be published on the**

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	available websites of the Member States and then uploaded to the website available within six months of the Plan's approval. RO (Comments): If the versions submitted (in particular prior to approval of the initial version of the PPNR) are only available on the website referred to in Article 64, the transparency objectives for the first version of the Plan submitted for EC approval cannot be achieved. SE (Drafting suggestions): 2. The Member State shall ensure the publication of the information set out in Article 63(1) [Data collection and recording] on the website referred to in paragraph 1 of this Article, subject to the protection of personal data and the exceptions listed in paragraph 5 of this Article. The information shall be updated at least ~~every six months~~ **once a year** SE (Comments): SE believes that the amendment should be made to reduce the administrative burden for the authorities.

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By way of derogation from the first subparagraph, as regards CAP interventions referred to in Article 35(1), Member States shall ensure by 31 May of the year N+1 the publication of the information referred to in Article 63(3) [Data collection and recording], with the exception of the data referred to in points (a)(iv), (a)(ix) and (e)(xiv) of paragraph 1 of that Article.	BE (Comments): We need to be allowed to keep the data format provided for in the Annex VIII of the COMMISSION IMPLEMENTING REGULATION (EU) 2022/128 of 21 December 2021 laying down rules for the application of Regulation (EU) 2021/2116 of the European Parliament and of the Council on paying agencies and other bodies, financial management, clearance of accounts, checks, securities and transparency. HU (Comments): CAP related points of this article should be moved to the CAP regulation IT (Drafting suggestions): By way of derogation from the first subparagraph, as regards CAP interventions referred to in Article 35(1), Member States shall ensure by 31 May of the year N+1 the publication of the information referred to in Article 63(3) [Data collection and recording], with the exception of the

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	data referred to in points (a)(iv), ~~(a)(ix)~~ and (e)(xiv) of paragraph 1 of that Article. IT (Comments): Point (a)(ix) does not exist
The Member State shall also ensure the publication on that website of the elements referred to in Article 12(4) of Regulation (EU) [Performance Regulation] in relation to calls for proposals and tenders under the Fund, as well as a timetable of the planned calls for proposals under the Fund, with those elements, that is updated at least two times a year.	BE (Drafting suggestions): VL: The Member State shall also ensure the publication on that website of the elements referred to in Article 12(4) of Regulation (EU) [Performance Regulation] in relation to calls for proposals and tenders under the Fund, as well as a timetable of the planned calls for proposals under the Fund, with those elements, that is updated at least two times a year. **Where relevant, this information can be published at the level of the chapters instead of the Plan in general.** FI (Drafting suggestions): The Member State shall also ensure the publication on that website of the elements referred to in Article 12(4) of Regulation (EU) [Performance

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	Regulation] in relation to calls for proposals and tenders under the Fund, as well as a timetable of the planned calls for proposals under the Fund~~,~~ ~~with those elements, that is updated at least two times a year.~~ PL (Comments): The provisions on the publication of information about calls and tenders (in the context of the "Single Gateway" rules (Article 12(4) of the Performance Framework Regulation) should be clarified. It is unclear what the scope of the published tender information should be and to which tenders this provision applies (whether it concerns all tenders or only those above the EU public procurement thresholds).
The information shall be in the official language or languages of the Member State and/or in either English, French or German, and shall remain available on the website for two years from the date of its initial publication. The data published on the website referred to in paragraph 1 shall be in a digital-ready, open, interoperable and machine-readable format, which allows data to be sorted, searched, extracted, compared and reused.	BE (Drafting suggestions): The information ~~shall~~ **can** be in the official language or languages of the Member State ~~and~~/or in either English, French or German, and shall remain available on the website for two years from the date of its initial publication. ~~The data published on the website referred to in paragraph 1 shall be in a digital-ready, open, interoperable and machine-readable~~

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	~~format, which allows data to be sorted, searched, extracted, compared and reused.~~ BE (Comments): Requirements for format of data seems too technical and far-reaching for the regulation. Could be clarified in an implementing act. EE (Drafting suggestions): The information shall be in the official language or languages of the Member State **~~and/or in either English, French or German,~~** and shall remain available on the website for two years from the date of its initial publication. The data published on the website referred to in paragraph 1 shall be in a digital-ready, open, interoperable and machine-readable format, which allows data to be sorted, searched, extracted, compared and reused. EE (Comments): It is sufficient to publish the data in official language of the MS only as languages of all Member States are official languages of the EU. FI

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	(Drafting suggestions): The information shall be **at least** in the official language or languages of the Member State ~~**and/or in either English, French or German**~~… The information shall be in the official language or languages of the Member State ~~and/or in either English, French or German,~~ and shall remain available on the website for two years from the date of its initial publication. The data published on the website referred to in paragraph 1 shall be**, if possible**, in a digital-ready, open, interoperable and machine-readable format, which allows data to be sorted, searched, extracted, compared and reused. FI (Comments): No additional administrative burden should be required. The Commission may publish translated information on Commission's website in line with Financial Regulation Art 38 (1). What purpose is there to limit which languages other than official MS language(s) the web site is published in? IT (Drafting suggestions):

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	The information shall be in the official language or languages of the Member State and/or **in other official languages of the EU** either English, French or German, and shall remain available on the website for two years from the date of its initial publication. The data published on the website referred to in paragraph 1 shall be in a digital-ready, open, interoperable and machine-readable format, which allows data to be sorted, searched, extracted, compared and reused. LV (Drafting suggestions): The information shall be in the official language or languages of the Member State and/or in either English, French or German, and shall remain available on the website for **at least** two years from the date of its initial publication. The data published on the website referred to in paragraph 1 shall be in a digital-ready, open, interoperable and machine-readable format, which allows data to be sorted, searched, extracted, compared and reused. LV (Comments):

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	We propose to define that information on the website is available for "at least" two years (otherwise it could understood that information should be deleted after two years). PL (Drafting suggestions): The information shall be in the official language or languages of the Member State **~~and/or in either English, French or German~~**, and shall remain available on the website **at least** for two years from the date of its initial publication. The data published on the website referred to in paragraph 1 shall be in a digital-ready, open, interoperable and machine-readable format, which allows data to be sorted, searched, extracted, compared and reused PL (Comments): Proposal for an amendment to be considered: due to the lack of clarity regarding the reasons for publishing the information in the three languages indicated (which, in the EC's opinion, are intended to demonstrate flexibility in this matter), this seems excessive.

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	Doubts arise as to whether the information is to be available for 2 years and is to be deleted, or whether it can be available for more than 2 years. In such a situation, it should be "at least for two years. RO (Drafting suggestions): The information shall be in the official language or languages of the Member State ~~and/or in either English, French or German~~, and shall remain available on the website for two years from the date of its initial publication. The data published on the website referred to in paragraph 1 shall be in a digital-ready, open, interoperable and machine-readable format, which allows data to be sorted, searched, extracted, compared and reused. RO (Comments): We consider it should be clarified what is the purpose of having the MS website available in other language than the official one(s). If the single gateway is intended to provide a centralized access to all funding sources for all stakeholders and there is no well-founded need that MS provide information in English, French or German, the potential MS obligation to translate all information into another language would involve additional

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	resources mobilized without a clearly stated purpose. Furthermore, COM replied to MS questions and explained in doc. WK 12858/2025 INIT (Subject: Performance Regulation: Commission replies to MS questions) p.92, pg.24, that `The Commission shall publish the data as referred to in paragraph 2 of Article 64 of the Regulation on National and Regional Partnership Plans on the Single Gateway. Member States will not have specific responsibilities vis-à-vis the website.
3. The Member State shall, before publication takes place in accordance with paragraph 2, inform the beneficiaries and request them to inform recipients, final recipients, contractors and subcontractors that the data will be made public.	AT (Comments): We request clarification as to what the role of the MS is here. If this means that all information on the "final recipient" must also be published, then this is viewed extremely critically BE (Drafting suggestions): ~~3. The Member State shall, before publication takes place in accordance with paragraph 2, inform the beneficiaries and request them to inform recipients, final recipients, contractors and subcontractors~~ BE

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	(Comments): Up to Member State to be in line with GDPR requirements. PT (Drafting suggestions): PT: 3. The Member State shall, before publication takes place in accordance with paragraph 2 **to ensure the publication of the information set out in Article 63(1) [Data collection and recording,]**, inform the beneficiaries and request them to inform recipients, final recipients, contractors and subcontractors that the data will be made public. PT (Comments): PT: This provision does not apply to the calls for proposals and tenders set out on paragraph 2.
4. The Commission shall publish the data as referred to in paragraph 2 of this Article on the centralised website referred to in Article 12 [Single Gateway] of the Regulation [Performance Regulation].	BE (Comments):

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	This obligation for COM should not impact the format in which Member States need to transmit data or lead to extra requirements for Member States. DE (Comments): The envisaged publication by the Member State of all data to be collected pursuant to Article 63(1) of the proposal appears questionable from a data protection point of view. IE (Drafting suggestions): . The Commission shall publish the data as referred to in paragraph 2 of this Article **exempting the publication of all beneficiares where amount received is €2,500 or less** on the centralised website referred to in Article 12 [Single Gateway] of the Regulation [Performance Regulation]. IE (Comments): This provision is amended to provide for exemption of publication of farmer name/surname where amount received is 2500 or less. Suggest the same should apply in the case of fishers and aquaculture producers.

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	Consideration should be given to whether this should apply to all natural persons who are beneficiaries or recipients. This covers beneficiaries of which the PO farmer members would be beneficial owners. However it also states ". Information on name and surname of farmers shall not be published if the amount received by them in one year is equal to or less than EUR 2500." Based on current rates of payment i.e. max €10,000 per annum to the PO for admin costs and each PO requiring a minimum of 5 members the proportional amount of funding per farmer / member should never be more than €2,500 however as all payments are made to the PO and not the farmer i.e. they are not receiving any amount directly does this mean that their information will never be published under this requirement regardless of the amount paid to the PO? If the information must be published, can it be confirmed that €2,500 threshold will apply and how should this notional amount be calculated for each? PL (Comments): The provisions on the publication of information about call and tender schedules (in the context of the "Single Gateway" rules (Article 12(4) of

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	the Performance Framework Regulation) requires clarifying. It is unclear what the scope of the published tender information should be and to which tenders this provision applies (whether it concerns all tenders or only those above the EU public procurement thresholds).
For the purposes of the first subparagraph, the Commission shall publish the share of the Union contribution in the amounts referred to in Article 63 [Data collection and recording]. The Union contribution shall be established by multiplying the amounts referred to in Article 63 [Data collection and recording] to the co-financing rate applicable to the associated Chapter of the Plan. Amounts in currency other than euro shall be converted to euro by using the monthly accounting exchange rate referred to in Article 19(3) of Regulation (EU, Euratom) 2024/2509.	PL (Drafting suggestions): For the purposes of the first subparagraph, the Commission shall publish the share of the Union contribution in the amounts referred to in Article 63 [Data collection and recording]. The Union contribution shall be established by multiplying the amounts referred to in Article 63 [Data collection and recording] to the co-financing rate applicable to the associated Chapter of the Plan. ~~**Amounts in currency other than euro shall be converted to euro by using the monthly accounting exchange rate referred to in Article 19(3) of Regulation (EU, Euratom) 2024/2509.**~~ PL (Comments): The last sentence introduces a rule for converting national currency into EURO in relation to data on amounts published on the European

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	Commission's websites. The Regulation does not establish any other rule governing how settlements with the Commission are to be made by Member States outside the Eurozone. Therefore, how will these amounts (these conversions) relate to actual settlements with the Commission or to costs of measure expressed in euro? Why must they be converted within six months using a different exchange rate? There is no added value of such information.
5. Information shall not be published where Union law or national law excludes such publication for reasons of security, public order, criminal investigations, or where the information falls under points a) to d) of Article 38(3) of the Regulation (EU, Euratom) 2024/2509.	BE (Drafting suggestions): Information shall not be published where Union law or national law excludes such publication for reasons of security, public order, criminal investigations, **provision related to the Charter of Fundamental Rights** or where the information falls under points a) to d) of Article 38(3) of the Regulation (EU, Euratom) 2024/2509 **or is related to private persons**. BE (Comments):

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	Following the decision on 22/11/22 of the European Court of Justice in the Joined Cases C- 37/20 and C- 601/20 the public access to UBO data has to be limited. FI (Comments): What about fishermen and fish farmers? Wouldn't it be natural for them to be treated the same way?
Information on name and surname of farmers shall not be published if the amount received by them in one year is equal to or less than EUR 2500.	EE (Drafting suggestions): Information on name and surname of ~~**farmers**~~ **natural persons** shall not be published. ~~**if the amount received by them in one year is equal to or less than EUR 2500.**~~ IE (Comments): **Application of this provision to all natural persons who are beneficiaries or recipients should be considered.** LU (Comments):

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	The amount of 2500 **would require the publication of the names of** all **farmers in Luxembourg, therefore LU** would welcome an **increase** of **this threshold to a higher amount, e.g. 15 000**. MT (Drafting suggestions): *Information on name and surname of farmers **and fishers** shall not be published if the amount received by them in one year is equal to or less than EUR 2500.* MT (Comments): It is proposed to include fishers within the scope of this provision. NL (Drafting suggestions): ~~Information on name and surname of farmers shall not be published if the amount received by them in one year is equal to or less than EUR 2500.~~ NL (Comments): Different treatment is cannot be objectively justified. SK

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	(Drafting suggestions): *Information on name and surname of farmers **and fishers** shall not be published if the amount received by them in one year is equal to or less than EUR 2500.* SK (Comments): It is proposed to include also fishers within the scope of this provision.

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Article 74 ***Territorial and local cooperation initiatives***	BE (Comments): It is not possible to amend this article at this moment, since we have the following remaining question: 74.1 Which interventions under point §1 are seen as 'CAP-interventions' as in article 35.1. How does article 35.1 relate to article 74? FR (Comments): Réserve générale d'examen sur la rédaction de cet article. La place de certaines de ces dispositions dans le Règlement PPNR ou le règlement PAC sectoriel doit être discutée. HU (Comments): It is recommended to clarify what exactly the term "initiatives" in the title means. Should we think about ITB/other territorial instruments of the current period (formerly instruments/tools)? Point 1 lists all forms that operate in local cooperation with the participation of multiple actors, e.g. producer groups and innovation groups, but it is difficult to provide a common set of rules for these. IE (Comments):

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	We welcome the Presidency's proposal at the AHWP NRP regarding the movement of certain CAP-specific provisions as a starting point to further discussion. In addition to the proposed movement of articles, and in order to ensure consistency, we propose the movement the elements of this article, which reflect pure CAP elements (recording (paragraph 3) be moved while leaving core NRPP structures intact. Where the Commission proposes that legal obligations are imposed on Member States there should be appropriate provision in the regulations for ring-fenced funding e.g. the obligations imposed in relation to LEADER by Art 74 for initiatives outlined under Article **74** PL (Comments): General questions: Does the term "territorial initiative" or "territorial cooperation initiative" denominate different initiatives than "local cooperation initiative". What is the difference, if it exists? How does "Territorial and local cooperation initiatives" relate to the next article 75 "Integrated territorial and urban development". PT (Drafting suggestions):

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	PT: **Article 74 - Territorial development** **Article XX - Other forms of local cooperation** PT (Comments): PT: This article mixes very different instruments, measures and objectives. For the territorial development strategies should be maintained the designation used in Reg (EU) 2021/1060 "**Territorial development**" that seems more appropriate and covers all possible territorial instruments or initiatives (1a), b) and c). We propose this article to be split: • **"Territorial development"** a) integrated territorial and urban development; b) community-led local development, including LEADER, and other citizens-led initiatives; c) smart-village strategies or other territorial thematic or functional initiatives designed by the Member State; • **"Other forms of local cooperation"** d) projects of the EIP-AGRI operational groups; e) quality schemes recognised by the Union or by the Member States, and their use by farmers; f) support

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	producer groups, producer organisations or interbranch organisations; g) promote and support intergenerational cooperation, including farm succession; h) support other forms of cooperation contributing to the specific objectives. These "Other forms of local cooperation" are a mix of measures to support farmers and their organisations. They are not territorial initiatives.
	ES (Comments): Territorial development (Articles 74–77): under the EMFAF, we had an approximate allocation of €105 million dedicated to promoting the development of fishing and aquaculture communities through Fisheries and Aquaculture Local Action Groups . Therefore, it is necessary that, if the model proposed by the COM —which integrates all local action groups— is maintained, a guaranteed minimum financial allocation for fisheries and aquaculture be established, similar to that of the previous period, so as to prevent its absorption by unrelated priorities and to preserve Fisheries LAGs with their specific role and dedicated resources.
1. Member States may establish, and provide support for cooperation in the following areas:	ES (Comments):

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	This article defines the areas of action for cooperation. Among them are classic CAP interventions such as: LEADER, Smart Villages strategies, EIP-AGRI operational group projects, support for quality schemes, support for producer organisations, support for cooperation on generational renewal, and support for other forms of cooperation. By analogy with LEADER and EIP-AGRI cooperation, we request that the Commission develop regulatory provisions for the implementation conditions of the other cooperation initiatives under the CAP Regulation. Except for the provisions in paragraph 3 of Article 74, which lays down conditions for cooperation initiatives for producer organisations, the operating rules for the remaining cooperation instruments are not defined in any regulation. HU (Comments): This point should be moved to the CAP regulation PT (Drafting suggestions): PT: Member States may establish, and provide support for ~~cooperation in the following areas~~ **the development of the territorial development strategies for:**

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	SE (Drafting suggestions): 1. Member States may establish, and provide support **for territorial and local** cooperation **initiatives contributing to achieving one or more of the specific objectives laid down in Article 3 [specific objectives]** ~~in the following areas:~~ SE (Comments): SE proposes to shorten the Article as we believe the level of detail is unproportionate in relation to other parts of the Regulation. In line with the proposed deletions below we propose changes in this point.
(a) integrated territorial and urban development	DE (Drafting suggestions): (a) integrated territorial**, including rural** and urban development DE (Comments): We would prefer the explicit integration of "rural" and a consistent wording throughout the text, in order to avoid misinterpretation.

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	ES (Drafting suggestions): a) integrated territorial, **rural** and urban development ES (Comments): It is proposed that the wording of Article 74 should also make reference to rural development. HR (Comments): **HR supports** local cooperation initiatives and efforts to include integrated territorial and urban development in national and regional plans. HU (Comments): This point should be moved to **article 75** PL (Drafting suggestions): (a) integrated territorial and **sustainable** urban development PL

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	(Comments): The proposed amendment clarifies the terminology in line with the current EU approach for the 2021–2027 programming period. In particular, it reflects the definition and scope of sustainable urban development as set out in Article 11 of Regulation (EU) 2021/1058 (ERDF). The amendment does not alter the material scope of the provision but harmonizes the terminology with the good practices implemented in the current perspective. PT (Drafting suggestions): PT: (a) integrated territorial and urban development or **other territorial thematic or functional initiatives designed by the Member States** PT (Comments): PT: COM should provide clear information on what defines as an integrated territorial and urban development. Is this an ITI? We need to have flexibility for territorial approaches designed by Member States. RO

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	(Drafting suggestions): (a) integrated territorial and urban development, **including through integrated Territorial Investments (ITI)** SE (Drafting suggestions): ~~(a) integrated territorial and urban development~~
(b) community-led local development, including LEADER, and other citizens-led initiatives;	DE (Drafting suggestions): b) community-led local development, including LEADER, **Fisheries Local Action Groups (FLAG)** and other citizens-led initiatives; DE (Comments): The emergence and functioning of FLAGs, as key tools for local participation and decision-making, have been fostered over the course of two programming periods (EMFF, EMFAF) in various member states. They must be recognized under the future funding architecture as well to give them appropriate visibility. EE

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	(Drafting suggestions): (b) community-led local development, ~~**including LEADER,**~~ and other citizens-led initiatives; HR (Comments): HR would appreciate an example of "other citizens-led initiatives" referred to in point (b) of paragraph 1. HU (Comments): It should be clarified that in point 1.b) besides CLLD and LEADER, what does "other citizen-led initiatives" mean? A CLLD-type instrument that can be developed at Member State level (like the other Member State territorial instrument currently, i.e. ITP)? This point should be moved to the CAP regulation IT (Drafting suggestions): (b) community-led local development, including LEADER, **strategies for areas depending on fisheries and aquaculture** and other citizens-led initiatives

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	IT (Comments): We ask that CLLD explicitly mention the fisheries and aquaculture sector, as in the case of LEADER. PL (Drafting suggestions): community-led local development~~, including LEADER, and other citizens-led initiatives~~; PL (Comments): It is proposed to use one name for the horizontal CLLD instrument, which is going to be supported by CAP and Cohesion Policy, as well as Common Fisheries Policy. Rules applied to this instrument shall be harmonized. Only such approach would encourage a wider spread of CLLD in Member States as well as shall allow to decrease administrative burden imposed on Local Action Groups. LAGs, per definition, are small and local organization with no capacity to deal with intricacies of different requirements and sets of rules up to now associated with particular policies. Creation of one Fund, under the regulation proposed by the EC, creates a unique chance to overcome this barrier. We would

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	like to also remove ”other citizens-led initiatives” as the point already exists under letter (h) PT (Comments): PT: COM should provide clear information on what distinguishes CLLD and LEADER. Is it the own competences in the case of LAG LEADER or just keep LEADER linked with EARDF? SE (Drafting suggestions): ~~(b) community-led local development, including LEADER, and other citizens-led initiatives;~~
(c) smart-village strategies,	HU (Comments): This point should be moved to the CAP regulation SE (Drafting suggestions): ~~(c) smart-village strategies,~~

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(d) projects of the EIP-AGRI operational groups referred to in Article 19(2) [EIP] of Regulation XX [CAP];	HU (Comments): This point should be moved to the CAP regulation PT (Drafting suggestions): PT: ~~(d) projects of the EIP-AGRI operational groups referred to in Article 19(2) [EIP] of Regulation XX [CAP];~~ PT (Comments): PT: See comments on article 74. Must be integrated in a different title or article (ex: Other forms of local cooperation). SE (Drafting suggestions): ~~(d) projects of the EIP-AGRI operational groups referred to in Article 19(2) [EIP] of Regulation XX [CAP];~~

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(e) quality schemes recognised by the Union or by the Member States, and their use by farmers;	DE (Drafting suggestions): (e) quality schemes recognised by the Union or by the Member States, and their use by farmers**, producers, and their organisations;** DE (Comments): A restriction to farmers is too narrow because, for example, Regulation (EU) 2024/1143 covers not only farmers, but also producers and their organisations. EE (Drafting suggestions): (e) quality schemes recognised by the Union or by the Member States~~, and their use by farmers;~~ EE (Comments): The support for establishment of quality schemes in fisheries and aquaculture should also be possible. HU (Comments):

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	This point should be moved to the CAP regulation PT (Drafting suggestions): PT: ~~e) quality schemes recognised by the Union or by the Member States, and their use by farmers;~~ PT (Comments): PT: See comments on article 74. Must be integrated in a different title or article (ex: Other forms of local cooperation) SE (Drafting suggestions): ~~(e) quality schemes recognised by the Union or by the Member States, and their use by farmers;~~
(f) support producer groups, producer organisations or interbranch organisations;	HU (Comments): This point should be moved to the CAP regulation

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	IE (Comments): 74(1)(f) makes provision for producer organisations (POs), making no distinction between the ag and seafood sectors. between the ag and seafood sectors. 74(3) is clearly related to Agriculture only. IT (Comments): Does this point also apply to the fishing and aquaculture sector? PT (Drafting suggestions): PT: ~~f) support producer groups, producer organisations or interbranch organisations~~ PT (Comments): PT: See comments on article 74. Must be integrated in a different title or article (ex: Other forms of local cooperation). SE (Drafting suggestions):

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	~~(f) support producer groups, producer organisations or interbranch organisations;~~
(g) promote and support intergenerational cooperation, including farm succession;	FI (Comments): Could the Commission provide examples of possible cooperation measures? HU (Comments): This point should be moved to the CAP regulation IT (Drafting suggestions): (g) promote and support intergenerational cooperation, including farm **and fisheries activities** succession; IT (Comments): The generational renewal is also critical for the fishery sector. PT

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	(Drafting suggestions): PT: ~~g) promote and support intergenerational cooperation, including farm succession;~~ PT (Comments): PT: See comments on article 74. Must be integrated in a different title or article (ex: Other forms of local cooperation). SE (Drafting suggestions): ~~(g) promote and support intergenerational cooperation, including farm succession;~~
(h) support other forms of cooperation contributing to the specific objectives.	HU (Comments): This point should be moved to the CAP regulation PT (Drafting suggestions):

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	PT: ~~h) support other forms of cooperation contributing to the specific objectives.~~ PT (Comments): PT: See comments on article 74. Must be integrated in a different title or article (ex: Other forms of local cooperation). SE (Drafting suggestions): ~~(h) support other forms of cooperation contributing to the specific objectives.~~
2. That cooperation referred to in paragraph 1 shall involve at least two actors and shall contribute to achieving one or more of the specific objectives laid down in Article 3 [specific objectives].	HU (Comments): What does this requirement mean in the case of integrated urban development. The involvement of other urban partners in addition to the city government or the participation of other settlements in the interests of an urban-regional approach? This point should be moved to the CAP regulation

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	LU (Comments): **LU welcomes that the objectives of the territorial and local development strategies have been enlarged and may now refer to the entire bandwidth of NRP Plan objectives, mainly concerning the choice of indicators for monitoring and evaluation** PL (Drafting suggestions): 2. That cooperation referred to in paragraph 1 shall involve at least two actors and shall contribute to achieving one or more of the specific objectives laid down in Article 3 [specific objectives]. **In case of cooperation referred to in paragraph 1(a) in functional areas actors are understood as local government units of appriopriate level.** PL (Comments): What is meant by “shall involve at least two actors”? Two actors – could these simply be just two different entities? By involvement – can we understand a wide spectrum of ties from cooperation through more formal partnership to creating an association etc.? PT

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	(Drafting suggestions): PT: 2. ~~That cooperation referred to in paragraph 1 shall involve at least two actors and shall contribute to achieving one or more of the specific objectives laid down in Article 3 [specific objectives].~~ **Territorial development strategies shall be developed under the responsibility of the relevant territorial authorities or bodies or by a partnership of relevant territorial stakeholders.** PT (Comments): PT: This paragraph refers only to cooperation initiatives (article XX) and not to the territorial development strategies of article 74. We must keep the leadership or coordination of the strategy for territorial authorities or a partnership of territorial entities. SE (Drafting suggestions): That cooperation referred to in paragraph 1 shall involve at least two ~~actors~~ **organisations** ~~and shall contribute to achieving one or more of the specific objectives laid down in Article 3 [specific objectives]~~. SE (Comments):

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	Change of wording to ensure that the cooperation not only involve two actors within the same organisation. The provision that the cooperation shall contribute to achieve the specific objective is found in paragraph 1. Duplication. SI (Drafting suggestions): That cooperation referred to in paragraph 1 ~~shall involve at least two actors and~~ shall contribute to achieving one or more of the specific objectives laid down in Article 3 [specific objectives]. SI (Comments): It is not clear what does "at least two actors" mean? Who does it involve? Could you provide an example of integrated territorial and urban development, as well as territorial transition strategies in this respect? We believe that promoting cooperation among various actors should be encouraged, but it should not be mandatory. Some actions can be carried out by a single actor (though they can, if desired, cooperate with others in their implementation), and there is no need for two or more actors to be obligated. SK

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	(Comments): It is not clear to what kind of actors is referring this para. In order to provide clarity we ask to **add a definition of "actors" in article 4**.
3. Member States shall limit the support for setting-up of producer groups, producer organisations or interbranch organisations to 10 % of the turnover of the group or organisation with a maximum of EUR 100 000 per year; that support shall be degressive and limited to the first five years following recognition or the start of joint activities intended to lead to recognition as determined by Member States in the Agriculture chapter of their Plans.	DE (Comments): Does this rule also apply to the fruit and vegetable sector programme? If so, why is turnover rather than the value of marketed production used as the basis for support? This different rule would make the practical implementation of the sector programme even more difficult. Overall, this rule would be problematic for the fruit and vegetable sector programme if it were to apply to it. There has been no limit on aid in the first five years after recognition to date. Why is this rule necessary? EE (Comments): It is unclear whether this provision applies to the setting-up of fisheries and aquaculture producer organisations established based on the Regulation 1379/2013. If that is the intention, then the reference to the "Agriculture chapter" should be deleted. Otherwise, it should be clarified

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	why different approach is needed in case of common market organization for agriculture and fisheries. It might be that this provision is redundant. FI (Comments): It should be more certain whether the aid ceiling and other rules of producer organizations apply only to agriculture or whether this also applies to fisheries? If a Member State prepares a fisheries producer organisation action as part of the fisheries Chapter, these rules would not apply since the rules are limited to the NRP plan's CAP Chapter. Is this the case? However, CFP's subsidies to producer organisations have been recorded as part of CAP interventions (Art. 35 para 11). FR (Comments): La place de cette disposition dans le Règlement PPNR ou le règlement PAC sectoriel doit être discutée. HR (Comments): Is this provision applied also to producer organisations in fisheries and aquaculture? If yes, is the threshold of 10% of the turnover of the group or organisation and maximum of EUR 100 000 per year, applied only for

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	setting-up of producer organisations or also for the implementation of their production and marketing plans? Also, this provision refers only to "Agriculture chapter" of the Plan, and, in our understanding, the Chapter refers to specific types of support, not precising it is only referring to CAP. HU (Comments): This point should be moved to the CAP regulation IE (Comments): IE proposes that negotiation of this provision be moved to the CAP AHWP 74(1)(f) makes provision for producer organisations (POs), making no distinction between the ag and seafood sectors. between the ag and seafood sectors. 74(3) is clearly related to Agriculture only. The proposed NRPP Regulation makes reference to POs elsewhere, (eg 35(8) & 35(9) – both agriculture, then 35(11) fisheries) As there are POs in the seafood sector CION needs to be clear if they are providing for differing measures for POs depending on whether they are

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	in the agriculture or seafood sectors, and if so, in what way and on what basis. PL (Comments): PL proposes to move all specific regulations concerning instrument functioning under CAP to the CAP regulation, including this one. PT (Drafting suggestions): PT: ~~3. Member States shall limit the support for setting-up of producer groups, producer organisations or interbranch organisations to 10 % of the turnover of the group or organisation with a maximum of EUR 100 000 per year; that support shall be degressive and limited to the first five years following recognition or the start of joint activities intended to lead to recognition as determined by Member States in the Agriculture chapter of their Plans.~~ PT (Comments): PT: In line with the PT proposal for dividing the content of article 74. This content should be proposed under a new article dedicated to CAP cooperation.

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	SI (Comments): We suggest transferring the paragraph in the CAP legal proposal. SK (Comments): We suggest to move this article to the CAP regulation.

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Article 75 ***Integrated territorial and urban development`***	DE (Drafting suggestions): **Art. XX Investments** **1. Member States may grant support for investments under the conditions set out in this Article and as further specified in their NRPP Plans.** **2. Member States may only grant support under this Article for those investments in tangible and intangible assets that contribute to achieving one or more of the specific objectives set out in Article […].** **[further conditions tbd]** DE (Comments): DE: German Länder are supporting an extensive field of interventions for rural development under current Articles 69(d) and (e), 73 (4) (c) (ii) of the CAP Strategic Plan Regulation. The new Draft NRPP Dir. seems to set up **new, additional preconditions** for these (very successful and long-standing, tried-and-tested) measures, concerning **cooperation** (Art. 74, 76/77) or existing **strategies** (Art. 75).] We kindly request an explanation on what the COM considers to be the legal basis for off-farm investment in rural areas outside of the realm of

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	strategies and cooperation under the proposed NRPPR. Drafting Suggestion on the basis of Art. 73 CAP SPR. HU (Comments): Article 75 does not refer to territorial instruments, but only states that territorial development should be based on integrated territorial development strategies, and places urban development alongside it. However, these concepts are not consistent with the wording of the annexes (Annex V (1.9), VII, which still mention territorial instruments and other territorial instruments). IT (Comments): It would be useful to clarify whether Article 75 replaces the mechanism of Integrated Territorial Investments (ITI) and whether this terminology or formal procedure will no longer be used. Furthermore, it should be clarified whether Article 75 allows the combination of resources from multiple chapters of the Plan (Cohesion, Agriculture, Fisheries, etc.) to finance the same strategy. PL (Drafting suggestions):

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	Article 75 Integrated territorial ~~and urban development~~ **strategies**
	ES (Drafting suggestions): We request to insert a cross-reference to Article 18 “LEADER” of the CAP Regulation at the beginning of Articles 75 and 76, in order to clarify the conditions applicable to LEADER support. ES (Comments): LEADER is mentioned in Article 74(1)(b) among the territorial and local cooperation initiatives, and Article 77 lays down the conditions for support through the LEADER initiative. In addition, Article 18 of the CAP Regulation establishes that LEADER shall be subject to the conditions set out in Article 76. It is therefore requested to insert a cross-reference to Article 18 “LEADER” of the CAP Regulation at the beginning of Articles 75 and 76, in order to clarify the conditions applicable to LEADER support.
1. Support for territorial development shall be based on integrated territorial development strategies, including via community-led local development, focused on urban areas, rural areas, islands, coastal areas,	BE (Comments):

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or any appropriate territorial area as well as smart specialisation or territorial just transition strategies, or strategies for decarbonisation developed with the support of Union instruments in the 2021 to 2027 period, taking account, where relevant, of a functional area and place-based approach. Corresponding milestones and targets shall be established in the Plan.	Can it be confirmed that the use of CLLD is optional? DE (Drafting suggestions): 1. Support for territorial development shall be based on integrated territorial development strategies, including via community-led local development, focused on urban areas, rural areas, islands, coastal areas, or any appropriate territorial area as well as smart specialisation or territorial just transition strategies, **~~or~~** **territorial** strategies for decarbonization **and achieving climate-neutrality as well as climate adaptation and biodiversity strategies** **~~developed with the support of Union instruments in the 2021 to 2027 period~~**, taking account, where relevant, of a functional area and place-based approach. Corresponding milestones and targets shall be established in the Plan. DE (Comments): With regard to the requirements for preparing a local development strategy, we ask for an explanation of the differences compared to the current status quo. We suggest to add “regional or local strategies to achieve climate-neutrality, climate adaptation and biodiversity strategies” as the

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	development and implementation of such strategies is a major challenge for many communities, which may be supported. We do not see the point of restricting the implementation of territorial just transition strategies to such strategies developed with EU-support. DE: We ask COM to give an explanation of the term integrated territorial development strategies. We propose a link to the New Leipzig Charter, the Long-term vision for the EU's Rural Areas and the Territorial Agenda 2030 and its integrated approach. EE (Drafting suggestions): 1. Support for territorial development shall be based on integrated territorial development strategies, including via community-led local development, focused on urban areas, rural areas, islands, coastal areas, or any appropriate territorial area as well as smart specialisation or territorial just transition strategies, or strategies for decarbonisation developed with the support of Union instruments in the 2021 to 2027 period, taking account, where relevant, of a functional area and place-based approach. Corresponding milestones and targets shall be established in the **NRP** Plan. HR

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	(Comments): As there are no significant changes compared to the previous financial period,HR supports the continuation of supporting territorial development through integrated strategies that allow for multi-sectoral interventions in urban areas as well as the involvement of urban authorities in the selection of operations What about the Just Transition, is it covered by this? If so, a little more detail should be specified. From what funds will the Just transition be financed and in which direction will the investments go – exclusively social or including the economic aspect? Will the Just Transition Areas be updated or will they remain the same as in the current financial perspective? It is not clear which territories include integrated territorial development, e.g. is it necessary to use an integrated territorial approach in territorial just transition strategies? • If there is a LRS LAG in a sub-regional area, should other types of integrated territorial development strategies be aligned with the LAG strategy? • What are the key differences between LRS LAGs and other integrated territorial development strategies, and taking into account

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Commission proposal	MS drafting suggestions and comments
	Article 35, in which support for LEADER is separated from support for initiatives for territorial and local cooperation? IE (Drafting suggestions): 1. Support for territorial development shall be based on integrated territorial development strategies **(or local development strategies)**, including via community-led local development, focused on urban areas, rural areas, islands, coastal areas, or any appropriate territorial area as well as smart specialisation or territorial just transition strategies, or strategies for decarbonisation developed with the support of Union instruments in the 2021 to 2027 period, taking account, where relevant, of a functional area and place-based approach. Corresponding milestones and targets shall be established in the Plan. IE (Comments): **This provision is amended to: 'shall be based on integrated territorial development strategies (or local development strategies), including via ….'LEADER is based on Local Development Strategies prepared by LAGs.**

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Commission proposal	MS drafting suggestions and comments
	75(1) It is not clear who is prepare the strategies referred to here, are they to be prepared by the bodies who will implement them (as stated in 75(3))? IT (Drafting suggestions): 1. Support for territorial development shall be based on integrated territorial development strategies, including via community-led local development, focused on urban areas, rural areas, islands, coastal **and inland waters** areas, or any appropriate territorial area as well as smart specialisation or territorial just transition strategies, or strategies for decarbonisation developed with the support of Union instruments in the 2021 to 2027 period, taking account, where relevant, of a functional area and place-based approach. Corresponding milestones and targets shall be established in the Plan IT (Comments): In the case of EMFAF, CLLD can also concern inland waters areas. LT (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	Support for territorial development shall be based on integrated territorial development strategies, including via community-led local development **strategies**, focused on urban areas, rural areas, islands, coastal areas, **border areas** or any appropriate territorial area as well as smart specialisation or territorial just transition strategies, or strategies for decarbonisation developed with the support of Union instruments in the 2021 to 2027 period, taking account, where relevant, of a functional area and place-based approach. Corresponding milestones and targets shall be established in the Plan. LT (Comments): It is proposed to clarify for the sake of clarity, as under the current NRPP regulation community-led local development strategies can be understood as part of territorial and urban strategies. We also believe that territorial strategies should distinguish between border areas as equivalent to the other areas mentioned here. LU (Comments): Art. 75 (1) states "Corresponding milestones and targets shall be established in the Plan" & Art. 75 (2) (d) "set out key objectives with

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Commission proposal	MS drafting suggestions and comments
	measurable targets". In the context of LEADER, setting milestones and targets presents a difficult endeavor. Given that the Luxembourg LEADER approach focusses mostly on software projects, the added value created is mostly qualitative and differs widely by supported project. Also, projects are very innovative in the local context. It is thus impossible to define adequate milestones and targets ex-ante as the typology of projects to be submitted to the LAG is yet unknown at the phases of strategy development. LU would opt for more flexibility for the LEADER intervention(s) LU would thus opt for a more flexible evaluation framework, building on the works conducted of prior qualitative evaluations and leaving more flexibility to the LAGs on how they wish to evaluate their strategy implementation. LU believes that quantitative approaches do not showcase the entire added value of LEADER NL (Drafting suggestions): **If applied by a Member State,** ~~S~~support for territorial development shall be based on integrated territorial development strategies, including via community-led local development, focused on urban areas, rural areas, islands, coastal areas, or any appropriate territorial area as well as smart specialisation or territorial just transition strategies, or strategies for

Commission proposal	MS drafting suggestions and comments
	decarbonisation developed with the support of Union instruments in the 2021 to 2027 period, taking account, where relevant, of a functional area and place-based approach. NL (Comments): To bring it in line with the optionality as enshrined in article 74. PL (Drafting suggestions): Support for **integrated** territorial and **sustainable** urban development shall be based on integrated territorial ~~development~~ strategies, ~~including via community-led local development~~, focused on: **cities and their functional areas**, rural areas, islands, coastal areas, or any appropriate territorial area; **territorial strategies,** smart specialisation or territorial just transition strategies, or strategies for decarbonisation developed with the support of Union instruments in the 2021 to 2027 period, taking account, where relevant, of a functional area and place-based approach. Corresponding milestones and targets shall be established in the Plan. PL (Comments):

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	Cities and their functional urban are home to large populations, economic activity, innovation potential and environmental pressures. This creates a need for structured cooperation with urban authorities and functional urban areas so that urban policies reflect actual spatial dynamics, strengthen territorial cohesion and effectively contribute to the Union's objectives Adding territorial strategies as one of the tools used in 2021-2027 perspective is also relevant. PT (Drafting suggestions): PT: (1) Support for territorial development shall be based on integrated territorial development strategies, ~~including via community-led local development,~~ focused on urban areas, rural areas, islands, coastal areas, or any appropriate territorial area as well as smart specialisation or territorial just transition strategies, or strategies for decarbonisation developed with the support of Union instruments in the 2021 to 2027 period, **and other existing strategic documents concerning the covered areas**, taking account, where relevant, of a functional area and place-based approach. Corresponding milestones and targets shall be established in the Plan.

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	PT (Comments): PT: It doesn't make sense including here a reference to CLLD, when the next article is dedicated to CLLD (and LEADER). COM should provide clear information on what defines as an integrated territorial and urban development. Is this an ITI? (comment also in article 74). Additionally, as provided in the present CPR 2021-27 (*Territorial strategies shall be under the responsibility of the relevant territorial authorities or bodies. Existing strategic documents concerning the covered areas may be used for territorial strategies.*), PT suggests that should be allowed to use the existing strategic documents for the territory concerned. RO (Drafting suggestions): Support for **integrated** territorial development shall be based on integrated territorial development strategies, including **via integrated Territorial Investments (ITI) and** community-led local development, focused on urban areas, rural areas, islands, coastal areas, or any appropriate territorial area as well as smart specialisation or territorial just transition strategies, or strategies for decarbonisation developed with the

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Commission proposal	MS drafting suggestions and comments
	support of Union instruments in the 2021 to 2027 period, taking account, where relevant, of a functional area and place-based approach**.** RO (Comments): We believe that this article concerns integrated territorial development, so this paragraph should mirror this as well. Milestones and targets established in the Plan will result from the strategy, therefore should be specific and not necessarily corelated to the output and result indicators proposed under performance framework – Annex 1. RO (Comments): We propose a specific derogation for the milestones and targets established for LEADER, taking into account the specific nature of the LEADER approach and the preliminary stages preceding the actual implementation of the Local Development Strategies (LDS) – which include the selection of Local Action Groups (LAGs), the approval of the LDSs, the establishment of the LAGs, and the launch of calls for proposals. SE (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	1. Support for territorial development shall be based on **existing strategies or new** integrated territorial development strategies, including via community-led local development, focused on urban areas, rural areas, islands, coastal areas, or any appropriate territorial area as well as smart specialisation or territorial just transition strategies, or strategies for decarbonisation ~~developed with the support of Union instruments in the 2021 to 2027 period, taking account, where relevant, of a functional area and place-based approach. Corresponding milestones and targets shall be established in the Plan.~~ SE (Comments): Support for territorial development could be based on regions and municipalities' statutory mandates and existing strategies. This means that no new strategies need to be developed. Neither is it evident that the strategies are developed with support of EU funds; they could for example be nationally or regionally financed. SE also proposes to delete wording in the end of the paragraph. SK (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	1. Support for territorial development shall be based on integrated territorial development strategies, including via community-led local development, focused on urban areas, rural areas, islands, coastal areas, or any appropriate territorial area **taking into account, where relevant, ~~as well as~~** smart specialisation or territorial just transition strategies, or strategies for decarbonisation developed with the support of Union instruments in the 2021 to 2027 period, taking account, where relevant, of a functional area and place-based approach. Corresponding milestones and targets shall be established in the Plan **and determined in cooperation with respective territorial authorities.** SK (Comments): We propose to soften the link to smart specialisation and decarbonisation strategies. Not all territorial strategies have the capacity or scope to address smart specialisation or decarbonisation directly. The obligation should be to take them into account where relevant. The respective territorial authorities have the best knowledge of the territory and therefore can provide relevant and trustworthy data for establishing indicators for milestones and targets to create a realistic performance framework.

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Commission proposal	MS drafting suggestions and comments
2. Integrated territorial development and urban development strategies shall:	PL (Drafting suggestions): Integrated territorial ~~development and urban development~~ strategies shall: SE (Drafting suggestions): Integrated territorial development and urban development strategies ~~shall~~ **may**: SE (Comments): Since we believe that existing strategies must be able to be used, we believe that paragraph 2 can be deleted or that "shall" be replaced with "may".
(a) contribute to achieving the objectives laid down in Articles 2 and 3 [Objectives of the Plan];	BE (Drafting suggestions): (a) contribute to achieving ~~the~~ **certain** objectives laid down in Articles 2 and 3 [Objectives of the Plan];

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	EE (Comments): The reference to Articles 2 and 3 is not clear as the titles on the articles are setting the general and specific objectives of the Fund not Plan. Maybe it is misprint? SE (Drafting suggestions): ~~(a) contribute to achieving the objectives laid down in Articles 2 and 3 [Objectives of the Plan];~~ SE (Comments): This should be obvious and can therefore be deleted.
(b) set out the geographical area and population covered by the strategy;	HU (Comments): We recommend adding a data-based assessment of the socio-economic situation and trends of the area

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Commission proposal	MS drafting suggestions and comments
(c) provide an analysis of the development needs and a description of an integrated approach to address the identified development needs;	
(d) set out key objectives with measurable targets;	FI (Drafting suggestions): (d) set out key objectives with measurable targets **and a financial plan**; RO (Drafting suggestions): set out ~~key~~ objectives with measurable **milestones and/or** targets; RO (Comments): There is no definition nor reference to "key objectives " in the Regulation – for consitencey, if used, it should have a unique and clear definition and consistent use in the the Regulation. The measurable targets set at strategy level should be specific and not necessarily corelated to the output and result indicators proposed under performance framework – Annex 1. SK (Drafting suggestions):

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	(d) set out ~~**key**~~ objectives with measurable **milestones and/or** targets; SK (Comments): Since the term "key" objectives is not used in other provisions of the regulation, we propose to delete it since it creates legal uncertainty. We also propose adding milestones to ensure consistency with Article 75(1), which already requires establishing corresponding milestones and targets in the Plan. Furthermore, territorial strategies often involve qualitative steps (e.g., governance setup, capacity building) that are better captured by milestones than by quantitative targets alone.
(e) set out the involvement of partners in the preparation and implementation of the strategy.	AT (Drafting suggestions): (e) **outline**~~set out~~ the involvement of partners in the preparation and implementation of the strategy. AT (Comments): If 'set out' means "to define", then this is no longer possible for the preparation of the strategy in the final strategy.

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	LT (Drafting suggestions): ~~set out the~~ **provide a description of the** involvement of partners in the preparation and **set out their roles in the** implementation of the strategy] LT (Comments): This provision regulates the content of strategies (“strategies shall”); therefore strategy as a document cannot regulate the process that took take place during its preparation, before it was approved (or selected).
	SK (Drafting suggestions): (f) Support from the Fund for capacity building and preparatory actions supporting the design and implementation of the strategy;
3. Strategies implemented pursuant to this Article shall be selected by managing authority(ies) in view of providing support, including for its preparation. They shall be implemented under the responsibility of the relevant territorial or urban authorities or bodies, who shall select or be involved in the selection of operations.	BE (Drafting suggestions): Strategies implemented pursuant to this Article **may be** selected by **and shall be prepared in cooperation wit**h managing authority(ies) in view of providing support, including for its preparation. They shall be implemented under the responsibility of the relevant territorial or urban

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Commission proposal	MS drafting suggestions and comments
	authorities or bodies, **as mentioned in art. 76(3)** who shall select or be involved in the selection of operations. BG (Drafting suggestions): Strategies implemented pursuant to this Article ~~shall be selected by managing authority(ies) in view of providing support, including for its preparation. They~~ shall be implemented under the responsibility of the relevant territorial or urban authorities or bodies, who shall select or be involved in the selection of operations. BG (Comments): See also comment on art. 56.2 above. The current CPR in force foresees cooperation between territorial bodies and the MA-s for setting up the scope of the operations cofinanced by the relevant programme, for implementation of integrated territorial strategies, rater than a selection procedure by the MA for the strategies. The legally enforced practice in Bulgaria currently fully reflects this approach and the Council of Ministers approves all the relevant national strategic documents for territorial development as a base for investments, including, but not only the ones cofinanced by EU funds. The approval is anticipated by an

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	inclusive process of partnership and active involvement of all stakeholders, incl. relevant partners, authorities and MA-s. Our principal understanding is that MA and MC can have a role only in selection of documents for the sake exclusively of the EU funding. In order to avoid complication and confusion with respect to the approval process of national programing documents with broader dimension, we propose this partial shortening of the text. We thus believe firstly that administrative burden by imposing a new level of "sanction" would be avoided in the regulation and secondly that the necessary flexibility would be provided to account for the current practices and experience gained in applying integrated territorial development approaches, based on the partnership and multilevel governance principles. DE (Drafting suggestions): 3. Strategies implemented pursuant to this Article shall be selected by managing authority(ies) in view of providing support, including for its preparation. They shall be implemented under the responsibility of the relevant territorial or urban authorities or bodies, who shall select or be involved in the selection of operations**, <u>unless Art. 76 (3) is applicable</u>**. DE

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	(Comments): DE: Under Art. 76 (3), the selection of operations "shall be carried out exclusively by the local action groups". Judging from the mere wording, there could be an inconsistency. FI (Drafting suggestions): 3. Strategies implemented pursuant to this Article shall be selected by managing authority(ies) in view of providing support, including for its preparation. They shall be implemented under the responsibility of the relevant territorial or urban authorities or bodies, who shall select or be involved in the selection of operations. **The decision approving a strategy shall set out the allocation the Fund for the implementation of the strategy**. FI (Comments): Article 56 stated that the monitoring committees adopts regional strategies. This Article says that the managing authority selects strategies. Is there a contradiction here or is it the intention that the strategies will be selected by managing authority, but will be definitively approved by the monitoring committee?

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	HU (Comments): According to this point, strategies are selected by the managing authority(ies), while their implementation is the responsibility of territorial or urban actors. The possible role of each actor should be clarified, as it varies/may vary depending on the territorial instrument (e.g. CLLD) We support the planning and implementation of regional and local strategies with the involvement of regional and local actors, but without imposing institutional administrative burdens. LT (Drafting suggestions): Strategies implemented pursuant to this Article shall be ~~selected by managing authority(ies) in view of providing support, including for its preparation. They shall be~~ **prepared and** implemented under the responsibility of the relevant territorial or urban authorities or bodies, **with the participation of managing authority, in order to determine the scope of operations to be supported**, ~~who~~ **. Territorial or urban authorities or bodies** shall select or be involved in the selection of operations.

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	LT (Comments): From the perspective of multi-level governance, we are critical of the proposal that integrated territorial strategies should be selected by the managing authority, if this provision does not leave room for the possibility of relying on existing local or sub-regional level strategic documents, which could result in territorial strategies becoming formal documents intended only for the use of EU funds, but not those documents that are actually used to plan the development of the territory. We propose that integrated territorial and urban strategies maintain the basic principles of the current period, ensuring a place-oriented approach and bottom-up planning. This includes the possibility for urban or regional authorities to prepare and approve territorial strategies independently. PL (Drafting suggestions): 3. Strategies implemented pursuant to this Article shall be selected by managing authority(ies) in view of providing support, including for its preparation. ~~They shall be implemented under the responsibility of the~~

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	~~relevant territorial or urban authorities or bodies, who shall select or be involved in the selection of operations.~~ PL (Comments): Due to the specific of CLLD, where the LAG's exclusive responsibilities include selecting operations and in and consequently, the implementation of the strategy, paragraph 3 of Article 75 should be amended. This is necessary due to the reference to the entire Article 75 in Article 76. Therefore, it is proposed to split paragraph 3 into two separate paragraphs. Then, in Article 76, refers to the procedure specified in Article 75 paragraphs 1-3. RO (Drafting suggestions): Strategies implemented pursuant to this Article **shall be included in the NRP Plan** or shall be selected by managing authority(ies) in view of providing support, including for its preparation. They shall be implemented under the responsibility of the relevant territorial or urban authorities or bodies, who shall select or be involved in the selection of operations. RO

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	(Comments): This article should provide the possibility that MS could opt since the elaboration of the Plan for the specific financing of territorial strategies in order to ensure a more integrated approach at the level of the Single Plan. This wording appears to extend the selection responsibilities to central or territorial authorities, which is contrary to the LEADER approach, under which the Local Action Groups (LAGs) are responsible for selecting the operations. We request clarification on the degree of involvement of the authorities or territorial bodies in this process: do they have a final decision-making role regarding the eligibility of operations, or are their responsibilities limited to verifying compliance with the selection criteria established by the LAGs? SE (Drafting suggestions): Strategies implemented pursuant to this Article shall be selected by managing authority(ies) in view of providing support, including for its preparation. ~~They shall be implemented under the responsibility of the relevant territorial or urban authorities or bodies, who shall select or be involved in the selection of operations.~~

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	SE (Comments): We believe that the deleted wording is redundant. See also our comment to paragraph 1 in this Article. SK (Drafting suggestions): 3. Strategies implemented pursuant to this Article shall be selected by **relevant territorial authority in cooperation with managing authority and verified** by managing authority(ies) in view of providing support, including for its preparation. They shall be implemented under the responsibility of the relevant territorial or urban authorities or bodies, who shall select or be involved in the selection of operations. SK (Comments): We propose to complement the text and allow approval by a designated body within ITI mechanism, while the managing authority will have a verifying function. The current wording "selected by managing authority" implies a top-down competitive selection, which goes against the principles of the integrated territorial approach and subsidiarity.

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	Strategies should be defined and approved primarily at the territorial level (e.g. by Partnership Councils), as stated in our comment on Article 56(2)(e). The Managing Authority's role should be limited to verifying the compliance of these strategies with the Programme, rather than selecting them.
	AT (Drafting suggestions): new subparagraph: **By way of derogation from the first subparagraph, for community-led local development, including LEADER the selection of operations is exclusively the task of local action group in accordance with Article 76, 3 (d). The decision approving a community-led local development strategy shall set out the allocation of the Plan.** AT (Comments): Without this explanation, Paragraph 3 contradicts Article 76(3)(d) of the Plan Regulation, which stipulates that the Local Action Group is responsible for selecting projects. This responsibility and the allocation of a fixed budget for the implementation of each local development strategy is important for the CLLD/LEADER approach.

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	CZ (Drafting suggestions): **4. Integrated urban development implementation:** **(a) Integrated urban development is implemented through the integrated territorial investment (ITI) instrument in accordance with Article 22.** **(b) Strategies implemented pursuant to this Article shall contribute to sustainable urban development (SUD) in accordance with Art. 5, Regulation establishing the European Fund for Regional Development including for European Territorial Cooperation (Interreg) and the Cohesion Fund.** **(c) Strategies implemented pursuant to this Article may address specific activities to support clean transition and industrial decarbonisation policies, in accordance with Art. 33, Proposal for Regulation on establishing the European Competitiveness Fund ('ECF').** CZ (Comments): CZ proposes a new paragraph in Article 75 that would take into account the implementation of integrated urban development, because:

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	1) The structure of the current NRP Plan proposal allows for varied interpretation due to terminological inconsistencies and fragmentation. 2) The current NRP Plan proposal does not define all the terms used, specifically SUD (sustainable urban development). 3) The current NRP Plan proposal does not form a basis for other regulations because it lacks links to other legislation. DE (Comments): DE: We kindly request a transitional art. for existing strategies not fully complying with all criteria. PL (Drafting suggestions): 4. **Strategies, referred to in paragraph (3) shall be implemented under the responsibility of the relevant territorial or urban authorities or bodies, who shall select or be involved in the selection of operations.**

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Article 76 ***Community-led local development***	AT (Comments): Community led local development and LEADER seem separated as two different measures according to Article 76 and Article 77 and in connection to Article 18 of the CAP Regulation. The relationship between CLLD and LEADER is not really clear. HU (Comments): These provisions differ from Article 33(3) of Regulation 2021/1060, which currently defines the tasks assigned exclusively to LAGs. The proposed regulation does not mention among the future competences of the LAG "the preparation and publication of calls for proposals", as well as "determining the amount of support and presenting applications to the entity responsible for the final verification of eligibility before their approval", referred to in Article 33. Hence, the proposed regulations deprive LAGs of important competences that are core to their actual tasks and the overall objective of the LEADER-CLLD approach. CAP related points of this article should be moved to the CAP regulation. RO (Comments):

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	We propose the inclusion of a minimum ring-fenced allocation **from the budget dedicated to rural development** specifically for LEADER, similar to the previous programming periods
	ES (Drafting suggestions): We request to insert a cross-reference to Article 18 “LEADER” of the CAP Regulation at the beginning of Articles 75 and 76, in order to clarify the conditions applicable to LEADER support.
1. Community-led local development shall:	IT (Comments): In the CPR (Article 31), specific provisions were laid down for the implementation of Community-Led Local Development (CLLD) in cases where support came from more than one fund, including the obligation to issue joint calls, establish joint selection committees, and designate a lead fund. Under Article 76 of the proposal COM(2025)565, these mechanisms are no longer mentioned. The Commission is therefore asked to clarify which operational guidelines should be followed in cases where support for local strategies is provided by more than one fund or from multiple chapters of the National Plan.

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Commission proposal	MS drafting suggestions and comments
(a) focus on subregional areas, rural and coastal areas;	HU (Comments): It is not clear what is meant by sub-regional area. We suggest that urban areas should also be included in Community-led local development IT (Drafting suggestions): focus on subregional areas, rural and coastal **or inland water** areas; IT (Comments): In the case of EMFAF, CLLD can also concern inland waters areas. NL (Drafting suggestions): (a) focus on subregional areas, rural and coastal areas, **including initiatives promoting linkages with urban areas**. NL (Comments):

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Commission proposal	MS drafting suggestions and comments
	To clarify that initiatives promoting linkages between rural and urban areas also fall within the scope. PL (Drafting suggestions): focus on subregional areas, ~~rural and coastal areas;~~ PL (Comments): The focus on particular areas has been already mentioned in Article 75 SE (Drafting suggestions): (a) focus on subregional areas~~, rural and coastal areas;~~ SE (Comments): Aren't rural areas and coastal areas examples of sub-regions?
(b) be designed and implemented by local action groups composed of representatives of public and private local stakeholders, in which no single interest group controls the decision-making;	AT (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	(b) be designed and implemented by local action groups composed of representatives of public and private local ~~stakeholders~~ **socioeconomic interests**, in which no single interest group controls the decision-making; AT (Comments): The wording of the current CPR (2021/1060) seems broader. "Stakeholder" seems too institutional. PL (Drafting suggestions): be designed and implemented by local action groups composed of representatives of public and private local stakeholders, **ensuring sustainable composition of decision-making bodies in these groups, including bodies responsible for activities described in paragraph 2(a) and(c)** ~~in which no single interest group controls the decision-making;~~ PL (Comments): The suggestion is to abandon the wording" in which no single interest group controls the decision-making", as in case of decision-making it is important to maintain balance among participants, however finally one

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Commission proposal	MS drafting suggestions and comments
	idea has to prevail over the other. Thus it is our believe that sustainable composition of LAG shall be sufficient to ensure the just process of decision-making. It is important to keep this balanced composition in drawing CLLD strategy and selection of operation
(c) be carried out through strategies in accordance with Article 75 [Integrated territorial and urban development], supportive of innovative features in the local context, networking and cooperation with other territorial actors	PL (Drafting suggestions): (c) be carried out through strategies in accordance with Article 75 **(1-3)**[Integrated territorial **strategies** ~~and urban development~~], supportive of innovative features in the local context, networking and cooperation with other territorial actors PL (Comments): Proposed change of the name of article 75 Consequence of the amendment to Article 75 paragraphs 3 and 4. Due to the specific of CLLD, where the LAG's exclusive responsibilities include selecting operations and in and consequently, the implementation of the strategy, paragraph 3 of Article 75 should be amended. This is necessary due to the reference to the entire Article 75 in Article 76. Therefore, it is

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	proposed to split paragraph 3 into two separate paragraphs. Then, in Article 76, refers to the procedure specified in Article 75 paragraphs 1-3.
2. Support from the Fund for community-led local development shall cover:	
(a) capacity building and preparatory actions supporting the design of the strategy;	DE (Comments): DE: We assume that support under Article 76(2)(a) can be provided regardless of whether the local development strategy prepared in this way is subsequently approved. This case was separately addressed in the first subparagraph of Article 34(2) of Regulation (EU) 2021/1060. SK (Comments): Why does COM suggest to support capacity building and preparatory actions only for CLLD? We believe that this activity should be available as well for Integrated territorial and urban development.

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Commission proposal	MS drafting suggestions and comments
(b) preparation and implementation of the operations selected under the strategy, including cooperation activities;	PT (Comments): PT: COM should provide clear information on what defines as "preparation and implementation of the operations".
(c) the management, monitoring and evaluation of the strategy and its animation, including the facilitation of exchanges between stakeholders and communication of the strategy and the Union.	EE (Drafting suggestions): the management, monitoring and evaluation of the strategy and its animation, including the facilitation of exchanges between stakeholders and communication of the strategy and the **support for the strategy from** Union. LT (Drafting suggestions): **(c)** the management, monitoring and evaluation of the strategy and its animation, including the facilitation of exchanges between stakeholders and communication of the strategy and the Union, **together with the assessment of actions implemented.** LT (Comments):

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Commission proposal	MS drafting suggestions and comments
	To ensure the continuous operation of local action groups, it is necessary to provide for the implementation of activities and the availability of funding during the overlapping period between programming periods.
3. When preparing and implementing community-led local development, the following tasks shall be carried out exclusively by the local action groups:	IE (Comments): 76(3) CLLD currently funded under EMFAF is implemented on a broadly similar basis to LEADER, with Fisheries local action groups preparing strategies and selecting projects for funding. While 74(1)(b) refers to CLLD being implemented by LEADER and other citizen led groups, 76(3) this refers the tasks that are exclusive to local action groups. It would be useful to clarify if the Commission envisages all CLLD being delivered under the LEADER framework, or will this text be redrafted to reflect a more flexible approach.
	AT (Comments): In addition, paragraph 3 still contradicts Article 56, 2 (e).
(a) preparing the local development strategy;	IE (Drafting suggestions):

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Commission proposal	MS drafting suggestions and comments
	(a) preparing the local development strategy; **the preparing and publishing of calls for proposals;** IE (Comments): This provision is amended to provide that the preparing and publishing of calls for proposals is included in the list of tasks that shall be carried out exclusively by the local action groups under Community-led local development Article 76 (3).
(b) building the capacity of local actors to develop and implement operations;	
(c) drawing up a non-discriminatory and transparent selection procedure and criteria, which avoids conflicts of interest and ensures that no single interest group controls selection decisions.	PL (Drafting suggestions): (c) drawing up a non-discriminatory and transparent selection procedure and criteria, which avoids conflicts of interest ~~and ensures that no single interest group controls selection decisions.~~ PL (Comments):

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	The suggestion is to abandon the wording" and ensures that no single interest group controls selection decisions.", as in case of decision-making it is important to maintain balance among participants, however finally one idea has to prevail over the other. Thus it is our believe that sustainable composition of LAG shall be sufficient to ensure the just process of decision-making. It is important to keep this balanced composition in drawing CLLD strategy and selection of operation.
(d) selecting operations;	BE (Drafting suggestions): (d) **preparing and publishing calls for proposals,** selecting operations **and fixing the amount of support and presenting the proposals to the body responsible for final verification of eligibility before approval;** BE (Comments): These provisions differ from Article 33(3) of Regulation 2021/1060, which currently defines the tasks assigned exclusively to LAGs. The proposed regulation does not mention among the future competences of the LAG "the preparation and publication of calls for proposals", as well as "determining the amount of support and presenting applications to the

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	entity responsible for the final verification of eligibility before their approval", referred to in Article 33. Hence, the proposed regulations deprive LAGs of important competences that are core to their actual tasks and the overall objective of the LEADER-CLLD approach. DE (Comments): DE: As Art. 76 (1) (c) refers to Art. 75 (without any restrictions), Art. 75 (3) would be applicable, i.e. “relevant territorial or urban authorities or bodies (…) shall select or be involved in the selection of operations”. There is an inconsistency here. Selection of operations shall last exclusively with the LAGs. Selection by authorities would contradict the bottom-up principle. IE (Comments): **can confirmation be provided that this includes deciding the amount of funding for specific projects?.** PL (Drafting suggestions): (d) **preparing and publishing calls for proposals**, selecting operations **and deciding on the amount of support and presenting the proposals**

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	to the body responsible for final verification of eligibility before approval, with reservation of paragraph 5; PL (Comments): Paragraph 3 of Article 76 of the Fund Regulation should be supplemented with additional tasks for LAGs, analogous to those they carried out during the two previous financial programming periods. Additional fragments have been added in the point (highlighted in bold). The added phrase "preparing and publishing calls for proposals" in point (d) may be separated as an independent point, as was done in Regulation 2021/1060 Managing Authority shall be entitled to select LAG operations under cascading projects. Thus new paragraph 5 shall be added. PT (Drafting suggestions): PT: (d) selecting operations (LEADER) **or selecting or be involved in the selection of operations (CLLD)** PT (Comments): PT: This could be what distinguishes CLLD from LEADER.

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	Need clarification from COM.
(e) monitoring progress towards the achievement of objectives and evaluating the implementation of the strategy;	
(f) communicating of the local development strategy and the role of Union in its support.	ES (Comments): Clarification is requested regarding point (f), which introduces a new LAG function — "communication of the local development strategy and of the Union's role in its support" — taking into account that all projects are already subject to the publicity requirements established by EU law.
	ES (Drafting suggestions): NEW: **g) preparing and publishing the calls for proposals.** **h) determining the amount of aid and submitting the proposals to the body responsible for eligibility verification prior to approval.** ES

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	(Comments): ES proposes to include these two functions of Local Action Groups that are currently carried out in the 2023–2027 programming period and have been deleted HU (Drafting suggestions): **(g) the preparation and publication of calls for proposals;** **(h) determining the amount of support and presenting applications to the entity responsible for the final verification of eligibility before their approval.** HU (Comments): Additions based on 2021/2116 (EU) Article 33 (3) We consider these competencies important for the proper working of LAGs.
4. The local action group may be a beneficiary and may implement operations in accordance with the strategy, provided that the local action group ensures that the principle of separation of functions is respected.	
	PL

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	(Drafting suggestions): **5. The relevant Managing Authority selects LAG cascading operations if CLLD strategy is implemented with the cascading operation scheme.** **6. The use of simplified cost options shall be encouraged for projects implemented under the CLLD strategies.** PL (Comments): As cascading projects are one of the options empowering LAGs in local community increasing their responsibility for operations implemented under CLLD strategy and indicated in recommendations for CLLD under evaluation report ordered by the EC, it would be advisable to include provision allowing MA to select this kind of operations. (Technical assistance on simplification of CLLD implementation and creating channels of communication in order to ensure real and meaningful participation by local actors when planning/implementing/monitoring/evaluating the CLLD instrument, 2021) Simplified costs options shall be encouraged under entire CLLD instrument. If other regulations concerning SCO are to be binding for

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	CLLDs, they shall be removed from Article 77 and included in here (or a new article shall be created to deal with obligatory or preferable ways of financing CLLD). Paragraphs to consider are: (a) the use of simplified cost options shall be mandatory for the costs of operation of the LEADER local action groups; (b) support for projects carried out in accordance with the LEADER local development strategies not exceeding EUR 20 000 shall be provided in the form of lump sums and may be differentiated in accordance with objective and non-discriminatory criteria; (c) support to rural business start-ups for non-agricultural activities in rural areas may be provided in the form of lump sums up to maximum EUR 100 000 and may be differentiated in accordance with objective and non-discriminatory criteria.

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Article 77 ***Support under LEADER***	DE (Comments): We ask for further clarification why specific provisions are applicable for LEADER as compared to other CLLD initiatives. EE (Comments): We believe that there are no need for specific rules on LEADER under Community-Led Development (CLLD) which would make it difficult to have a uniform approach through CLLD. Our suggestion would be to delete article 77. MS can use simplified cost options nevertheless and it is important to have uniform approach through different policy fields in order to support rural and regional development on MS level. Article 77 would only offer uniform approach for LEADER on Union level, which in this case is not as important as uniform approach on national level through different policies and sectors that would like to implement CLLD. FI (Drafting suggestions): **Support under Community-Led Local Development** FI (Comments):

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	For the sake of consistency and in order to avoid double rules for LEADER/CLLD LAGs, it would be better to use the term CLLD. FR (Comments): Réserve générale d'examen sur la rédaction de cet article. La place de cet article dans le Règlement PPNR ou le règlement PAC sectoriel doit être discutée. HU (Comments): This article should be moved to the CAP regulation. LU (Drafting suggestions): This article should be transferred to the CAP-regulation LU (Comments): This article should be transferred to the CAP-regulation MT (Comments):

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	Article 18 of the CAP Proposal, that is related to LEADER notes that Member States shall support LEADER at least in rural areas with specific disadvantages as defined by the Member State. MT reiterates that the CAP SP or the NRP proposal should ensure that Member States can apply Member State specific criteria for defining rural areas. Article 110(c) of the CAP SP regulation allows national definitions to be used for CAP implementation - a similar provision is required in the CAP or the NRP proposal. EU-wide statistical definitions are unlikely to be fit for purpose, given the country's high population density and small geographic size. Article 18 (2) of the CAP proposal states that '*Member States shall support LEADER at least in rural areas with specific disadvantages defined by the Member States'*. Malta's rural areas are not remote and residents have similar access to services as those in urban areas (e.g., jobs, education, healthcare), therefore, disadvantages that are specific to rural areas such as limited access to services, economic and employment challenges and connectivity issues remain limited. The following drafting suggestion is being proposed for Article 18(2) of CAP Regulation: *Member States shall support LEADER in rural areas as defined by the Member States.*

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	DEGURBA classification for Malta can be found here: https://nso.gov.mt/spatial-dividions-for-malta/. This indicated that only 5 localities in Malta and Gozo are considered rural. Based on this definition, LEADER implementation in Malta will have negligible outreach, with an administrative burden that will far exceed the benefits. NL (Comments): COM's proposal is to set rules on a simplified delivery model based on milestones and targets between COM and Members States; not to set cost-based rules between Member States and beneficiaries. This principle should be followed throughout the regulation. Why would support under LEADER be the exception? To ensure consistency, any cost-based rules on the procedures between Member State Authorities and beneficiaries, such as the proposed provisions regarding SCOs or lumpsums, should be left out of the regulation. PL (Drafting suggestions): Article 77 **Support under community-led local development.** PL

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	(Comments): It is proposed to reword Article 77 of the Fund Regulation by replacing the references to LEADER in that provision with general references to CLLD. There is no justification for separate, differing regulations in this area for a single strategy implementing the objectives of different policies (CAP and cohesion policy). The rules for the use of simplified costs should be harmonised for all projects under a given strategy. (Changes have been highlighted in bold. Deletions have been marked by striking through the deleted text) PT (Comments): PT: COM should clarify if these support under LEADER (article 77) is in accordance to what what is stated in the previous article (76) on CLLD and LEADER. SI (Comments): We suggest transferring the Article in the CAP legal proposal. SK (Comments):

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	We suggest to move this article to the CAP regulation.
1. Support provided through LEADER referred to in Article 18 of Regulation (EU) 202X/XXXX [CAP Regulation] shall comply with the following requirements:	FI (Drafting suggestions): Support provided through ~~LEADER~~ **community-led local development** referred to in Article 18 of Regulation (EU) 202X/XXXX [CAP Regulation] shall comply with the following requirements: HR (Comments): • For the development of the LRS of LAGs for the period 2028-2034, can the funds approved for the LAGs in the period 2023-2027 be used (as was the case in the previous period)? Will LAGs also be able to implement support for rural business start-ups for agricultural activities, and if so, will there also be an obligation to implement them via a lump-sum? Will LAGs be able to implement various types of operations through their LRS (agricultural, non-agricultural, infrastructural, social, etc.) or should MS specify in the NRDP the types of operations that can be implemented through the LRS of LAGs? NL

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	(Drafting suggestions): ~~1. Support provided through LEADER referred to in Article 18 of Regulation (EU) 202X/XXXX [CAP Regulation] shall comply with the following requirements:~~ PL (Drafting suggestions): Support provided through **community-led local development** ~~LEADER referred to in Article 18 of Regulation (EU) 202X/XXXX [CAP Regulation]~~ shall comply with the following requirements:
(a) the use of simplified cost options shall be mandatory for the costs of operation of the LEADER local action groups;	AT (Drafting suggestions): (a) the use of simplified cost options shall be mandatory for the costs of operation of the LEADER local action groups **according to article 76, 2 (c);** AT (Comments): Clarification that this means the costs of the LAG-Management and animation;

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	BE (Drafting suggestions): (a) ~~the use of~~ simplified cost options **may** ~~shall~~ be ~~mandatory~~ **used** for the costs of operation of the LEADER local action groups; DE (Comments): DE: We support this proposal in the context of simplification. However, due to certain national experiences with auditors, we are concerned that the potential efficiency gains of simplified cost options (SCO) might be reversed by shifting the bureaucratic burden onto the process of defining the SCO. Hence, the SCOs should be clearly defined in this regulation. FI (Drafting suggestions): the use of simplified cost options shall be mandatory for the costs of operation of the LEADER/**CLLD** local action groups; FR (Drafting suggestions): the use of simplified cost options ~~shall~~ **may** be mandatory for the costs of operation of the LEADER local action groups;

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	IE (Drafting suggestions): (a) the use of simplified cost options shall be ~~mandatory~~ **be an option** for the costs of operation of the LEADER local action groups; IE (Comments): **This provision is amended to provide for optional use of SCOs rather than a mandatory requirement. While the use of SCOs for these costs would bring benefits in terms of simplification, it is important to continue to have adequately funded Local Action Groups. In the absence of detail on how the SCOs would work, and detail on the overall budget available to LEADER 'shall be mandatory' phrase should be changed to 'may be used'** IT (Drafting suggestions): a) the use of simplified cost options ~~shall be **mandatory**~~ **is allowed** for the costs of operation of the LEADER local action groups LT (Drafting suggestions):

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	(a) the use of simplified cost options ~~shall be mandatory~~ **is recommended** for the costs of operation of the LEADER local action groups; LT (Comments): The mandatory SCO system should be reclassified as a preferred and recommended option, granting Member States sufficient time to prepare for its proper implementation. NL (Drafting suggestions): ~~(a) the use of simplified cost options shall be mandatory for the costs of operation of the LEADER local action groups~~ NL (Comments): This obligation does not fit the approach of the LEADER local action groups in NL, since the Dutch LAGs do not have legal personality nor do they employ personnel. PL (Drafting suggestions):

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	(a) the use of simplified cost options shall be mandatory for the costs of operation of the ~~LEADER~~ local action groups;
(b) support for projects carried out in accordance with the LEADER local development strategies not exceeding EUR 20 000 shall be provided in the form of lump sums and may be differentiated in accordance with objective and non-discriminatory criteria;	BE (Drafting suggestions): support for projects carried out in accordance with the LEADER local development strategies not exceeding EUR 20 000 ~~shall~~ **may** be provided in the form of lump sums and may be differentiated in accordance with objective and non-discriminatory criteria; CZ (Drafting suggestions): ~~(b) support for projects carried out in accordance with the LEADER local development strategies not exceeding EUR 20 000 shall be provided in the form of lump sums and may be differentiated in accordance with objective and non-discriminatory criteria;~~ CZ (Comments): CZ is of the opinion that, it is not possible to set lump sums for all types of projects implemented under the LEADER local development strategies due

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	to their great variability. This obligation will ultimately only lead to a restriction to a few types of project outputs. DE (Drafting suggestions): (b) Support for ~~**projects**~~ **operations** carried out in accordance with the LEADER local development strategies **of which the total estimated cost does** not exceed~~**ing**~~ EUR 20.000 support shall be provided in the form of lump sums and may be differentiated in accordance with objective and non-discriminatory criteria; DE (Comments): Streamlining the basis for application of SCO to total estimated costs with Art. 78. See Justification in Art. 78. FI (Drafting suggestions): LEADER/**CLLD** FR (Drafting suggestions):

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	support for projects carried out in accordance with the LEADER local development strategies not exceeding EUR 20 000 ~~shall~~ **may** be provided in the form of lump sums IE (Drafting suggestions): (b) support for projects carried out in accordance with the LEADER local development strategies not exceeding EUR 20 000 ~~shall~~ **may** be provided in the form of lump sums and may be differentiated in accordance with objective and non-discriminatory criteria; IE (Comments): **This provision is amended to provide for 'may' rather than 'shall'. The use of shall would mean that it would not be feasible to specify a lump sum amount that would be provided for each category of project. In the absence of detail on how this would work in practice,'shall be provided' should be changed to 'may be provided'. For Article 77, it should be made clearer that it covers project costs and also the animation and administration costs of LAGs. In respect of the animation and administration costs of LAGs, the previous regulations specified that support should not exceed**

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	25% of the total public contribution to the strategy. In the absence of a ring-fenced amount for LEADER, we would welcome some guidance on whether a similar percentage is envisaged under the new programme. IT (Drafting suggestions): (b) support for projects carried out in accordance with the LEADER local development strategies not exceeding EUR 20 000 ~~shall~~ **may** be provided in the form of lump sums and may be differentiated in accordance with objective and non-discriminatory criteria; LT (Drafting suggestions): (b) support for projects carried out in accordance with the LEADER local development strategies not exceeding EUR 20 000 ~~shall~~ **may** be provided in the form of lump sums LT (Comments): The mandatory SCO system should be reclassified as a preferred and recommended option, granting Member States sufficient time to prepare for its proper implementation.

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	NL (Drafting suggestions): ~~(b) support for projects carried out in accordance with the LEADER local development strategies not exceeding EUR 20 000 shall be provided in the form of lump sums and may be differentiated in accordance with objective and non-discriminatory criteria;~~ PL (Drafting suggestions): (b) support for projects carried out in accordance with the ~~LEADER~~ local development strategies not exceeding EUR 20 000 shall be provided in the form of lump sums and may be differentiated in accordance with objective and non-discriminatory criteria;
(c) support to rural business start-ups for non-agricultural activities in rural areas may be provided in the form of lump sums up to maximum EUR 100 000 and may be differentiated in accordance with objective and non-discriminatory criteria;	AT (Comments): There are different lump sums and different terms in Article 14 of the CAP Regulation and in this Article. Without knowing the rationale it is not possible to make some drafting suggestions.

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	CZ (Drafting suggestions): ~~(c) support to rural business start-ups for non-agricultural activities in rural areas may be provided in the form of lump sums up to maximum EUR 100 000 and may be differentiated in accordance with objective and non-discriminatory criteria; Delete this paragraph.~~ CZ (Comments): Does this mean that support exceeding EUR 100 000 can't be provided in the form of lump sums? As with paragraph b), we consider this to be restrictive. Why is it not possible to use other types of SCO? We consider it sufficient to allow the use of SCO as specified in paragraph d). DE (Comments): DE: Underlining, since the support is independent from a project with concrete costs the beneficiary applies for a start-up underlined by a business plan, see also Art. 14 CAP-Reg. Relation to Art. 14 (2) c CAP-Reg remains unclear. NL (Drafting suggestions):

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	~~(c) support to rural business start-ups for non-agricultural activities in rural areas may be provided in the form of lump sums up to maximum EUR 100 000 and may be differentiated in accordance with objective and non-discriminatory criteria; -~~ PL (Drafting suggestions): (c) support to ~~rural~~ business start-ups for non-agricultural activities ~~in rural areas~~ may be provided in the form of lump sums up to maximum EUR 100 000 and may be differentiated in accordance with objective and non-discriminatory criteria;
(d) the use of simplified cost options shall be encouraged for projects implemented under the LEADER local development strategies.	AT (Comments): Does this need a clarification in the text that it is a deviation from Article 78, 2? DE (Comments):

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	DE: Does that mean that SCOs are being encouraged for projects under a LDS, EXCEPT lump sum support for non-agr. business start-ups exceeding 100 000 €? FI (Drafting suggestions): LEADER/**CLLD** LT (Drafting suggestions): (d) the use of simplified cost options ~~shall~~ **may** be encouraged for projects implemented under the LEADER local development strategies. LT (Comments): The mandatory SCO system should be reclassified as a preferred and recommended option, granting Member States sufficient time to prepare for its proper implementation. LU (Comments): **The article mentions that the use of SCOs shall be mandatory to cover the operating costs of LEADER LAGs. It is however not**

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	specified at what level the SCOs shall be implemented, at the level of the overall operating costs (all expenses included) or at the level of the individual posts of the operating costs (travel costs, office rent, salaries, etc.)? LU would prefer the **use of SCOs** to be **optional**. NL (Drafting suggestions): ~~(d) the use of simplified cost options shall be encouraged for projects implemented under the LEADER local development strategies.~~ PL (Drafting suggestions): (d) the use of simplified cost options shall be encouraged for projects implemented under the ~~LEADER~~ local development strategies. SE (Comments): What does encouraged mean in practice? Could there be consequences if SE/MA do not make sufficient use of simplified cost options?
2. The support provided under this Article may cover the costs of the preparation of the local development strategies or the costs of operations	AT (Drafting suggestions):

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implemented or a combination of both. Member States shall ensure that the costs of operations comply with the requirements laid down for the relevant types of interventions laid down in this Regulation.	2. The support provided under this Article may cover the costs ~~of the preparation of the local development strategies or the costs of operations implemented or a combination of both~~ **according to Article 76, 2**. Member States shall ensure that the costs of operations comply with the requirements laid down for the relevant types of interventions laid down in this Regulation **in article 35**. AT (Comments): Pargraph 2 does not mention costs of LAG-Management and animation. It should be made clear that support in this article could cover everything of the LEADER approach. Especially as there are specifc rules in paragraph 1 (a) for LAG-Management. “Intervention” is only a term in context with the CAP so a reference would make it easier to understand this paragraph NL (Drafting suggestions): ~~2. The support provided under this Article may cover the costs of the preparation of the local development strategies or the costs of operations implemented or a combination of both. Member States shall ensure that~~

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	~~the costs of operations comply with the requirements laid down for the relevant types of interventions laid down in this Regulation.~~

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Article 78 ***Use of simplified form of support towards the beneficiaries***	AT (Comments): The provisions on the mandatory use of simplified cost forms are inconsistent between the various articles and between the NRPP and CAP Regulations and need to be clarified and reviewed in more detail. Standardisation of terminology is requested. DE (Comments): DE: We would like to point out that the 'funding amount' approach would first have to verify the eligibility of the total costs submitted by the beneficiary and then apply the funding rate chosen by the MS. Only then would it be clear whether SCOs would be mandatory to apply. The previous simpler scheme, which is more comparable in the EU-27 context, is based on the estimated total costs resulting from the beneficiary's application and would thus correspond to the already existing scheme under Article 53(2) of Regulation (EU) 2021/1060. Therefore Art. 77 (1) b but also Art. 36 (3) should be adapted. For the application of SCOs, the Commission had laid down extensive provisions for optional calculation bases in Article 53 of Regulation (EU) 2021/1060 in the current funding period.

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	Articles 54-56 of that regulation set flat rates for certain types of eligible costs, including indirect costs, which do not require an additional calculation by the applying Member State. These provisions are now missing from the NRP Regulation. For the acceptance of SCOs, we consider if the described regulatory content of Regulation (EU) 2021/1060 can continue to apply. For legal certainty, legally binding statements need to be made by inclusion in the NRP Regulation. FI (Drafting suggestions): ~~Article 78~~ ~~Use of simplified form of support towards the beneficiaries~~ FI (Comments): It is inappropriate to regulate on implementation modes between Plan authorities and beneficiaries, as this goes against the principle of subsidiarity. NRP regulation does not include any other rules on MS-beneficiary relations. MS are best to determine what type of delivery mode is best suited and most simplified option for their measures and operations.

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	HR (Comments): HR: For a large number of projects with smaller values this would be useful. It would be necessary to clarify the approval and payment mechanism, as well as the reporting procedure, including which body would review the documentation and which documents would be required. LU (Comments): More details and legal certainty should be provided regarding the various possibilities, since this is intended to be an important element of simplification. NL (Comments): NL actively supports the use of SCOs. However, COM's proposal is to set rules on a simplified delivery model based on milestones and targets between COM and Members States; not to set cost-based rules between Member States and beneficiaries.

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1. Unless provided otherwise in this Regulation, where the total estimated cost of an operation does not exceed EUR 400 000, the public support provided to the beneficiary by the Member State shall take the form of financing not linked to cost or, a unit costs, lump sums or, flat rate, except for operations for which the support constitutes state aid.	AT (Drafting suggestions): Unless provided otherwise in this Regulation, where the total estimated cost of an operation does not exceed EUR 400 000, the public support provided to the beneficiary by the Member State shall take the form of financing not linked to cost **or be based on standard** unit costs, lump sums or, flat rate**s**, except for operations for which the support constitutes state aid BE (Drafting suggestions): ~~1. Unless provided otherwise in this Regulation, where the total estimated cost of an operation does not exceed EUR 400 000, the public support provided to the beneficiary by the Member State shall take the form of financing not linked to cost or, a unit costs, lump sums or, flat rate, except for operations for which the support constitutes state aid.~~ Support to beneficiaries may take any of the following forms: • Reimbursement of eligible costs actually incurred by a beneficiary • Unit costs

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	• Lump sums • Flat rate For operations for which the support consists of state aid only reimbursement of eligible costs actually incurred by a beneficiary. BE (Comments): We agree with the principle to promote the usage of SCO's. However, it would not be beneficial to make this obligatory for all operations below a certain threshold. SCO's are not a suitable instrument for every operation. Furthermore, it can provide issues with regard to controllability and verifiability. Furthermore, in order to make optimal use of these SCOs, COM should provide more support in the form of technical clarifications, guidelines & checklists, seminars, of-the-shelf methods, good practices etc, Question: Why exception for state aid operations? CZ (Drafting suggestions): 1. Unless provided otherwise in this Regulation, where the total estimated cost of an operation does not exceed EUR ~~400~~ **200** 000, the public support provided to the beneficiary by the Member State shall take the form of

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	financing not linked to cost or, a unit costs, lump sums or, flat rate, except for operations for which the support constitutes state aid. **Where flat-rate financing is used, the categories of costs to which the flat -rate applies may be reimbursed based on the eligible costs actually incurred by a beneficiary.** **This paragraph does not apply to operations supported under CFP.** CZ (Comments): CZ proposes that the provision on the mandatory use of SCOs and FNLC be based on the rules set out in Regulation 2021/1060 so that continuity is maintained. That is, CZ proposes keeping the EUR 200,000 threshold and also retaining the option to fulfil this obligation by using actually incurred expenditures to which a flat rate is applied. CZ demands the paragraph 1 not be applied the to operations supported under Czech Fisheries Program (CFP). Considering the average size of projects within the CFP (EUR 30-40 000), the application of the simplified cost methodology would be required for nearly all projects, which is neither technically nor administratively feasible (high variability of eligible expenditure and costs, risk of reduced absorption capacity, administrative complexity, limited flexibility (biological and climatic factors).

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	DE (Drafting suggestions): 1. Unless provided otherwise in this Regulation, where the total estimated cost of an operation does not exceed EUR 400 000, the public support provided to the beneficiary by the Member State shall take the form of financing not linked to cost or, a unit costs, lump sums or, flat rate, except for operations for which the support constitutes state aid. **For operations supported in one of the forms set out in the first subparagraph of this paragraph, paragraph (1) (c) and (d) of Article 63 shall not apply.** DE (Comments): We need restraints with regard to the data collection requirements, especially with regard to beneficial owners and (sub-)contractors and especially with regard to the application of SCO and performance-based reimbursement. DE: What is the reason for the deviation from this general rule for rural business start-ups for non-agricultural activities in rural areas in Art. 77 (1) (c) (lump sums up to maximum EUR 100 000)? EE

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	(Drafting suggestions): 1. Unless provided otherwise in this Regulation, where the total estimated cost of an operation does not exceed EUR **1 000 000** ~~400 000~~, the public support provided to the beneficiary by the Member State shall take the form of financing not linked to cost or, a unit costs, lump sums or, flat rate, except for operations for which the support constitutes state aid. EE (Comments): The use of simplified forms of support should be incentivised rather than mandated, and Member States should be rewarded for applying higher shares of simplified cost options in an effective and proportionate manner. In practice, the introduction of a compulsory threshold has not achieved its intended objective of significantly increasing the use of simplification, but has instead created additional complexity and rigidities in programme implementation. A more flexible, incentive-based approach would better respect the diversity of national systems while still promoting wider and more meaningful uptake of simplified forms of support.

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	Alternatively, if such an incentive-based approach is not retained, the mandatory threshold should at least be increased to EUR 1 000 000 in order to ensure that simplification and reduction of administrative burden reach the level of the beneficiary more effectively. FI (Drafting suggestions): ~~1. Unless provided otherwise in this Regulation, where the total estimated cost of an operation does not exceed EUR 400 000, the public support provided to the beneficiary by the Member State shall take the form of financing not linked to cost or, a unit costs, lump sums or, flat rate, except for operations for which the support constitutes state aid.~~ FI (Comments): How should this be interpreted with regard to the CAP and CFP? They are exempted from State aid rules in accordance with Article 85. Given that agricultural and fisheries support falling under Article 42 TFEU is explicitly exempted from the application of state aid rules, is it sufficiently clear whether such support can be considered 'state aid' for the purposes of the exception clause in this article (“except for operations for which the support constitutes state aid”), which allows the use of real

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	cost-based financing? If not, does this imply that agricultural and fisheries business projects would be required to use simplified cost options even when the support is exempt from state aid rules under this Regulation? According to the following paragraph, only Art 35 (1) would have lower level for obligation to SCO models. However, the CFP measures are identified as a CAP interventions but listed in the different paragraph (Art 35 (11) which means the requirement of €400 k for SCO cost models. FR (Drafting suggestions): Unless provided otherwise in this Regulation, where the total estimated cost of an operation does not exceed EUR 400 000, the public support provided to the beneficiary by the Member State ~~shall~~**may** take the form of financing not linked to cost or, a unit costs, lump sums or, flat rate, except for operations for which the support constitutes state aid. **Simplified Costs Options set up in Regulation 2021/1060 (articles 54, 55 and 56) can be used during this programming period.** FR (Comments): La généralisation des financements non liés aux coûts, bien que constituant une simplification à long terme, représente un défi

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	opérationnel important au début de programmation pour les Etats membres. Afin de fluidifier cette transition, il est proposé de ne pas rendre cette disposition obligatoire sur l'ensemble des opérations en-dessous de EUR 400 000 EUR. La delegation propose de reprendre les dispositions prévues aux article 54, 55 et 56 du Règlement 2021/1060. Les autorités françaises s'interrogent sur le caractère obligatoire de cette disposition, notamment concernant des opérations relatives au soutien à la PCP. La France soulève par ailleurs qu'autant dans son élaboration que dans sa mise en œuvre, cette disposition ne participe pas à la simplification des fonds. Et s'interroge sur les raisons qui ont amené la Commission à établir le seuil à 400k€ ? HR (Comments): • In our understanding, this provision applies to all operations, including those under the CFP interventions, under the threshold of EUR 400 000. If so, this would mean that most of the operations, for example,

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	related to investments on board fishing vessels, would be a subject of obligatory FNLC or SCOs. • We would appreciate an information from the COM how the specificities of the CFP interventions, such as investments on board fishing vessels aimed at improvement of safety on board, which are, for example in case of small-scale coastal fisheries, of small value, taken into account. Namely, most of such operations are under the proposed threshold, which would mean that in almost all operation FNLC or SCOs are to be applied. Indeed, there are operations, even of the small value, which could benefit of developing the SCO, but such operations/costs are limited. IE (Comments): This is a significant change, currently the MS has discretion regarding the use of SCOs. FNLC has not been widely used in IE and feedback on same is very mixed. It has created additional work where SCOs are developed but audit processes are implemented as usual, which limits the benefit of SCOs to both the beneficiary and the programme authorities. IE position is that MS should retain discretion to determine when to implement SCOs,

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	Furthermore the introduction thresholds for the use of SCOs by means of delegated acts would allow time for more detailed consultation with MS on the most effective approach to same IT (Drafting suggestions): 1. Unless provided otherwise in this Regulation, where the total estimated cost of an operation does not exceed EUR 400 000, the public support provided to the beneficiary by the Member State ~~shall~~ **may** take the form of financing not linked to cost or, a unit costs, lump sums or, flat rate, except for operations for which the support constitutes state aid. LT (Drafting suggestions): Unless provided otherwise in this Regulation, where the total estimated cost of an operation does not exceed EUR ~~400 000~~ **300 000**, the public support provided to the beneficiary by the Member State ~~shall~~ **may** take the form of financing not linked to cost or, a unit costs, lump sums or, flat rate, except for operations for which the support constitutes state aid. LT (Comments):

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	Given the diversity and specific characteristics of certain funds, it is proposed to allow flexibility in the application of simplified forms. For some funds, a lower threshold than EUR 400,000 may be established for the mandatory application. LU (Drafting suggestions): […] does not exceed EUR **5**00 000 …the form of **simplified cost options (i.e.** financing not linked to cost or, a unit costs, lump sums or, flat rate**)**, except […] LV (Drafting suggestions): 1. Unless provided otherwise in this Regulation, where the total estimated cost of an operation does not exceed EUR 400 000, the public support provided to the beneficiary by the Member State shall take the form of financing not linked to cost or, a unit costs, lump sums or, flat rate, except for operations for which the support constitutes state aid **and unless Member State provides justification that real costs option use under this threshold reduces administrative burden to beneficiary.** LV (Comments):

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	LV is rather sceptical regarding mandatory use of SCOs below specific threshold. To promote genuine simplification, it is crucial to allow Member States the flexibility to use the real costs option for operations under this threshold, provided the Member State justifies that real costs offer greater flexibility to the beneficiary than the mandatory simplified forms. MT (Comments): The increase* is problematic as simplified costs are feasible when the deliverable is by and large homogeneous. For smaller MS having a multitude of specific schemes is not manageable and schemes of a more general nature are easier to implement and administer. Will de minimis aid be considered as not being state aid for this provision? Will partial simplified costs be considered as fulfilling this requirement? Eg. A flat rate for indirect costs? If this provision needs to stay, why exempt state aid? Would it not be easier to allow for state aid rules to permit such simplified approaches? ***Currently under the CPR 2021/1060 under article 53 (2) this is 200K*** NL (Drafting suggestions):

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	Unless provided otherwise in this Regulation, where the total estimated cost of an operation does not exceed EUR 400 000, the public support provided to the beneficiary by the Member State shall, **if deemed appropriate by that Member State,** take the form of financing not linked to cost or, a unit costs, lump sums or, flat rate, except for operations for which the support constitutes state aid. NL (Comments): A simplified cost option should remain a choice by the Member States. There can be reasons why the introduction of a simplified cost option is not necessarily more efficient in implementation than a classical control. PL (Drafting suggestions): Unless provided otherwise in this Regulation, where the total estimated cost of an operation does not exceed EUR 400 000, the public support provided to the beneficiary by the Member State shall take the form of financing not linked to cost or, a unit costs, lump sums or, flat rate, except for operations for which the support constitutes state aid. **Where flat-rate financing is used, only the categories of costs to which the flat-rate applies may be reimbursed based on the real costs.**

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	PL (Comments): Retaining the rules from the 2021-2027 financial perspective, which allow the financing of expenditure on a real-cost basis when applying a flat rate (see Article 53(2) CPR), will ensure the necessary flexibility for the Member State. This is essential, as not every project with a budget of up to EUR 400,000 can be financed exclusively through simplified cost options. In addition, this solution will allow projects to be launched and settled more quickly in the next perspective, which is important in the context of the implementation of the EC's proposed n+1 rule. In the 2014-2020 and 2021-2027 perspectives, the limit for the mandatory use of SCOs has been increased. In the proposal for the 2027+ perspective, it has also increased (to EUR 400,000), and this measure is sufficient to promote the use of simplified cost options. The rejection of the rules that applied in previous perspectives is seen as an obstacle to the implementation of projects, rather than a real simplification (which is, after all, what the EC wants). RO (Drafting suggestions):

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	Unless provided otherwise in this Regulation, where the total estimated cost of an operation does not exceed EUR 400 000, the public support provided to the beneficiary by the Member State shall take the form of financing not linked to cost or, a unit costs, lump sums or, flat rate, a except for operations for which the support constitutes state aid. **A mix of FNLC and any SCO or a mix of different SCO could be used under the same operation** RO (Comments): Adding the possibility of combining different forms of FNLC and SCOs under the same operation could be considered SE (Comments): Why is state aid mentioned here explicitly? Is it not enough with the wording in article 58.1? SI (Drafting suggestions): Unless provided otherwise in this Regulation, where the total estimated cost of an operation does not exceed EUR 400 000, the public support provided to the beneficiary by the Member State shall take the form of

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	financing not linked to cost or, a unit costs, lump sums **and/**or, flat rate, except for operations for which the support constitutes state aid. **For operations with total estimated cost that exceeds EUR 400 000 and operations for which the support constitutes state aid, it is possible but not mandatory that the public support provided to the beneficiary by the Member State takes the form of unit costs, lump sums and/or, flat rate.** **Where a flat rate is used to cover indirect costs of an operation, the Member state is allowed to use one of the following methods without being required to perform a calculation to determine the applicable rate: (a) up to 7 % of eligible direct costs, (b) up to 15 % of eligible direct staff costs.** **Where a flat rate is used to cover direct staff costs of an operation, the Member state is allowed to use the following method without being required to perform a calculation to determine the applicable rate: 20 % of the direct costs other than the direct staff costs of that operation.** **Where a flat rate is used to cover eligible costs other than direct staff costs, the Member state is allowed to use the following method without being required to perform a calculation to determine the applicable rate: up to 40 % of eligible direct staff costs.**

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	SI (Comments): For legal certainty, it is important to explicitly state that the use of the SCOs is possible for operations with total estimated cost that exceeds EUR 400 000 and operations for which the support constitutes state aid. GBER, Article 7, states, that the amounts of eligible costs may be calculated in accordance with simplified cost options, provided that an operation is at least partly financed through a Union fund that allows the use of simplified cost options. So it is important that NRPP clearly states that SCOs are also possible for projects where the support constitutes state aid. “Off-the-shelf” methodologies for SCOs are very wide used in SI under Regulation (EU) 2021/1060. They brig a lot of administrative simplification, so we think it is essential to keep them and explicitely mention them in the NRPP as well. SK (Drafting suggestions): 1. Unless provided otherwise in this Regulation, where the total estimated cost of an operation does not exceed EUR 400 000, the public support provided to the beneficiary by the Member State shall take the

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	form of financing not linked to cost or, a unit costs, lump sums or, flat rate, **or a combination of these forms**, except for operations for which the support constitutes state aid. SK (Comments): We propose to add the possibility of combining different forms of SCOs within 1 operation.
	BE (Drafting suggestions): Member States are allowed to continue with existing SCOs. BE (Comments): Off the shelve SCO R 2021/1060, art 53-56.
2. For operations supported under interventions referred to in Article 34(1) [Types of interventions], the requirements of the first sub-paragraph shall apply only to those operations of which the total cost does not exceed EUR 100 000.	AT (Comments): Is article 34(1) the correct reference? Is article 35(1) meant here? The mandatory use of simplified cost options for all CAP-interventions is viewed very critically. With regard to the calculation/creation/preparation and subsequent ongoing evaluations of a large number of cost rates for

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	numerous different funding items, additional massive administrative burden is to be expected for the member states.] BE (Drafting suggestions): ~~2. For operations supported under interventions referred to in Article 34(1) [Types of interventions], the requirements of the first sub-paragraph shall apply only to those operations of which the total cost does not exceed EUR 100 000.~~ BE (Comments): Given that Article 77 lays down rules concerning simplified cost options specific to LEADER, should point (l) LEADER be removed from the reference to Article 35(1) for this Article 78(2)? With regard to paragraph 2, does the threshold of EUR 100,000 refer to the total cost of the investment or the total amount of public aid? In the presentations related to Article 13 – investments in the CAP Regulation, it seems that the SCO apply mandatorily when the total public aid does not exceed EUR 100,000. However, Article 78(2) refers to the total cost. CZ (Drafting suggestions):

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	2. **the use of simplified cost options shall be encouraged f**~~F~~or operations supported under interventions referred to in Article ~~34~~ **35**(1) [Types of interventions], ~~the requirements of the first sub-paragraph shall apply only to those operations of which the total cost does not exceed EUR 100 000.~~ CZ (Comments): CZ: It is not possible to set Simplified forms of financing for all types of projects implemented under the art. 35 (1) due to their great variability. This obligation will ultimately only lead to a restriction to a few types of project outputs. More suitable solution is to only encourage in using these Simplified forms of support where the supported activity enables it. DE (Drafting suggestions): 2. For operations supported under interventions referred to in Article ~~34~~ **35**(1) [Types of interventions], the requirements of the first sub-paragraph shall apply only to those operations of which the total cost does not exceed EUR 100 000. **In the case of Artikel 35(1)r [Support for interventions in certain sectors referred to in Title X of Regulation (EU) No 1308/2013] the requirements of the first sub-paragraph are optional**.

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	DE (Comments): Sectoral interventions are characterized by very heterogenous measures. It is therefore neither feasible for MS authorities nor does it simplify things for the producer organisations if any operation under EUR 100 000 is to follow the requirements of paragraph 1. EL (Drafting suggestions): 2. For operations supported under interventions referred to in Article ~~34(1)~~ **35(1)** [Types of interventions], the requirements of the first sub-paragraph shall apply only to those operations of which the total cost does not exceed EUR 100 000. EL (Comments): Correct numbering of article FI (Drafting suggestions): ~~2. For operations supported under interventions referred to in Article 34(1) [Types of interventions], the requirements of the first sub-paragraph~~

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	~~shall apply only to those operations of which the total cost does not exceed EUR 100 000~~ For operations supported under interventions referred to in Article ~~34(1)~~ **35(1)** [Types of interventions], the requirements of the first sub-paragraph shall apply only to those operations of which the total cost does not exceed EUR 100 000, **if the Member State so decides**. FI (Comments): The reference to 34(1) must be wrong. It should refer to Art 35, CAP interventions. The use of SCO's should be voluntary for Member States when aid is granted up to EUR 100,000. SCO's are not always risk-free for the beneficiary, as they do not recognise the characteristics of the investment due to the diversity of investments. For example, in building investments where an old building is renovated, defining the standard unit cost may be very challenging. Sudden changes in prices may also lead to overcompensation or undercompensation. They also lack an incentive effect to choose, for example, the most environmentally friendly production methods. They are also challenging for enforcement. FR (Drafting suggestions):

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	For operations supported under interventions referred to in Article 34**5**(1) [Types of interventions], the requirements of the first sub-paragraph shall apply only to those operations of which the total cost does not exceed EUR 100 000. FR (Comments): Correction d'erreur matérielle. La place de cette disposition dans le Règlement PPNR ou le règlement PAC sectoriel doit par ailleurs être discutée. HR (Comments): **HR:** We would like to clarify what exactly this provision refers to in the context of research and development projects. IE (Comments): Can the Commission confirm that as it currently is drafted Fruit & Vegetable PO support for actions under €100k can only be provided via a simplified cost option (which would have to be pre defined). This will be administratively challenging for the F&V sector as there are so many

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	different types of actions under €100k that could be requested as part of an operational programme. PL (Drafting suggestions): For operations supported under interventions referred to in Article ~~34(1)~~ **35(1)** [Types of interventions], the requirements of the first sub-paragraph shall apply only to those operations of which the total cost does not exceed EUR 100 000. PL (Comments): Incorrect reference. RO (Drafting suggestions): For operations supported under interventions referred to in Article ~~34~~ **35**(1) [Types of interventions], RO (Comments): Article 35 – Types of intervention. Correct references indicated. SE

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	(Drafting suggestions): 2. For operations supported under interventions referred to in Article 3**5**4(1) [Types of interventions], the requirements of the first sub-paragraph shall apply only to those operations of which the total cost does not exceed EUR 100 000. SE (Comments): Editorial remark: The reference should be made to Article 35 (1). SI (Comments): We suggest transferring this paragraph in the CAP legal proposal. SK (Drafting suggestions): 2. For operations supported under interventions referred to in Article 34(1) [Types of interventions], the requirements of the first sub-paragraph shall apply only to those operations of which the total cost **of the operation** does not exceed EUR 100 000. SK (Comments):

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	The explanation is unclear. We request this change so that it is explicitly clear how the total costs are calculated.
	CZ (Drafting suggestions): **NEW Art. 78a Setting of simplified forms of support** **The amounts of simplified forms of support may take any of the form mentioned in the art. 78 (1) or their combination, provided that each form covers different categories of costs or where they are used for different projects forming a part of an operation or for successive phases of an operation, and shall be established in one of the following ways:** **a) in accordance with the rules for application of corresponding unit costs, lump sums and flat rates applicable in Union policies for a similar type of operation;** **b) flat rates established by or on the basis of this Regulation, in which case the Member State shall not be required to perform a calculation to determine the applicable rate;** **c) in accordance with the methodologies established in previous programming periods if the conditions in the previous programming period remain relevant and valid for the**

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	programming period 2028-2034 (type of activities, categories of costs covered, etc.) and the original data is auditable. The managing authorities must ensure that the amounts of simplified forms of support represent a reliable proxy to real costs and are in compliance with the sound financial management; d) in accordance with the processes established by the Member State. The Member State must ensure that the amounts of simplified forms of support represent a reliable proxy to real costs and are in compliance with the sound financial management. NEW Art. 78b Flat-rate financing for indirect costs Where a flat rate is used to cover indirect costs of an operation, it may be based on one of the following: a) up to 7 % of eligible direct costs; b) up to 15 % of eligible direct staff costs. NEW Art. 78c Flat-rate financing for direct staff costs 1. Direct staff costs of an operation may be calculated at a flat rate of up to 20 % of the direct costs other than the direct staff costs of that operation, provided that the direct costs of the operation do not include public works contracts or supply or service contracts which exceed in value the thresholds set out in Article 4

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	of Directive 2014/24/EU of the European Parliament and of the Council or in Article 15 of Directive 2014/25/EU of the European Parliament and of the Council. **2. For the purposes of determining direct staff costs, an hourly rate may be calculated in one of the following ways:** **a) by dividing the latest documented annual gross employment costs by 1 720 hours for persons working full time, or by a corresponding pro-rata of 1 720 hours, for persons working part-time;** **b) by dividing the latest documented monthly gross employment costs by the average monthly working time of the person concerned in accordance with applicable national rules referred to in the employment or work contract or an appointment decision (both referred to as the employment document).** **3. Where annual gross employment costs are not available, they may be derived from the available documented gross employment costs or from the employment document, duly adjusted for a 12-month period.**

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	4. Staff costs related to individuals who work on part-time assignment on the operation may be calculated as a fixed percentage of the gross employment costs, in line with a fixed percentage of time worked on the operation per month, with no obligation to establish a separate working time registration system. The employer shall issue a document for employees setting out that fixed percentage. NEW Art. 78d Flat rate financing for eligible costs other than direct staff costs 1. A flat rate of up to 40 % of eligible direct staff costs may be used in order to cover the remaining eligible costs of an operation. 2. Salaries and allowances paid to participants shall be considered additional eligible costs not included in the flat rate. 3. The flat rate referred to in paragraph 1 of this Article shall not be applied to staff costs calculated on the basis of a flat rate as referred to in Article 78c (1). NEW Art. 78e Flat rate financing for travel and accommodation costs Travel and accommodation costs of an operation may be calculated at a flat rate of up to 15 % of the direct staff costs of that operation.

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	NEW Art. 78f Management verifications and audits of the use of simplified form of support **The management verifications and audits shall exclusively aim at verifying that the conditions for reimbursement of expenditure to the beneficiary have been fulfilled**. CZ (Comments): For reasons of legal certainty and continuity, CZ proposes that the regulation itself explicitly set out the options for establishing SCOs and FNLC, the possibilities for using off-the-shelf rates, and the basic principle applied to controls and audits of operations financed through SCOs and FNLC, namely that only the conditions for using the SCO and FNLC methods are verified. Maintaining Article 78 in its original form without complementary provisions, i.e. without support in a directly applicable legal act, could make it more difficult for support providers to use SCOs and FNLC. It could also create uncertainty in the area of control, as national control bodies might challenge the way SCOs and FNLC are set up. ES (Drafting suggestions): **NEW**

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	3. For operations supported under interventions related to fisheries and aquaculture, application of simplified financing options will remain voluntary for the Managing Authority for undertakings below €400 000. ES (Comments): Fisheries and aquaculture should be excluded from the mandatory use of simplified financing for undertakings below €400 000; their application should remain voluntary for the Managing Authority. With the removal of the fisheries exception, all small and medium-scale operations would be obliged to adopt simplified financing mechanisms, leading to a heavier administrative burden during the design phase (as the definition of such mechanisms requires technically complex work by the managing authorities) thus entailing a potential risk of delaying the launch of support measures. LT (Drafting suggestions): **3. In order to ensure the effective use of funds and the reliability of the system, all simplified forms shall be assessed *ex ante* by the audit**

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	authority and the European Commission, and shall not be subject to audit during the later stages of implementation. LT (Comments): In order to ensure the effective use of funds and the reliability of the system, the Regulation shall provide that all simplified forms shall be assessed *ex ante* by the audit authority and the European Commission, and shall not be the subject to audit during the later stages of implementation, with the audit being limited to verifying the correct application of the established simplified forms and not the determination of simplified forms amounts. Otherwise, the application of simplified forms would entail disproportionate risk and undermine their practicability for MS. It is also important to ensure the possibility of sharing experience among MS, as only approved simplified forms can serve as reliable examples for other MS. Also ensure maintain consistent practice (use the same template, etc.)

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Article 79 ***Conditions for measures which include operations with phased implementation***	DE (Comments): The introduction of measures/projects with phased implementation is welcomed. COM is requested to provide more detailed implementing provisions. There may be rare cases, where measures/projects started under Reg. (EC) Nr. 2021/2115 are also be affected, larger rural infrastructure and flood defense investments. This have to be checked.
1. Member States may support measures where the underlying operation(s) consist of the second phase of an operation already selected for support and started under Regulation (EU) No 2021/1060, provided that all the following conditions are met:	FI (Comments): This wording would exclude the actions of the CAP from the scope of this Article by referring only to the current General Regulation (EU N:o 2021/1060). MT (Comments): This provision should also be applicable for operations selected for support under Regulation (EU) 2021/2115. RO (Drafting suggestions):

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	1. Member States may support measures where the underlying operation(s) consist ~~of the second~~ **a** phase of an operation already selected for support and **started before 1 January 2028** ~~under Regulation (EU) No 2021/1060~~, provided that all the following conditions are met: RO (Comments): RO considers that conditions for measures with phased implementation should not be limited to two phases or only to Cohesion, but it should cover any other financing sources. SI (Comments): The rules for the transfer of commitments to the next programming period for the CAP are not specified (Article 21 only states that the transfer of commitments is possible). We propose that the rules for the transfer of commitments for the CAP be clearly specified.
(a) the operation, as selected for support under Regulation (EU) 2021/1060, has two phases identifiable from a financial point of view with separate audit trails;	RO (Drafting suggestions):

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	(a) the operation, ~~as selected for support under Regulation (EU) 2021/1060,~~ has ~~two~~ **identifiable** phases ~~identifiable~~ from a financial point of view with separate audit trails; RO (Comments): The proposed changes are in line with the above proposal.
(b) the total cost of the operation referred to in point (a) exceeds EUR 5 000 000;	BE (Drafting suggestions): (b) the total cost of the operation referred to in point (a) exceeds EUR ~~5 000 000~~ **2 000 000**; EL (Drafting suggestions): (b) the total cost of the operation referred to in point (a) exceeds EUR ~~5 000 000~~ **2 000 000**; EL (Comments): There are complex operations, which need adequate time for being completed, without having necessarily a high budget.

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	FI (Drafting suggestions): the total cost of the operation referred to in point (a) exceeds EUR ~~5 000 0000~~ **2 000 000;** FI (Comments): The limit is quite high at least from the perspective of fisheries. Should the limit be lower for fisheries like EUR 2 000 000 ? There is a risk for delay of next funding programme this restriction may significantly delay the launch of larger projects (like fishing ports or large aquaculture projects which could be constructed in logical phases) if the limit is this high for phasing HU (Drafting suggestions): We suggest the use of exceptions applied for home affairs funds in the 2021–2027 period (2.5 million and 500,000 euros as set out in the sectoral regulations). HU (Comments):

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	The EUR 5 million limit considerably narrows the range of potentially affected projects in home affairs. LU (Comments): this automatically excludes small programmes LV (Drafting suggestions): ~~(b) the total cost of the operation referred to in point (a) exceeds EUR 5 000 000;~~ LV (Comments): We see no justification for setting a financial limit for phased projects if the 28-34 period is planned as "performance based". We suggest deleting this condition to allow greater flexibility for phasing according to the needs of the MS. RO (Drafting suggestions): the total cost of the operation referred to in point (a) exceeds EUR ~~5~~ **1** 000 000;

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	RO (Comments): The current period Regulation (EU) 2021/1060, art.118a establishes a threshold of EUR 1 000 000 – this threshold should be considered and used instead of EUR 5 000 000 SK (Drafting suggestions): (b) the total cost of the operation referred to in point (a) exceeds EUR **1 000 000** ~~**5 000 000**~~; SK (Comments): We request a reduction of the amount to €1,000,000 as defined in Article 118a of Regulation 2021/1060. The sum of 5 million we consider to be unreasonably high (which was also declared by the EC in the past by amending Regulation 2021/1060).
(c) the costing for the measure exclusively takes into account costs for which expenditure has not been included in a payment application in relation to the first phase;	FI (Comments):

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	Does costing for the measure refer to total costs or the amount of acceptable public funding?
(d) the second phase of the operation complies with applicable law and is eligible for support under this Regulation;	RO (Drafting suggestions): (d) the ~~second~~ phase of the operation, **selected for financing under the current regulation,** complies with applicable law and is eligible for support under this Regulation;
(e) the Member State establishes milestones and targets for the second and final phase of the operation.	HU (Drafting suggestions): the Member State **may** establish~~es~~ milestones and targets **or submit a payment application including the total amount of eligible expenditure incurred** for the second and final phase of the operation HU (Comments): Hungary welcomes the possibility to maintain phased implementation for operations; however, it is concerned that the two phases of the same project would be financed under different approaches. The article

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	essentially preserves the current system, but it requires milestones and targets to be established for the second phase, as this phase would be financed under a performance-based (milestone/target) approach. This creates a new risk: the first phase would still follow the existing invoice-based financing, while the second phase would have to be milestone-based. This raises several issues: • Projects in the current period were not designed on milestones basis, making it difficult to define the phase boundary ex post in a way that is compatible with 2028-2034 requirements. • Ensuring the avoidance of double financing may become problematic, given that the first and second phases would rely on different supporting methods (invoice-based vs. milestone-based). As a simplification measure for phased operations, Hungary proposes allowing the continued use of the original programming period's financing method for the entire duration of the phased project. IT (Comments): Clarification is requested on how milestones and targets should be operationally attributed to individual project phases within phased

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	implementation measures, to ensure consistency of performance monitoring, avoid duplication of indicators, and maintain a coherent audit trail across phases. RO (Drafting suggestions): (e) the Member State establishes milestones and targets for the ~~second and final~~ **phase supported by the Plan** of the operation.
2. This Regulation shall apply to the measure for which the second phase of the operation is included.	RO (Drafting suggestions): 2. This Regulation shall apply to the measure for which the ~~second~~ phase of the operation ~~is included~~ **selected under the Plan**. SK (Drafting suggestions): ~~2. This Regulation shall apply to the measure for which the second phase of the operation is included.~~ SK (Comments):

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	The provision of Article 79(2) appears **to be more or less duplicative** with the provision of Article 79(1)(d)

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CHAPTER 3 **Regulation (EU, Euratom) 2024/2509**	

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Article 89 ***Amendments to Regulation (EU, Euratom) 2024/2509***	BE (Comments): This article is important because it enables the operation of the 'Single Fund' through a performance-based approach. It aligns the Financial Regulation with the new delivery model. It is therefore closely linked to the discussion in Block 3 on clarifying the financial framework, financial rules, and financial instruments. As long as no clear political decision has been taken on the structure of the NRPP/the Fund, we are not in a position to propose amendments to this article. HR (Comments): Could the wording be harmonized or a link added to Article 53 of the NRPP Regulation, which regulates the functions of the Audit body? MT (Comments): MT seeks clarification on whether the amended provision implies that Member States will have the option to report either on financial data or on performance results. If so, MT would appreciate guidance on how potential differences in preference or interpretation by audit bodies, including the European Court of Auditors, would be addressed, particularly in cases

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	where one form of reporting may be considered more appropriate or reliable than the other.
Article 63 of Regulation (EU, Euratom) 2024/2509 is amended as follows:	
(1) in paragraph 5, point (a) is replaced by the following:	HR (Comments): **HR questions:** Article 89(1) replaces the Article 63(5)(a) of Regulation (EU, Euratom) 2024/2509 setting out that the bodies designated pursuant to paragraph 3 shall, by 15 February of the following financial year, submit to the Commission: "(a) information providing a true and fair view of the progress of implementation during the reference period established in the sectoral rules, or accounting documentation on expenditure incurred during the reference period established in the sectoral rules (…)". Which reference periods from the sectoral regulations is this with regard to, considering that the sectoral regulations for the Home Affairs Funds do not specify such reference periods?

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"(a) information, providing a true and fair view of the implementation progress during the reference period as defined in sector-specific rules, or their accounts on the expenditure that was incurred during the reference period as defined in sector-specific rules, in the execution of their tasks and that was presented to the Commission for reimbursement;"	
(2) paragraph 6 is replaced by the following:	
"6. The accounts referred to in paragraph 5, point (a), shall include pre-financing and sums for which recovery procedures are ongoing or have been completed. The information or the accounts referred to in paragraph 5, point (a), shall be accompanied by a management declaration confirming that, in the opinion of those in charge of the management of the funds:	
(a) the information contained therein, including the information referred to in paragraph 5, point (a) is properly presented, complete and accurate;	

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(b) the expenditure was used for its intended purpose, or the amounts for which payment had been requested from the Commission were in line with the conditions for payment, as defined in sector-specific rules;	HR (Comments): Article 89(2)(b) provides that the accounts shall be accompanied by a management declaration confirming that "the expenditure was used for its intended purpose, or the amounts for which payment had been requested from the Commission were in line with the conditions for payment, as defined in sector-specific rules". **HR reiterates** the previous question: which sectoral rules is this in reference to, given that no such provisions are defined in the sectoral regulations in the field of Home Affairs? How does the Commission intend to clarify which reference periods and sectoral rules should apply to the Home Affairs Funds for the purposes of fulfilling these reporting and management declaration requirements? MT (Comments): MT seeks clarification on how compliance with this requirement will be demonstrated in practice. It is unclear whether the current reporting processes will need to be adapted or further enhanced to meet this obligation, particularly with respect to the verification procedures carried

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	out by the managing authorities and the manner in which such data is compiled and reported.
(c) the control systems put in place ensure the legality and regularity of the underlying transactions.”	PL (Drafting suggestions): ~~(c) the control systems put in place ensure the legality and regularity of the underlying transactions~~ PL (Comments): This requirement is inconsistent with the assumption that the costs of basic operations are not verified. SE (Drafting suggestions): (c) the control systems put in place ensure **compliance with applicable law/legislation**~~the legality and regularity of the underlying transactions.~~” SE (Comments):

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	SE proposes to change the wording in line with our comment on Article 53. 2 (ii); auditing underlying transactions pertains to the cost-based model and is not a requirement according to 53.4.
(3) in paragraph 7, the first subparagraph is replaced by the following:	HR (Comments): **HR asks for clarification** of the scope of ensuring legality and regularity of the underlying transactions if MA is not expected to verify the underlying cost of the operations according to Article 51(1)(b).
"The accounts referred to in paragraph 5, point (a) or the information on the basis of which payment has been requested from the Commission, and the summary referred to in point (b) of that paragraph shall be accompanied by an opinion of an independent audit body, drawn up in accordance with internationally accepted audit standards. That opinion shall establish whether the control systems put in place function properly and ensure the legality and regularity of the underlying transactions and state whether the audit work puts in doubt the assertions made in the management declaration referred to in paragraph 6. It shall also establish whether the accounts or the information on the basis of which payment	

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has been requested from the Commission give a true and fair view and whether the use of funds complies with applicable law or expenditure for which reimbursement has been requested from the Commission is legal and regular.”	
ANNEXES	ES (Drafting suggestions): It would be more practical to include document templates (Annexes IX to XIII) in implementing acts, which can be adapted or amended more easily. ES (Comments): The comment made under Article 58(3) is reiterated: further details are requested on the reporting procedure and evaluation methodology.
	BE (Comments):

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	We need more clarity on the content of the articles/the questions/comments we have in this regard, before we can translate this into the annexes and discuss its content. PL (Comments): General remark (Annex IV, XII, XIII): The requirements for the management and control systems should be revised in the context of the comments submitted to individual articles of the regulation, concerning the lack of justification for verifying double financing, public procurement, and the need to define requirements for settling projects after results. When simplifications are applied at the level of settlements with the EC and as well with the beneficiary, public procurement for the settlement of operations is not monitored or verified.
ANNEX IV	AT (Drafting suggestions): Effective ~~accounting~~ **data** system that provides accurate, complete and reliable information in a timely manner, including aggregating the data to be declared to the Commission BE

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	(Comments): 4 "*Appropriate procedures for checking the fulfilment of the conditions for payment, the durability of the fulfilment of milestones and targets".* The durability is difficult to monitor for CAP interventions. Article 69 mentions 5 years, which is a long period. Example: how to deal with a farmer, supported for a quality scheme, who has to abandon that quality production type, due to a lack of commercial success / financial return? CZ (Drafting suggestions): ~~10. Appropriate procedures to ensure financial flows to managing authorities and paying agencies, guaranteeing that, with each payment made by the Commission, such authorities receive the amounts due to them, in accordance with the progress made in the implementation of the measures included in their respective chapters and taking into account potential financial corrections resulting from the implementation of their chapters, and ensuring that by the end of the period they receive an amount at least equivalent to their Union contribution.~~ 13. Appropriate arrangements to ensure compliance with the obligation to continue payments to beneficiaries, recipients, final recipients, contractors and participants in the event of interruption of payment deadlines or

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	suspension of Union funding, financial corrections or other measures to ensure the protection of the Union's financial interests **unless they have caused apllication of these measures.** CZ (Comments): 10. CZ does not agree with introduction of this new obligation in Art. 50 (1) g) as well as this key requirement, as it creates additional administrative burden and goes against the principle of simplification generally presented in the NRPP proposal. In the shared management, the transfer of funds received from the EU budget traditionally falls under the competence of the MS and we assume there have not been any problems in this regard in the previous programming periods. 13. CZ is of the opinion that this obligation should be limited to cases where the entities concerned are not responsible for the measures taken by the Commission and the text should be amended accordingly. DE (Comments): We welcome the specification of the core requirements for Member States' management, control and audit systems in Annex IV. These need to be examined in detail. However, we view critically any extensions

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	going beyond the recent agreement in the revision of the Financial Regulation (e.g. mandatory introduction of a national anti-fraud strategy). DE: In this respect, it represents a systemic change, as the terminology is changing completely: **"audit authority"** instead of **"certifying body."** Under the EMFF and EMFAF, we are already acting as an audit authority. The terminology in Annex IV (core requirements, including those for the MS audit systems) would also change and would need to be reassessed. FI (Drafting suggestions): KR 12 "Comprehensive national **and regional partnership plan** anti-fraud strategy…". FI (Comments): The key requirement 12 cannot go beyond the scope of this regulation and, therefore, the text should be adjusted. In the interest of the promised move to aligned rules, these Annexes should also apply in full to the CAP and CFP. During the current period, the financial audit guidelines have gone beyond the requirements of legislation. This has led to significant additional work for the

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	administration and led farmers to an unsustainable situation, which is contrary to environmental and climate targets. Because of audit requirements, controls are increased and tightened up year by year. CAP's audit report has been expanded to hundreds of pages. FR (Drafting suggestions): Appropriate arrangements to ensure, **subject to the availability of funding**, compliance with the obligation to continue payments to beneficiaries, recipients, final recipients, contractors and participants in the event of interruption of payment deadlines or suspension of Union funding, financial corrections or other measures to ensure the protection of the Union's financial interests. FR (Comments): Il conviendrait de spécifier quelles sont les exigences clefs applicables aux autorités de gestion, aux organismes payeurs, et aux autorités d'audit. HR (Comments): Annex IV lists the key requirements for the Management and Control System and Audit. Please clarify whether all the criteria listed apply to

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	both systems (given that the audit is independent). If these are key requirements that are specific to the MCS or Audit**, HR proposes** to separate them in the relevant annex. Please clarify whether key requirements 3 and 4 include management verification activities that are not explicitly listed as a key requirement. • We would need more information regarding the meaning of the provision 'functional independence between authorities" in point 1. We believe that it should still be possible for an institution that hosts the Managing Authority to also act as a beneficiary of funds. • Regarding KR 1, who prescribes what is the sufficient minimum level of funds? How is the Audit Authority expected to verify the sufficiency of the resources allocated to the bodies? • Annex IV sets out the key requirements for Member States' management, control, and audit systems, stating that it is necessary to ensure the continuation of payments to beneficiaries in cases of payment interruptions, suspension of Union funding, financial corrections, or other measures aimed at protecting the Union's financial interests. However, such requirements could place additional burdens on national budgets and jeopardize the continuity of implementation, creating uncertainty in financial planning and allocation. In this context, how does the Commission envisage ensuring the continuity of project implementation

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	and financial stability for Member States while safeguarding the Union's financial interests in cases where Union funding is interrupted or suspended? Annex IV sets out the key requirement: "Appropriate procedures for reporting of all cases of suspected fraud, corruption and irregularities including conflict of interest, double funding and other breaches of applicable law and for their follow-up in the Commission's Irregularity Management System." **HR proposes** to amend it in accordance with the comment given on Article 58, paragraph 2, point g) and to prescribe an exception and exclude from reporting through the IMS irregularities that are less than EUR 10 000 in EU contributions, as determined in the current and as it was determined in the previous financial perspectives. IE (Comments): ANNEX IV Key requirements for the Member State's management, control and audit systems • (5) Does this mean ISO Accredited systems for all relevant entities ? • (9) Is this suggesting that there would be a central accounting system?

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	• (11) Is it necessary to have a common unique beneficiary ID across all funds ? • (12) Is use of Arachne mandatory ? LT (Drafting suggestions): ~~Comprehensive national anti-fraud strategy, based on a risk assessment.~~ LT (Comments): We do not agree that a national anti- fraud strategy should be included as one of the elements of the management and control system. The requirement to establish a national anti-fraud strategy appears to be redundant within the context of the management and control system (MCS), as such a strategy constitutes a national-level policy document that applies across the entire Member State, rather than being limited to projects or reforms financed by the European Union. MT (Comments): **Regarding Proviso 12:** Further clarification is required on the reference to the anti-fraud strategy. It is not clear whether this is referring to the current

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	EU Anti-Fraud Strategy or to a national anti-fraud strategy for public funds. **Clarification required.** PL (Drafting suggestions): 1. Appropriate separation of functions and functional independence between authorities. Written arrangements **or national law** for supervising and monitoring tasks delegated to other bodies. Allocation of sufficient resources to this body or bodies for the purpose of the Plan. PL (Comments): The lack of flexibility of the proposed solution, which excludes the possibility of defining the tasks entrusted in generally applicable regulations without the need to conclude agreements. We propose that the entrusting of tasks by the managing authority to an intermediate body should also be possible on the basis of regulations. Within the CAP, the definition of entrusted tasks in generally applicable regulations has been in place for a long time and is a proven solution that does not raise any objections. RO (Drafting suggestions):

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	<u>The annex shall be supplemented with a column indicating the entities responsible for fulfilling the respective key requirement.</u> SE (Drafting suggestions): (1) Appropriate separation of functions and functional independence between authorities and written arrangements for supervising and monitoring tasks delegated to other bodies. ~~Allocation of sufficient resources to this body or bodies for the purpose of the Plan~~ SE (Comments): Annex IV does not explicitly state which requirements apply to which function, and some requirements seem to address the Member State as a whole. The purpose and scope should be clarified. As regards to Key Requirement 1 SE believes that the last sentence on allocation of sufficient resources, should be deleted. It should be up to the MS to ensure this in line with its administrative structures.
	PL (Drafting suggestions):

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	~~**12. Comprehensive national anti-fraud strategy, based on a risk assessment**~~ PL (Comments): With regard to point 12 (Comprehensive national anti-fraud strategy, based on a risk assessment): in line with the EC's expectations to date in the context of NAFS (adopted by some Member States as good practice or in response to EC recommendations), such a strategy should (in the most desirable version) be holistic and include measures aimed at fully protecting the EU's financial interests, i.e., the entire expenditure side (all EU funds implemented) as well as the revenue side (for which EU Funds authorities are not responsible). The draft regulation in question regulates only a partial catalog of EU funds and, as a result, is not an appropriate tool for establishing rules that go significantly beyond its scope. Therefore, we propose deleting point 12. Additionally, it must be emphasized that the obligation to protect the EU's financial interests (including combating fraud) stems directly from the provisions of the Treaties, in particular Article 325 TFEU, and point 12 in question is not necessary.
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	(Comments): See our comment under 58(3) and 59(1). We propose to delete this annex. DE (Comments): Does the estimation of progress achieved (expressed as a percentage from 0% to 100%) have an influence on the pay-out value, and if so, how exactly is this to be calculated and by whom? How can COM prevent a risk that payment submissions may be significantly delayed? Milestones (qualitative indicators) could also be assessed in regard to the levels of progress achieved to enable timely and proportionate pay-outs. This should also include information on progress made towards achieving the minimum percentage of the total allocation of the NRP Plan for climate and environmental objectives. ES (Comments): This is a template divided into investments, reforms and other interventions. As this document is annexed to the management declaration, to be signed by the heads of paying agencies, a specific template is recommended.

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	Otherwise, confirmation is requested on whether CAP interventions should be included under “other interventions”. FR (Drafting suggestions): **In Part 2, "Progress in Implementation of Measures," a fifth column should be added to insert a justification of the fulfilment of the milestones of performance indicators (output indicators).** FR (Comments): Cet ajout pourrait offrir davantage de flexibilité et permettre éventuellement de déclencher des paiements même si les étapes clés ne sont pas entièrement franchies pour des raisons dûment justifiées. IE (Comments): ANNEX IX Reporting on the implementation progress of the measures of the Plan (to be submitted as an Annex to the management declaration) 1. Must all expenditure incurred be claimed within the financial year it is incurred).

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	2. Is this based on claims submitted for reimbursement to the EU? Or is it based on payments to beneficiaries regardless as to the status of claim to EU) LU (Drafting suggestions): **General remark: the definition of milestone as a qualitative element in art. 4(11) does not match the request for quantitative achievement of the progress achieved in the annex IX** LU (Comments): LU wonders **if the Annex IX Reporting on progress in implementation of measures" should not better be part of a secondary legislation act elaborated together with the member states?** **Will the progress towards other interventions be assessed differently than investments? There is a difference in description of progress in the annex IX: progress towards milestone/target vs. output achieved. Also, will the member state be requested to include justifications for deviations in the template or not?** LV (Comments):

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	It is crucial to avoid extensive information and lengthy descriptions on the achievement of milestone and target progress. PT (Comments): PT: To be updated to allow measures to be reimbursed in a real-cost basis. RO (Comments): In Annex IX, reference is made to Article 58, paragraph (4), instead of Article 58, paragraph (3). SI (Comments): The table is not clear and not consistent across all three categories: in the case of "investments" the target value is reported, in the case of "reforms or investments" the milestone is reported (without defining the target value) and in the case of "other interventions" neither the definition of the milestone nor the target value for the impact is defined. The timeline for data collection for reporting is also not clear: cumulative or annual. SK

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	(Drafting suggestions): Incorrect reference to Article 58 (4), correct is article 58 (3). SK (Comments): We request to delete Annex IX, as it duplicates the information reported in the payment application (see the column "Quantitative indicators (targets) […]") and afterwards to modify all relevant provisions of the draft NRPP regulations that refer to Annex IX. We understand that, given the similar setup to the recovery and resilience plan, this is an effort by the EC to standardize the setup. However, in this case, since information on implementation progress can be extracted from the payment request template (Annex XI), we do not consider the implementation report to have any added value and consider it to be gold-plating.
ANNEX XII	DE (Comments): The annual audit opinion for the NRPP should be designed in such a way that a separate audit opinion can be provided for each chapter, but also that a summary of the audit opinion for individual chapters is possible. An overall summary of all audit opinion for the whole NRPP should be

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	purely editorial in nature and only provided to the extent necessary. See also comment on Article 53. ES (Comments): comment connected to the one on Article 59(1). Overall, the procedure appears similar to the current one. At present, there is a Commission guideline (Guideline No 4 on the certification of annual accounts) providing detailed instructions on the management declaration, including a template similar to that in Annex XII. Does the Commission intend to continue issuing guidelines providing more detailed instructions to MSs on the submission of the management declaration? Currently, in addition to reservations, it is possible to include “additional remarks” in cases of deficiencies that do not justify a reservation but should, in the opinion of the head of the paying agency, be brought to the Commission’s attention. Will this “intermediate” option remain available? FI (Comments):

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	For point 2 of the management declaration: How can the MA confirm accuracy of information submitted by the CA? HU (Comments): The template for the declaration should be clarified to expressly state that, in cases where multiple Managing Authorities are concerned (due to the milestones and targets included in the declaration), the declaration must be signed by each Managing Authority. LU (Comments): Could the COM please clarify how Annex XII(3) (template for management declarations), which ensures 'the legality and regularity of the underlying transactions,' aligns with 51(b), which states that the management authority is not expected to verify the underlying costs. Management declarations should be signed by the managing authority in charge of the specific chapter. The coordination authority (in case it will exist in the member state) should be responsible for the collection of the management declarations but should not be responsible to provide a global signature. RO

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	(Drafting suggestions): **In line with Article 50(e), the template will be adapted to reflect the individual commitment of each head of the managing authority responsible for the chapter(s) in the plan.** RO (Comments): Since MA is not expected to verify the underlying costs of the operation, how can it give the necessary assurance included in the wording of the management declaration ("assurances that the funds were managed in accordance with all applicable rules, including on prevention, detection, correction, reporting and follow-up of irregularities including conflicts of interests, corruption, double funding and fraud prevention, in accordance with the principle of sound financial management and in compliance with the applicable law[, including applicable public procurement and State aid rules]? SK (Drafting suggestions): In Annex XII, in the model management declaration, the following point is added after point (iv):

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	“(v) where milestones and targets are structured as a combination of process milestones (Type A) and outcome milestones or targets (Type B), all process milestones (Type A) required for the disbursement have been fully achieved and, on the basis of available evidence, the corresponding outcome milestone or target (Type B) is reasonably expected to be achieved within the agreed timeframe, even if the final quantitative result is not yet fully measurable at the date of this declaration.”
ANNEX XIII	DE (Comments): The Annex XIII is created for a state-level annual audit opinion. As mentioned above at art. 49 I s. 2, art 53 II a) the new state-level focus at the audit authority brings enormous bureaucracy without added value. Consequently, Annex XIII should be adjusted to each authorized audit authority. FI (Comments): In the interest of the promised move to aligned rules, these Annexes should also apply in full to the CAP and CFP. During the current period,

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	the financial audit guidelines have gone beyond the requirements of legislation. This has led to significant additional work for the administration and led farmers to an unsustainable situation, which is contrary to environmental and climate targets. Because of audit requirements, controls are increased and tightened up year by year. CAP's audit report has been expanded to hundreds of pages. LU (Comments): Here the 'double system' (reversal of milestones and targets) and ensure the legality and regularity of the underlying transactions costs becomes visible. Clarify how Annex XIII(4) (template for the annual audit opinion)), which ensures 'the legality and regularity of the underlying transactions,' aligns with 51(b), which states that the management authority is not expected to verify the underlying costs. RO (Comments): Since AA is not expected to verify the underlying costs of the operation for the purpose of its audit work, how can it audit the use of funds in accordance with the applicable law?

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ANNEX XVI	BE (Comments): Critical on the need for an interface (§2.3). It will be very complex to set-up one interface in a federal system. Different systems/managing authorities/paying agencies/… within Member States should be able to upload directly to SFC. CZ (Drafting suggestions): 2.1. Ensuring that the programme authorities of the Member State identified in accordance with Article ~~71~~**49**(1) **and (3)** as well as the bodies identified to carry out certain tasks under the responsibility of the managing authority or the audit authority in accordance with Article ~~71~~**49**(~~2~~**4**) and (~~3~~**5**) enter into SFC2028 the information for the transmission of which they are responsible and any updates thereto. CZ (Comments): CZ - Wrong references to the CPR 2021-2027 instead of the references to the corresponding articles of the proposal.

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	FI (Drafting suggestions): 1.1. Ensuring **early enough** the operation of an electronic data exchange system ('SFC2028') for all official exchanges of information between the Member State and the Commission **according to the schedule of the regulation.** SFC2027 shall contain at least the information specified in the templates established in accordance with this Regulation. LU (Comments): 2.3. "Ensuring the provision of an interface between Member State information systems and SFC2028 for the automated transfer of pre-defined datasets. "To ensure the integration and interoperability of information, it is essential that COM provides its proposal of the fully developed operational Single Gateway as soon as possible. So that MS can do the adjustments to their IT system. Technical assistance should be offered by COM to adapt the national IT system. LV (Comments): Annex XVI 1.2. (g) Additional explanation is needed for the meaning of the term "historical data"

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	RO (Comments): What is the envisaged approach for Interreg? Is “a monitoring and reporting system/Interreg chapter” a correct interpretation? Wouldn’t a single monitoring system for the Interreg Plan and its chapters be a better choice, ensuring cost efficiency, simplification, consistency, reduced duplication and cross-programme aggregation, especially given the limited resources? For Interreg, the most fitted solution would be a single monitoring system integrated (via an API) with SFC, to cover all flows and steps, from Commission to beneficiary and from beneficiary to Commission. (the experience of building a joint monitoring system (JEMS) for Interreg for 2021-2027 proved to be a success, as more than 50% of the programs adopted JEMS as their official monitoring system, reducing costs, decreasing the administrative burden for all stakeholders and bringing more clarity and legal certainty for authorities in accomplishing their obligations). SI (Comments): Providing printouts in all necessary formats (pdf, excel, word,…).

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	The application should be more user-friendly.
	FI (Drafting suggestions): 2.3. Ensuring **where possible,** the provision of an interface between Member State information systems and SFC2028 for the automated transfer of pre-defined datasets (annex xx)

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