

Update on amendments to 2014-2020 rural development programmes and the role of Monitoring Committee

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DISCLAIMER

The synthesis presented in the following slides reflects the data as officially submitted by Member States and Regions to the Commission services by April 2016. This presentation is made available without prejudice to any finding in respect of the compliance with the regulatory framework of RDP amendments.

OUTLINE

1) Overview on RDP amendments (legal framework and state-of-play of amendments of 2014-2020 RDPs)

2) The role of the Monitoring Committee

Applicable EU legislation for amendments

- Common Provisions Regulation (R 1303/2013) for ESIF programs and for Partnership Agreements (PA)
- Code of conduct on partnership in framework of ESIF (R 240/2014)
- Rural development Basic Act (BA) (R 1305/2013)
- Rural Development Implementing Regulation (R 808/2014), as amended by Implementing Regulation (EU) 2016/669

Schema of RDP amendments 2014-2020

Exceptions that does not count towards the "once per year" limitations: case of emergency measures (natural disasters or catastrophic events), changes to the Union legal framework, financial instruments, 11(c) amendments, performance review and transfer between CAP Pillars ("exceptions").

Legal provision	Scope	Periodicity / type of approval
Article 11(a)(i) Regulation 1305/2013;	Change in the programme strategy through a change of more than 50 % in the quantified target linked to a focus area	Max three times in the programming period; Commission decision
Article 11(a)(ii and iii) Regulation 1305/2013;	Change in the EAFRD contribution rate of one or more measures; Change of the entire Union contribution or its annual distribution at programme level	Once a year Commission decision
Article 11(b)(i, ii and iii) Regulation 1305/2013	All other changes	
Article 11(b) second paragraph of Regulation 1305/2013 (Tacit approval if no decision on the request after a period of 42 working days from the receipt of the request)	Changes referred to in Art. 11(b)(i), (ii) and (iii); in case of transfer of funds, the transfer has to concern less than 20 % of the allocation to a measure and less than 5 % of the total EAFRD contribution to the programme	
Article 11(c) Regulation 1305/2013	Corrections of a purely clerical or editorial nature that do not affect the implementation of the policy and the measures	No limitations No approval by the Commission

State of play of RDP amendments

Data of 15/05/2016

Total 55 RDP amendment proposals in 2015-2016, of which 42 is already adopted.

Majority of MS proposals was made under Article 11(b) first and second paragraphs.

Amendments concern: National Framework (FR, DE), national and regional programmes

Nature of proposals is very diverse: technical corrections, financial transfers, eligibility conditions, amending calculation methodology, etc.

Examples for RDP amendment proposals

Agro-environment-climate measure:

- MS are active amending their AECMs
- Major changes (introducing collective implementation, adding new types of operations)
- Corrections of technical/editorial mistakes
- Adaptation of baseline to changes in cross-compliance
- Modifying payments level (need justification)

CLLD:

- Major types: introducing simplified cost option (SCO), propose to change CLLD population limit, other changes on eligibility, distribution of tasks between MA/PA and LAGs
- Minor changes including clarifications and editorial modifications

Examples for RDP amendment proposals

Farm and business developments

- No major changes, mainly technical issues (provide better clarity for beneficiaries)

Areas of natural constraints

- 2014-2020 period- new legislative framework: biophysical criteria based delimitation with fine-tuning of areas of natural constraints + new eligibility rules for payments
- New area delimitation based on biophysical criteria is done for 7MSs and 3 regions. For others: work is ongoing to prepare new are designations (including fine-tuning) and new measure description and submit RDP amendment by end of 2017.

Role of the Monitoring Committee - RDPs

Key provisions:

Common provisions all- ESIF (CPR- R 1303/2013):

Art. 47- 49: Setting-up, composition and functions of the Monitoring Committee

Code of conduct on partnership in framework of ESIF (R 240/2014)

EAFRD specific provisions (R 1305/2013):

Art 72-74 Functions of the Monitoring Committee

Functions of the Monitoring Committee

Review the implementation of the RDP

Monitor progress towards achieving RDP objectives

Consider items affecting performance (financial data, indicators, targets, milestones, results of qualitative analysis)

Give its opinion on any amendment of the RDP proposed by the managing authority (need to be consulted)

Make observations on:

- implementation of RDP, including actions to reduce administrative burdens to beneficiaries
- evaluation of RDP

Follow up impact/actions taken of its observation.

EAFRD - additional functions

In addition to the general functions:

- a) be consulted and issue an opinion, within four months of the decision approving the programme, on **the selection criteria** for financed operations, which is revised according to programming needs;
- (b) examine the activities and outputs related to the progress in the **implementation of the evaluation plan of the programme**;
- (c) **examine**, in particular, **actions in the programme relating to the fulfilment of ex ante conditionalities**, which fall within the responsibilities of the Managing Authority, and **be informed** of actions relating to the fulfilment of other ex ante conditionalities;
- (d) participate in the **national rural network to exchange information** on programme implementation; and
- (e) **consider and approve the annual implementation reports** before they are sent to the Commission.

Key elements- rules of procedure (Article 11 R 240/2014)

The Monitoring Committee draws up and adopt its rules of procedure. Important elements:

- Voting rights for each members
- Frequency of meetings (at least once a year)
- Agenda setting, distribution of documents:
 - minimum 10 working day prior to meeting
 - Exceptions should be limited, well-defined and justified
- Arrangements for adoption, publication and accessibility of minutes (transparency and minutes of meeting: all points discussed, agreements taken and sent to all members. Relevant for written procedures, too.)
- Arrangements for the establishment and activities of working groups
- Provisions on conflict of interest for partners involved in monitoring, evaluation and calls for proposals
- Conditions, principles and arrangements for reimbursement rules, capacity building, opportunities and use of technical assistance.

Thank you for your attention!