

Commission Decision of 11 May 2009 setting the amounts which, pursuant to Council Regulations (EC) No 1782/2003, (EC) No 378/2007, (EC) No 479/2008 and (EC) No 73/2009 are made available to the EAFRD and the amounts available for EAGF expenditure (2009/379/EC)

COMMISSION DECISION

of 11 May 2009

setting the amounts which, pursuant to Council Regulations (EC) No 1782/2003, (EC) No 378/2007, (EC) No 479/2008 and (EC) No 73/2009 are made available to the EAFRD and the amounts available for EAGF expenditure

(2009/379/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy<sup>(1)</sup>, and in particular Article 12(2) and (3) thereof,

Whereas:

- (1) Certain amounts available for the budget years 2007 to 2013 to the European Agricultural Fund for Rural Development (EAFRD) are set out in the Annex to Commission Decision 2006/410/EC of 24 May 2006 setting the amounts which, pursuant to Articles 10(2), 143d and 143e of Council Regulation (EC) No 1782/2003, Article 4(1) of Council Regulation (EC) No 378/2007 and Article 23(2) of Council Regulation (EC) No 479/2008 are made available to the EAFRD and the amounts available for EAGF expenditure<sup>(2)</sup>.
- (2) Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers<sup>(3)</sup>, has been repealed and replaced by Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003<sup>(4)</sup> as from 1 January 2009.
- (3) Regulation (EC) No 73/2009 has introduced in its Article 7 new increased rates for compulsory modulation. In accordance with Article 1(5) of Council Regulation (EC) No 378/2007 of 27 March 2007 laying down rules for voluntary modulation of direct payments<sup>(5)</sup> the increase in compulsory modulation rates has to be deducted from the voluntary modulation rate.
- (4) Consequently, the amounts of voluntary and compulsory modulation to be made available to the EAFRD have changed.

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Decision of 11 May 2009 setting the amounts which, pursuant to Council Regulations (EC) No 1782/2003, (EC) No 378/2007, (EC) No 479/2008 and (EC) No 73/2009 are made available to the EAFRD and the amounts available for EAGF expenditure (2009/379/EC). (See end of Document for details)

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- (5) In the interest of clarity Decision 2006/410/EC should be repealed and replaced by a new text,

HAS DECIDED AS FOLLOWS:

*Article 1*

The amounts available for the budget years 2007 to 2013 to the European Agricultural Fund for Rural Development (EAFRD) pursuant to Articles 10(2) and 143d of Regulation (EC) No 1782/2003, Article 4(1) of Regulation (EC) No 378/2007, Article 23(2) of Council Regulation (EC) No 479/2008<sup>(6)</sup> and Articles 9(1), 10(3), 134 and 135 of Regulation (EC) No 73/2009, as well as the net balance available for European Agricultural Guarantee Fund (EAGF) expenditure are set out in the Annex to this Decision.

*Article 2*

Decision 2006/410/EC is repealed.

**Changes to legislation:** There are currently no known outstanding effects for the Commission Decision of 11 May 2009 setting the amounts which, pursuant to Council Regulations (EC) No 1782/2003, (EC) No 378/2007, (EC) No 479/2008 and (EC) No 73/2009 are made available to the EAFRD and the amounts available for EAGF expenditure (2009/379/EC). (See end of Document for details)

## [<sup>F1</sup>ANNEX

### Textual Amendments

**F1** Substituted by Commission Decision of 22 October 2009 amending Decision 2009/379/EC setting the amounts which, pursuant to Council Regulations (EC) No 1782/2003, (EC) No 378/2007, (EC) No 479/2008 and (EC) No 73/2009 are made available to the EAFRD and the amounts available for EAGF expenditure (2009/781/EC).

(EUR million)

Budget year	Amounts made available for EAFRD									[ <sup>F2</sup> Article 12(1) of Regulation (EC) No 1290/2005]	Net balance available for EAGF expenditure
	Article 10(2) of Regulation (EC) No 1782/2003	Article 143d of Regulation (EC) No 1782/2003	Article 9(1) of Regulation (EC) No 73/2009	Article 134 of Regulation (EC) No 73/2009	Article 135 of Regulation (EC) No 73/2009	Article 136 of Regulation (EC) No 73/2009	Article 4(1) of Regulation (EC) No 378/2007	Article 190a(2) of Regulation (EC) No 1234/2007			
2007	984	22									44 753
2008	1 241	22					362				44 592
2009	1 305,7	22					424	40,66			44 886,64
[ <sup>F3</sup> 2010			1 867,1	22			397	82,11	501,821	534	44 275,968466
2011			2 095,3	22	484	51,6	374,9	122,61			44 466,59
2012			2 355,3	22	484	51,6	347,3	122,61			44 710,19
2013			2 640,9	22	484	51,6	313,9	122,61			44 938,99]]

### Textual Amendments

**F2** Inserted by Commission Decision of 27 April 2010 amending Decision 2009/379/EC setting the amounts which, pursuant to Council Regulations (EC) No 1782/2003, (EC) No 378/2007, (EC) No 479/2008 and (EC) No 73/2009 are made available to the EAFRD and the amounts available for EAGF expenditure (2010/237/EU).

**F3** Substituted by Commission Decision of 27 April 2010 amending Decision 2009/379/EC setting the amounts which, pursuant to Council Regulations (EC) No 1782/2003, (EC) No 378/2007, (EC) No 479/2008 and (EC) No 73/2009 are made available to the EAFRD and the amounts available for EAGF expenditure (2010/237/EU).

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Decision of 11 May 2009 setting the amounts which, pursuant to Council Regulations (EC) No 1782/2003, (EC) No 378/2007, (EC) No 479/2008 and (EC) No 73/2009 are made available to the EAFRD and the amounts available for EAGF expenditure (2009/379/EC). (See end of Document for details)

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- (1) OJ L 209, 11.8.2005, p. 1.
- (2) OJ L 163, 15.6.2006, p. 10.
- (3) OJ L 270, 21.10.2003, p. 1.
- (4) OJ L 30, 31.1.2009, p. 16.
- (5) OJ L 95, 5.4.2007, p. 1.
- (6) OJ L 148, 6.6.2008, p. 1.

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Decision of 11 May 2009 setting the amounts which, pursuant to Council Regulations (EC) No 1782/2003, (EC) No 378/2007, (EC) No 479/2008 and (EC) No 73/2009 are made available to the EAFRD and the amounts available for EAGF expenditure (2009/379/EC).