

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)

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)

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) Commission Decision 2009/379/EC<sup>(2)</sup> sets the amounts which, pursuant to Articles 10(2) and 143d of Council Regulation (EC) No 1782/2003<sup>(3)</sup>, Article 4(1) of Council Regulation (EC) No 378/2007<sup>(4)</sup>, Article 190a of Council Regulation (EC) No 1234/2007<sup>(5)</sup> and Articles 9(1), 10(3), 134 and 135 of Council Regulation (EC) No 73/2009<sup>(6)</sup> are made available to the European Agricultural Fund for Rural Development (EAFRD), as well as the amounts available for European Agricultural Guarantee Fund (EAGF) expenditure.
- (2) Article 136 of Regulation (EC) No 73/2009 allows Member States to transfer to EAFRD from the financial year 2011 an amount calculated in accordance with Article 69(7) of Regulation (EC) No 73/2009 instead of having recourse to Article 69(6)(a) of the same Regulation.
- (3) The amounts available for transfer have been calculated and fixed in Annex III to Commission Regulation (EC) No 639/2009 of 22 July 2009 laying down detailed rules for the implementation of Council Regulation (EC) No 73/2009 as regards specific support<sup>(7)</sup>.
- (4) Germany and Sweden have decided to make use of Article 136 of Regulation (EC) No 73/2009.
- (5) Commission Decision 2008/788/EC of 3 October 2008 fixing the net amounts resulting from the application of voluntary modulation in Portugal for the calendar years 2009 to 2012<sup>(8)</sup> has been repealed and replaced by Commission Decision 2009/780/EC<sup>(9)</sup> in order

to take into account the decision taken by Portugal not to apply voluntary modulation for calendar year 2009.

(6) Decision 2009/379/EC should therefore be amended accordingly,

HAS DECIDED AS FOLLOWS:

*Sole Article*

The Annex to Decision 2009/379/EC is replaced by the text set out in the Annex to this Decision.

Done at Brussels, 22 October 2009.

*For the Commission*

Mariann FISCHER BOEL

*Member of the Commission*

## ANNEX

ANNEX (EUR million) Budget year Amounts made available for EAFRD 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 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023

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*Status: This is the original version (as it was originally adopted).*

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- (1) OJ L 209, 11.8.2005, p. 1.
- (2) OJ L 117, 12.5.2009, p. 10.
- (3) OJ L 270, 21.10.2003, p. 1.
- (4) OJ L 95, 5.4.2007, p. 1.
- (5) OJ L 299, 16.11.2007, p. 1.
- (6) OJ L 30, 31.1.2009, p. 16.
- (7) OJ L 191, 23.7.2009, p. 17.
- (8) OJ L 271, 11.10.2008, p. 44.
- (9) See page 59 of this Official Journal.