

Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008

TITLE IV

**FINANCIAL MANAGEMENT <sup>F1</sup>...**

CHAPTER I

**[<sup>F2</sup>Direct payment support][<sup>F3</sup>CMO support]**

Section 1

**Financing of expenditure**

<sup>F4</sup>Article 16

**Budget ceiling**

.....

**Textual Amendments**

**F4** Arts. 16-19 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 16-19 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(3)**; 2020 c. 1, Sch. 5 para. 1(1)

<sup>F4</sup>Article 17

**Monthly payments**

.....

**Textual Amendments**

**F4** Arts. 16-19 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 16-19 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(3)**; 2020 c. 1, Sch. 5 para. 1(1)

<sup>F4</sup>Article 18

**Procedure for monthly payments**

.....

**Textual Amendments**

**F4** Arts. 16-19 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 16-19 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(3)**; 2020 c. 1, Sch. 5 para. 1(1)

<sup>F4</sup>Article 19

**Administrative and personnel costs**

.....

**Textual Amendments**

**F4** Arts. 16-19 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 16-19 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(3)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 20

**Public intervention expenditure**

<sup>F5</sup>1 .....

[<sup>F6</sup>2 The appropriate authority may make regulations in relation to public intervention expenditure concerning:

- a the types of measures eligible for financing and the reimbursement conditions;
- b the eligibility conditions and calculation methods based on the information actually observed by the paying agencies or based on flat-rates prescribed in regulations by the appropriate authority, or based on flat-rate or non-flat-rate amounts provided for by the sectoral agricultural legislation.

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

3 The appropriate authority may make regulations laying down the rules on the valuation of operations in connection with public intervention, the measures to be taken in the case of loss or deterioration of products under the public intervention, and on the determination of the amounts to be financed.]

[<sup>F7</sup>3A This Article does not apply in relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020.]

[<sup>F8</sup>3B This Article ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.]

<sup>F9</sup>4 .....

#### Textual Amendments

- F5** Art. 20(1) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(4)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Art. 20(2)(3) substituted for Art. 20(2)-(4) (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **6**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Art. 20(3A) inserted (E.) (28.2.2023 at 9.10 a.m.) by [The Market Measures Payment Schemes \(Amendments, Revocation and Transitional Provision\) \(England\) Regulations 2023 \(S.I. 2023/124\)](#), regs. 1(2)(b), **3(4)** (with reg. 10)
- F8** Art. 20(3B) inserted (S.) (1.7.2023) by [The Public Intervention and Private Storage Aid \(Amendment and Suspension\) \(Scotland\) Regulations 2023 \(S.S.I. 2023/150\)](#), regs. 1, **2(4)** (with reg. 10)
- F9** Art. 20(4) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(4)**; 2020 c. 1, Sch. 5 para. 1(1)

### <sup>F10</sup> Article 21

#### Acquisition of satellite images

#### Textual Amendments

- F10** Arts. 21-25 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 21-29 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(b)); 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## <sup>F10</sup> Article 22

### Monitoring of agricultural resources

#### Textual Amendments

**F10** Arts. 21-25 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 21-29 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(b)); 2020 c. 1, Sch. 5 para. 1(1)

## <sup>F10</sup> Article 23

### Implementing powers

#### Textual Amendments

**F10** Arts. 21-25 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 21-29 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(b)); 2020 c. 1, Sch. 5 para. 1(1)

## Section 2

### Budget discipline

## <sup>F10</sup> Article 24

### Compliance with the ceiling

#### Textual Amendments

**F10** Arts. 21-25 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 21-29 omitted

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(b)); 2020 c. 1, Sch. 5 para. 1(1)

## <sup>F10</sup> Article 25

### Reserve for crises in the agricultural sector

#### Textual Amendments

**F10** Arts. 21-25 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(3)**; and Arts. 21-29 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(b)); 2020 c. 1, Sch. 5 para. 1(1)

## <sup>F11</sup> Article 26

### Financial discipline

<sup>F12</sup>1 Where the relevant authority has an obligation to reimburse in respect of the 2019 adjustment rate, as provided for in Article 26(5) as it had effect immediately before exit day, the reimbursement must only be paid to relevant farmers.

2 For the purposes of paragraph 1, a relevant farmer is a person who would be liable to be subject to an adjustment rate under Article 26 as it had effect immediately before exit day.]]

#### Textual Amendments

**F11** Art. 26 omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(4)**; and Arts. 21-29 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), **3(6)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**

**F12** Art. 26 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(4)**

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

<sup>F13</sup>Article 27

**Budget discipline procedure**

**Textual Amendments**

**F13** Arts. 27-29 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(5)**; and Arts. 21-29 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(b)); 2020 c. 1, Sch. 5 para. 1(1)

<sup>F13</sup>Article 28

**Early-warning and monitoring system**

**Textual Amendments**

**F13** Arts. 27-29 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(5)**; and Arts. 21-29 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(b)); 2020 c. 1, Sch. 5 para. 1(1)

<sup>F13</sup>Article 29

**Reference exchange rates**

**Textual Amendments**

**F13** Arts. 27-29 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(5)**; and Arts. 21-29 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(5)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(b)); 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

### Textual Amendments

- F2** Title 4 Ch. 1 heading substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(2)**
- F3** Title 4 Ch. 1 heading substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(2)** (as amended by S.I. 2020/1445, regs. 1(2)(b), 3(6)(a)); 2020 c. 1, Sch. 5 para. 1(1)

## CHAPTER II

### *[<sup>F14</sup>Support for rural development]*

#### Section 1

### *[<sup>F15</sup>General provisions relating to support for rural development]*

#### Article 30

### **No double funding**

*[<sup>F16</sup>Measures financed by support for rural development]* shall not be the subject of any other *[<sup>F17</sup>agricultural support]*.

### Textual Amendments

- F16** Words in [Art. 30](#) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(10)(a)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F17** Words in [Art. 30](#) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(10)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

#### *<sup>F18</sup>Article 31*

### **Provisions applying to all payments**

### Textual Amendments

- F18** Art. 31 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and](#)

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(11)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Textual Amendments

- F15** Title 4 Ch. 2 Section 1 heading substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(9)**; 2020 c. 1, Sch. 5 para. 1(1)

### Section 2

#### *Financing of rural development programmes*

#### *[<sup>F19</sup>Article 32*

#### **Core contribution**

[<sup>F20</sup>The core contribution referred to in Article 58(1) of Regulation (EU) No 1305/2013 shall be determined for each programme, within the ceilings established by Annex 1 to Regulation (EU) No 1305/2013.]]

#### Textual Amendments

- F19** Art. 32 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(12)**; 2020 c. 1, Sch. 5 para. 1(1)
- F20** Art. 32 omitted (S.) (1.1.2021 in so far as it does not relate to support for direct payments) by virtue of [The Rural Development \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/477\)](#), regs. 1(2), **6(2)**; and Art. 32 omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(5)**

#### *<sup>F21</sup>Article 33*

#### **Budget commitments**

#### Textual Amendments

- F21** Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, Sch. 5 para. 1(1)



---

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

---

### Section 3

## **Financial contribution to rural development programmes**

### <sup>F22</sup>Article 34

## **Provisions applying to payments for rural development programmes**

---

### **Textual Amendments**

**F22** Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

### <sup>F23</sup>Article 35

## **Prefinancing arrangements**

---

### **Textual Amendments**

**F23** Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

### <sup>F24</sup>Article 36

## **Interim payments**

---

### **Textual Amendments**

**F24** Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

### <sup>F25</sup>Article 37

## **Payment of the balance and closure of the programme**

---

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

#### Textual Amendments

- F25** Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, Sch. 5 para. 1(1)

#### <sup>F26</sup> Article 38

### Automatic decommitment for rural development programmes

#### Textual Amendments

- F26** Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Textual Amendments

- F14** Title 4 Ch. 2 heading substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(8)**; 2020 c. 1, Sch. 5 para. 1(1)

### CHAPTER III

#### Common Provisions

#### <sup>F27</sup> Article 39

### Agricultural financial year

#### Textual Amendments

- F27** Arts. 39-45 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(6)**; and Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, **Sch. 5 para. 1(1)**

---

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

*F27 Article 40*

**Compliance with payment deadlines**

**Textual Amendments**

**F27** Arts. 39-45 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(6)**; and Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, **Sch. 5 para. 1(1)**

*F27 Article 41*

**Reduction and suspension of monthly and interim payments**

**Textual Amendments**

**F27** Arts. 39-45 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(6)**; and Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, **Sch. 5 para. 1(1)**

*F27 Article 42*

**Suspension of payments in the case of late submission**

**Textual Amendments**

**F27** Arts. 39-45 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(6)**; and Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, **Sch. 5 para. 1(1)**

---

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

<sup>F27</sup> Article 43

**Assignment of revenue**

**Textual Amendments**

**F27** Arts. 39-45 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(6)**; and Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, **Sch. 5 para. 1(1)**

<sup>F27</sup> Article 44

**Keeping of separate accounts**

**Textual Amendments**

**F27** Arts. 39-45 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(6)**; and Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, **Sch. 5 para. 1(1)**

<sup>F27</sup> Article 45

**Information measures**

**Textual Amendments**

**F27** Arts. 39-45 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(6)**; and Arts. 33-45 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(13)**; 2020 c. 1, **Sch. 5 para. 1(1)**

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## <sup>F29</sup>Article 46

### <sup>F28</sup>Powers]

<sup>F30</sup>1 .....

<sup>F30</sup>2 .....

<sup>F30</sup>3 .....

<sup>F30</sup>4 .....

<sup>F31</sup>5 The appropriate authority may make regulations laying down specific conditions applying to the information to be booked in the accounts kept by paying agencies.]

<sup>F32</sup>6 The appropriate authority may make regulations to make provision for the financing of intervention measures in the form of public storage, and other expenditure financed by agricultural support.]

<sup>F33</sup>7 Paragraph 6 does not apply in relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020.]

<sup>F34</sup>8 Paragraph 6 ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.]]

#### Textual Amendments

- F28** Art. 46 heading substituted (8.6.2020) by [The Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/576\)](#), regs. 1, **2(2)(a)**
- F29** Art. 46 omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(6)**
- F30** Art. 46(1)-(4) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(7)(a)**; and Art. 46(1)-(4) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(14)**; 2020 c. 1, Sch. 5 para. 1(1)
- F31** Art. 46(5) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **9**; 2020 c. 1, Sch. 5 para. 1(1)
- F32** Art. 46(6) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **9**; 2020 c. 1, Sch. 5 para. 1(1)
- F33** Art. 46(7) inserted (E.) (28.2.2023 at 9.10 a.m.) by [The Market Measures Payment Schemes \(Amendments, Revocation and Transitional Provision\) \(England\) Regulations 2023 \(S.I. 2023/124\)](#), regs. 1(2)(b), **3(5)** (with reg. 10)
- F34** Art. 46(8) inserted (S.) (1.7.2023) by [The Public Intervention and Private Storage Aid \(Amendment and Suspension\) \(Scotland\) Regulations 2023 \(S.S.I. 2023/150\)](#), regs. 1, **2(5)** (with reg. 10)

---

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

## CHAPTER IV

### Clearance of accounts

#### Section I

#### General provisions

##### <sup>F35</sup>Article 47

#### On-the-spot checks by the Commission

##### Textual Amendments

**F35** Art. 47 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(8)**; and Art. 47 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(15)**; 2020 c. 1, Sch. 5 para. 1(1)

##### <sup>F36</sup>Article 48

#### Access to information

##### Textual Amendments

**F36** Art. 48 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(8)**; and Art. 48 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(15)**; 2020 c. 1, Sch. 5 para. 1(1)

##### Article 49

#### Access to documents

The <sup>F37</sup>... paying agencies shall keep supporting documents relating to payments made and documents relating to the performance of the administrative and physical checks required by [<sup>F38</sup>the law applying in the constituent nation].

Where those documents are kept by an authority acting under delegation from a paying agency and responsible for authorising expenditure, that authority shall send reports to

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

the <sup>F39</sup>... paying agency on the number of checks made, their content and the measures taken in the light of their results.

#### Textual Amendments

- F37** Word in Art. 49 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(9)(a)(i)**; and word in Art. 49 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(16)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F38** Words in Art. 49 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(9)(a)(ii)**; and words in Art. 49 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(16)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F39** Word in Art. 49 omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(9)(b)**; and word in Art. 49 omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(16)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Article 50

#### [<sup>F40</sup>Powers]

<sup>F41</sup>1 .....

[<sup>F42</sup>2 The appropriate authority may make regulations laying down rules on the conditions on which the supporting documents referred to in Article 49 are to be kept, including their form and the time period of their storage.]

#### Textual Amendments

- F40** Art. 50 heading substituted (8.6.2020) by [The Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/576\)](#), regs. 1, **2(3)**; and Art. 50 heading substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(17)(a)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(6)(d)); 2020 c. 1, Sch. 5 para. 1(1)
- F41** Art. 50(1) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(10)(a)**; and Art. 50(1) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(17)(b)** (as substituted by S.I. 2020/1445, regs. 1(2)(b), 3(6)(d)); 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**F42** Art. 50(2) substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **10**; 2020 c. 1, Sch. 5 para. 1(1)

## Section II

### Clearance

#### <sup>F43</sup>Article 51

#### Clearance of accounts

#### Textual Amendments

**F43** Arts. 51-53 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(11)**; and Arts. 51-53 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(18)**; 2020 c. 1, **Sch. 5 para. 1(1)**

#### <sup>F43</sup>Article 52

#### Conformity clearance

#### Textual Amendments

**F43** Arts. 51-53 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(11)**; and Arts. 51-53 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(18)**; 2020 c. 1, **Sch. 5 para. 1(1)**

#### <sup>F43</sup>Article 53

#### Commission powers



**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

### Textual Amendments

**F43** Arts. 51-53 omitted (31.1.2020 in so far as they relate to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(11)**; and Arts. 51-53 omitted (31.12.2020 in so far as they relate to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(18)**; 2020 c. 1, **Sch. 5 para. 1(1)**

## Section III

### Irregularities

#### Article 54 **E+S+N.I.**

#### Common Provisions

1 For any undue payment following the occurrence of irregularity or negligence, [<sup>F44</sup>the relevant authority] shall request recovery from the beneficiary within 18 months after the approval and, where applicable, reception, by the paying agency or body responsible for the recovery, of a control report or similar document, stating that an irregularity has taken place. The corresponding amounts shall be recorded at the time of the recovery request in the debtors' ledger of the paying agency.

<sup>F45</sup>2 .....

3 On duly justified grounds, [<sup>F46</sup>the relevant authority] may decide not to pursue recovery. [<sup>F47</sup>A decision to this effect may be taken only in the following cases:

a where the costs already and likely to be effected total more than the amount to be recovered, which condition shall be considered to have been met if:

(i) the amount to be recovered from the beneficiary in the context of an individual payment for an aid scheme or support measure, not including interest, does not exceed EUR 100; or

(ii) [<sup>F48</sup>the amount to be recovered from the beneficiary in the context of an individual payment for an aid scheme or support measure, not including interest, falls between EUR 100 and EUR 250 and the [<sup>F49</sup>relevant authority] concerned applies a threshold equal to or higher than the amount to be recovered under [<sup>F50</sup>the law applying in the constituent nation] for not pursuing national debts.]

b where recovery proves impossible owing to the insolvency, recorded and recognised under [<sup>F51</sup>the law applying in the constituent nation], of the debtor or the persons legally responsible for the irregularity.]

<sup>F52</sup> ...

<sup>F53</sup>4 .....

<sup>F53</sup>5 .....

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

### Extent Information

- E1** This version of this provision applies to England, Scotland and Northern Ireland only; a separate version has been created for Wales only

### Textual Amendments

- F44** Words in Art. 54(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(a)**; and words in Art. 54(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F45** Art. 54(2) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(b)**; and Art. 54(2) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F46** Words in Art. 54(3) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(c)(i)**; and words in Art. 54(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F47** Words in Art. 54(3) omitted (E.) (26.3.2021 insofar as relates to direct payments) by virtue of [The Direct Payments to Farmers \(Reductions and Simplifications\) \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/407\)](#), regs. 1(2), **2(2)**
- F48** Substituted by [Regulation \(EU\) 2017/2393 of the European Parliament and of the Council of 13 December 2017 amending Regulations \(EU\) No 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development \(EAFRD\), \(EU\) No 1306/2013 on the financing, management and monitoring of the common agricultural policy, \(EU\) No 1307/2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy, \(EU\) No 1308/2013 establishing a common organisation of the markets in agricultural products and \(EU\) No 652/2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material.](#)
- F49** Words in Art. 54(3)(a)(ii) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(c)(ii)(aa)**; and words in Art. 54(3)(a)(ii) substituted (31.12.2020 insofar as relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(c)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F50** Words in Art. 54(3)(a)(ii) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(c)(ii)(bb)**; and words in Art. 54(3)(a)(ii) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and](#)

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(19)(c)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F51** Words in Art. 54(3)(b) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(c)(iii)**; and words in Art. 54(3)(b) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F52** Words in Art. 54(3) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(c)(iv)**; and words in Art. 54(3) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(c)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F53** Art. 54(4)(5) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(d)**; and Art. 54(4)(5) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(d)**; 2020 c. 1, Sch. 5 para. 1(1)

## Article 54

### Common Provisions

1 For any undue payment following the occurrence of irregularity or negligence, [<sup>F60</sup>the relevant authority] shall request recovery from the beneficiary <sup>F61</sup>... after the approval and, where applicable, reception, by the paying agency or body responsible for the recovery, of a control report or similar document, stating that an irregularity has taken place. The corresponding amounts shall be recorded at the time of the recovery request in the debtors' ledger of the paying agency.

<sup>F62</sup> .....

3 On duly justified grounds, [<sup>F63</sup>the relevant authority] may decide not to pursue recovery. A decision to this effect may be taken only in the following cases:

a where the costs already and likely to be effected total more than the amount to be recovered, which condition shall be considered to have been met if:

(i) the amount to be recovered from the beneficiary in the context of an individual payment for an aid scheme or support measure, not including interest, does not exceed [<sup>F64</sup>£100]; or

(ii) [<sup>F65</sup>the amount to be recovered from the beneficiary in the context of an individual payment for an aid scheme or support measure, not including interest, falls between [<sup>F66</sup>£100] and [<sup>F67</sup>£250] and the [<sup>F68</sup>relevant authority] concerned applies a threshold equal to or higher than the amount to be recovered under [<sup>F69</sup>the law applying in the constituent nation] for not pursuing national debts.]

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- b where recovery proves impossible owing to the insolvency, recorded and recognised under [F70 the law applying in the constituent nation], of the debtor or the persons legally responsible for the irregularity.

F71 ...

F72 4 .....

F72 5 .....

### Extent Information

- E2** This version of this provision applies to Wales only; a separate version has been created for England, Scotland and Northern Ireland only

### Textual Amendments

- F60** Words in Art. 54(1) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(a)**; and words in Art. 54(1) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F61** Words in Art. 54(1) omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(5)(a)**; and words in Art. 54(1) omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(7)(a)**
- F62** Art. 54(2) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(b)**; and Art. 54(2) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F63** Words in Art. 54(3) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(12)(c)(i)**; and words in Art. 54(3) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(19)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F64** Sum in Art. 54(3)(a)(i) substituted (W.) (31.12.2020 in so far as it relates to direct payments) by [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(5)(b)(i)**; and sum in Art. 54(3)(a)(i) substituted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(7)(b)(i)**
- F65** Substituted by [Regulation \(EU\) 2017/2393 of the European Parliament and of the Council of 13 December 2017 amending Regulations \(EU\) No 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development \(EAFRD\), \(EU\) No 1306/2013 on the financing, management and monitoring of the common agricultural policy, \(EU\) No 1307/2013](#)

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy, (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products and (EU) No 652/2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material.

- F66** Sum in Art. 54(3)(a)(ii) substituted (W.) (31.12.2020 in so far as it relates to direct payments) by The Direct Payments to Farmers and Rural Affairs (Miscellaneous Amendments etc.) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1556), regs. 1(2)(a), **2(5)(b)(ii)(aa)**; and sum in Art. 54(3)(a)(ii) substituted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by The Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/400), regs. 1(2), **2(7)(b)(ii)(aa)**
- F67** Sum in Art. 54(3)(a)(ii) substituted (W.) (31.12.2020 in so far as it relates to direct payments) by The Direct Payments to Farmers and Rural Affairs (Miscellaneous Amendments etc.) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1556), regs. 1(2)(a), **2(5)(b)(ii)(bb)**; and sum in Art. 54(3)(a)(ii) substituted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by The Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/400), regs. 1(2), **2(7)(b)(ii)(bb)**
- F68** Words in Art. 54(3)(a)(ii) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **6(12)(c)(ii)(aa)**; and words in Art. 54(3)(a)(ii) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(19)(c)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F69** Words in Art. 54(3)(a)(ii) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **6(12)(c)(ii)(bb)**; and words in Art. 54(3)(a)(ii) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(19)(c)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F70** Words in Art. 54(3)(b) substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **6(12)(c)(iii)**; and words in Art. 54(3)(b) substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(19)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F71** Words in Art. 54(3) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **6(12)(c)(iv)**; and words in Art. 54(3) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(19)(c)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F72** Art. 54(4)(5) omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of The Financing, Management and Monitoring of Direct Payments to Farmers (Amendment) Regulations 2020 (S.I. 2020/90), regs. 1(2), **6(12)(d)**; and Art. 54(4)(5) omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/763), regs. 1, **6(19)(d)**; 2020 c. 1, Sch. 5 para. 1(1)



---

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

---

### <sup>F56</sup>Article 55

#### [<sup>F54</sup>Provisions specific to direct payment support][<sup>F55</sup>Provisions specific to CMO support]

[<sup>F54</sup>Sums recovered following the occurrence of irregularity or negligence and the interest thereon must be made over to the paying agency and booked by it as revenue collected in connection with direct payment support.]

[<sup>F55</sup>Sums recovered following the occurrence of irregularity or negligence and the interest thereon must be made over to the paying agency and booked by it as revenue collected in connection with CMO support.]]

#### Textual Amendments

- F54** Art. 55 substituted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(13)**
- F55** Art. 55 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(20)** (S.I. 2020/1445, regs. 1(2)(b), 3(6)(e)); 2020 c. 1, Sch. 5 para. 1(1)
- F56** Art. 55 omitted (W.) (31.12.2020 in so far as it relates to direct payments) by virtue of [The Direct Payments to Farmers and Rural Affairs \(Miscellaneous Amendments etc.\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1556\)](#), regs. 1(2)(a), **2(6)**

### <sup>F57</sup><sup>F58</sup>Article 56

#### Provisions specific to support for rural development

Where irregularities or negligence are detected in rural development operations or programmes, the relevant authority must make financial adjustments by totally or partially cancelling the funding concerned. In making the financial adjustments, the relevant authority must take into consideration the nature and gravity of the irregularities detected and the loss to public funds.

Amounts which are cancelled and amounts which are recovered, together with any interest, must be reallocated to the rural development programme to which they relate, but may not be allocated to operations which have been subject to a financial adjustment under paragraph 1. Where such amounts are received after the closure of the rural development programme to which they relate, they must either be allocated to other agricultural support measures or returned to the relevant consolidated fund.

For the purposes of the second paragraph, the ‘relevant consolidated fund’ is:

- a in relation to England, the consolidated fund;
- b in relation to Wales, the Welsh consolidated fund;
- c in relation to Scotland, the Scottish consolidated fund;
- d in relation to Northern Ireland, the Northern Ireland consolidated fund.]]

---

**Changes to legislation:** Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

---

#### Textual Amendments

- F57** Art. 56 substituted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(21)**; 2020 c. 1, Sch. 5 para. 1(1)
- F58** Art. 56 omitted (W.) (26.3.2021 in so far as it relates to domestic support for rural development) by virtue of [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(8)**

### *l<sup>F59</sup>* Article 57

#### Power to make regulations

In order to ensure correct and efficient application of the provisions relating to the conditions for the recovery of undue payments and interest thereon, the appropriate authority may make regulations setting out procedures for such recovery as set out in this Section.]

#### Textual Amendments

- F59** Art. 57 substituted (31.12.2020) by [The Agriculture \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/748\)](#), regs. 1, **11**; 2020 c. 1, Sch. 5 para. 1(1)

#### Textual Amendments

- F1** Words in Title 4 heading omitted (31.1.2020 in so far as it relates to the Common Agricultural Policy direct payment schemes) by virtue of [The Financing, Management and Monitoring of Direct Payments to Farmers \(Amendment\) Regulations 2020 \(S.I. 2020/90\)](#), regs. 1(2), **6(1)**; and words in Title 4 heading omitted (31.12.2020 in so far as it relates to common organisation of the markets and rural development measures) by virtue of [The Common Agricultural Policy \(Financing, Management and Monitoring\) \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/763\)](#), regs. 1, **6(1)**; 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

Regulation (EU) No 1306/2013 of the European Parliament and of the Council, TITLE IV is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Regulation power to modify conferred (temp.) by [2020 asp 17 s. 2](#)
- Regulation power to modify conferred (temp.) by [2020 asp 17 s. 3](#)
- Regulation power to modify conferred (temp.) by [2020 asp 17 s. 4](#)

**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Art. 2(1)(p) inserted by [S.I. 2019/748 reg. 3](#)
- Art. 2(1)(p) inserted by [S.I. 2019/831 reg. 62](#) (This amendment not applied to [legislation.gov.uk](#). Reg. 62 omitted immediately before IP completion day by virtue of S.I. 2020/1445, reg. 16(9))
- Art. 28A inserted by S.I. 2019/748, reg. 8A (as inserted) by [S.I. 2019/1344 reg. 7](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- Art. 78(b) words substituted by [S.I. 2019/748 reg. 19\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). Reg. 19(b) substituted immediately before IP completion day by S.I. 2020/1445, reg. 10(9))