

Council Regulation (EC) No 1698/2005 of 20 September
2005 on support for rural development by the European
Agricultural Fund for Rural Development (EAFRD) (repealed)

TITLE IV

RURAL DEVELOPMENT SUPPORT

CHAPTER I

AXES

SECTION 2

Axis 2

Improving the environment and the countryside

Subsection 2

Conditions for measures targeting the sustainable use of forestry land

Article 42

General conditions

1 Support under this subsection shall be granted only for forests and wooded areas owned by private owners or by their associations or by municipalities or their associations. This limitation does not apply to the tropical or subtropical forests and to the wooded areas of the territories of the Azores, Madeira, the Canary Islands, the smaller Aegean Islands within the meaning of Regulation (EEC) No 2019/93 and the French overseas departments.

This restriction shall not apply to the support provided for in Article 36(b)(i), (iii), (vi) and (vii).

2 Measures proposed under this subsection in areas classified as high or medium forest fire risk within the framework of the Community action on protection of forests against fires shall conform to the forest protection plans established by the Member States for those areas.

Article 43

First afforestation of agricultural land

- 1 Support provided for in Article 36(b)(i), shall cover only one or more of the following:
- a establishment costs;
 - b an annual premium per hectare afforested to contribute to covering maintenance costs for a maximum of five years,

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Changes to legislation: There are outstanding changes not yet made to Council Regulation (EC) No 1698/2005 (repealed). Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

- c an annual premium per hectare to contribute to covering loss of income resulting from afforestation for a maximum of 15 years for farmers or associations thereof who worked the land before its afforestation or for any other natural person or private law body.
- 2 Support for the afforestation of agricultural land owned by public authorities shall cover only the cost of establishment. If the agricultural land to be afforested is rented by a natural person or private law body, the annual premiums referred to in paragraph 1 may be granted.
- 3 Support for the afforestation of agricultural land shall not be granted:
- a for farmers benefiting from early retirement support;
 - b for the planting of Christmas trees.
- In the case of fast-growing species for short-term cultivation, support for afforestation shall be granted for establishment costs only.
- 4 Support to farmers or other natural persons and private law bodies shall be limited to the maxima laid down in the [F1Annex I].

Textual Amendments

- F1** Substituted by [Council Regulation \(EC\) No 74/2009 of 19 January 2009 amending Regulation \(EC\) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development \(EAFRD\)](#).

Article 44

First establishment of agroforestry systems on agricultural land

- 1 Support provided for in Article 36(b)(ii), shall be granted to farmers to create agroforestry systems combining extensive agriculture and forestry systems. Support shall cover the establishment costs.
- 2 Agroforestry systems refer to land use systems in which trees are grown in combination with agriculture on the same land.
- 3 Christmas trees and fast-growing species for short-term cultivation shall be excluded from support.
- 4 Support shall be limited to the maximum rate laid down in the [F1Annex I].

Textual Amendments

- F1** Substituted by [Council Regulation \(EC\) No 74/2009 of 19 January 2009 amending Regulation \(EC\) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development \(EAFRD\)](#).

Article 45

First afforestation of non-agricultural land

- 1 Support provided for in Article 36(b)(iii) for afforestation of land not eligible under Article 36(b)(i) shall cover the establishment costs. In the case of abandoned farmland, support shall also cover the annual premium as referred to in Article 43(1)(b).

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2 Support shall not be granted for the planting of Christmas trees.

3 When support covering establishment costs is granted to natural persons or private law bodies, it shall be limited to the maximum rate laid down in the [F1Annex I].

Textual Amendments

- F1** Substituted by [Council Regulation \(EC\) No 74/2009 of 19 January 2009 amending Regulation \(EC\) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development \(EAFRD\)](#).

Article 46

Natura 2000 payments

Support provided for in Article 36(b)(iv), shall be granted annually and per hectare of forest to private forest owners or associations thereof in order to compensate for costs incurred and income foregone resulting from the restrictions on the use of forests and other wooded land due to the implementation of Directives 79/409/EEC and 92/43/EEC in the area concerned. Support shall be fixed between the minimum and maximum amounts laid down in the [F1Annex I].

Textual Amendments

- F1** Substituted by [Council Regulation \(EC\) No 74/2009 of 19 January 2009 amending Regulation \(EC\) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development \(EAFRD\)](#).

Article 47

Forest-environment payments

1 Forest-environment payments provided for in Article 36(b)(v), shall be granted per hectare of forest to beneficiaries who make forest-environmental commitments on a voluntary basis. These payments shall cover only those commitments going beyond the relevant mandatory requirements.

These commitments shall be undertaken as a general rule for a period between five and seven years. Where necessary and justified, a longer period shall be determined in accordance with the procedure referred to in Article 90(2) for particular types of commitments.

2 The payments shall cover additional costs and income foregone resulting from the commitment made. Support shall be fixed between the minimum and maximum amounts laid down in the [F1Annex I].

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Textual Amendments

- F1** Substituted by [Council Regulation \(EC\) No 74/2009 of 19 January 2009 amending Regulation \(EC\) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development \(EAFRD\)](#).

Article 48

Restoring forestry potential and introducing prevention actions

- 1 Support provided for in Article 36(b)(vi), shall be granted for restoring forestry potential in forests damaged by natural disasters and fire and for introducing appropriate prevention actions.
- 2 Preventive actions against fires shall concern forests classified by the Member States as high or medium forest fire risk according to their forest protection plans.

Article 49

Non-productive investments

Support provided in Article 36(b)(vii), shall be granted for investments in forests:

- (a) linked to the achievement of commitments undertaken pursuant to the measure provided for in Article 36(b)(v), or other environmental objectives;
- (b) which enhance the public amenity value of forest and wooded land of the area concerned.

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