

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amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 (repealed)

## TITLE I

### SCOPE AND DEFINITIONS

#### *Article 1*

##### **Scope**

This Regulation establishes:

- (a) common rules on direct payments;
- (b) an income support scheme for farmers (hereinafter referred to as the ‘single payment scheme’);
- (c) a transitional simplified income support scheme for farmers in the new Member States as defined in Article 2(g) (hereinafter referred to as the ‘single area payment scheme’);
- (d) support schemes for farmers producing rice, starch potatoes, protein crops, nuts, seeds, cotton, sugar, fruit and vegetables, sheepmeat and goatmeat and beef and veal;
- (e) a framework to enable the new Member States as defined in Article 2(g) to complement direct payments.

#### *Article 2*

##### **Definitions**

For the purposes of this Regulation, the following definitions shall apply:

- (a) ‘farmer’ means a natural or legal person, or a group of natural or legal persons, whatever legal status is granted to the group and its members by national law, whose holding is situated within Community territory, as defined in Article 299 of the Treaty, and who exercises an agricultural activity;
- (b) ‘holding’ means all the production units managed by a farmer situated within the territory of the same Member State;
- (c) ‘agricultural activity’ means the production, rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes, or maintaining the land in good agricultural and environmental condition as established in Article 6;
- (d) ‘direct payment’ means a payment granted directly to farmers under a support scheme listed in Annex I;

---

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

---

- (e) ‘payments in a given calendar year’ or ‘payments in the representative period’ means the payments granted or to be granted in respect of the year/years concerned, including all payments in respect of other periods starting in that calendar year/years;
- (f) ‘agricultural products’ means the products listed in Annex I to the Treaty, with the exception of fishery products, as well as cotton;
- (g) ‘new Member States’ means Bulgaria, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Romania, Slovenia and Slovakia;
- (h) ‘agricultural area’ means any area taken up by arable land, permanent pasture or permanent crops.

### *Article 3*

#### **Financing of direct payments**

The support schemes listed in Annex I to this Regulation shall be financed in accordance with Article 3(1)(c) of Regulation (EC) No 1290/2005.