

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

[^{F1}TITLE VI

CROSS-COMPLIANCE

[^{F1}CHAPTER I

Scope

Article 91

General principle

1 Where a beneficiary referred to in Article 92 does not comply with the rules on cross-compliance as laid down in Article 93, an administrative penalty shall be imposed on that beneficiary.

2 The administrative penalty referred to in paragraph 1 shall only apply where the non-compliance is the result of an act or omission directly attributable to the beneficiary concerned; and where one, or both, of the following additional conditions are met:

- a the non-compliance is related to the agricultural activity of the beneficiary;
- b the area of the holding of the beneficiary is concerned.

[^{F2}With regard to forest areas, however, this penalty shall not apply in so far as no support is claimed for the area concerned in accordance with point (a) of Article 21(1), and Articles 30 and 34 of Regulation (EU) No 1305/2013.]

3 For the purpose of this Title the following definitions shall apply:

- a 'holding' means all the production units and areas managed by the beneficiary referred to in Article 92 situated within [^{F3}Wales][^{F4}England][^{F5}Scotland][^{F6}Northern Ireland];
- b "requirement" means each individual statutory management requirement ^{F7}... referred to in Annex II within a given act, differing in substance from any other requirements of the same act.

Textual Amendments

- F2** Words in Art. 91(2) omitted (W.) (31.12.2020 in so far as 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(13)(a)**
- F3** Word in Art. 91(3)(a) substituted for “the United Kingdom” (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(13)(b)**; and word in Art. 91(3)(a) substituted for “the United Kingdom” (W.) (26.3.2021 in so far as it relates to domestic

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- support for rural development) by [The Agricultural Support \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/400\)](#), regs. 1(2), **2(15)**
- F4** Word in Art. 91(3)(a) substituted for “the United Kingdom” (E.) (1.1.2021) by [The Direct Payments to Farmers and Cross-Compliance \(Simplifications\) \(England\) \(Amendment\) Regulations 2020 \(S.I. 2020/1387\)](#), regs. 1(1), **4(6)**
- F5** Word in Art. 91(3)(a) substituted for “the United Kingdom” (S.) (1.1.2021) by [The Common Agricultural Policy \(Simplifications and Improvements\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/349\)](#), regs. 1, **3(4)**
- F6** Words in Art. 91(3)(a) substituted for “the United Kingdom” (N.I.) (25.2.2021) by [The Direct Payments to Farmers \(Simplifications\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/42\)](#), regs. 1(1), **12**
- F7** Words in Art. 91(3)(b) 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), **8(1)(b)**; and words in Art. 91(3)(b) 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, **8(1)(b)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Article 92

Beneficiaries concerned

[^{F8}Article 91 shall apply to beneficiaries receiving direct payment support.]

Textual Amendments

- F8** [Art. 92](#) 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), **8(2)**
- F9** Words in [Art. 92](#) omitted (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, **8(2)(a)** (as substituted by [S.I. 2020/1445](#), regs. 1(2)(b), **3(8)(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F10** Words in [Art. 92](#) omitted (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, **8(2)(b)** (as substituted by [S.I. 2020/1445](#), regs. 1(2)(b), **3(8)(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**

Article 93

Rules on cross-compliance

1 The rules on cross-compliance shall consist of the statutory management requirements ^{F11}... and the standards for good agricultural and environmental condition of land established [^{F12}in the constituent nation] as listed in Annex II, relating to the following areas:

- a environment, climate change and good agricultural condition of land;
- b public, animal and plant health;
- c animal welfare.

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2 The legal acts referred to in Annex II concerning the statutory management requirements shall apply in the version in force and, in the case of Directives, as implemented ^{F13}in the constituent nation].

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Textual Amendments

- F11** Words in Art. 93(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), **8(3)(a)(i)**; and words in Art. 93(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, **8(3)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in Art. 93(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), **8(3)(a)(ii)**; and words in Art. 93(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, **8(3)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in Art. 93(2) 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), **8(3)(b)**; and words in Art. 93(2) 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, **8(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F14** Art. 93(3)-(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, **8(3)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 94

Obligations ^{F15}of Member States] relating to good agricultural and environmental condition

^{F16}The relevant authority] shall ensure that all agricultural area, including land which is no longer used for production purposes, is maintained in good agricultural and environmental condition. ^{F17}The minimum standards for beneficiaries for good agricultural and environmental conditions of land are as set out in the legislation applying in the constituent nation.]

^{F18}The relevant authority] shall not define minimum requirements which are not established in Annex II.

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Textual Amendments

- F15** Words in Art. 94 heading 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(14)**; and words in Art. 94 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, **8(4)(za)** (as inserted by [S.I. 2020/1445](#), regs. 1(2)(b), 3(8)(b)); 2020 c. 1, Sch. 5 para. 1(1)
- F16** Words in Art. 94 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), **8(4)(a)(i)**; and words in Art. 94 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, **8(4)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F17** Words in Art. 94 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), **8(4)(a)(ii)**; and words in Art. 94 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, **8(4)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F18** Words in Art. 94 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), **8(4)(b)**; and words in Art. 94 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, **8(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 95

Information to beneficiaries

[^{F19}The relevant authority] shall provide the beneficiaries concerned, where appropriate by the use of electronic means, with the list of the requirements and standards to be applied at farm level, as well as clear and precise information thereon.]

Textual Amendments

- F19** Words in Art. 95 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), **8(5)**; and words in Art. 95 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, **8(5)**; 2020 c. 1, Sch. 5 para. 1(1)

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Textual Amendments

- F1** Title 6 revoked (E.) (1.1.2024) by [The Agriculture \(Removal of Cross-Compliance and Miscellaneous Revocations and Amendments, etc.\) \(England\) Regulations 2023 \(S.I. 2023/816\)](#), reg. 1(1), **Sch. Pt. 1 para. 1 Table 1** (with Sch. Pt. 2 para. 2)

Changes to legislation:

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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))