
STATUTORY INSTRUMENTS

2019 No. 765

**The Common Agricultural Policy (Financing,
Management and Monitoring Supplementary Provisions)
(Miscellaneous Amendments) (EU Exit) Regulations 2019**

Amendment of Commission Implementing Regulation (EU) 908/2014

4.—(1) Commission Implementing Regulation 908/2014 laying down rules for the application of Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to paying agencies and other bodies, financial management, clearance of accounts, rules on checks, securities and transparency is amended as follows:

(2) Omit Articles 1 to 3.

(3) In Article 4—

(a) in the heading, for “Coordinating body” substitute “Relevant authorities acting jointly”;

(b) for paragraph 1 substitute—

“In accordance with Article 7(4) of Regulation (EU) No 1306/2013 the relevant authorities will act jointly on the following:

(i) operating a monthly early warning and monitoring system;

(ii) publishing beneficiary data on a single website;

(iii) meeting international commitments;

(iv) all of the information set out in Article 7 of Regulation (EU) No 1306/2013.”;

(c) omit paragraph 2;

(d) in paragraph 3—

(i) for “its tasks” substitute “their tasks”;

(ii) for “coordinating body” substitute “relevant authorities acting jointly”;

(iii) for “national procedures,” substitute “the procedures applying in the constituent nation,”;

(e) omit paragraphs 4 and 5.

(4) Omit Articles 5 to 7.

(5) In Chapter 2, in the title, omit “of the funds”.

(6) Omit Articles 8 to 10.

(7) In Article 11—

(a) in paragraph 1—

(i) for “assigned revenue declared” substitute “declared revenue”;

(ii) in the second subparagraph, for “EAGF budget” substitute “direct payment and CMO support”;

(iii) omit the third subparagraph;

- (b) in paragraph 2, for “assigned revenue” substitute “declared revenue”;
 - (c) in paragraph 3, omit the first subparagraph;
 - (d) in paragraph 5, for “the EAGF” substitute “direct payment and CMO support”;
 - (e) omit paragraph 6.
- (8) In Article 12, in paragraph 2, in the second subparagraph, omit point (a).
- (9) Omit Articles 13 to 15.
- (10) In Article 16—
- (a) in paragraph 1, in point (b)—
 - (i) for “Fund for European Aid to the Most Deprived” substitute “scheme for food distribution to the most deprived in the UK”;
 - (ii) omit “, distinguishing those which are the subject of a transfer to another Member State”.
- (11) In Article 17—
- (a) in paragraph 1, omit “or for the values and amounts calculated on the basis of the standard amounts established by the Commission”;
 - (b) in paragraph 2—
 - (i) in point (b)—
 - (aa) for “Member States” substitute “constituent nations”;
 - (bb) for “Member State” substitute “constituent nation”;
 - (ii) in point (c) for “the Union rules” substitute “any provision”;
 - (iii) in point (d)—
 - (aa) for “Union rules provide” substitute “sectoral agricultural legislation provides”;
 - (bb) for “EAGF” substitute “direct payment and CMO support”;
 - (c) omit paragraph 3.
- (12) In Article 18, in paragraph 1, in point (b), omit “, where such costs are not covered by standard amounts”.
- (13) Omit Articles 19 to 26.
- (14) In Article 27, in paragraph 1, for “Member States” substitute “A relevant authority”.
- (15) In Article 28—
- (a) for “national law”, substitute “the law applying in the constituent nation”;
 - (b) for “Member States” substitute “the relevant authority”.
- (16) Omit Articles 29 to 40.
- (17) In Article 41—
- (a) for paragraph 1 substitute—

“The relevant authorities may decide to reduce the minimum level of on-the-spot checks in accordance with Article 59 (5) of [Regulation \(EU\) No 1306/2013](#) (the relevant authority may use the certification audit results from 2017 to apply the reduced control rate until the scheme year 2019). Thereafter, for the reduced control rate to apply, the relevant constituent nation shall:

- (i) conduct an applicable audit that is appropriate in order to deliver an opinion (on the completeness, accuracy and veracity of the annual accounts);
 - (ii) the opinion must validate both that the internal control system is functioning properly and that the error rate for the population concerned was below the materiality threshold of 2.0%;
 - (iii) the opinion must cover at least the two consecutive financial years preceding the year in which the reduced rate is intended to apply.”;
 - (b) in paragraph 2—
 - (i) for “Member States” substitute “The relevant authority”;
 - (ii) omit the second subparagraph;
 - (c) in paragraph 3, for “Member States” substitute “the relevant authority”.
- (18) In Article 42—
- (a) in the heading, for “Member States” substitute “the relevant authorities”;
 - (b) in paragraph 1—
 - (i) for “by the EAGF” substitute “of the direct payment and CMO support”;
 - (ii) for “for the EAGF financial year” substitute “in the United Kingdom financial year”;
 - (c) in paragraph 2—
 - (i) for “Member States”, in the first place it occurs, substitute “the relevant authority”;
 - (ii) for “Member States”, in the second place it occurs, substitute “A relevant authority”;
 - (iii) omit the words from “The proposal” to “Annex V to this Regulation”;
 - (iv) for “Member States”, in the third place it occurs, substitute “relevant authority”;
 - (v) for “Commission” substitute “Accounting Officer”;
 - (vi) for “Commission’s” substitute “Accounting Officer’s”;
 - (d) in paragraph 3—
 - (i) for “Member State” substitute “relevant authority”;
 - (ii) for “by the EAGF” substitute “of the direct payment and CMO support”;
 - (e) in paragraph 4, for “Member State” substitute “relevant authority”.
- (19) In Article 43, for “Member States” substitute “The relevant authority”.
- (20) Omit Articles 44 and 45.
- (21) In Article 46, omit paragraph 4.
- (22) In Article 47—
- (i) in paragraph 2, for “Member States” substitute “a relevant authority”;
 - (ii) in paragraph 3, for “Member States” substitute “A relevant authority”.
- (23) In Article 48, omit the second paragraph.
- (24) In Article 50, omit paragraph 4.
- (25) In Article 51, in paragraph 2, in point (c)—
- (a) for “the Member State”, substitute “the constituent nation”,
 - (b) for “that Member State”, substitute “the relevant authority”.
- (26) In Article 54, in the first paragraph, for “Union rules do” substitute “sectoral agricultural legislation does”.

- (27) In Article 55—
- (a) in paragraph 2—
 - (i) in point (a), for “national law” substitute “the law applying in the constituent nation”;
 - (ii) in point (b), for “Member State” substitute “relevant authority”;
 - (iii) in point (c), for “national law” substitute “the law applying in the constituent nation”;
 - (iv) omit point (d);
 - (v) in point (e), for “Member States” substitute “A relevant authority”;
 - (b) omit paragraph 3.
- (28) In Article 56—
- (a) in paragraph 1—
 - (i) for “Member States” substitute “A relevant authority”;
 - (ii) omit “available for the Commission”;
 - (iii) omit “, distinguishing in either case between those credited to the national budgets and those credited to the budget of the Union”;
 - (iv) omit the second occurrence of “Union”;
 - (b) in paragraph 2—
 - (i) for “Member States” substitute “A relevant authority”;
 - (ii) omit “at the Commission’s disposal”.
- (29) In Article 57—
- (a) in paragraph 1, in point (b), for “Funds” substitute “agricultural support”;
 - (b) in paragraph 2, omit “in Member States which have adopted the euro and in the national currency in other Member States”;
 - (c) in paragraph 3, for “Member States” substitute “A relevant authority”.
- (30) In Article 58, for “Member State” substitute “relevant authority”.
- (31) In Article 59, in paragraph 1, omit the words from “That information shall be provided” to the end.
- (32) In Article 60—
- (a) in the first paragraph, for “the Funds” substitute “agricultural support”;
 - (b) omit the second paragraph.
- (33) Omit Article 61.
- (34) In Article 62—
- (a) in the heading, for “Cooperation between the Commission and Member States” substitute “The Single Website”;
 - (b) omit paragraphs 1 and 2;
 - (c) in paragraph 3—
 - (i) for “Member States” substitute “The relevant authorities”;
 - (ii) for “inform the Commission” substitute “keep records”.
- (35) In Article 64—
- (a) in the second paragraph—
 - (i) in point (a), for “Member States” substitute “a relevant authority”;
 - (ii) in point (d) for “Member States” substitute “a relevant authority”;

- (b) omit the third paragraph.
- (36) Omit Annexes 1 to 10.
- (37) In Annex 11—
 - (a) in Sheet A, in paragraph 1 for “EAGF” substitute “direct payment and CMO support”;
 - (b) in Sheet B—
 - (i) in the sub-title for “EAGF” substitute “direct payment and CMO support”;
 - (ii) in the second sub-title omit “EAGF”;
 - (iii) in the table, for “EAGF”, in each place it occurs, substitute “direct payment and CMO support”;
 - (c) in Sheet C—
 - (i) for “Commission” substitute “Accounting Officer”;
 - (ii) in the table, for “EAGF” substitute “direct payment and CMO support”;
 - (d) in Sheet D—
 - (i) in the first paragraph omit “EAGF”;
 - (ii) in the table for “EAGF” substitute “direct payment and CMO support”.
- (38) In Annex 12—
 - (a) in Part 1—
 - (i) in paragraph 3, for “Commission”, substitute “relevant accounting officer”;
 - (ii) omit paragraph 6.
 - (b) in Part 2—
 - (i) in Sheet B, for “EAGF”, in each place it occurs, substitute “direct payment and CMO support”;
 - (ii) in Sheet C—
 - (aa) in the sub-title, for “EAGF”, in both places it occurs, substitute “direct payment and CMO support”;
 - (bb) in the table, for “EAGF” substitute “direct payments and CMO support”.