



Brussels, 31.8.2021
C(2021) 6553 final

COMMISSION IMPLEMENTING DECISION

of 31.8.2021

**approving the amendment of the rural development programme of Poland for support
from the European Agricultural Fund for Rural Development and amending
Implementing Decision C(2014) 9783 of 12 December 2014**

CCI 2014PL06RDNP001

(Only the English text is authentic)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005¹, and in particular Article 11, point (a), thereof,

Whereas:

- (1) The rural development programme of Poland for support from the European Agricultural Fund for Rural Development (EAFRD) for the 2014-2020 programming period was approved by Commission Implementing Decision C(2014) 9783 on 12 December 2014 and last amended by Commission Implementing Decision C(2021) 1568 on 4 March 2021.
- (2) Regulation (EU) 2020/2220 of the European Parliament and of the Council² extended the duration of the 2014-2020 programming period until 31 December 2022 and provided Member States with the possibility to finance their extended rural development programmes from the corresponding budget allocation for the years 2021 and 2022. In accordance with Article 1(2) of that Regulation, the extension of the period of duration of rural development programmes is to be without prejudice to the need to submit a request to amend these programmes for the transitional period as referred to in Article 11, point (a), of Regulation (EU) No 1305/2013. Therefore, the rural development programmes should be amended.
- (3) Accordingly, on 17 May 2021, Poland submitted to the Commission a request for the approval of an amendment to its rural development programme pursuant to Article 11, point (a), of Regulation (EU) No 1305/2013.

¹ OJ L 347, 20.12.2013, p. 487.

² Regulation (EU) 2020/2220 of the European Parliament and of the Council of 23 December 2020 laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development (EAFRD) and from the European Agricultural Guarantee Fund (EAGF) in the years 2021 and 2022 and amending Regulations (EU) No 1305/2013, (EU) No 1306/2013 and (EU) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation (EU) No 1308/2013 as regards resources and the distribution of such support in respect of the years 2021 and 2022 (OJ L 437, 28.12.2020, p. 1).

- (4) In accordance with Article 30(2) of Regulation (EU) No 1303/2013 of the European Parliament and of the Council³, the Commission has assessed the request to amend the rural development programme and made observations on 16 June 2021. Poland provided all necessary additional information to the Commission and submitted a revised amendment to the rural development programme on 29 July 2021.
- (5) The competent authorities of Poland have duly substantiated and justified the request for amendment in accordance with Article 30(1) of Regulation (EU) No 1303/2013 and Article 4(1) of Commission Implementing Regulation (EU) No 808/2014⁴.
- (6) The Commission has concluded that the proposed amendment of the rural development programme complies with Regulation (EU) No 1303/2013 and with Regulation (EU) No 1305/2013.
- (7) The amendment to the rural development programme should therefore be approved.
- (8) This request for amendment includes a change in the quantified targets which counts towards the 50 % threshold referred to in Article 11, point (a)(i), of Regulation (EU) No 1305/2013.
- (9) Article 4(2), third subparagraph, point (b), of Implementing Regulation (EU) No 808/2014 provides that the maximum number of amendments referred to in the first and second subparagraphs of that Article does not apply in case an amendment is necessary following a change to the Union legal framework, including a change related to the extension of duration of rural development programmes or a change related to the availability of the additional resources for the recovery of the Union agricultural sector and rural areas pursuant to Regulation (EU) 2020/2220. This request for amendment relates to such change in the legal framework.
- (10) This Decision does not cover State aid within the meaning of Articles 107, 108 and 109 of the Treaty on the Functioning of the European Union ('the Treaty'), falling outside the scope of Article 42 of the Treaty, in cases where the State aid has not yet been approved,

HAS ADOPTED THIS DECISION:

Article 1

The amendment to the rural development programme of Poland, submitted to the Commission in its final version on 29 July 2021, is hereby approved.

Article 2

Implementing Decision C(2014) 9783 is amended as follows:

(1) in Article 2, paragraph 1 is replaced by the following:

³ Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).

⁴ Commission Implementing Regulation (EU) No 808/2014 of 17 July 2014 laying down rules for the application of Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 227, 31.7.2014, p. 18).

‘1. The maximum contribution from the EAFRD shall be EUR 11 944 796 992.00. The annual breakdown of the total Union contribution and the contribution rates for each measure and type of operation with a specific EAFRD contribution rate are set out in Part I of the Annex.’;

(2) the Annex is replaced by the text in the Annex to this Decision.

Article 3

Expenditure that becomes eligible as a result of the amendment of the programme shall be eligible from 17 May 2021.

Article 4

This Decision is addressed to the Republic of Poland.

Done at Brussels, 31.8.2021

For the Commission
Janusz WOJCIECHOWSKI
Member of the Commission

