

**COMMISSION IMPLEMENTING REGULATION (EU) 2023/897****of 2 May 2023****amending Implementing Regulation (EU) 2021/128 setting the net balance available for EAGF expenditure**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2021/2116 of the European Parliament and of the Council of 2 December 2021 on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013<sup>(1)</sup>, and in particular Article 14(2) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2021/128<sup>(2)</sup> sets the net balance available for the European Agricultural Guarantee Fund (EAGF) expenditure, as well as the amounts available to the European Agricultural Fund for Rural Development (EAFRD) for the budget years 2021 to 2027.
- (2) In accordance with Article 14(1) of Regulation (EU) 2021/2116, the annual ceiling for the EAGF expenditure is to be constituted by the maximum amounts for the sub-ceiling for market related expenditure and direct payments set out in Annex I to Council Regulation (EU, Euratom) 2020/2093<sup>(3)</sup>.
- (3) In accordance with Article 17(5), second subparagraph, of Regulation (EU) 2021/2115 of the European Parliament and of the Council<sup>(4)</sup>, one Member State decided in its CAP Strategic Plan to reduce the amount of direct payments to be granted to farmers for calendar years 2023 to 2026 and to transfer the resulting estimated product of reduction to the EAFRD.
- (4) In accordance with Article 103(1), point (a), and Article 103(2) of Regulation (EU) 2021/2115, several Member States decided in their CAP Strategic Plan to transfer for calendar years 2023 to 2026 a certain percentage of their allocations for direct payments to their allocations for the EAFRD.
- (5) In accordance with Article 103(1), point (b), and Article 103(3) of Regulation (EU) 2021/2115, several Member States decided in their CAP Strategic Plan to transfer to their allocations for direct payments a certain percentage of their EAFRD allocations for financial years 2024 to 2027.
- (6) The relevant Member States' allocations for direct payments set out in Annexes V and IX to Regulation (EU) 2021/2115, as well as the annual breakdown by Member State of the Union support for rural development set out in Annex XI to that Regulation, were adapted consequently through Commission Delegated Regulation (EU) 2023/813<sup>(5)</sup>.

<sup>(1)</sup> OJ L 435, 6.12.2021, p. 187.

<sup>(2)</sup> Commission Implementing Regulation (EU) 2021/128 of 3 February 2021 setting the net balance available for EAGF expenditure (OJ L 40, 4.2.2021, p. 8).

<sup>(3)</sup> Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021 to 2027 (OJ L 433I, 22.12.2020, p. 11).

<sup>(4)</sup> Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 (OJ L 435, 6.12.2021, p. 1).

<sup>(5)</sup> Commission Delegated Regulation (EU) 2023/813 of 8 February 2023 amending Regulation (EU) 2021/2115 of the European Parliament and of the Council as regards Member States allocations for direct payments and the annual breakdown by Member State of the Union support for rural development (OJ L 102, 17.4.2023, p. 1).

- (7) In accordance with Article 2(1) of Regulation (EU, Euratom) 2020/2093, the sub-ceiling for market related expenditure and direct payments of the multiannual financial framework set out in Annex I to that Regulation is to be adjusted under the technical adjustment provided for in Article 4 of that Regulation following the transfers between the EAFRD and direct payments.
- (8) It is therefore necessary to adjust the net balance available for EAGF expenditure for years 2024 to 2027 as set by Implementing Regulation (EU) 2021/128. For the sake of clarity, the amounts to be made available to the EAFRD should also be published.
- (9) Implementing Regulation (EU) 2021/128 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Implementing Regulation (EU) 2021/128 is replaced by the text in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the seventh day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 2 May 2023.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

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ANNEX

ANNEX

**Net balance available for EAGF expenditure***(EUR million)*

Budget year	Amounts made available to EAFRD		Amounts transferred from EAFRD	Net balance available for EAGF expenditure
	Article 14(1) of Regulation (EU) No 1307/2013	Article 7(2) of Regulation (EU) No 1307/2013	Article 14(2) of Regulation (EU) No 1307/2013	
2021	1 099,539	58,165	600,658	40 367,954
2022	1 086,292	57,919	525,400	40 638,189
2023	1 277,253	55,858	507,322	40 692,211
	Article 103(1), point (a), and Article 103(2) of Regulation (EU) 2021/2115	Article 17(5), second subparagraph, of Regulation (EU) 2021/2115	Article 103(1), point (b), and Article 103(3) of Regulation (EU) 2021/2115	
2024	1 632,136	5,000	590,214	40 602,078
2025	1 702,286	5,000	590,214	40 664,928
2026	1 807,987	5,000	590,214	40 690,227
2027	1 981,419	5,000	590,214	40 650,795'