

European Agricultural Fund for Rural Development (EAFRD)

Operational Programme for Malta

Monitoring Committee Meeting


18th December 2015




European Union
European Structural and Investment Funds



***Ex-Ante* Conditionalities (Article 9 EAFRD/19 CPR)**

- There are two types:
 - **thematic** (specific) *ex-ante* conditionalities – for EAFRD are being referred to in Article 9/Annex V of REGULATION (EU) No 1305/2013;and
 - **general** *ex-ante* conditionalities – being referred to in Article 19/part II of Annex XI to REGULATION (EU) No 1303/2013 which can apply to all sectors and policies (e.g. public procurement, anti-discrimination rules);
 - The *ex-ante* conditionalities are set out in the Fund-specific rules and reflect existing commitments or obligations that should be fulfilled as a general rule by programme adoption at the latest;
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***Ex-Ante* Conditionalities (Article 9 EAFRD/19 CPR)**

- In case applicable *ex-ante* conditionalities are not fulfilled (either completely or partially not-fulfilled), Member States need to indicate in their Programmes and Partnership Agreement, **the actions to be taken**, the responsible bodies and a timetable to ensure that they will be fulfilled at the latest by the end of 2016. Member States thus have to prepare an action plan;
 - If the Commission concludes that the applicable *ex-ante* conditionalities have not been fulfilled, then interim payments may be suspended in accordance with Art. 142 (1) (e) of the CPR by Commission Decision.
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EAFRD-Specific *Ex-Ante* Conditionalities

7 specific *ex-ante* conditionalities applicable to the OP (Section 6)

<i>Ex-ante</i> conditionality	Priorities/Focus Areas	Ex-ante Conditionality Fulfilled (Yes/No/Partially)
P3.1) Risk prevention and risk management: the existence of national or regional risk assessments for disaster management taking into account climate change adaptation	3B	No
P4.1) Good Agricultural and Environmental Conditions (GAEC): standards for good agricultural and environmental condition of land referred to in Chapter I of Title VI of Regulation (EU) No 1306/2013 are established at national level	P4	Yes
P4.2) Minimum requirements for fertilisers and plant protection products: minimum requirements for fertilisers and plant protection products referred to in Article 28 of Chapter I of Title III of Regulation (EU) No 1305/2013 are defined at national level	P4	Yes
P4.3) Other relevant national standards: relevant mandatory national standards are defined for the purpose of Article 28 of Chapter I of Title III of Regulation (EU) No 1305/2013	P4	Yes

EAFRD-Specific *Ex-Ante* Conditionalities

7 specific *ex-ante* conditionalities applicable to the OP (Section 6)

<i>Ex-ante</i> conditionality	Priorities/Focus Areas	Ex-ante Conditionality Fulfilled (Yes/No/Partially)
P5.1) Energy efficiency: actions have been carried out to promote cost effective improvements of energy end use efficiency and cost effective investment in energy efficiency when constructing or renovating buildings.	5B	Partially
P5.2) Water sector: the existence of a) a water pricing policy which provides adequate incentives for users to use water resources efficiently and b) an adequate contribution of the different water uses to the recovery of the costs of water services at a rate determined in the approved river basin management plan for investment supported by the programmes.	5A	No
P5.3) Renewable energy: actions have been carried out to promote the production and distribution of renewable energy sources	5C	Yes

EAFRD-Relevant General *Ex-Ante* Conditionalities

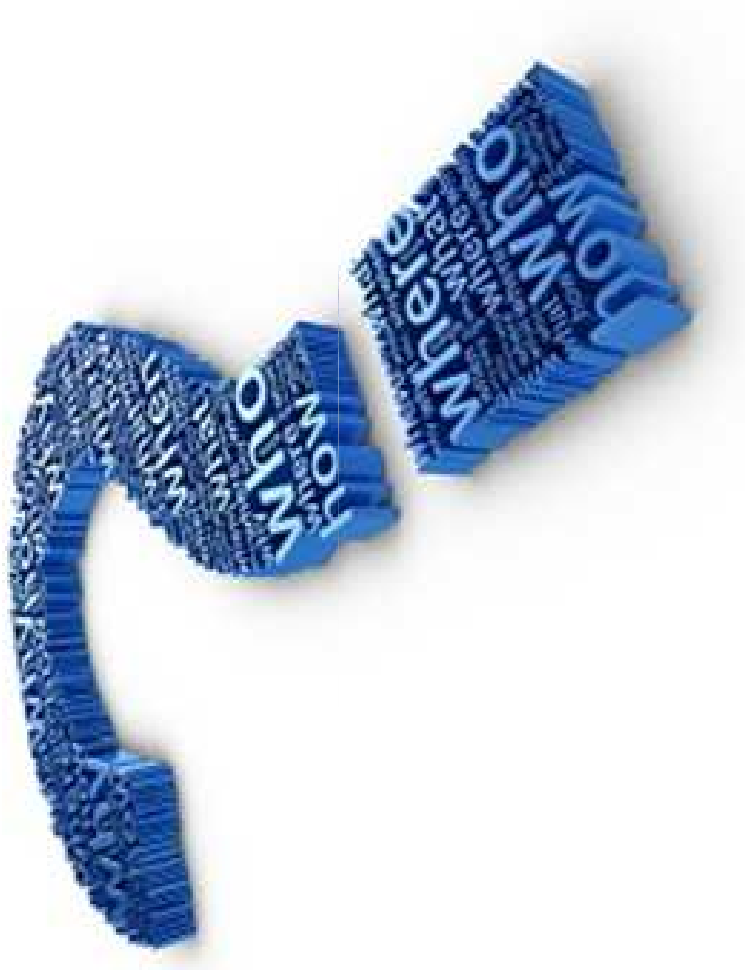
7 general *ex-ante* conditionalities applicable to the OP (Section 6)

<i>Ex-ante</i> conditionality	Priority/Focus Areas	Ex-ante Conditionality Fulfilled (Yes/No/Partially)
G1) Anti-Discrimination	6B	Yes
G2) Gender Equality	6B, 6A	Yes
G3) Disability	6A, 6B	Yes
G4) Public Procurement	5C, 6B, 5B, 5A, 2A	Yes
G5) State Aid	P4, 1C, 1A, 6A, 5B, 5E, 1B, 3A, 5D, 2A, 6B, 2B, 3B, 6C, 5C, 5A	Yes
G6) Environmental Legislation	P4, 6A, 5D, 5C, 6C, 5B, 5E, 2A, 5A, 3A	Yes
G7) Statistical systems and result indicators		Yes*

* Already fulfilled through Common Monitoring and Evaluation System (CMES)

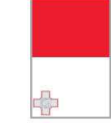


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