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## INTELLECTUAL OUTPUT N° 2

***Investigation of Community  
regulations 2014-2020: report on the  
potential of job creation in rural areas  
and entrepreneurship in  
HORIZON 2020.***



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## 1. COMMUNITARIAN LEGISLATION

### 1.1. *COMMON STRATEGIC FRAMEWORK FOR STRUCTURAL FUNDS AND EUROPEAN COMMUNITARIAN INVESTMENT (EIE)*

• **REGULATION (EU) N° 1303/2013** OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 December 2013 in which are established common dispositions regarding the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Rural Development Fund and the European Maritime and Fisheries fund, and by which are established general dispositions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries, and repeals the Regulation (EC) No. 1083/2006 of the Council.

□ **IMPLEMENTING REGULATION (EU) N° 240/2014** OF THE COMMISSION of 7 January 2014 on the European Code of Conduct on partnerships within Structural Funds and European Investment

□ **IMPLEMENTING REGULATION (EU) No 184/2014** COMMISSION of 25 February 2014, which provides, in accordance with Regulation (EU) N° 1303/2013 of European Parliament and of the Council by which are established common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Rural Development and fund, the European Maritime and Fisheries Fund, and by which are established general provisions the European Regional Development Fund, the European Social Fund, the Fund Cohesion Fund and the European Maritime and Fisheries, the conditions applicable to system of electronic data exchange between Member States and the Commission and the adoption, in accordance with Regulation (EU) N° 1299/2013 of European Parliament and of the Council by which are established specific rules for the support from European Regional Development Fund to the objective of European territorial cooperation, the nomenclature concerning categories of intervention support from European Regional Development Fund to that same objective.

□ **DELEGATE REGULATION (EU) N° 480/2014** COMMISSION DECISION of 3 March 2014 supplementing Regulation (EU) N° 1303/2013 of the European Parliament and Council by which common dispositions establishing 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.

□ **IMPLEMENTING REGULATION (EU) N° 215/2014** OF THE COMMISSION of 7 March 2014 fixing the procedure for implementing Regulation (EU) N° 1303/2013 of the European Parliament and of the Council displaying 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 the general rules are set concerning the European Regional Development Fund, the Social European Fund, the Cohesion Fund and the European Maritime and Fisheries, as on methodologies to support the fight against climate change, determination of milestones and targets in the performance framework and nomenclature categories of intervention for the Structural Funds and Investment Europeans

□ **IMPLEMENTING REGULATION (EU) N° 821/2014** OF THE COMMISSION of 28 July 2014 by which are established the rules for the implementation of Regulation (EU) No 1303/2013 of the European Parliament and of the Council as regards the specific arrangements for transfer and management of the programs contributions, the presentation of information on financial



instruments, the technical characteristics of information and communication measures of the operations, and the system for recording and storing data

□ **IMPLEMENTING REGULATION (EU) N° 964/2014** OF THE COMMISSION of 11 September 2014 by which are established rules for the application of established Regulation (EU) No 1303/2013 of the European Parliament and of the Council as regarding the general conditions for financial instruments

## *1.2. FEADER*

• **Regulation (EU) N° 1305/2013** OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 December 2013 on support for rural development by the European Agricultural Fund Rural Development (EAFRD) and Regulation (EC) n°1698/2005 of repealing Council.

□ **DELEGATE REGULATION (EU) N° 807/2014** OF THE COMMISSION of 11 March 2014 completing Regulation (EU) N° 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund Rural Development (EAFRD), and introduces transitional provisions.

□ **IMPLEMENTING REGULATION (EU) N° 808/2014** OF THE COMMISSION of 17 July 2014 by which are established rules for implementing Regulation (EU) N° 1305/2013 of the European Parliament and of the Council on development rural aid by the European Agricultural Fund for Rural Development (EAFRD).

## *1.3. CAP*

• **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, by repealing Regulations (EC) n° 352/78, n° 165/94, n°2799/98, n° 814/2000, n°1290/2005 and n°485/2008 of the Council.

□ **DELEGATE REGULATION (EU) N°640/2014** OF THE COMMISSION 11 of March 2014 by which is completed Regulation (EU) N° 1306/2013 of European Parliament and of the Council as regards the integrated administration and control system and the conditions for refusal or withdrawal of payments and administrative penalties applicable to direct payments, rural development aid and conditionality

□ **IMPLEMENTING REGULATION (EU) N° 809/2014** OF THE COMMISSION of 17 July 2014 establishing detailed rules for implementing Regulation (EU) N° set 1306/2013 of the European Parliament and of the Council as regards the integrated management and control system of rural development measures and conditionality

□ **IMPLEMENTING REGULATION (EU) N° 834/2014** OF THE COMMISSION of 22 July 2014 establishing detailed rules for implementing the common framework monitoring and evaluation from the Common Agricultural Policy

• **REGULATION (EU) N°1307/2013** OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 December 2013, which established rules for direct payments to farmers under support schemes included in the framework of the Common Agricultural Policy and repealing Regulations (EC) N° 637/2008 and (EC) N° 73/2009 of the Council.



**DELEGATE REGULATION (EU) N° 639/2014** OF THE COMMISSION of 11 March 2014 completing Regulation (EU) N° 1307/2013 of the European Parliament and of the council establishing rules applicable to direct payments to farmers under support schemes within the framework of the Common Agricultural Policy and amending the Annex X of the same regulation

**IMPLEMENTING REGULATION (EU) N° 641/2014** OF THE COMMISSION of 16 June 2014 by which are established rules for the implementation of Regulation (EU) N° 1307/2013 of the European Parliament and of the Council by which are established rules applicable to direct payments to farmers under support schemes included in the framework of the Common Agricultural Policy

• **Regulation (EU) N° 1308/2013** OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 December 2013 by which is created the common organization of the market from the agricultural products and is repealed Regulation (EEC) N° 922/72, (EEC) N° 234/79, (EC) N° 1037/2001 and (EC) N° 1234/2007

#### *1.4. TRANSITION BETWEEN PERIODS*

• **Regulation (EU) N° 1310/2013** OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 of December 2013 establishing transitional provisions on development rural aid through the European Agricultural Fund for Rural Development (EAFRD) amending Regulation (EU) N° 1305/2013 of the European Parliament and of the Council as regards the resources and their distribution in the year 2014 and amending Regulation N° 73/2009 of the Council and Regulations (EU) N° 1307/2013, N° 1306/2013 and N° 1308/2013 of the European Parliament and of the Council as regards implementation in the year 2014.

• **IMPLEMENTING REGULATION (EU) N° 335/2013** OF THE COMMISSION of 12 of April 2013, amending Regulation (EC) N° 1974/2006, for which are set implementing Regulation (EC) N° 1698/2005 of the council on rural development aid by the European Agricultural Fund for Rural Development (EAFRD).

• **DELEGATE REGULATION (EU) N° 807/2014** OF THE COMMISSION of 11 of March 2014, completing Regulation (EU) N° 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund Rural for Development (EAFRD), and introduces transitional provisions.

#### *1.5. STATE AID*

• **GUIDELINES:**

**European Union Guidelines applicable to State aid in the agriculture and forestry sectors and rural areas 2014 to 2020 (2014/C 204/01)**

**Guidelines on national aids of regional purpose 2014-2020 (2013/C209/01)**

**REGIONAL AID MAP 2014-2020. STATE AID No. SA 38472 (2014/N) – SPAIN**

• **GENERAL REGULATIONS**

**Regulation (EC) N° 659/1999** OF THE COUNCIL of 22 of March of 1999 by which are established application dispositions of the article 93 of the EC Treaty



□ **Regulation (EC) N° 794/2004** OF THE COMMISSION of 21 of April of 2004, establishing rules for implementing of the Regulation (EC) N° 659/1999 of the Council, by which are established rules for the application of Article 93 of the EC Treaty

□ **Regulation (EC) N° 994/98** OF THE COUNCIL of 7 of May of 1998 regarding the articles 92 and 93 of the constitutive Treaty of the European Community to certain horizontal aid categories of the State

□ **Regulation (EU) N° 733/2013** OF THE COUNCIL of 22 of June of 2013 by which is amended the Regulation (EC) n° 994/98 regarding the application of articles 92 and 93 of the constitutive Treaty of the European Community to certain categories of horizontal state aids

- **MINIMIS REGULATIONS**

□ **Regulation (EU) N° 1407/2013** OF THE COMMISSION of 18 December of 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aids.

□ **Regulation (EU) N° 1408/2013** OF THE COMMISSION of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid in the agricultural sector

□ **REGULATION (EU) N° 360/2012** OF THE COMMISSION of 25 April of 2012 on the application of Articles 107 and 108 of the Treaty on the Functioning of the Union European on the *de minimis* aid granted to companies providing general services of economic interest

- **EXEMPTION REGULATIONS**

□ **REGULATION (EU) N° 702/2014** OF THE COMMISSION of 25 June 2014por which certain categories of state aid in the agriculture and forestry sectors and rural compatible with the common market in application of Articles 107 and 108 of the Treaty from Operation from the Union European

□ **REGULATION (EU) N° 651/2014** OF THE COMMISSION of 17 June 2014 by which are declared certain categories of aid compatible with the internal market in application from the articles 107 and 108 of the Treaty.



## 2. NATIONAL LEGISLATION

### 2.1. CAP

- **Royal Decree 1075/014**, of December, regarding the application from 2015 of the direct payments to agriculture and cattle rising and other support aids, as well as the management and control of the direct payments to rural development.
- **Royal Decree 1076/2014**, of 19 of December, regarding the assignment rights of regime of the CAP basic payments.
- **Royal Decree 1077/2014**, of December 19, by which is regimented the geographic information system of the parcels of land.
- **Royal Decree 1078/2014**, of 19 of December, by which are established the norms of conditionality that must be obliged the beneficiaries that receive direct payments, annual premiums, or payments regarding certain support programs in the wine sector.
- **Royal Decree 1079/2014**, of 19 of December, for the application of measures of the support program 2014-2018 to the wine sector.
- **Royal Decree 1080/2014**, of 19 of December, by which are established the regimen of coordination of the management authorities of the programs of rural development for the period 2014-2020.



## 2.2. RURAL DEVELOPMENT

### **Acuerdo de Asociación de España 2014-2020.**

- Borrador de Acuerdo de Asociación España 2014-2020 (versión sometida por el Minhap a información pública)

### **Marco Nacional de Desarrollo Rural** (aprobado por la Comisión Europea el 13.02.2015).

- Documentos anexos al Marco Nacional de Desarrollo Rural (zip de 26 Mb).
- Borrador de Marco Nacional de Desarrollo Rural 2014-2020 (versión de 30.04.2014 sometida a información pública por el Magrama).

### **Programa Nacional de Desarrollo Rural** (PNDR) (aprobado por la Comisión Europea el 26.05.2015).

- Este PNDR no contiene normas sobre las estrategias de desarrollo local participativo (EDLP) Leader pero muestra una serie de ámbitos de programación que conviene conocer al elaborar las EDLP.
- Declaración ambiental estratégica.
- Informe de evaluación ex ante.
- Red Rural Nacional: Lógica de intervención.
- Red Rural Nacional: Plan de indicadores.

Algunos de los documentos antiguos que sirvieron para la elaboración del PNDR:

- a) Antiguo documento de trabajo para la elaboración del Programa Nacional de Desarrollo Rural 2014-2020 (versión de abril de 2014 sometida a información pública por el Magrama).
- b) Resolución de la Dirección General de Desarrollo Rural y Política Forestal por la que se sometió la versión inicial del Programa Nacional de Desarrollo Rural 2010-2014 y su Estudio Ambiental Estratégico a un periodo de información pública.

### **FEAGA: Plan nacional de controles Leader y no SIGC. Criterios para las correcciones financieras y Plan de Acción para reducir riesgos y errores**

- Versión no final: Plan nacional de controles de las ayudas para el Desarrollo Local Participativo – LEADER.
- Circular de Coordinación del FEAGA 4/2016. Plan nacional de controles de las ayudas para el Desarrollo Rural Participativo (LEADER).
- Procedimiento de irregularidades y recuperaciones de pagos indebidos FEAGA y FEADER. Subdirección General de Fondos Agrícolas (Magrama). Circular de coordinación 1/2016. Modifica a la circular de coordinación 3/2009.
- Plan nacional de controles de las medidas de desarrollo rural no establecidas en el ámbito del sistema integrado del periodo 2014/2020. Subdirección General de Sectores Especiales del FEAGA. Circular de Coordinación nº 22/2015.
- Criterios para la aplicación de reducciones, sanciones y exclusiones en las medidas de desarrollo rural no establecidas en el ámbito del sistema integrado del periodo 2014/2020. Subdirección General de Sectores Especiales del FEAGA. Circular de coordinación del FEAGA nº 23/2015.





- Criterios para la elaboración de Planes de Acción con objeto de reducir los riesgos y los errores en las medidas de desarrollo rural del periodo de programación 2014/2020.

#### **Ayudas estatales de desarrollo rural**

- Resolución de 9 de diciembre de 2015, de la Dirección General de Desarrollo Rural y Política Forestal, por la que se publican las directrices por las que se establecen las normas generales aplicables al procedimiento de notificación conjunta a la Unión Europea de las ayudas estatales de desarrollo rural.

#### **Ley de Asociaciones**

- Ley Orgánica 1/2002, de 22 de marzo, reguladora del Derecho de Asociación. (Texto consolidado).
- Ley 49/2002, de 23 de diciembre, de régimen fiscal de las entidades sin fines lucrativos y de los incentivos fiscales al mecenazgo. (Texto consolidado).

#### **Ley de Subvenciones**

- Ley 38/2003, de 17 de noviembre, General de Subvenciones. (Texto consolidado).
- Real Decreto 887/2006, de 21 de julio, por el que se aprueba el Reglamento de la Ley 38/2003, de 17 de noviembre, General de Subvenciones. (Texto consolidado).

#### **Otra normativa**

- Real Decreto 1079/2014, de 19 de diciembre, para la aplicación de las medidas del programa de apoyo 2014-2018 al sector vitivinícola. (En aspectos no propios de las EDLP Leader 2014-2020 modificado por: Real Decreto 740/2015, de 31 de julio, por el que se regula el potencial de producción vitícola, y se modifica el Real Decreto 1079/2014, de 19 de diciembre, para la aplicación de las medidas del programa de apoyo 2014-2018 al sector vitivinícola).
- Resolución de 9 de diciembre de 2015, de la Dirección General de Desarrollo Rural y Política Forestal, por la que se publican las directrices por las que se establecen las normas generales aplicables al procedimiento de notificación conjunta a la Unión Europea de las ayudas estatales de desarrollo rural.
- Borrador de guía sobre los criterios de elegibilidad y de selección en el Feader (Comisión Europea, versión de marzo de 2014, en inglés).
- Ley 11/2007, de 22 de junio, de acceso electrónico de los ciudadanos a los Servicios Públicos.
- Real Decreto 1515/2007, de 16 de noviembre, por el que se aprueba el Plan General de Contabilidad de Pequeñas y Medianas Empresas y los criterios contables específicos para microempresas. (Texto consolidado).
- Real decreto de 22 de agosto de 1885 por el que se publica el Código de Comercio (Texto consolidado a 21.07.2015).