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European Union Common Agricultural Policy Implementation Act

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20.06.2023	RT I, 30.06.2023, 1	01.07.2023; words "Ministry of Rural Affairs" replaced with words "Ministry of Regional Affairs and Agriculture" throughout the Act on the basis of subsection 7 of § 105.19 of the Government of the Republic Act.
20.06.2023	RT I, 06.07.2023, 6	01.01.2024
19.12.2023	RT I, 04.01.2024, 2	14.01.2024
19.11.2024	RT I, 04.12.2024, 1	01.01.2025
29.01.2025	RT I, 14.02.2025, 2	24.02.2025

Chapter 1 General Provisions

§ 1. Scope of regulation of Act

(1) This Act sets out the European Union common agricultural policy (hereinafter *common agricultural policy*) measures, the grounds and rules for their implementation, the grounds and extent of exercising state supervision and administrative oversight, and the liability for violation of this Act.

(2) The provisions of the Administrative Procedure Act apply to the administrative procedure laid down in the European Union legislation, this Act and legislation established on the basis of this Act, taking account of the specifications of the European Union legislation and this Act.

§ 2. Common agricultural policy measures

(1) For the purposes of this Act, common agricultural policy measures mean:

- 1) measures implemented on the basis of and in accordance with the rules provided in Regulation (EU) 2021/2116 of the European Parliament and of the Council on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013 (OJ L 435, 6.12.2021, p. 187–261);
- 2) measures implemented on the basis of and in accordance with the rules provided in Regulation (EU) 2021/2115 of the European Parliament and of the Council 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. 1–186), including transitional national aid provided in Article 147;
- 3) measures implemented on the basis of and in accordance with the rules provided in Article 5 of Regulation (EU) No 1306/2013 of the European Parliament and of the Council on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 (OJ L 347, 20.12.2013, p. 549–607) and in 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) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487–548);

4) market organisation measures implemented on the basis of and in accordance with the rules provided in Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671–854);

5) measures implemented on the basis of and in accordance with the rules provided in Regulation (EU) 2024/1143 of the European Parliament and of the Council on geographical indications for wine, spirit drinks and agricultural products, as well as traditional specialities guaranteed and optional quality terms for agricultural products, amending Regulations (EU) No 1308/2013, (EU) 2019/787 and (EU) 2019/1753 and repealing Regulation (EU) No 1151/2012 (OJ L 2024/1143, 23.4.2024);

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

6) [repealed – RT I, 14.02.2025, 2 – entry into force 24.02.2025]

7) information provision and promotion measures implemented on the basis of Regulation (EU) No 1144/2014 of the European Parliament and of the Council on information provision and promotion measures concerning agricultural products implemented in the internal market and in third countries and repealing Council Regulation (EC) No 3/2008 (OJ L 317, 4.11.2014, p. 56–70).

(2) The Government of the Republic or the minister in charge of the policy sector may, within the limits of their competence, establish regulations for the implementation of the common agricultural policy measures in the matters where Member States have decision-making rights in accordance with the legislation of the European Union specified in subsection 1 of this section and legislation established on the basis thereof.

(3) For the purpose of implementing the common agricultural policy measures, the Government of the Republic may, within the limits of their competence, issue orders and the minister in charge of the policy sector may, within the limits of their competence, issue directives in the matters where Member States have decision-making rights in accordance with the legislation of the European Union specified in subsection 1 of this section and legislation established on the basis thereof.

§ 3. Notification of European Commission about implementation of common agricultural policy measures

If the legislation of the European Union does not provide for the person presenting the data pertaining to the implementation of common agricultural policy measures, the data is communicated to the European Commission within the time limits and in accordance with the rules provided in the legislation of the European Union by the state agency designated by the minister in charge of the policy sector.

Chapter 2 Implementing Agencies and Authorities

§ 4. Paying agency

(1) Upon implementing the common agricultural policy measures, the Agricultural Registers and Information Board (hereinafter *ARIB*) is the paying agency for the purposes of Article 9 of Regulation (EU) 2021/2116 of the European Parliament and of the Council and Article 7 of Regulation (EU) No 1306/2013 of the European Parliament and of the Council.

(2) The ARIB has the right to commence performance of the tasks of the paying agency as of the date of making the accreditation decision.

(3) The paying agency may delegate the task provided in Article 9(1) of Regulation (EU) 2021/2116 of the European Parliament and of the Council and in Article 7(1) of Regulation (EU) No 1306/2013 of the European Parliament and of the Council to another agency, authority or person on the grounds provided in this Act.

§ 5. Competent authority

(1) The Ministry of Regional Affairs and Agriculture is the authority competent to implement the common agricultural policy measures, unless otherwise provided in this Act.

(2) For the purposes of the legislation established on the basis of Article 8 of Regulation (EU) 2021/2116 of the European Parliament and of the Council and Article 8 of Regulation (EU) No 1306/2013 of the European Parliament and of the Council, only the Ministry of Regional Affairs and Agriculture is the competent authority.

§ 6. Certification body

(1) The Ministry of Regional Affairs and Agriculture is the certification body for the purposes of Article 12 of Regulation (EU) 2021/2116 of the European Parliament and of the Council and Article 9 of Regulation (EU) No 1306/2013 of the European Parliament and of the Council.

(2) To perform the tasks provided in Article 12 of Regulation (EU) 2021/2116 of the European Parliament and of the Council and Article 9 of Regulation (EU) No 1306/2013 of the European Parliament and of the

Council, the Ministry of Regional Affairs and Agriculture may, in accordance with the rules provided in the Administrative Cooperation Act, enter into an administrative contract with a legal person in private law who has technical know-how and knowledge about the common agricultural policy and sufficient experience in auditing payments. The authorisation of a legal person in private law to perform the specified task is decided by a directive of the minister in charge of the policy sector.

Chapter 3

General Procedural Provisions

§ 7. Submission, amendment and withdrawal of application and other procedural documents

(1) To participate in a common agricultural policy measure, an application, a payment claim and other procedural documents are submitted to the ARIB or, in the cases provided by this Act, to another person, agency or authority by electronic means or in writing on paper.

(2) The minister in charge of the policy sector may establish by a regulation that applications, payment claims and other procedural documents must be submitted only via the e-service environment or otherwise by electronic means.

(3) If an application to participate in a common agricultural policy measure is not submitted within the time limit, the time limit for the submission thereof is not restored and the application is not reviewed, unless otherwise provided by the relevant legislation of the European Union.

(4) If there is a technical error in the functioning of the e-service environment which prevents the submission of an application, payment claim or other procedural document, the time limit for the submission of such document is extended by the number of working days it has taken to eliminate the technical error of the e-service environment. If the technical error lasts for less than one working day, the time limit for the submission of an application, payment claim or other procedural document is extended by one working day.

(5) Where an applicant amends or withdraws an application, payment claim or other procedural document for the purpose of avoiding a reduction of the payment or the application of a protective measure provided in Chapter 12 of this Act, the payment for the applicant is reduced or the protective measure is applied on the basis of the initial application, unless otherwise provided in the legislation of the European Union, this Act or legislation established on the basis of this Act.

(6) The provisions of subsections 4 and 5 of this section also apply to the data submitted to the agricultural data repository specified in subsection 6¹ of § 113 of this Act.
[RT I, 04.01.2024, 2 – entry into force 14.01.2024]

§ 8. Verification of compliance with established requirements and of application and other procedural documents

(1) Compliance with the requirements set for common agricultural policy measures and the truth of the information presented in an application, payment claim or another procedural document are verified by the ARIB or, in the cases provided in this Act, by another person, agency or authority.

(2) The Ministry of Regional Affairs and Agriculture, the Agriculture and Food Board, the Land and Spatial Planning Board, the Environmental Board, the Tax and Customs Board, the state foundation specified in § 10 and the agency or authority specified in subsection 2 of § 48 of this Act verify compliance with the requirements set for common agricultural policy measures and the truth of the information presented in an application, payment claim or another procedural document in the cases and to the extent provided by a regulation established by the minister in charge of the policy sector.
[RT I, 04.12.2024, 1 - entry into force 01.01.2025]

(3) Compliance with the requirements set for common agricultural policy measures and the truth of the information presented in an application, payment claim or another procedural document are verified on the basis of the information and documents submitted by the applicant, on the basis of the databases and other data in the possession of state agencies that they have received upon performance of the functions provided by law and during on-the-spot checks.

(4) Compliance with the requirements set for common agricultural policy measures can also be verified on the premises of a third party related to the applicant who possesses data or documents related to the measure and at the place where the supported activity is carried out.

(5) Verification of the implementation of common agricultural policy measures is coordinated by the ARIB unless otherwise provided in this Act.

(6) Compliance with the requirements set for common agricultural policy measures can be verified using the equipment which transmits or records a picture.

(7) The specific conditions and procedure for the use of the equipment specified in subsection 6 of this section may be established by a regulation of the minister in charge of the policy sector.

§ 9. Service of decision by electronic means

In case of service by electronic means, a decision or another procedural document related to the implementation of common agricultural policy measures is deemed served by electronic means also to a person not specified in clauses 3 and 4 of subsection 2 of § 27 of the Administrative Procedure Act if the decision, an excerpt of the decision or another procedural document or the notice on making the specified documents available in the e-service environment has been sent at the electronic mail address indicated by the person.

Chapter 4

Interventions under Strategic Plan of Estonia for Common Agricultural Policy of European Union for Years 2023–2027

Subchapter 1

General Provisions

§ 10. Organisation of grant of support

(1) In order to implement the common agricultural policy measures specified in clauses 1 and 2 of subsection 1 of § 2 of this Act, the following interventions are implemented on the basis of the "Strategic Plan of Estonia for the Common Agricultural Policy of the European Union for the Years 2023–2027" approved by a Decision of the European Commission (hereinafter *strategic plan*):

- 1) interventions in the form of direct payments specified in point (c) of Article 5(2) of Regulation (EU) 2021/2116 of the European Parliament and of the Council and referred to in Article 16 of Regulation (EU) 2021/2115 of the European Parliament and of the Council (hereinafter *direct payments*);
- 2) interventions in certain sectors specified in point (b) of Article 5(2) of Regulation (EU) 2021/2116 of the European Parliament and of the Council and referred to in Chapter III of Title III of Regulation (EU) 2021/2115 of the European Parliament and of the Council (hereinafter *types of intervention in certain sectors*);
- 3) interventions for rural development specified in Article 6 of Regulation (EU) 2021/2116 of the European Parliament and of the Council and referred to in Chapter IV of Title III of Regulation (EU) 2021/2115 of the European Parliament and of the Council (hereinafter *rural development support*).

(2) The strategic plan is approved by the Government of the Republic on the proposal of the Ministry of Regional Affairs and Agriculture. The corrections specified in Article 119(12) of Regulation (EU) 2021/2115 of the European Parliament and of the Council are approved by the Ministry of Regional Affairs and Agriculture.

(3) Rural development support is granted, among others, for the implementation of the activities specified in point (b) of Article 34(1) of Regulation (EU) 2021/1060 of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159–706) on the basis of the local development strategies specified in Article 32(1) of the same Regulation (hereinafter *LEADER project support*).

(4) Upon implementation of the strategic plan, the functions of the managing authority specified in Article 123 of Regulation (EU) 2021/2115 of the European Parliament and of the Council are performed by the Ministry of Regional Affairs and Agriculture unless otherwise provided in this Act or legislation established on the basis thereof. The ARIB and other state agencies and persons as intermediate bodies perform those functions of the managing authority the performance of which has been assigned thereto by this Act or by a directive of the minister in charge of the policy sector.

(5) Upon granting forestry aid, a state foundation that has sufficient experience in processing forestry aid applications (hereinafter *state foundation*) may perform the following tasks of managing authorities and paying agencies:

- 1) receipt of applications and payment claims;
- 2) verification of compliance of applications and payment claims with requirements;
- 3) evaluation and ranking of applications;
- 4) reduction of support;
- 5) making a decision to grant or refuse to grant an application;
- 6) amendment or revocation of a decision to grant an application;
- 7) exercising state supervision;
- 8) resolving a challenge filed against its decision or step.

(6) The state foundation specified in subsection 5 of this section is appointed by an order of the Government of the Republic, determining the support granted within the interventions under the strategic plan for the receipt of which the state foundation is to process the submitted applications and payment claims as well as the tasks specified in subsection 5 of this section that are to be performed by the state foundation.

(7) The ARIB enters, in accordance with the rules provided in the Administrative Cooperation Act, into an administrative contract with the state foundation appointed according to subsection 6 of this section.

§ 11. Determination of support to be granted in calendar year and funds designated for granting support

(1) The support granted in one or more calendar years within the interventions under the strategic plan is established by a regulation of the minister in charge of the policy sector.
[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(1¹) In the regulation specified in subsection 1 of this section, the minister in charge of the policy sector may also prescribe such support granted in the budgetary year which is granted only on the basis of a payment claim and only to the extent of a commitment in force.
[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(2) The local development strategy measures with regard to which it is possible to apply for LEADER project support in a calendar year, the time of holding application rounds and the distribution of funds designated for support within the specified measures are determined by the local action group in the local development strategy operational programme drawn up for each calendar year (hereinafter *operational programme*).

(3) The distribution of funds designated for the calendar year by the support granted within the interventions under the strategic plan, by supported activities, by other grounds specified in the strategic plan and, where necessary, by application rounds is decided each year by a directive of the minister in charge of the policy sector. The distribution of funds may also be established for a longer period than one calendar year.

(4) The distribution of the support funds specified in points (b) and (c) of Article 34(1) of Regulation (EU) 2021/1060 of the European Parliament and of the Council by the local action groups for the entire programming period is decided by a directive of the minister in charge of the policy sector.

(5) Where a local action group fails to use more than 20 per cent of the support funds specified in subsection 4 of this section by 31 December 2027, the unused funds are deemed released to the extent that exceeds the 20 per cent. The distribution of the released funds by local action groups for the years 2028 and 2029 shall be decided by a directive of the minister in charge of the policy sector.

(6) The right to apply for support does not arise if the grant of the support is not designated for the calendar year in the regulation established on the basis of subsection 1 of this section or if the local development strategy measure is not prescribed for the calendar year in the operational programme specified in subsection 2 of this section.

§ 12. Reasonableness of costs

(1) Any costs incurred by means of the support must be incurred for specific purposes, reasonably and in a manner which is economically most advantageous. All costs compensated by the support must be eligible.

(2) The beneficiary, when incurring costs related to a supported activity, must adhere to the requirements for the purchase procedure provided by this Act and legislation established on the basis of this Act.

(3) The specific conditions and procedure for organising the purchase procedure, including the cases where the purchase procedure must be organised through the public procurement register, are established by a regulation of the minister in charge of the policy sector.

(4) Where a beneficiary is a contracting authority for the purposes of the Public Procurement Act, the beneficiary must adhere to the requirements provided in the Public Procurement Act when carrying out public procurements related to activities.

(5) Where the conditions for granting support prescribe the use of reference prices, support may be applied solely for acquiring the supplies or ordering the services that have been entered in the catalogue of reference prices specified in subsection 5 of § 113 of this Act. The amount of support is calculated on the basis of the eligible cost of supplies or services entered in the register of agricultural support and agricultural parcels effective at the moment of submission of the application exclusive of value added tax (hereinafter *price cap*) and on the basis of the maximum support rate and amount established in the conditions for granting support.

§ 13. Payment of support

(1) Support is paid to a beneficiary, including a beneficiary selected by the procurement procedure, on the basis of a payment decision.

(2) The ARIB makes a decision to pay support or refuse to pay support on the basis of a payment claim submitted by the beneficiary.

(3) Where it is determined before payment of support that the applicant violates the requirements for implementing the activity or fails to perform other obligations of a beneficiary, the ARIB may reduce the payable support or refuse to pay support, considering the severity, extent and persistence of the violation and whether it is repeated.

(3¹) The specific conditions and procedure for the reduction of support may be established by a regulation of the minister in charge of the policy sector.

[RT I, 04.01.2024, 2– entry into force 14.01.2024]

(4) The ARIB makes a decision on refusal to pay support if the grounds for refusing to grant the application are determined before payment of support.

(5) If a decision on refusal to pay support is made, the ARIB or the state foundation may fully or partially revoke the decision to grant the application.

(6) The claim for payment of support granted on the basis of this Act cannot be assigned by the beneficiary and the support paid cannot be subject to compulsory enforcement on the beneficiary's current account.

Subchapter 2 Direct Payments

§ 14. Direct payments granted within interventions

(1) On the basis and in accordance with the rules provided in this Act, direct payments are granted each calendar year within the following interventions:

- 1) basic income support for sustainability in accordance with Article 21 of Regulation (EU) 2021/2115 of the European Parliament and of the Council;
- 2) complementary redistributive income support for sustainability in accordance with Article 29 of Regulation (EU) 2021/2115 of the European Parliament and of the Council;
- 3) support for schemes for the climate, the environment and animal welfare in accordance with Article 31 of Regulation (EU) 2021/2115 of the European Parliament and of the Council.

(2) On the basis and in accordance with the rules provided in this Act, direct payments may be granted, in addition to the provisions of subsection 1 of this section, within the following interventions:

- 1) payments for small farmers in accordance with Article 28 of Regulation (EU) 2021/2115 of the European Parliament and of the Council;
- 2) complementary income support for young farmers in accordance with Article 30 of Regulation (EU) 2021/2115 of the European Parliament and of the Council;
- 3) coupled income support in accordance with Article 32 of Regulation (EU) 2021/2115 of the European Parliament and of the Council.

§ 15. Requirements for applicants for direct payments and conditions of granting support

(1) Direct payments may be granted to the persons or groups of persons specified in point (1) of Article 3 of Regulation (EU) 2021/2115 of the European Parliament and of the Council who comply with the requirements for receiving support provided in the relevant legislation of the European Union as well as this Act and legislation established on the basis of this Act.

(2) The specific conditions and procedure for granting direct payments (hereinafter *conditions for granting direct payments*) shall be established in accordance with the provisions of the strategic plan by a regulation of the minister in charge of the policy sector.

(3) The conditions for granting direct payments may set out:

- 1) the supported activities and the requirements for applicants;
- 2) the specific requirements for eligible land and eligible animals;
- 3) the list of agricultural areas used mainly or temporarily for non-agricultural activities;
- 4) the minimum and maximum amount and unit amount of support;
- 5) the additional data to be entered in the field data book;
- 6) the obligation to maintain an electronic field data book;

6¹) the obligation to submit data to the agricultural data repository specified in subsection 6¹ of § 113 of this Act;

[RT I, 04.01.2024, 2 – entry into force 14.01.2024]

- 7) the specific grounds and procedure for reducing support;
- 8) the specific grounds and procedure for reducing the unit amount of support;
- 9) the conditions and procedure for capping and degressivity of support;
- 10) the conditions and procedure for transferring a holding or farm;
- 11) the conditions and procedure for payment of support;
- 12) the information necessary for monitoring and evaluation.

(4) The conditions for granting direct payments may be established for each direct payment separately.

§ 16. Granting and refusal to grant application for direct payment

(1) The ARIB grants all applications for direct payments which comply with the requirements. An application for direct payment is deemed compliant with the requirements if the applicant, the application and the supported activity comply with the requirements established in the relevant legislation of the European Union as well as this Act and legislation established on the basis of this Act.

(2) In case of the area- and animal-based direct payments specified in Article 65(2) of Regulation (EU) 2021/2116 of the European Parliament and of the Council, an application in respect of determined eligible areas and animals is deemed compliant even if support has been applied for, among others, undetermined areas and animals. This does not preclude the application of the protective measures provided in Chapter 12 of this Act.

(3) The unit amount of support shall be established by the minister in charge of the policy sector or decided by the ARIB in accordance with the provisions of the conditions for granting direct payments. If the ARIB decides on the unit amount of support in accordance with the provisions of the conditions for granting direct payments, it shall take account of the funds designated for granting direct payments, the minimum and maximum unit amount of support and the number of hectares of land, animals or other entitlements that are considered eligible and covered by the applications complying with the requirements.

(4) The ARIB calculates the amount of direct payments taking account of the unit amount of support, the number of hectares of land, animals or other entitlements that are considered eligible, the maximum amount of direct payment and any reductions due to non-compliance with requirements.

(5) If all applications that comply with the requirements cannot be granted on the basis of the funds designated for granting direct payments, the ARIB reduces, in accordance with the provisions of the conditions for granting direct payments, either the unit amount of support or the amount of support, observing the principle of equal treatment of applicants. Where the amount of direct payments is calculated on the basis of more than one unit amount, the ARIB may reduce one, several or all unit amounts.

(6) Upon applying Article 17 of Regulation (EU) 2021/2115 of the European Parliament and of the Council, account is taken of the information about the amount of the labour costs linked to agricultural activity submitted by a person to the Tax and Customs Board in the calendar year immediately preceding the year of applying for support.

(7) If the agricultural area of an applicant is less than one hectare, the minimum amount of the animal-related coupled income support is 100 euros.

(8) In addition to the ground provided in Article 62 of Regulation (EU) 2021/2116 of the European Parliament and of the Council, the ARIB makes a decision on refusal to grant an application for direct payment if at least one of the following circumstances exists:

- 1) the applicant, the application or the supported activity does not comply with the requirements unless otherwise provided by the legislation of the European Union;
- 2) the applicant fails to submit or communicate the circumstances and evidence relevant to the proceedings or prevents the carrying out of on-the-spot checks;
- 3) false information was knowingly submitted in the application or in the course of processing the application.

(9) Compliance of applications with the requirements for receiving support is verified by the ARIB, the Agriculture and Food Board, the Land and Spatial Planning Board or the Environmental Board in the cases and to the extent provided in the conditions for granting support.

[RT I, 04.12.2024, 1 - entry into force 01.01.2025]

Subchapter 3 Types of Intervention in Certain Sectors

Division 1

Interventions in certain sectors

§ 17. Application for and grant of support for interventions in certain sectors

(1) In the case of interventions in certain sectors, support is granted to producer organisations and associations of producer organisations recognised under this Act.

(2) To receive the support of interventions in certain sectors, a producer organisation or an association of producer organisations must have an operational programme of a producer organisation or association of producer organisations conforming to Article 50 of Regulation (EU) 2021/2115 of the European Parliament and of the Council and approved by the ARIB (hereinafter *operational programme of a producer organisation*) and an operational fund must be set up for its financing.

(3) The specific requirements for operational funds and operational programmes of producer organisations and the procedure for amendment of operational programmes shall be established by a regulation of the minister in charge of the policy sector.

(4) If an operational programme of a producer organisation complies with the requirements provided in the legislation of the European Union, this Act and legislation established on the basis of this Act, the ARIB makes a decision on approving the operational programme in part or in full.

(5) The ARIB makes a decision on refusing to approve an operational programme of a producer organisation if at least one of the following circumstances is ascertained during the checking of compliance of the producer organisation, the association of producer organisations or the operational programme:

- 1) the producer organisation or the association of producer organisations does not comply with the requirements applicable to it;
- 2) the operational programme does not comply with the requirements applicable to it;
- 3) false information was knowingly submitted in the operational programme or in the course of processing the approval of the operational programme;
- 4) the producer organisation or the association of producer organisations fails to submit or communicate the circumstances and evidence relevant to the proceedings or prevents the carrying out of on-the-spot checks.

(6) An application for the support of interventions in certain sectors is deemed submitted by submission of an operational programme of a producer organisation to the ARIB and the application is deemed granted by a decision on approval of the operational programme made by the ARIB.

(7) The specific conditions for granting the support of interventions in certain sectors and the procedure for approval of operational programmes of producer organisations shall be established by a regulation of the minister in charge of the policy sector.

(8) The conditions and procedure for granting the support of interventions in certain sectors set out:

- 1) the rate of the support;
- 2) the conditions and procedure for submission and approval of operational programmes;
- 3) the conditions and procedure for payment of support;
- 4) the information necessary for monitoring and evaluation.

(9) A producer organisation and an association of producer organisations manage the operational fund set up for their activities via a bank account.

Division 2

Intervention in apiculture sector

§ 18. Apiculture body and its action plan

(1) In the case of intervention in the apiculture sector established in Section 3 of Chapter III of Title III of Regulation (EU) 2021/2115 of the European Parliament and of the Council, support is granted to non-profit associations or civil law partnerships made up of associations of persons of the apiculture sector (hereinafter jointly *apiculture bodies*) whose objective under the articles of association or the civil law partnership agreement is to achieve the objective of the intervention in the apiculture sector provided in the strategic plan.

(2) To achieve the objective provided in subsection 1 of this section and apply for support, an apiculture body develops an action plan which includes the description of the planned activities and the distribution of funds intended for their implementation by all types of interventions in the apiculture sector provided in the strategic plan.

(3) To develop and implement an action plan of an apiculture body, an apiculture body must engage as its partner at least one research and development institution carrying out research in apiculture and apiculture products or a person with adequate experience and expertise in the area of agriculture and rural life.

(4) The requirements for apiculture bodies, including for members and the number of members of an apiculture body, and for action plans of apiculture bodies and activities provided therein shall be established by a regulation of the minister in charge of the policy sector.

§ 19. Evaluation and approval of action plan of apiculture body

(1) The ARIB evaluates an action plan of an apiculture body conforming with the requirements on the basis of the criteria for its evaluation.

(2) If an action plan of an apiculture body conforms with the requirements and is ranked first in the ranking list prepared on the basis of the evaluation results, the ARIB makes a decision on approving the action plan in part or in full.

(3) The ARIB makes a decision on refusing to approve an action plan of an apiculture body if in the course of verifying compliance of the apiculture body or its action plan with the requirements at least one of the following circumstances is established:

- 1) the apiculture body does not comply with the requirements applicable to it;
- 2) the action plan does not comply with the requirements applicable to it;
- 3) false information was knowingly submitted in the action plan or in the course of processing the approval of the action plan;
- 4) the apiculture body fails to submit or communicate the circumstances and evidence relevant to the proceedings or prevents the carrying out of on-the-spot checks;
- 5) multiple action plans were submitted and the action plan was not ranked first;
- 6) there are not enough funds for financing the action plan.

(4) An application for receiving the support specified in subsection 1 of § 18 of this Act is deemed submitted by submission of an action plan of an apiculture body to the ARIB and the application is deemed granted by a decision on approval of the action plan made by the ARIB.

(5) The procedure for submission and approval of action plans of apiculture bodies, the criteria for evaluating action plans, the rates and amounts of support as well as eligible and ineligible costs shall be established by a regulation of the minister in charge of the policy sector.

§ 20. Performance report and payment of support

(1) An apiculture body implements the activities planned in the approved action plan and prepares a report on performance of the action plan for each agricultural budgetary year covered by the action plan (hereinafter the *performance report*).

(2) The ARIB approves a performance report which conforms with the requirements. If a performance report does not conform with the requirements, the ARIB refuses to approve it and suspends the implementation of the action plan of the apiculture body until the performance report is approved.

(3) The ARIB decides on payment of the support in accordance with the rules provided in § 13 of this Act. In addition to the grounds provided in subsection 3 of § 13 of this Act, the ARIB makes a decision on refusing to pay the support where implementation of the action plan of the apiculture body is suspended on the basis of subsection 2 of this section.

(4) The requirements for performance reports and the procedure for submission and approval of performance reports, the requirements for payment claims and cost receipts and the conditions and procedure for payment of support shall be established by a regulation of the minister in charge of the policy sector.

Subchapter 4 Rural Development Support

Division 1 General provisions

§ 21. Manners of granting rural development support

(1) Rural development support may be granted:

- 1) by way of open applications;
- 2) by the procurement procedure; or
- 3) through a direct award.

(2) The manner of granting rural development support shall be decided by the minister in charge of the policy sector by the support granted within the interventions under the strategic plan, proceeding from the strategic plan.

(3) The support granted within the same intervention under the strategic plan is not implemented simultaneously by several manners of granting support specified in subsection 1 of this section.

§ 22. Requirements for applicants for rural development support

Rural development support may be granted to the persons who comply with the requirements for receiving support provided in the relevant legislation of the European Union as well as this Act and legislation established on the basis of this Act.

Division 2

Grant of rural development support by open applications

§ 23. Grant of rural development support

(1) By way of open applications, rural development support is granted for the implementation of the activity planned by the best application or the activities planned by the best applications chosen by way of a competition or for the implementation of the activities planned by all applications complying with the requirements or by all applications complying with the requirements and meeting the minimum requirements of the evaluation criteria without organising competitions.

(2) Where rural development support is granted for the implementation of the activity planned by the best application or the activities planned by the best applications chosen by way of a competition, the best application is or the best applications are chosen by comparative evaluation of applications.

(3) Where rural development support is granted for the implementation of the activities planned by all applications complying with the requirements or by all applications complying with the requirements and meeting the minimum requirements of the evaluation criteria without organising competitions, support is granted in the chronological order of submission of applications until the budget is exhausted or to all applicants within the limits of the budget by proportionally reducing the amount of the granted support.

(4) Upon implementation of local development strategy, LEADER project support is granted by way of open applications.

§ 24. Conditions for grant of rural development support

(1) The specific conditions and procedure for granting and using rural development support (hereinafter together *conditions for granting support*) in case of open applications shall be established in accordance with the strategic plan by a regulation of the minister in charge of the policy sector.

(2) The conditions for granting support may set out:

- 1) the purposes of granting support, the supported activities and the form of granting support;
- 2) the types of eligible and ineligible costs and other conditions for deeming costs eligible, including the eligible time limit of the costs of implementing the supported activities;
- 3) the manner, conditions and procedure for proving that the costs are reasonable and justified;
- 4) the specific requirements for eligible land and eligible animals;
- 5) the minimum and maximum rates, amounts and unit amounts of support;
- 6) the requirements for applicants and applications and the requirements for the capacity to implement the supported activities;
- 7) the additional data to be entered in the field data book;
- 8) the obligation to maintain an electronic field data book;
- 8¹) the obligation to submit data to the agricultural data repository specified in subsection 6¹ of § 113 of this Act;

[RT I, 04.01.2024, 2 – entry into force 14.01.2024]

- 9) the conditions and procedure for submission and processing of applications;
- 10) the criteria for evaluating applications, the conditions for evaluation and the possibilities of giving preference to an application in the event of applications with equal indicators;
- 11) the grounds for granting applications in accordance with the provisions of § 28 of this Act;
- 12) the specific grounds and procedure for reducing support;
- 13) the grounds and procedure for reducing unit amount of support;
- 14) the beneficiary's obligations, including keeping of records on costs related to support and documents concerning costs and payments, and maintenance of documents, and the conditions and procedure for submission of reports;
- 15) the requirements for payment claims and the conditions and procedure for submission of payment claims;
- 16) the conditions and procedure for payment of support;
- 17) the time limit and conditions for implementing activities;

- 18) the conditions for the use of the property acquired, constructed or renovated with the support, including the term for its targeted use;
- 19) the conditions and procedure for transferring a holding or farm;
- 20) the conditions and procedure for the increase, decrease, replacement, transfer and takeover of commitments;
- 21) the information necessary for monitoring and evaluation.

(3) Separate conditions for granting support may be established for support granted within each intervention under the strategic plan.

§ 25. Application for rural development support

(1) To receive rural development support, the applicant submits, within the prescribed time limit and pursuant to the prescribed procedure, an application to the ARIB or the state foundation unless otherwise provided in this Act.

(2) An applicant for LEADER project support submits an application to the ARIB via the local action group.

(3) In the case of an application for support for the provision of advisory services, the application for support is deemed submitted by the submission of the application for inclusion in the list of advisory service providers to the agency or authority specified in subsection 2 of § 48 of this Act, unless the application is submitted by the agency or authority itself.

[RT I, 04.01.2024, 2 – entry into force 14.01.2024]

§ 26. Compliance of application for rural development support with requirements

(1) An application for rural development support is deemed compliant with the requirements if the applicant, the application and the supported activity comply with the requirements established in the relevant legislation of the European Union as well as this Act and legislation established on the basis of this Act.

(2) In case of the area- and animal-based rural development support specified in Article 65(2) of Regulation (EU) 2021/2116 of the European Parliament and of the Council, an application in respect of designated eligible areas and animals is deemed compliant even if support has been applied, among others, for undesignated areas and animals. This does not preclude the application of the protective measures provided in Chapter 12 of this Act.

(3) Compliance of applications with the requirements for receiving support is verified by the ARIB, the Agriculture and Food Board, the Land and Spatial Planning Board, the Environmental Board, the state foundation or the agency or authority specified in subsection 2 of § 48 of this Act in the cases and to the extent provided in the conditions for granting support.

[RT I, 04.12.2024, 1 - entry into force 01.01.2025]

§ 27. Evaluation of application for rural development support

(1) Applications for rural development support are evaluated in case of interventions specified in Article 79 of Regulation (EU) 2021/2115 of the European Parliament and of the Council unless otherwise provided in the conditions for granting support.

(2) Applications for rural development support are evaluated by the ARIB and the state foundation under the conditions and in accordance with the rules provided in the conditions for granting support and on the basis of evaluation criteria. A ranking list of applications may be prepared on the basis of evaluation results.

(3) Where an application for rural development support which includes more than one supported activity may be submitted in accordance with the conditions for granting support, the conditions for granting support may prescribe that the supported activities are evaluated and ranked separately.

(4) Applications for LEADER project support are evaluated by the local action group and, based on its financing proposal, the ARIB verifies compliance of the applications with the requirements. Where the local action group has submitted a proposal on the ranking of applications, the ARIB prepares a ranking list of the applications complying with the requirements and ranks the applications on the basis of the proposal of the local action group. The ARIB does not re-evaluate the applications.

(5) It is prohibited to disclose the name of a person involved in the evaluation of applications for rural development support and the evaluation given by them in the manner that enables to associate the name and the evaluation.

§ 28. Granting and refusal to grant application for rural development support

(1) If an application for rural development support complies with the requirements and, where appropriate, complies with the minimum requirements for evaluation criteria, the following applications are granted, in case of evaluation of applications, within the limits of funds designated for supporting rural development in accordance with the provisions of the conditions for granting support:

- 1) the application ranked first in the ranking list of applications prepared on the basis of evaluation results;
- 2) the best applications in the ranking list of applications prepared on the basis of evaluation results;
- 3) all applications, reducing proportionately the amount of support per each applicant, where necessary; or
- 4) all applications, giving preference to the applications which were submitted earlier.

(2) Where the conditions for granting support do not prescribe the evaluation of applications for rural development support, all applications complying with the requirements are granted within the limits of funds designated for supporting rural development in accordance with the provisions of the conditions for granting support:

- 1) reducing proportionately the amount of support per each applicant, where necessary;
- 2) reducing the unit amount of support, where necessary; or
- 3) giving preference to the applications which were submitted earlier.

(3) In addition to the grounds provided in the legislation of the European Union, a decision on refusal to grant an application for rural development support is made if at least one of the following circumstances exists:

- 1) the applicant, the application or the supported activity does not comply with the requirements for granting and using support, unless otherwise provided by the legislation of the European Union;
- 2) the applicant fails to submit or communicate the circumstances and evidence relevant to the proceedings or prevents the carrying out of on-the-spot checks;
- 3) the application is not granted in accordance with subsection 1, 2, 6, 7 or 8 of this section;
- 4) false information was knowingly submitted in the application or in the course of processing the application.

(4) The decision to grant or refuse to grant an application for rural development support is made by the ARIB or the state foundation.

(5) The conditions for granting support may prescribe that where granting an application in full is not justified due to ineligible costs contained in the application, the amount of the rural development support may be reduced provided that the activity planned in the application is implemented and the purposes of granting the support are achieved. Where an applicant does not agree with the reduction of the amount of support, a decision on refusal to grant the application is made. Reduction of the amount of support does not affect the ranking of applications, where this does not harm public interest or the rights of other applicants.

(6) Where the activities contained in the applications are evaluated separately in accordance with the conditions for granting support, an application may be granted in respect of the activities concerning which the application should be granted on the basis of clause 1 or 2 of subsection 1 of this section.

(7) Where an application for rural development support which is compliant with the requirements, selected on the basis of the evaluation results and, where applicable, ranked, cannot be granted in full, because the amount of support applied for exceeds the balance of funds designated for rural development support in the given year by the intervention, by the activity supported within the intervention or by another ground specified in the strategic plan, a decision on refusal to grant support is made, unless otherwise provided in the conditions for granting support.

(8) The ARIB makes a decision to grant in part or in full such applications for the LEADER project support which have been declared compliant and concerning which the local action group has made a financing proposal.

(9) In the case of an application for support for the provision of advisory services, the application for support is deemed granted when the agency or authority specified in subsection 2 of § 48 of this Act enters the person in the list of advisory service providers, unless the agency or authority itself is the applicant.

[RT I, 04.01.2024, 2 – entry into force 14.01.2024]

§ 29. Amendment and revocation of decision to grant application for rural development support

(1) A decision to grant an application for rural development support may be amended on the initiative of the beneficiary only in a justified event and provided that the initially planned activity is implemented to a significant extent, the objectives of the grant of support are achieved and the amount of support is not increased. A justified event is deemed to mean a circumstance that could not have been foreseen when applying for support.

(2) Where a beneficiary is unable to implement the supported activity within the time limit provided in the conditions for granting support, the ARIB or the state foundation may set an additional time limit for implementing the activity on the basis of an application of the beneficiary taking account of the conditions provided in subsection 1 of this section.

(3) An application for amendment of a decision to grant an application for rural development support is not granted if the conditions provided in subsection 1 of this section have not been met or at least one of the following circumstances exists:

- 1) the beneficiary or the supported activity does not comply with the requirements for receiving support as a result of the amendment;
- 2) making the amendment would harm public interest or the rights of other applicants.

(4) Unless otherwise provided in the conditions for granting support, the supplies to be acquired or the services to be ordered with the rural development support may, in justified cases, be replaced with other supplies or services of the same type, or the planned construction works may be altered, without amending the decision to grant the application provided that the objectives of granting support are achieved, no circumstances provided in subsection 3 of this section exist and there are no changes in:

- 1) the purpose of use of the supplies or construction works;
- 2) the content or result of the service; or
- 3) the initially planned qualities of the construction works.

(5) A decision to grant rural development support may be revoked in full or in part if at least one of the following circumstances exists:

- 1) a circumstance whereby the application would not have been granted becomes evident;
- 2) the beneficiary has not implemented the supported activity within the time limit;
- 3) the supported activity cannot be implemented within the time limit;
- 4) the beneficiary does not perform the obligations provided in the legislation of the European Union or this Act or legislation established on the basis of this Act;
- 5) a protective measure provided in Chapter 12 of this Act has been applied to the beneficiary in connection with the activity to be implemented on the basis of the same decision;
- 6) the beneficiary applies for revocation of the decision to grant the application.

§ 30. Financing of supported activity before incurring costs

(1) In the cases provided in the conditions for granting support, implementation of the supported activity may be financed from the state budget funds after making a decision to grant the application before paying for ordering the work or service or acquisition of assets.

(2) Implementation of the supported activity may be financed in accordance with subsection 1 of this section if the beneficiary has presented a security in accordance with § 104 of this Act which covers the entire amount to be paid.

(3) The person granting support may waive the demanding of security if the beneficiary is sufficiently reliable and at least one of the following conditions is met:

- 1) the work or service has been completed or the asset has been handed over and the beneficiary has accepted it and paid for it an amount that equals at least the self-financing portion;
- 2) implementation of the activity is financed in accordance with point (c) of Article 34(1) of Regulation (EU) 2021/1060 of the European Parliament and of the Council.

(4) Money received in accordance with subsection 1 of this section may be used solely for paying for the eligible costs of the relevant supported activity. The costs must be paid within the time limit specified in the conditions for granting support, but not later than by 1 July 2029.

(5) After paying for the eligible costs of the supported activity, the beneficiary presents the documents on the basis of which rural development support is paid to the ARIB who makes a decision to pay or refuse to pay support.

(6) In the case of payment of support from the European Agricultural Fund for Rural Development, funds paid to a beneficiary in accordance with subsection 1 of this section are debited from the amount of support payable in accordance with a decision by way of offsetting. In the event of a decision on refusal to pay support from the European Agricultural Fund for Rural Development, the beneficiary returns the funds received in accordance with subsection 1 of this section.

(7) If circumstances become evident in the activities of a beneficiary which cast doubt over the ability of the beneficiary to use the money received in accordance with subsection 1 of this section for the intended purpose and by the due date, the person granting support may decide to grant financing to a lesser extent, set a shorter time limit for incurring the eligible costs than the one provided in subsection 4 of this section or demand that a sufficient security is presented.

(8) A beneficiary is deemed to be sufficiently reliable to finance the implementation of the supported activity without demanding a security if all the following conditions are met:

- 1) the beneficiary has no arrears of state taxes or the payment of the beneficiary's arrears of state taxes has been staggered and, in the event of staggering, the tax arrears have been paid in accordance with the schedule;

- 2) no liquidation or bankruptcy proceedings have been initiated against the beneficiary or a person controlling the beneficiary;
- 3) the beneficiary has repaid any amounts received from the state budget funds or other European Union funds or foreign funds that are subject to repayment or, in the case of deferral of repayment of support, has made the repayments by the prescribed due dates and in the prescribed amount;
- 4) the beneficiary has previously used the support received in accordance with § 28 of this Act or subsection 1 of this section for the intended purpose and by the due date.

(9) The procedure for applying for financing in accordance with subsection 1 of this section and the procedure for processing of applications, the requirements for applications and the rates and amounts of financing shall be established by a regulation of the minister in charge of the policy sector.

Division 3

Community-led local development – LEADER

§ 31. Local development strategy and local action group

(1) Community-led local development specified in Article 31 of Regulation (EU) 2021/1060 of the European Parliament and of the Council is implemented on the basis of local development strategies approved by the Ministry of Regional Affairs and Agriculture.

(2) A local development strategy is developed by a non-profit association corresponding to the definition of the local action group specified in Article 33 of Regulation (EU) 2021/1060 of the European Parliament and of the Council whose statutory objective is the development of local life and who complies with the requirements for a local action group (hereinafter *local action group*).

(3) The requirements for local action groups, including the requirements for the articles of association, membership, management, the term and region of operation of local action groups, shall be established by a regulation of the minister in charge of the policy sector.

(4) A person may participate and vote at the general meeting of a local action group as a representative of one member only. A member of a local action group shall not participate or vote at the general meeting as a representative of another member.

(5) The management board of a local action group has at least three members.

(6) A local action group ensures that one-third of the management board members are replaced upon expiry of the term of office of the management board set out in the articles of association.

(7) The Ministry of Regional Affairs and Agriculture makes a decision to approve the local development strategy where the strategy complies with the requirements applicable thereto and with the minimum requirements of the evaluation criteria and the strategy has been prepared by a local action group that complies with the requirements provided in subsections 2 and 3 of this section.

(8) The Ministry of Regional Affairs and Agriculture makes a decision on refusing to approve the local development strategy if at least one of the following circumstances is established in the course of verifying compliance of the strategy with the requirements:

- 1) the local action group does not comply with the requirements applicable thereto;
- 2) the local development strategy does not comply with the requirements applicable thereto or the strategy does not comply with the minimum requirements of the evaluation criteria;
- 3) the strategy submitted concerning the region of operation of the local action group coincides fully or in part with the strategy submitted concerning the region of operation of another local action group;
- 4) false information was knowingly submitted in the local development strategy or in the course of processing the approval of the strategy.

(9) The requirements for local development strategies, including the specific requirements for the strategy elements specified in Article 32(1) of Regulation (EU) 2021/1060 of the European Parliament and of the Council, the specific procedure for submission, evaluation and approval of strategies, the criteria for evaluating strategies and, where applicable, the specific requirements for the operational programme shall be established by a regulation of the minister in charge of the policy sector.

§ 32. Implementation of local development strategy

(1) The approved local development strategy is implemented by the local action group that submitted it and for each calendar year the local action group draws up an operational programme that, in addition to the information contained in subsection 2 of § 11 of this Act, also contains a distribution of funds designated for the activities specified in point (c) of Article 34(1) of Regulation (EU) 2021/1060 of the European Parliament and of the Council and the specific conditions for the local development strategy measures.

(2) Upon implementing the local development strategy, the local action group performs the tasks set out in Article 33(3) of Regulation (EU) 2021/1060 of the European Parliament and of the Council, among others:

- 1) prepares the criteria for evaluating applications for LEADER project support;
- 2) advises applicants before submission of applications on compliance of supported activities with the local development strategy;
- 3) receives applications;
- 4) verifies compliance of the applicant, the application and the supported activity with the local development strategy;
- 5) evaluates applications on the basis of the evaluation criteria;
- 6) where appropriate, makes a proposal on the ranking of applications to the ARIB or communicates information about compliance of applications with the minimum requirements of the evaluation criteria to the ARIB;
- 7) makes a proposal on the granting or refusal to grant applications and on determining the amount of funding of the activities specified in the applications to the ARIB and sends the applications to the ARIB.

(3) If not all data and documents required for the performance of the task specified in subsection 2 of this section have been submitted along with an application for LEADER project support, the local action group requests that the applicant submit the required data and documents.

(4) Where the data or documents required under subsection 3 of this section are not submitted, the local action group does not evaluate the application for LEADER project support and forwards it to the ARIB with the note that the application could not be evaluated. The ARIB dismisses the application without setting a time limit for the elimination of the deficiencies.

(5) The local development strategy may be implemented jointly such that it is supported at least from the funds of the European Agricultural Fund for Rural Development and another appropriate fund pursuant to paragraphs 1 and 3 of Article 31 of Regulation (EU) 2021/1060 of the European Parliament and of the Council (hereinafter *joint strategy*).

(6) Organisation of a joint round for evaluating the joint strategy and setting up of a joint committee with the managing authority and implementing agency of the appropriate fund for the purposes of monitoring the implementation of the joint strategy are decided by a directive of the minister in charge of the policy sector, having it approved by the specified implementing agency before its establishment.

(7) The provisions of subsections 7–9 of § 31 of this Act apply to the joint strategy.

(8) The cost of the activity specified in point (c) of Article 34(1) of Regulation (EU) 2021/1060 of the European Parliament and of the Council in relation to the joint strategy is covered from the funds of the European Agricultural Fund for Rural Development.

Division 4

Grant of rural development support by procurement procedure

§ 33. Procurement procedure

(1) Rural development support may be granted by carrying out a procurement procedure on the grounds and in accordance with the rules provided in the Public Procurement Act and taking account of the specifications provided in this Act.

(2) In the event of granting rural development support by a procurement procedure, an application for support is deemed submitted by submission of a tender or a request to participate in the procurement procedure or, in the case of a design contest, by the submission of a conceptual design or, in the case of a specific procedure of social and other specific services, by the submission of a request, tender or confirmation of interest in accordance with the Public Procurement Act.

(3) The specific requirements for the beneficiary, the requirements for the supported activity and awarded public contract and the criteria for selection of the beneficiary may be established by a regulation of the minister in charge of the policy sector.

(4) A beneficiary is the person with whom the Ministry of Regional Affairs and Agriculture or the ARIB has entered into a public contract in accordance with the rules provided in the Public Procurement Act.

(5) In addition to the grounds for the exclusion of tenderers and candidates provided in the Public Procurement Act, a tenderer or candidate is excluded from a procurement procedure if the grounds for refusal to grant an application provided in § 28 of this Act exist.

Division 5

Grant of rural development support through direct award

§ 34. Grant of rural development support through direct award

(1) Rural development support may be granted through direct award for implementing a national programme or a national plan or an activity with significant public interest where this is in conformity with the appropriate legislation of the European Union. Support may also be granted through direct award to fulfil the functions of the Agricultural Knowledge and Innovation System provided in § 48 of this Act.

(2) Rural development support may be granted through direct award to the state agency implementing such programme or plan or activity with significant public interest or fulfilling the functions of the Agricultural Knowledge and Innovation System.

(3) Upon granting rural development support through direct award, eligible costs are those that are eligible in accordance with the relevant legislation of the European Union, this Act or legislation established on the basis of this Act or the strategic plan.

(4) The grant of rural development support is decided by a directive of the minister in charge of the policy sector, by determining the beneficiary, the supported activity, the purpose and term of implementation of the supported activity and the amount of the support. The eligibility of costs may be specified in the directive.

Division 6

Grant of rural development support via financial instrument

§ 35. Financial instrument

(1) Rural development support may be granted as repayable assistance also via a financial instrument provided in Article 58 of Regulation (EU) 2021/1060 of the European Parliament and of the Council under the conditions and in accordance with the rules provided in the strategic plan, proceeding from the conditions provided in Article 80 of Regulation (EU) 2021/2115 of the European Parliament and of the Council.

(2) In accordance with Regulation (EU) 2021/1060 of the European Parliament and of the Council and the conditions provided in the legislation established on the basis thereof, the Ministry of Regional Affairs and Agriculture, for the purpose of granting rural development support via a financial instrument and in accordance with the rules provided in the Administrative Cooperation Act, enters into an administrative contract with the state foundation that has been founded for supporting rural entrepreneurship and the founder's rights of which are exercised by the Ministry of Regional Affairs and Agriculture.

(3) The administrative contract specified in subsection 2 of this section, among other things, sets out the terms and conditions specified in Annex X to Regulation (EU) 2021/1060 of the European Parliament and of the Council to ensure due implementation of the financial instrument and the right to charge a contractual fee.

(4) The provisions of §§ 22–30 of this Act do not apply to the granting of rural development support via a financial instrument.

(5) Rural development support is paid to a financial instrument on the basis of the administrative contract specified in subsection 2 of this section in accordance with the conditions provided in Article 32 of Regulation (EU) 2021/2116 of the European Parliament and of the Council.

(6) Support granted to a financial instrument or funds repaid to and gains, other earnings or yield received from the financial instrument for the purposes of Article 60 of Regulation (EU) 2021/1060 of the European Parliament and of the Council (hereinafter jointly referred to as *repaid funds*) are used in the same financial instrument or in another financial instrument in accordance with Articles 60(2) and 62(1) of the same Regulation until 31 December 2029.

(7) The area of use, objectives and results of funds repaid from 1 January 2030 to 31 December 2037 and the agency or authority responsible for the use of the funds shall be determined in accordance with Article 62 of Regulation (EU) 2021/1060 of the European Parliament and of the Council by a directive of the minister in charge of the policy sector.

Subchapter 5

Integrated Administration and Control System for Interventions under Strategic Plan, Conditionality and Social Conditionality

Division 1

Integrated administration and control system

§ 36. Implementation of integrated administration and control system

(1) Upon implementation of the integrated administration and control system specified in Article 65(1) of Regulation (EU) 2021/2116 of the European Parliament and of the Council, the provisions of points (a)–(e) and (g) of Article 66(1) of the same Regulation apply.

(2) The integrated administration and control system is applied to the area- and animal-based direct payments and rural development support specified in Article 65(2) of Regulation (EU) 2021/2116 of the European Parliament and of the Council.

§ 37. Identification system for agricultural parcels

Upon implementation of the identification system for agricultural parcels under Article 68(1) of Regulation (EU) 2021/2116 of the European Parliament and of the Council, account is taken of the provisions of Article 68 of the same Regulation, Commission Delegated Regulation (EU) 2022/1172 supplementing Regulation (EU) 2021/2116 of the European Parliament and of the Council with regard to the integrated administration and control system in the common agricultural policy and the application and calculation of administrative penalties for conditionality (OJ L 183, 8.7.2022, p. 12–22) and Commission Implementing Regulation (EU) 2022/1173 laying down rules for the application of Regulation (EU) 2021/2116 of the European Parliament and of the Council with regard to the integrated administration and control system in the common agricultural policy (OJ L 183, 8.7.2022, p. 23–34).

§ 38. Geo-spatial and animal-based application system

(1) For area-based direct payments and rural development support specified in Article 65(2) of Regulation (EU) 2021/2116 of the European Parliament and of the Council, the applicant submits a geo-spatial application specified in Article 69(1) of the same Regulation in order to receive the support.

(2) For animal-based direct payments and rural development support specified in Article 65(2) of Regulation (EU) 2021/2116 of the European Parliament and of the Council, the applicant submits an application specified in Article 69(2) of the same Regulation in order to receive the support.

(3) The minister in charge of the policy sector may, taking account of the provisions of paragraphs (1)–(3) and (6) of Article 69 of Regulation (EU) 2021/2116 of the European Parliament and of the Council, Commission Delegated Regulation (EU) 2022/1172 and Commission Implementing Regulation (EU) 2022/1173, establish concerning the applications specified in subsections 1 and 2 of this section by a regulation:

- 1) the specific requirements for the applications;
- 2) the specific conditions and procedure for the submission of applications and processing of applications;
- 3) the specific conditions and procedure for correcting the data provided in the pre-filled applications;
- 4) the specific conditions and procedure for amending applications and for withdrawing them in part or in full.

(4) The minister in charge of the policy sector may establish concerning the applications specified in subsections 1 and 2 of this section by a regulation an automatic claim system specified in Article 69(4) of Regulation (EU) 2021/2116 of the European Parliament and of the Council and the specific conditions and procedure for its implementation, taking account of the provisions of paragraphs (4) and (5) of Article 69 of the same Regulation and Commission Implementing Regulation (EU) 2022/1173.

§ 39. Area monitoring system

(1) Upon implementation of the area monitoring system specified in paragraph (1) of Article 70 of Regulation (EU) 2021/2116 of the European Parliament and of the Council, account is taken of the provisions of the same Article, Commission Delegated Regulation (EU) 2022/1172 and Commission Implementing Regulation (EU) 2022/1173.

(2) Equipment which transmits or records imagery may be used upon implementation of the area monitoring system specified in subsection 1 of this section. If a geo-tagged image is submitted as evidence upon implementation of the area monitoring system, a mobile application approved by the ARIB is used for producing the image.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(3) The specific conditions and procedure for implementing the area monitoring system specified in subsection 1 of this section, including for using the equipment specified in subsection 2 of this section, may be established by a regulation of the minister in charge of the policy sector.

§ 40. System for identification of beneficiaries

Upon implementation of the system for the identification of beneficiaries specified in Article 71 of Regulation (EU) 2021/2116 of the European Parliament and of the Council, account is taken of the provisions of the same Article and Commission Delegated Regulation (EU) 2022/1172.

§ 41. Control system

Upon implementation of the control system specified in Article 72 of Regulation (EU) 2021/2116 of the European Parliament and of the Council, account is taken of the provisions of the same Article.

Division 2

Conditionality and control system for conditionality

§ 42. Conditionality

(1) For the purposes of this Act, conditionality means the system of requirements for maintaining land in good agricultural and environmental condition and statutory management requirements specified in Article 12 of Regulation (EU) 2021/2115 of the European Parliament and of the Council.

(2) The requirements specified in subsection 1 of this section must be complied with by the beneficiaries specified in Article 83(1) of Regulation (EU) 2021/2116 of the European Parliament and of the Council.

(3) The requirements specified in subsection 1 of this section shall be established by a regulation of the minister in charge of the policy sector.

(4) The ARIB may impose on an applicant who has violated the requirement of maintaining permanent grassland the obligation to revert permanent grassland.

§ 43. Control system for conditionality

(1) Compliance with the requirements specified in subsection 1 of § 42 of this Act is controlled by the ARIB, the Agriculture and Food Board, the Land and Spatial Planning Board and the Environmental Board.
[RT I, 04.12.2024, 1 - entry into force 01.01.2025]

(2) The ARIB, the Agriculture and Food Board, the Land and Spatial Planning Board and the Environmental Board organise the controls specified in subsection 1 of this section, taking account of the provisions of Article 83 of Regulation (EU) 2021/2116 of the European Parliament and of the Council, including upon controlling on the basis of other legislation the requirements provided in such legislation.
[RT I, 04.12.2024, 1 - entry into force 01.01.2025]

(3) [Repealed – RT I, 14.02.2025, 2 – entry into force 24.02.2025]

Division 3

Social conditionality and control system for social conditionality

[RT I, 14.02.2025, 2 - entry into force 24.02.2025]

§ 43¹. Social conditionality

(1) For the purposes of this Act, social conditionality means the system of requirements related to working and employment conditions and employer obligations (hereinafter jointly referred to as the requirements for social conditionality) specified in Article 14 of Regulation (EU) 2021/2115 of the European Parliament and of the Council.

(2) The requirements for social conditionality must be complied with by the beneficiaries specified in Article 87(1) of Regulation (EU) 2021/2116 of the European Parliament and of the Council.

(3) The requirements for social conditionality are established by a regulation of the minister in charge of the policy sector.
[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

§ 43². Control system for social conditionality

The Labour Inspectorate notifies the ARIB of breaches of the requirements for social conditionality in accordance with Article 88(1) of Regulation (EU) 2021/2116 of the European Parliament and of the Council. [RT I, 14.02.2025, 2 – entry into force 24.02.2025]

Subchapter 6 Monitoring, Reporting and Evaluation

§ 44. Monitoring and reporting

(1) The collection of data for monitoring the strategic plan and the preparation of reports are organised by the ARIB.

(2) Persons, agencies and authorities granting support under the strategic plan are obliged to submit the monitoring and reporting data to the ARIB.

(3) Persons, agencies and authorities receiving or having received support under the strategic plan are obliged to submit the data necessary for monitoring concerning the receipt or use of the support to the person, agency or authority monitoring the strategic plan.

(4) The person, agency or authority monitoring the strategic plan and the specific conditions and procedure for monitoring and reporting on the strategic plan shall be established by a regulation of the minister in charge of the policy sector.

(5) The monitoring committee provided in Article 124 of Regulation (EU) 2021/2115 of the European Parliament and of the Council is formed by a directive of the minister in charge of the policy sector.

§ 45. Evaluation

(1) The activities required for the evaluation of the strategic plan provided in Article 140 of Regulation (EU) 2021/2115 of the European Parliament and of the Council are organised by the Ministry of Regional Affairs and Agriculture.

(2) For the purposes of the evaluation provided in subsection 1 of this section, the Ministry of Regional Affairs and Agriculture must:

- 1) designate an agency or authority in the area of government of the Ministry of Regional Affairs and Agriculture or
- 2) select a legal entity with whom an administrative contract is entered into in accordance with the rules provided in the Administrative Cooperation Act.

(3) Persons, agencies and authorities having received support under the strategic plan submit the data necessary for evaluation concerning the receipt or use of the support to the person, agency or authority evaluating the strategic plan. The person, agency or authority evaluating the strategic plan may carry out the activities necessary for evaluating support in the undertaking or holding of the beneficiary only with the consent of the beneficiary.

(4) The specific conditions and procedure for the evaluation of the strategic plan may be established by a regulation of the minister in charge of the policy sector.

Subchapter 7 Common Agricultural Policy Network

§ 46. National common agricultural policy network

The performance of the functions of the national common agricultural policy network specified in Article 126(1) of Regulation (EU) 2021/2115 of the European Parliament and of the Council is organised by the Ministry of Regional Affairs and Agriculture.

Subchapter 8

Information, Marking and Reference

§ 47. Conditions and procedure for information, marking and reference

The specific conditions and procedure for informing of the granting and use of support granted within the strategic plan, marking supported objects and referring to the contribution of the European Agricultural Guarantee Fund and the European Agricultural Fund for Rural Development may be established by a regulation of the minister in charge of the policy sector.

Subchapter 9 Knowledge and Innovation System

§ 48. Agricultural Knowledge and Innovation System

(1) The task of the Agricultural Knowledge and Innovation System (hereinafter *AKIS*) is to develop knowledge exchange and advisory services, ensure the availability of advisory services and perform other tasks arising from the legislation of the European Union and the strategic plan.

(2) The tasks of AKIS are performed by an agency or authority administered by the Ministry of Regional Affairs and Agriculture that has the task to coordinate and develop knowledge exchange, advisory services and activities supporting innovation in the area of agriculture and rural economy. The ARIB performs those tasks of AKIS the performance of which has been assigned thereto by this Act or by a directive of the minister in charge of the policy sector.

(3) For the purpose of performing the tasks of AKIS, the agency or authority administered by the Ministry of Regional Affairs and Agriculture draws up an action plan that contains a description of the activities and the distribution of funds planned for carrying them out. An application for receiving support is considered submitted by submission of the action plan to the Ministry of Regional Affairs and Agriculture.

(4) The action plan specified in subsection 3 of this section is approved by the Ministry of Regional Affairs and Agriculture. The application for receiving support is considered granted through direct award by approval of the action plan.

Chapter 5 Rural Development Support under Common Agricultural Policy during 2014–2020 Programming Period

§ 49. Organisation of grant of rural development support

(1) Rural development support is granted on the basis of and in accordance with the rules provided in the programme 'Estonian Rural Development Plan for 2014–2020' approved by the European Commission (hereinafter the *development plan*).

(2) Taking account of the conditions set out in the development plan, rural development support is granted for implementing the activities specified in points (b) and (c) of Article 35(1) of Regulation (EU) No 1303/2013 of the European Parliament and of the Council 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. 320–469) (hereinafter *project support*) on the basis of the local development strategies specified in Article 33(1) of the same Regulation.

(3) The division of the tasks specified in Article 65(4) of Regulation (EU) No 1305/2013 of the European Parliament and of the Council between the managing authority, the paying agency and the local action group is determined in this Subchapter.

(4) The tasks of the managing authority specified in Article 66(1) of Regulation (EU) No 1305/2013 of the European Parliament and of the Council are performed by the Ministry of Regional Affairs and Agriculture.

(5) Upon granting forestry aid, the state foundation may perform the following tasks:

- 1) receipt of applications and payment claims;
- 2) verification of compliance of applications and payment claims with requirements;
- 3) evaluation and ranking of applications;
- 4) reduction of support;
- 5) making a decision to grant or refuse to grant an application;
- 6) amendment or revocation of a decision to grant an application;

- 7) exercising state supervision;
- 8) resolving a challenge filed against its decision or step.

(6) The state foundation specified in subsection 5 of this section is designated by an order of the Government of the Republic, determining the types of support with regard to which the state foundation is to process applications and payment claims as well as the tasks specified in subsection 5 of this section that are to be performed by the state foundation.

(7) The ARIB enters, in accordance with the rules provided in the Administrative Cooperation Act, into an administrative contract with the state foundation designated in accordance with subsection 6 of this section.

§ 50. Determination of rural development support to be granted in budgetary year and funds designated for granting support

(1) The list of the development plan measures, sub-measures and types of operations with regard to which it is possible to apply for rural development support in the budgetary year shall be annually established by a regulation of the minister in charge of the policy sector indicating, where necessary, the rural development support to be granted in the budgetary year which may be applied for only on the basis of an annual payment claim specified in a legal instrument established under Article 62 of Regulation (EU) No 1306/2013 of the European Parliament and of the Council or on the basis of a payment claim specified in a legal instrument established under Article 76 of the same Regulation and only to the extent of a commitment in force.

(2) The local development strategy measures with regard to which it is possible to apply for rural development support in the budgetary year and the distribution of the funds designated for support under the measures are determined by the local action group in the local development strategy implementation plan drawn up for each calendar year (hereinafter the *strategy implementation plan*).

(3) The distribution of the funds designated for rural development support in the budgetary year between the rural development plan measures, sub-measures and types of operations and by other grounds specified in the development plan shall be decided annually by a directive of the minister in charge of the policy sector.

(4) The distribution of the support funds specified in Article 35(1) of Regulation (EU) No 1303/2013 of the European Parliament and of the Council between the local action groups shall be decided for the entire programming period by a directive of the minister in charge of the policy sector.

(5) The minister in charge of the policy sector may change the distribution of the support funds established on the basis of subsection 4 of this section and, by a directive, decide on the distribution between the local action groups of the support funds not used by the end of 2022.

(6) The distribution of support specified in Article 14(1) of Regulation (EU) No 1305/2013 of the European Parliament and of the Council regarding long-term programmes shall be decided, depending on the length of the programme, until the end of the programming period by a directive of the minister in charge of the policy sector.

(7) The right to apply for rural development support does not arise if the granting of the support is not designated for the budgetary year in the regulation established on the basis of subsection 1 of this section or in the strategy implementation plan specified in subsection 2 which has been approved by the ARIB.

§ 51. Requirements for applicants for rural development support and conditions for granting support

(1) Rural development support may be applied for by the persons who comply with the requirements for receiving support provided in the relevant legislation of the European Union, the development plan, this Act and legislation established on the basis of this Act.

(2) In conformity with the provisions of the development plan, the conditions and procedure for the grant and use of rural development support (hereinafter jointly *the conditions for granting rural development support*) may be established by a regulation of the minister in charge of the policy sector.

(3) The conditions for granting rural development support may set out:

- 1) the supported activities and the requirements for applicants;
- 2) the types of eligible and ineligible costs and other conditions for deeming costs eligible;
- 3) the manner and specific conditions and procedure for proving the reasonableness of costs;
- 4) the specific requirements for eligible land and eligible animals;
- 5) a reference to the applicable state aid scheme where the granted aid constitutes state aid for the purposes of Article 107 of the Treaty on the Functioning of the European Union;
- 6) the rate and amount of the support, including the minimum and maximum amounts and unit amount of support;
- 7) the requirements for applications or the application form;
- 8) the additional data to be entered in the field data book;

- 9) the conditions and procedure for submission and processing of applications;
- 10) the criteria for evaluating applications and the evaluation procedure, including the possibilities of giving preference to an application in the event of applications with equal indicators;
- 11) the procedure for granting and refusing to grant applications, including the basis for granting applications, in accordance with the provisions of subsection 1 of § 64 of this Act;
- 12) the procedure for reduction of support;
- 13) the grounds and procedure for reducing unit amount of support;
- 14) the obligations of the beneficiary, including the conditions and procedure for the obligation to fulfil the durability requirement provided in Article 71 of Regulation (EU) No 1303/2013 of the European Parliament and of the Council, for the submission of a payment claim, annual payment claim and supporting documents, and the requirements for payment claims and annual payment claims, or the payment claim form;
- 15) the time limit and conditions for implementing activities;
- 16) the conditions and procedure for transferring a holding or farm;
- 17) the conditions and procedure for the increase, decrease, replacement, transfer and takeover of commitments;
- 18) the conditions and procedure for payment of support.

(4) The conditions for granting rural development support may be established separately regarding each development plan measure, sub-measure and type of operation.

§ 52. Grant of rural development support via financial instrument

(1) Rural development support may be granted as repayable assistance also via a financial instrument provided in Article 37 of Regulation (EU) No 1303/2013 of the European Parliament and of the Council on the conditions and in accordance with the rules provided in the development plan.

(2) In accordance with Regulation (EU) No 1303/2013 of the European Parliament and of the Council and the conditions provided in the legislation established on the basis thereof, the Ministry of Regional Affairs and Agriculture, for the purpose of granting rural development support via a financial instrument and in accordance with the rules provided in the Administrative Cooperation Act, enters into an administrative contract with the state foundation that has been founded for supporting rural entrepreneurship and the founder's rights of which are exercised by the Ministry of Regional Affairs and Agriculture.

(3) The administrative contract specified in subsection 2 of this section, among other things, sets out the terms and conditions specified in Annex IV to Regulation (EU) No 1303/2013 of the European Parliament and of the Council to ensure due implementation of the financial instrument and the right to charge a contractual fee.

(4) The provisions of §§ 61–67 of this Act do not apply to the granting of rural development support via a financial instrument.

(5) Support is paid to a financial instrument on the basis of the administrative contract specified in subsection 2 of this section in accordance with the conditions provided in Articles 41 and 42 of Regulation (EU) No 1303/2013 of the European Parliament and of the Council and the administrative contract.

(6) Support granted to a financial instrument or funds repaid to and gains, other earnings or yield received from the financial instrument for the purposes of Article 44 of Regulation (EU) No 1303/2013 of the European Parliament and of the Council are used in the same financial instrument or another financial instrument in accordance with Articles 43(2) and 44(1) of the same Regulation until 31 December 2025.

(7) The area of use, objectives and results of the funds repaid and gains, other earnings or yield specified in subsection 6 of this section received from 1 January 2026 to 31 December 2033 and the agency or authority responsible for the use of the funds shall be determined in accordance with Article 45 of Regulation (EU) No 1303/2013 of the European Parliament and of the Council by a directive of the minister in charge of the policy sector.

§ 53. Local action group and local development strategy

(1) Community-led local development specified in Article 32 of Regulation (EU) No 1303/2013 of the European Parliament and of the Council is implemented on the basis of local development strategies approved by the Ministry of Regional Affairs and Agriculture.

(2) In compliance with Article 33(1) of Regulation (EU) No 1303/2013 of the European Parliament and of the Council and Regulation (EU) No 1305/2013 of the European Parliament and of the Council and based on the development plan, the local development strategy is drafted by a non-profit association that complies with the requirements established in Chapter II of Title II of Part II of Regulation (EU) No 1303/2013 of the European Parliament and of the Council and whose purpose under its articles of association is the development of local life and that complies with the requirements applicable to local action groups (hereinafter *local action group*).

(3) The requirements for the local action group, including the requirements for the articles of association, membership, management, period and region of operation of the local action group may be established by a regulation of the minister in charge of the policy sector.

(4) A person may participate and vote at a general meeting of the local action group as a representative of one member only. A member of the local action group shall not participate or vote at a general meeting as a representative of another member.

(5) The local action group ensures that one-third of the management board members are changed upon expiry of the term of office of the management board set out in the articles of association.

(6) The management board of a local action group has at least three members.

(7) The Ministry of Regional Affairs and Agriculture makes a decision to approve a local development strategy if the strategy complies with the requirements applicable thereto and with the minimum requirements of the evaluation criteria and the strategy has been prepared by the local action group that complies with the requirements provided in subsections 2 and 3 of this section.

(8) The Ministry of Regional Affairs and Agriculture makes a decision on refusing to approve a local development strategy if at least one of the following circumstances is established in the course of verifying compliance of the local development strategy with the requirements:

- 1) the local action group does not comply with the requirements applicable thereto;
- 2) the local development strategy does not comply with the requirements applicable to it;
- 3) the local development strategy does not comply with the minimum requirements of the evaluation criteria;
- 4) multiple local development strategies have been submitted with regard to the region of operation of the local action group and the strategy concerned has not been ranked first;
- 5) false information was knowingly submitted in the local development strategy or in the course of processing the approval of the strategy.

(9) The requirements for local development strategies, including the specific requirements for the strategy elements specified in Article 33(1) of Regulation (EU) No 1303/2013 of the European Parliament and of the Council, the specific procedure for submission, evaluation and approval of strategies and the criteria for evaluating strategies may be established by a regulation of the minister in charge of the policy sector.

§ 54. Implementation of local development strategy

(1) An approved local development strategy is implemented by the local action group that submitted it and for each calendar year the local action group draws up a strategy implementation plan that, in addition to the information contained in subsection 2 of § 50 of this Act, also contains a distribution of the funds for the activities specified in points (d) and (e) of Article 35(1) of Regulation (EU) No 1303/2013 of the European Parliament and of the Council. The strategy implementation plan is approved by the ARIB.

(2) The requirements for the strategy implementation plan and the procedure for its adoption, submission and approval may be established by a regulation of the minister in charge of the policy sector.

(3) The ARIB checks the compliance of the local action group with the requirements established in the relevant legislation of the European Union, this Act and legislation established on the basis of this Act.

(4) The ARIB makes a decision to approve a strategy implementation plan if the specified plan complies with the requirements set out in the regulation established on the basis of subsection 2 of this section and contains a description of the activities and local development strategy measures to be supported in the calendar year following the year of submission thereof, and the distribution of the funds planned for carrying them out.

(5) The ARIB makes a decision on refusing to approve a strategy implementation plan if in the course of verifying compliance of the plan with the requirements at least one of the following circumstances is established:

- 1) the strategy implementation plan does not contain a description of the activities or local development strategy measures to be supported in the calendar year following the year of submission of the implementation plan or the distribution of the funds planned for carrying them out;
- 2) the strategy implementation plan does not comply with other requirements set out in the regulation established on the basis of subsection 2 of this section.

(6) Upon implementing a local development strategy, the local action group performs the tasks set out in Article 34(3) of Regulation (EU) No 1303/2013 of the European Parliament and of the Council, among others:

- 1) prepares the criteria for evaluating applications for project support;
- 2) receives applications;
- 3) verifies the compliance of the applicant, the application and the supported activity with the local development strategy and the strategy implementation plan;
- 4) evaluates applications on the basis of the evaluation criteria;
- 5) makes a proposal to the ARIB on the ranking of applications;
- 6) makes a proposal on the granting or refusal to grant applications and on determining the amount of funding of the activities specified in the applications to the ARIB and sends the applications to the ARIB.

(7) If not all data and documents required for the performance of the task specified in subsection 6 of this section have been submitted along with an application for project support, the local action group requests that the applicant submit the required data and documents.

(8) Where the data or documents required under subsection 7 of this section are not submitted, the local action group does not evaluate the application for project support and forwards it to the ARIB with the note that the application could not be evaluated. The ARIB dismisses the application without setting a time limit for the elimination of the deficiencies.

§ 55. Selection of provider of advisory and training services and other knowledge transfer and information action

(1) A provider of the advisory service specified in point (a) of Article 15(1) of Regulation (EU) No 1305/2013 of the European Parliament and of the Council is selected by the Ministry of Regional Affairs and Agriculture in accordance with the selection procedure set out in Article 15(3) of the same Regulation.

(2) A provider of the training service specified in point (c) of Article 15(1) of Regulation (EU) No 1305/2013 of the European Parliament and of the Council is selected by the ARIB in accordance with the selection procedure set out in Article 15(3) of the same Regulation.

(3) In the case of long-term programmes and the training programme for developing young advisors, the ARIB selects a beneficiary specified in Article 14(2) of Regulation (EU) No 1305/2013 of the European Parliament and of the Council on the grounds and in accordance with the rules provided in the Public Procurement Act.

(4) In relation to support specified in subsections 1–3 of this section, an application for rural development support is deemed submitted as of the submission of a tender or a request to participate in a procurement procedure or, in the case of a design contest, as of the submission of a conceptual design or, in the case of a specific procedure of social and other specific services, as of the submission of a request, tender or confirmation of interest in accordance with the Public Procurement Act to the Ministry of Regional Affairs and Agriculture in the event specified in subsection 1 of this section and to the ARIB in the events specified in subsections 2 and 3 of this section.

(5) A beneficiary is the person with whom the Ministry of Regional Affairs and Agriculture or the ARIB has entered into a public contract under subsections 1–3 of this section in accordance with the rules provided in the Public Procurement Act.

(6) The specific requirements for the applicants, beneficiaries and supported activities specified in subsection 2 of this section and the criteria for selection of the beneficiary may be established by a regulation of the minister in charge of the policy sector.

(7) In the case of long-term programmes and the training programme for developing young advisors specified in subsection 3 of this section, the specific requirements for the applicants, beneficiaries and supported activities and the criteria for selection of the beneficiary may be established by a regulation of the minister in charge of the policy sector.

(8) The list of priority topics for the purpose of carrying out activities in the case of support of the knowledge transfer and information actions pursuant to Article 14 of Regulation (EU) No 1305/2013 of the European Parliament and of the Council, the requirements applicable to long-term programmes and the training programme for developing young advisors and the curricula of the training of advisors in accordance with point (c) of Article 15(1) of the same Regulation may be established by a directive of the minister in charge of the policy sector.

§ 56. Innovation cluster and action plan of innovation cluster

(1) An innovation cluster for receiving support in accordance with point (a) of Article 35(1) of Regulation (EU) No 1305/2013 of the European Parliament and of the Council is, for the purposes of point (q) of Article 2 of the same Regulation, a non-profit association whose purpose according to its articles of association is the attainment of the objectives set out in the development plan and whose members include at least ten agricultural producers or processors who are not related undertakings within the meaning of the Competition Act (hereinafter *cluster*).

(2) To implement the action plan of a cluster, the cluster must involve as a partner at least one research and development institution or a legal person whose main purpose is the development of new products, customs, processes or technologies. To attain the specified purpose, the cluster may also involve another partner who will participate in implementing the action plan.

(3) For the purpose of attaining its objective and applying for support, a cluster draws up, based on the development plan, an action plan of the cluster that contains a description of the planned activities and the distribution of the funds planned for carrying them out.

(4) The articles of association of a cluster shall stipulate that a resolution of the general meeting concerning the action plan of the cluster is adopted if at least 80 per cent of the agricultural producers or processors who are members of the cluster vote in favour thereof.

(5) A cluster must be open to other persons interested in attaining the objectives of the action plan of the cluster.

(6) The specific requirements for the articles of association of clusters, their membership and management, action plans of clusters and activities contained therein, the procedure for adoption, submission and approval of action plans and the criteria for evaluating action plans may be established by a regulation of the minister in charge of the policy sector.

(7) The priority fields of operation of clusters may be determined by a directive of the minister in charge of the policy sector.

§ 57. Evaluation and approval of action plan of cluster

(1) The ARIB checks the compliance of an action plan of a cluster with the requirements established in the relevant legislation of the European Union, this Act and legislation established on the basis of this Act, and evaluates compliance of the action plan with the evaluation criteria.

(2) If an action plan of a cluster complies with the requirements provided in the regulation established on the basis of subsection 6 of § 56 of this Act and the minimum requirements of the evaluation criteria and the action plan has been ranked first in the ranking list of the field of operation of the cluster prepared on the basis of the evaluation results, the ARIB makes a decision to approve the action plan in part or in full.

(3) The ARIB makes a decision on refusing to approve an action plan of a cluster if in the course of checking compliance of the cluster or its action plan with the requirements at least one of the following circumstances is established:

- 1) the cluster does not comply with the requirements applicable thereto;
- 2) the action plan does not comply with the requirements applicable to it;
- 3) the action plan does not comply with the minimum requirements of the evaluation criteria;
- 4) false information was knowingly submitted in the action plan or in the course of processing the approval of the action plan;
- 5) multiple action plans were submitted in the field of operation of the cluster and the action plan concerned was not ranked first;
- 6) there are not enough funds for financing the action plan.

(4) An application for receiving the support specified in subsection 1 of § 56 of this Act is deemed submitted by submission of an action plan of a cluster to the ARIB, and the application is deemed granted by a decision on approval of the action plan made by the ARIB.

(5) The support specified in subsection 1 of § 56 of this Act is paid out by the ARIB in accordance with the rules provided in § 66 of this Act.

§ 58. Field data book

Where this is prescribed in the conditions for granting rural development support, an applicant for the support specified in Articles 28 and 29 of Regulation (EU) No 1305/2013 of the European Parliament and of the Council enters in a field data book kept on the basis of the Water Act, in addition to the data specified in the Water Act, the data regarding the applicant's agricultural activities specified in the conditions for granting support.

§ 59. Technical assistance support

(1) Support is granted for the technical assistance to implement the development plan (hereinafter *technical assistance support*) in accordance with the development plan, Article 59(1) of Regulation (EU) No 1303/2013 of the European Parliament and of the Council and Article 51(2) of Regulation (EU) No 1305/2013 of the European Parliament and of the Council.

(2) Technical assistance support may be applied for by managing authorities and paying agencies.

(3) The granting or refusal to grant an application for technical assistance support and the annual distribution of the funds of technical assistance support between beneficiaries based on activities may be decided by a directive of the minister in charge of the policy sector.

(4) The specific requirements for eligible activities and costs of technical assistance support, the procedure for applying for support and processing of applications, the requirements for applications and the procedure for payment of support may be established by a regulation of the minister in charge of the policy sector.

(5) An application for technical assistance support is refused on the grounds provided in subsection 4 of § 64 of this Act.

(6) Technical assistance support is paid out by the ARIB in accordance with the rules provided in § 66 of this Act.

§ 60. Reasonableness of costs

(1) Costs incurred with the help of rural development support must be reasonable, necessary for attainment of the purpose of support and comply with the conditions established in the relevant legislation of the European Union, the development plan, this Act and legislation established on the basis of this Act.

(2) Upon incurring costs, the applicant and the beneficiary must adhere to the requirements provided in the conditions for granting rural development support. Where an applicant or beneficiary is a contracting authority for the purposes of the Public Procurement Act, the applicant or the beneficiary must also adhere to the requirements provided in the Public Procurement Act.

(3) Where the conditions for granting rural development support prescribe the use of reference prices, support may be applied only for acquiring the supplies or ordering the services that have been entered in the catalogue of reference prices specified in subsection 5 of § 113 of this Act. The amount of support is calculated on the basis of the eligible cost of supplies or services entered in the register of agricultural support and agricultural parcels effective at the moment of submission of the application exclusive of value added tax and on the basis of the maximum support rate and amount established in the conditions for granting rural development support.

§ 61. Application for rural development support and processing of applications

(1) To receive rural development support, an applicant submits, within the time limit and in accordance with the rules prescribed in the conditions for granting rural development support, an application to the Ministry of Regional Affairs and Agriculture, the ARIB or the state foundation, unless otherwise provided in this Act.

(2) An applicant for project support submits an application to the ARIB via the local action group.

(3) An applicant for rural development support is obliged to:

- 1) allow for verifying the compliance of the application, the applicant and the supported activity with the requirements, including for carrying out on-the-spot checks;
- 2) inform the agency or authority processing the application immediately about any changes in the data provided in the application or any circumstances that may affect the making of a decision on the application;
- 3) prove the existence of self-financing or other resources or documents prescribed in the conditions for granting rural development support at the request of the agency or authority processing the application;
- 4) prove the reasonableness of the costs;
- 5) submit additional information to prove the circumstances relevant to deciding on the grant of support at the request of the agency or authority processing the application.

(4) The compliance of applications with the requirements for receiving rural development support is verified by the Ministry of Regional Affairs and Agriculture, the ARIB, the state foundation, or the state agency or authority specified in the development plan to the extent prescribed in the development plan or within the limits of its competence. The compliance of the applicant, the application and the supported activity with the requirements for receiving support is verified in the course of checking applications.

(5) The persons, agencies and authorities specified in subsection 4 of this section verify compliance of the application with the requirements for receiving rural development support based on the submitted application, other documents, documents and databases proving the data contained therein, and by means of on-the-spot checks.

(6) Compliance of applications with the requirements for receiving rural development support can also be verified on the premises of a third party related to the applicant who possesses data or documents related to receiving support and at the place where the supported activity is carried out.

§ 62. Evaluation of applications for rural development support

(1) Compliant applications for rural development support are evaluated in accordance with the rules provided in the conditions for granting rural development support and on the basis of the evaluation criteria.

(2) The applications for support specified in Article 49(2) of Regulation (EU) No 1305/2013 of the European Parliament and of the Council and the applications selected in accordance with the selection procedure specified in subsections 1–3 of § 55 of this Act are not evaluated unless otherwise provided in the conditions for granting support.

(3) Compliant applications for rural development support are evaluated on the basis of the evaluation criteria specified in subsection 1 of this section by the Ministry of Regional Affairs and Agriculture, the ARIB or the state foundation under the conditions and in accordance with the rules provided in the conditions for granting rural development support.

(4) The conditions for granting rural development support may prescribe that applications are evaluated before establishing their compliance with the requirements. In such case, at least the applications that should be granted according to the ranking list are verified for compliance after ranking the applications.

(5) The applications for project support are evaluated by the local action group before verifying compliance of the applicant and the application.

(6) Based on the evaluation results, the ARIB or the state foundation draws up a ranking list of the applications. Where evaluation is carried out by the Ministry of Regional Affairs and Agriculture or the local action group, the ARIB draws up a ranking list of the applications, taking account of the ranking proposal made by the evaluator.

(7) The name of a person involved in the evaluation of applications and the evaluation given by them may be published in a manner that ensures that the name and the evaluation cannot be associated.

§ 63. Reduction of rural development support

(1) The ARIB or the state foundation decides the reduction of rural development support on the grounds and in accordance with the rules provided in a legal instrument established on the basis of Articles 64(6) and 77(7) of Regulation (EU) No 1306/2013 of the European Parliament and of the Council.

(2) Where a beneficiary is a contracting authority for the purposes of the Public Procurement Act, the support to be granted to the beneficiary is reduced for a violation of the requirements provided in the Public Procurement Act on the same grounds and to the same extent as the financial correction applicable to the Member State.

§ 64. Granting and refusal to grant application for rural development support

(1) Provided that the applicant, the application and the supported activity comply with the requirements for receiving rural development support and the application meets the minimum requirements of the evaluation criteria, the following applications are granted in accordance with the conditions for granting support within the limits of the funds designated for support:

- 1) the application ranked first in the ranking list of applications prepared on the basis of evaluation results;
- 2) the best applications that have been selected on the basis of evaluation results and, where necessary, ranked, or
- 3) all applications.

(2) Where the evaluation of applications for rural development support is not prescribed pursuant to this Act, all compliant applications are granted within the limits of the funds designated for support.

(3) Where, based on the funds designated for support specified in Articles 28–30 and 33 of Regulation (EU) No 1305/2013 of the European Parliament and of the Council, not all compliant applications for rural development support can be granted, the ARIB or the state foundation may make a decision to grant the application in part, reducing the unit amount of support on the grounds and in accordance with the rules provided in the conditions for granting rural development support.

(4) In addition to the grounds provided in Articles 59(7) and 60 of Regulation (EU) No 1306/2013 of the European Parliament and of the Council and legislation established on the basis of the same Regulation, a decision on refusal to grant an application for rural development support is made if:

- 1) the applicant, the application or the supported activity does not comply with at least one requirement that has been established to the applicant, the application or the supported activity, unless otherwise provided by the legislation of the European Union;
- 2) the application is not granted in accordance with subsection 1 of this section, or
- 3) false information was knowingly submitted in the application or in the course of processing the application.

(5) A decision to grant an application for rural development support in part or in full or on refusal to grant an application is made by the ARIB, the Ministry of Regional Affairs and Agriculture or the state foundation.

(6) The conditions for granting rural development support may prescribe that where granting an application in full is not justified due to ineligible costs contained in the application, the amount of the support may be reduced provided that the purposes of the activity are achieved. Where an applicant does not agree with the reduction of the amount of support, a decision on refusal to grant the application is made. A reduction of the amount of support does not affect the ranking list of applications for rural development support if the ranking list has been drawn up before the reduction of the support amount.

(7) Where an application for rural development support which is compliant with the requirements, selected on the basis of the evaluation results and, where applicable, ranked cannot be granted in full, because the amount of support applied for exceeds the balance of funds designated for support in the given year by the measure, sub-

measure, type of operation or another ground specified in the development plan, a decision on refusal to grant support is made, unless otherwise provided in the conditions for granting rural development support.

(8) The ARIB makes a decision to partially or fully grant or on refusal to grant the compliant applications for project support with regard to which the local action group has made a proposal for the ranking and financing of applications.

§ 65. Amendment and revocation of decision to grant application for rural development support

(1) A decision to grant rural development support may be amended on the initiative of the beneficiary only in a justified event and on the condition that the activity has been carried out to a significant extent, the objectives of the activity are achieved and the support amount does not increase. A justified event is deemed to mean a circumstance that could not have been foreseen when applying for support.

(2) An application for amendment of a decision to grant an application for rural development support is not granted if the conditions provided in subsection 1 of this section have not been met or at least one of the following circumstances exists:

- 1) the beneficiary or the supported activity does not comply with the requirements for receiving support as a result of the amendment;
- 2) the change has been made before amendment of the decision to grant the application;
- 3) the change would have affected the ranking of the applications in such a manner that the best application or the best applications to be granted would have changed.

(3) Unless otherwise provided in the conditions for granting rural development support, the supplies or services to be acquired using the support may, in justified cases, be replaced with other supplies or services of the same type, or the planned construction works may be altered, without amending the decision on granting the application, provided that the purposes of the activity are achieved, no circumstances specified in clauses 1 and 3 of subsection 2 of this section exist and there are no changes in:

- 1) the purpose of use of the supplies or construction works;
- 2) the content or result of the service;
- 3) the initially planned qualities of the construction works.

(4) A decision to grant rural development support may be revoked in full or in part if at least one of the following circumstances exists:

- 1) a circumstance whereby the application would not have been granted becomes evident;
- 2) the beneficiary has not carried out the activity within the prescribed time limit;
- 3) the activity cannot be carried out within the time limit of carrying out the activity;
- 4) the beneficiary does not perform the obligations provided in the legislation of the European Union or this Act or legislation established on the basis of this Act;
- 5) the beneficiary submits an application for the revocation of the decision to grant the application.

§ 66. Payment of rural development support

(1) Rural development support is paid to a beneficiary, including a beneficiary selected in accordance with the selection procedure, on the basis of a decision to pay support.

(2) The ARIB makes a decision to pay rural development support on the basis of a payment claim submitted by the beneficiary and pays the support or makes a decision on refusal to pay the support.

(3) The ARIB makes a decision on refusal to pay support if the grounds for refusal to grant the application are established after the grant of the application but before the payment of the support or if the beneficiary has failed to perform the obligations of the beneficiary.

(4) If a decision on refusal to pay support is made, the ARIB or the state foundation may fully or partially revoke the decision to grant the application.

(5) The ARIB suspends the payment of support on the grounds and in accordance with the rules provided in the legal instrument established on the basis of Article 64(6) of Regulation (EU) No 1306/2013 of the European Parliament and of the Council.

§ 67. Payment of rural development support before incurring costs

(1) In the cases provided in the conditions for granting rural development support, support may be paid from the state budget funds before paying for ordering the work or service or acquiring the assets after the decision to grant the application is made:

- 1) if the beneficiary has presented a security in accordance with § 104 of this Act, which covers the entire amount to be paid;
- 2) without demanding a security if the work or service has been completed or the assets have been handed over, the beneficiary has accepted them and paid for them an amount that equals at least the self-financing portion, and the beneficiary is sufficiently reliable; or
- 3) without demanding a security if the carrying out of the activity is financed in accordance with points (a), (d) and (e) of Article 35(1) of Regulation (EU) No 1303/2013 of the European Parliament and of the Council

and Article 51(2) of Regulation (EU) No 1305/2013 of the European Parliament and of the Council and the beneficiary is sufficiently reliable.

(2) Reliability is not verified in the case of those beneficiaries whose activities are financed in accordance with Article 51(2) of Regulation (EU) No 1305/2013 of the European Parliament and of the Council.

(3) The procedure for applying for payment of support provided in subsection 1 of this section, the procedure for processing applications, the application form, the requirements for applications, and the rates and amounts of financing may be established by a regulation of the minister in charge of the policy sector.

(4) Support received in accordance with subsection 1 of this section may be used only for paying for the eligible costs of a relevant activity. The costs must be paid within the time limit specified in the conditions for granting rural development support, but not later than by 1 July 2025.

(5) In the case of payment of support from the European Agricultural Fund for Rural Development, funds paid to a beneficiary in accordance with subsection 1 of this section are debited from the amount of support payable in accordance with a decision to pay support by way of offsetting. In the event of a decision on refusal to pay support from the European Agricultural Fund for Rural Development, the beneficiary returns the funds received in accordance with subsection 1 of this section.

(6) If circumstances become evident in the activities of a beneficiary which cast doubt over the ability of the beneficiary to use the support received in accordance with subsection 1 of this section for the intended purpose and by the due date, the person granting support may decide to grant financing to a lesser extent, set a shorter time limit for incurring the eligible costs than the one provided in subsection 4 of this section or demand that a sufficient security is presented.

(7) A beneficiary is deemed to be sufficiently reliable for the purposes of payment of support without demanding a security where:

- 1) the beneficiary has no arrears of state taxes or the payment of the beneficiary's arrears of state taxes has been staggered and, in the event of staggering, the tax arrears have been paid in accordance with the schedule;
- 2) no liquidation or bankruptcy proceedings have been initiated against the beneficiary;
- 3) the beneficiary has repaid any amounts received from the state budget funds or other European Union funds or foreign funds that are subject to repayment or, in the case of deferral of repayment of support, has made the repayments by the prescribed due dates and in the prescribed amount;
- 4) the beneficiary has previously used the support received in accordance with § 64 of this Act or subsection 1 of this section for the intended purpose and by the due date.

§ 68. Monitoring and evaluation

(1) The procedure for monitoring and evaluation of the development plan may be established by a regulation of the minister in charge of the policy sector.

(2) The beneficiary submits information concerning the receipt and use of rural development support required for monitoring and evaluation to the person monitoring and evaluating the development plan. The person evaluating the development plan may perform operations necessary for evaluating support in the undertaking or holding of the beneficiary only with the consent of the beneficiary.

§ 69. Information, Marking and Reference

The specific procedure for informing of the granting and use of rural development support, marking supported objects and referring to the contribution of the European Agricultural Fund for Rural Development may be established by a regulation of the minister in charge of the policy sector.

§ 70. Cross-compliance

(1) For the purposes of this Act, 'cross-compliance' means compliance with the statutory management requirements and the standards for good agricultural and environmental condition of land as specified in Article 93(1) of Regulation (EU) No 1306/2013 of the European Parliament and of the Council.

(2) The requirements specified in subsection 1 of this section must be complied with by the beneficiaries specified in Articles 28–30 and 33 of Regulation (EU) No 1305/2013 of the European Parliament and of the Council.

(3) The ARIB publishes the statutory management requirements on its website.

(4) The standards for good agricultural and environmental condition of land shall be established by a regulation of the minister in charge of the policy sector.

(5) The ARIB and, within the limits of their competence, the Agriculture and Food Board, the Land and Spatial Planning Board and the Environmental Board monitor compliance with the requirements provided in subsection 1 of this section.

[RT I, 04.12.2024, 1 - entry into force 01.01.2025]

(6) Upon monitoring compliance with the requirements specified in subsection 1 of this section, the early warning system in accordance with Article 99(2) of Regulation (EU) No 1306/2013 of the European Parliament and of the Council is applied.

(7) If an applicant fails to comply with the requirements provided in subsection 1 of this section, the ARIB or the state foundation decides to reduce aid or refuse to grant the application on the grounds of and to the extent specified in Articles 97 and 99 of Regulation (EU) No 1306/2013 of the European Parliament and of the Council and on the grounds of and to the extent specified in a legal instrument established on the basis of Article 101 of the Regulation.

(8) Upon making the decision specified in subsection 7 of this section, account is taken of the information established in the course of supervisory activities provided in this Act and other Acts by the authorities or agencies specified in subsection 5 of this section or other inspection bodies.

(9) In the event of reduction of support or refusing to grant an application, the option specified in Article 97(3) of Regulation (EU) No 1306/2013 of the European Parliament and of the Council of not reducing support or not refusing to grant the application to the extent of an amount that does not exceed 100 euros per applicant and per period of aid is not applied.

Chapter 6

Measures of Common Organisation of Markets in Agricultural Products

Subchapter 1

General Provisions

§ 71. Making decisions related to implementation of measures of common organisation of markets in agricultural products

(1) Decisions related to implementation of the measures of common organisation of markets in agricultural products are made by the ARIB on the basis and in accordance with the rules provided in the relevant legislation of the European Union and this Act, unless the right to make the decision has been delegated to another agency or authority on the basis and in accordance with the rules provided in this Act.

(2) Upon implementation of the measures of common organisation of markets in agricultural products provided in this Chapter, the grant of an application is refused if at least one of the following circumstances is established:

- 1) the person, the application or the planned activity does not comply with the prescribed requirements;
- 2) the person fails to submit or communicate the circumstances and evidence relevant to the proceedings or prevents the carrying out of on-the-spot checks;
- 3) false information was knowingly submitted in the application or in the course of processing the application.

(3) Where, upon implementation of the measures of common organisation of markets in agricultural products, the circumstances provided in subsection 2 of this section appear after the decision on granting the application is made or the person does not allow for exercising state supervision over compliance with the prescribed requirements, a decision is made to revoke the decision on granting the application.

§ 72. Approval of participation in measures of common organisation of markets in agricultural products

(1) In the cases provided in the legislation of the European Union, a person must be approved for participation in the measures of common organisation of markets in agricultural products.

(2) The specific procedure for applying for the approval specified in subsection 1 of this section and for the processing of applications as well as the requirements for applications shall be established by a regulation of the minister in charge of the policy sector.

(3) The specific requirements for receiving the approval specified in subsection 1 of this section may be established by a regulation of the minister in charge of the policy sector.

§ 73. Submission, collection and processing of market information

(1) The collection and processing of information required for implementing the measures of common organisation of the markets in agricultural products specified in Articles 151 and 223 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council which is submitted to the European Commission

(hereinafter *market information*) is organised by the Ministry of Regional Affairs and Agriculture unless otherwise provided in this Act.

(2) The Ministry of Regional Affairs and Agriculture may designate an agency or authority which is administered by the ministry and whose areas of activity include activities necessary for the implementation of the common agricultural policy to collect and process market information.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(3) The person, agency or authority collecting and processing market information on the basis of subsection 2 of this section ensures the availability of a representative sample for collection and processing of market information and, in accordance with Article 224 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council, the processing and protection of the personal data of the data subjects.

(4) The undertakings included in the sample specified in subsection 3 of this section must submit the data required on the basis of Article 223 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council to the person, agency or authority specified in subsection 2 of this section.

(5) The specific requirements and the procedure for the submission, collection and processing of market information may be established by a regulation of the minister in charge of the policy sector.

(6) Statistics Estonia makes the data required for the submission, collection and processing of market information available to the Ministry of Regional Affairs and Agriculture. The Ministry of Regional Affairs and Agriculture ensures the confidentiality of information.

§ 74. Communicating market information to European Commission

(1) Market information is communicated to the European Commission by the Ministry of Regional Affairs and Agriculture.

(2) Where a relevant agreement has been entered into with a person, agency or authority specified in subsection 2 of § 73 of this Act, the market information is communicated to the European Commission by such person, agency or authority.

(3) The specific requirements and the procedure for communicating market information to the European Commission may be established by a regulation of the minister in charge of the policy sector.

Subchapter 2 Measures of Common Organisation of Markets in Agricultural Products

Division 1 Recognition of producer organisations, associations of producer organisations and interbranch organisations

§ 75. Producer organisation

A legal entity meeting the requirements for producer organisations, acting for the purposes provided in Regulation (EU) No 1308/2013 of the European Parliament and of the Council and uniting the producers acting in the sectors of agricultural products specified in Article 1(2) of the same Regulation may be recognised as a producer organisation.

§ 76. Recognition of producer organisations

(1) Recognition of a producer organisation is the process for assessing compliance of an applicant with the requirements provided in Chapter III of Title II of Part II of Regulation (EU) No 1308/2013 of the European Parliament and of the Council and other relevant legislation of the European Union and this Act and legislation established on the basis of this Act.

(2) A producer organisation is granted recognition for an unspecified term.

(3) A producer organisation notifies the ARIB of changes in its membership and of changes in its articles of association and in other relevant circumstances pertaining to its acting as a producer organisation.

(4) The specific requirements for the recognition of producer organisations, including requirements for producer organisations, requirements for their articles of association, the number of producers acting in the relevant sector of agricultural products related thereto, the quantity or value of products, the procedure for applying for recognition and processing of applications and the requirements for applications and the list of data to be submitted upon notification shall be established by a regulation of the minister in charge of the policy sector.

§ 77. Recognition of associations of producer organisations and interbranch organisations

(1) The provisions of this Act concerning the recognition of producer organisations also apply to the associations of producer organisations and interbranch organisations unless otherwise provided in the legislation of the European Union or this Act.

(2) The specific requirements for the recognition of associations of producer organisations and interbranch organisations, including requirements for producer organisations, requirements for their articles of association, the number of producers, the quantity or value of products, the procedure for applying for recognition and processing of applications and the requirements for applications and the list of data to be submitted upon notification may be established by a regulation of the minister in charge of the policy sector.

Division 2

Intervention buying-in and private storage

§ 78. Inspection body monitoring implementation of intervention buying-in and private storage

(1) The compliance of agricultural products subject to buying-in or private storage with the requirements for their composition and quality, the compliance of the storage place and, in the case of intervention buying-in, the compliance of the processing facilities, including storage facilities, are monitored by the Agriculture and Food Board and the ARIB.

(2) In the case of intervention buying-in, the Agriculture and Food Board issues a quality certificate upon offering an intervention product to another Member State.

(3) The Agriculture and Food Board issues a certificate of origin of products in the event of private storage of agricultural products in another Member State.

§ 79. Storage place used upon intervention buying-in

(1) A storage place which complies with the requirements provided in the legislation established on the basis of Regulations (EU) No 1308/2013 and (EU) 2021/2116 of the European Parliament and of the Council is found by procurement procedure on the grounds and in accordance with the rules provided in the Public Procurement Act.

(2) The specific requirements for the storage places used upon intervention buying-in may be established by a regulation of the minister in charge of the policy sector.

§ 80. Organisation of private storage and intervention buying-in

(1) In the case of intervention buying-in of agricultural products, a person submits to the ARIB a tender and, in the case of private storage, a tender or application for entering into a private storage contract.

(2) In the case of private storage, where the tender or application specified in subsection 1 of this section is granted, the ARIB enters into a private storage contract with the person.

(3) The specific procedure for intervention buying-in of agricultural products and private storage, including the specific procedure for intervention buying-in and selling products originating from the intervention stock, the requirements for tenders and the requirements for tenders and applications submitted for entering into a private storage contract and for agricultural products subject to private storage may be established by a regulation of the minister in charge of the policy sector.

Division 3

Aid for provision of fruit and vegetables and milk and milk products in educational establishments, for related educational measures and related costs

§ 81. Grant of aid for provision of fruit and vegetables and milk and milk products in educational establishments, for related educational measures and related costs

(1) Aid for provision of fruit and vegetables and milk and milk products in educational establishments, for related educational measures and related costs (hereinafter jointly referred to as *school scheme aid*) is granted

on the basis and in accordance with the rules provided in Regulation (EU) No 1308/2013 of the European Parliament and of the Council and legislation established on the basis thereof.

(2) The national strategy specified in Article 23(8) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council (hereinafter *school scheme strategy*) shall be established by a directive of the minister in charge of the policy sector.

(3) School scheme aid is granted for the implementation of the activities specified in Article 23(1) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council, the supporting of which is prescribed in the school scheme strategy.

(4) The activities supported within the school scheme aid, including the list of the provided products and the educational measures related to the provision, the specific procedure for applying for support and processing applications, and the requirements for applications shall be established by a regulation of the minister in charge of the policy sector.

(5) The rate of aid granted for the implementation of related educational measures out of the total school scheme aid and the amount of school scheme aid granted per child in the case of related educational measures shall be established by a regulation of the minister in charge of the policy sector, proceeding from the maximum limit specified in Article 5(1) and the maximum limit provided in a legal instrument established on the basis of the second sub-paragraph of Article 5(2) of Council Regulation (EU) No 1370/2013 determining measures on fixing certain aids and refunds related to the common organisation of the markets in agricultural products (OJ L 346, 20.12.2013, p. 12–19).

(6) The grant of additional state support for the implementation of the activities the supporting of which is provided in the school scheme strategy may be decided by a directive of the minister in charge of the policy sector, taking account of the funds allocated from the state budget for that purpose.

§ 82. Organisation of grant of school scheme aid

(1) To receive school scheme aid, an approved applicant submits an application to the ARIB.

(2) An application for school scheme aid may be submitted by an educational establishment, a city or rural municipality council regarding an education establishment located in its administrative territory, a provider of fruit and vegetables, and a provider of milk and milk products.

(3) City or rural municipality councils, providers of fruit and vegetables, and providers of milk and milk products may apply for school scheme aid if they have entered into a written agreement thereon with an educational establishment.

(4) The rate, form and amount of the school scheme aid granted for the provision of fruit and vegetables as well as milk and milk products are established by a regulation of the minister in charge of the policy sector.
[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(4¹) If the funds allocated to school scheme aid have been exhausted for the current school year, no aid is granted for the following application period. The ARIB publishes a notice to that effect no later than ten working days before the start of the application period in the official publication *Ametlikud Teadaanded* and on its website.
[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(5) Where provided in an educational establishment, the compliance of fruit and vegetables with the marketing standards and the compliance of milk and milk products with the quality and composition requirements are monitored by the Agriculture and Food Board.

(6) On-the-spot checks in educational establishments, including in an educational establishment that has not applied for school scheme aid itself, but participates in the implementation of school scheme aid, is carried out by the ARIB.

(7) A recipient of school scheme aid informs the public in the educational establishment about receiving and using the aid in accordance with the rules provided in a legal instrument established on the basis of Article 24(4) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council.

§ 83. Monitoring and evaluation of school scheme aid

(1) A recipient of school scheme aid submits information concerning the receipt and use of the aid required for monitoring and evaluation.

(2) The procedure for monitoring and evaluation of the implementation of school scheme aid may be established by a regulation of the minister in charge of the policy sector.

Division 4

Trade in goods with third countries

§ 84. Inspection body monitoring trade in goods with third countries

(1) In the event of import to and export from Estonia of agricultural products and processed agricultural products, the Tax and Customs Board verifies whether or not export and import licences and other requisite documents exist and comply with the requirements, the goods correspond to the import and export licences, export declarations and inward processing certificates, the origin of the products, and whether or not the entry price scheme and tariff quotas apply.

(2) In the cases prescribed in the relevant legislation of the European Union, the Agriculture and Food Board monitors compliance of agricultural products with the requirements upon their export and import, issues relevant certificates and monitors the appropriate use of imported beef intended for processing.

(3) Compliance of imported hops and hop products with the quality standards is monitored by the Agriculture and Food Board.

(4) For the purposes of this Act, third country means a country located outside the customs territory of the European Union.

§ 85. Trade in agricultural products with third countries

(1) To receive a licence to import hemp seed for a purpose other than sowing, a person needs the approval of the ARIB. A person who has received the specified import licence submits documents certifying the use of hemp seed provided in a legal instrument established on the basis of Article 177(2) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council to the ARIB within 12 months after the date of issue of the import licence.

(2) The ARIB verifies compliance of the documents certifying the use of hemp seed specified in subsection 1 of this section with the relevant legislation of the European Union and legislation established on the basis of this Act and carries out on-the-spot checks.

(3) The specific requirements for the issuing of import and export licences for agricultural products may be established by a regulation of the minister in charge of the policy sector.

(4) The conditions for the issuing of import and export licences for agricultural products set out:

- 1) the requirements for receiving import and export licences;
- 2) the procedure for submission and processing of applications;
- 3) the requirements for applications;
- 4) the requirements for documents certifying the use of hemp seed.

(5) In accordance with Article 190 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council, imported hops and hop products must comply with the quality standards for hops harvested within the European Union or products made therefrom.

Division 5

Composition and quality requirements and marketing standards

§ 86. Composition and quality requirements and marketing standards for agricultural products

(1) Agricultural products must comply with the composition and quality requirements and marketing standards provided in Regulation (EU) No 1308/2013 of the European Parliament and of the Council and legislation established on the basis thereof.

(2) The provisions of §§ 33–35 of the Rural Development and Agricultural Market Regulation Act do not apply to the determination of compliance of agricultural products with the composition and quality requirements and marketing standards on the basis of this Act. The analysis for determination of compliance of agricultural products with the composition and quality requirements and marketing standards is made in a laboratory chosen by the Agriculture and Food Board.

(3) The specific requirements for packaging and labelling agricultural products and the derogations from compliance with the marketing standards permitted by the legislation of the European Union may be established separately for each class of agricultural products by a regulation of the minister in charge of the policy sector.

(4) Compliance of agricultural products with the marketing standards, quality class requirements, the composition and quality requirements and labelling requirements, including requirements for names, established regarding agricultural products in the legislation of the European Union for market organisation purposes is monitored by the Agriculture and Food Board.

(5) In addition to the tasks provided in subsection 4 of this section, the Agriculture and Food Board performs those tasks related to the composition and quality requirements and marketing standards the performance of which has been assigned thereto by the legislation of the minister in charge of the policy sector.

§ 87. Quality classes of bovine, pig and lamb carcasses

(1) Meat products establishments must comply with the requirements of the quality classes of bovine, pig and lamb carcasses provided in Regulation (EU) No 1308/2013 of the European Parliament and of the Council and legislation established on the basis thereof.

(2) The specific requirements for the quality classes of bovine, pig and lamb carcasses and the extent and methods of and the procedure for application of the requirements for bovine, pig and lamb carcasses shall be established by a regulation of the minister in charge of the policy sector.

(3) The quality classes of bovine, pig and lamb carcasses may be determined by a person who has completed training in determining the quality classes of bovine, pig and lamb carcasses and who has been granted a corresponding recognition by the Agriculture and Food Board.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(3¹) A person who has been granted a recognition for determining the quality classes of bovine, pig and lamb carcasses must, once every three years, undergo appropriate training organised by the Agriculture and Food Board or have sufficient experience in determining the quality classes of bovine, pig and lamb carcasses.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(4) The requirements for receiving a recognition for determining the quality classes of bovine, pig and lamb carcasses, including the requirements for training and experience in determining the quality classes of bovine, pig and lamb carcasses, and the specific procedures for applying for a recognition and processing of applications are established by a regulation of the minister in charge of the policy sector.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(5) Compliance of determining the quality classes of bovine, pig and lamb carcasses with the requirements and determination of the categories of carcasses of bovine animals of up to 12 months of age are monitored by the Agriculture and Food Board.

§ 88. Marketing standards for fruit and vegetables

(1) Fruit and vegetables must comply with the marketing standards provided in Articles 75 and 76 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council and legislation established on the basis thereof on the conditions established in such legislation.

(2) The national register of food and feed business operators is deemed a database of traders of fruit and vegetables within the meaning of Article 3 of Commission Implementing Regulation (EU) 2023/2430 laying down rules concerning checks on conformity to marketing standards for the fruit and vegetables sector, certain processed fruit and vegetable products and the bananas sector (OJ L 2023/2430, 3.11.2023).

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(2¹) The information on traders of fruit and vegetables provided for in Article 3(5), point (e), of Commission Implementing Regulation (EU) 2023/2430 is entered in the national register of food and feed business operators.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(2²) The minister in charge of the policy sector may, by a regulation, establish the extent to which the national register of food and feed business operators is deemed the database of traders of fruit and vegetables, taking into account the conditions provided in Article 3(3) of Commission Implementing Regulation (EU) 2023/2430.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(3) [Repealed – RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(4) A trader marketing fruit and vegetables who has been classified in the lowest risk category in accordance with the procedure provided in the legislation established on the basis of Article 91(b) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council, who conforms to the requirements provided in the same legislation and holds a special label authorisation, may, upon labelling the packaging, use a special label in accordance with the same Regulation.

(4¹) A trader who has been granted a special label authorisation must have a corresponding legal relationship with a person who undergoes a relevant training organised by the Agriculture and Food Board once every three years or who has sufficient experience in checking compliance with the marketing standards for fruit and vegetables, or who, as a self-employed person, must comply with the aforementioned requirements.
[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(4²) A special label authorisation is valid for a period of three years. The validity of a special label authorisation may be extended for further periods of three years at the request of the person.
[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(5) The Agriculture and Food Board decides whether to grant or refuse to grant a special label authorisation within one month after receipt of the application.

(6) The information on special label authorisations granted to traders is published by the Agriculture and Food Board on its website.

(7) [Repealed – RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(8) The specific requirements for obtaining a special label authorisation, including for training and experience in checking compliance with the marketing standards for fruit and vegetables, and the specific procedures for applying for and processing a special label authorisation are established by a regulation of the minister in charge of the policy sector.
[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

Division 6

Exceptional measures

§ 89. Implementation of exceptional measures

(1) If the European Commission adopts measures on the basis of Articles 219–221 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council, including against market disturbances, animal diseases, pests, loss of consumer confidence and other problems, the specific grounds and procedure for the implementation of such measures may be established by a regulation of the minister in charge of the policy sector, proceeding from the requirements provided in the relevant legislation of the European Union.

(2) The request specified in Article 220(3) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council is submitted to the European Commission by the Ministry of Regional Affairs and Agriculture.

Chapter 7

Quality Schemes

§ 90. European Union and national quality schemes

(1) For the purposes of this Act, quality scheme means the quality scheme for protected designations of origin, protected geographical indications and traditional specialties guaranteed recognised by the European Commission and the quality scheme recognised on the basis and in accordance with the rules provided in this Act by the Agriculture and Food Board.

(2) The Agriculture and Food Board carries out the verification of compliance of protected designations of origin, protected geographical indications and traditional specialties guaranteed with the relevant specifications, compliance of the use of registered names in the market with the requirements established in the legislation of the European Union and compliance of quality schemes with the requirements.

(3) In addition to the tasks provided in subsections 1 and 2 of this section, the Agriculture and Food Board performs those tasks related to the quality schemes the performance of which has been assigned thereto by the legislation of the minister in charge of the policy sector.

§ 91. European Union quality scheme

(1) For the purposes of this Act, an agricultural product, foodstuff, spirit drink or wine with a protected designation of origin or a protected geographical indication or a traditional agricultural product or foodstuff guaranteed means a product the name of which has been registered on the basis of Regulation (EU) 2024/1143 of the European Parliament and of the Council.
[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(2) To register a product name on the basis of the Regulation specified in subsection 1 of this section, an applicant submits an application to the Ministry of Regional Affairs and Agriculture who decides whether the application complies with the requirements and whether to forward it to the European Commission or not.

(3) The specific procedure for applying for registration of product names on the basis of the Regulation specified in subsection 1 of this section and for processing of applications and the requirements for applications shall be established by a regulation of the minister in charge of the policy sector, proceeding from the requirements provided in the relevant legislation of the European Union.

(4) The notification provided for in Articles 39(1) and 72(4) of Regulation (EU) 2024/1143 of the European Parliament and of the Council concerning an agricultural product or foodstuff with a protected designation of origin or a protected geographical indication or a traditional agricultural product or foodstuff guaranteed is submitted to the Agriculture and Food Board. If the specified agricultural product or foodstuff does not comply with the relevant product specification, the Agriculture and Food Board prohibits the placing of the product on the market.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

§ 92. National quality scheme

(1) A quality scheme is drafted and implemented by a commercial association, a non-profit association or a civil-law partnership uniting active agricultural producers provided in the regulation established on the basis of this Act (hereinafter jointly *producer group implementing a quality scheme*).

(2) A producer group implementing a quality scheme adopts the quality scheme by a resolution of the general meeting, the meeting of representatives or partners in accordance with the rules provided in the articles of association conforming to § 7 of the Non-profit Associations Act or § 6 of the Commercial Associations Act or the contract of partnership provided in subsection 1 of § 580 of the Law of Obligations Act.

(3) A quality scheme must meet the following requirements:

1) [repealed – RT I, 14.02.2025, 2 – entry into force 24.02.2025]

2) the quality scheme complies with the requirements provided in Article 47 of Commission Delegated Regulation (EU) 2022/126 supplementing Regulation (EU) 2021/2115 of the European Parliament and of the Council with additional requirements for certain types of intervention specified by Member States in their CAP Strategic Plans for the period 2023 to 2027 under that Regulation as well as rules on the ratio for the good agricultural and environmental condition (GAEC) standard 1 (OJ L 20, 31.1.2022, p. 52–94);

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

3) the quality scheme must also be open to other interested persons.

(4) The management board of a producer group implementing a quality scheme must maintain a list of participants in the quality scheme.

(5) Compliance with the requirements provided in the quality scheme is verified by a person, agency or authority chosen by the producer group implementing the quality scheme which is independent of the participants in the quality scheme, has the relevant knowledge and skills and complies with the requirements established on the basis of subsection 6 of this section.

(6) The specific requirements for quality schemes, including the requirements for producer groups implementing quality schemes, participants in quality schemes and persons, agencies or authorities verifying quality schemes shall be established by a regulation of the minister in charge of the policy sector.

§ 93. Recognition and refusal to recognise quality schemes, amendment and revocation of decision to recognise quality scheme

(1) Recognition of quality schemes means a procedure for evaluating compliance of a quality scheme with the requirements provided in the relevant legislation of the European Union, this Act and legislation established on the basis of this Act.

(2) The Agriculture and Food Board verifies compliance of a quality scheme and makes a decision to recognise the quality scheme, to amend the recognition decision or to refuse to recognise the quality scheme. A quality scheme is not recognised before the procedure for notification of technical regulations has been completed.

(3) A quality scheme is granted recognition for an unspecified term.

(4) The Agriculture and Food Board makes a decision to refuse to recognise a quality scheme if in the course of verifying compliance of a quality scheme with the requirements at least one of the following circumstances is established:

1) the quality scheme does not comply with the requirements applicable to it;

2) false information was knowingly submitted in the application or in the course of processing the application;

3) the producer group implementing the quality scheme fails to submit or communicate the circumstances and evidence relevant to the proceedings or prevents the carrying out of on-the-spot checks.

(5) The specific procedure for applying for the recognition of quality schemes and processing of applications, the requirements for applications and the procedure for amendment of decisions to recognise quality schemes and for labelling of final products produced under quality schemes shall be established by a regulation of the minister in charge of the policy sector.

(6) The Agriculture and Food Board may revoke a decision to recognise a quality scheme if at least one of the following circumstances exist:

- 1) the producer group implementing the quality scheme presents a relevant application or is dissolved;
- 2) the quality scheme does not comply with the requirements applicable to it;
- 3) the producer group implementing the quality scheme does not allow for exercising state supervision over compliance with the requirements for quality schemes.

§ 94. Publication of data concerning quality schemes

A recognised quality scheme, the name of the producer group implementing it and the names of the participants in the recognised quality scheme are published by the Agriculture and Food Board on its website.

Chapter 8 Information Provision and Promotion Measures

§ 95. Implementation of information provision and promotion measures

(1) The tasks assigned to a Member State in Article 14 of Regulation (EU) No 1144/2014 of the European Parliament and of the Council which are related to the implementation, monitoring and control of simple programmes as well as the tasks related to the evaluation of the impact of measures provided in Article 25 of the same Regulation are performed by the ARIB.

(2) The specific requirements and procedure for the implementation of information provision and promotion measures, including for choosing the implementing body, may be established by a regulation of the minister in charge of the policy sector.

Chapter 9 Transitional National Aid

§ 96. Application for transitional national aid

(1) Transitional national aid granted in the budgetary year shall be established by a regulation of the minister in charge of the policy sector.

(2) The division of funds designated for transitional national aid granted in the budgetary year based on subsection 1 of this section by types of aid shall be established by a directive of the minister in charge of the policy sector.

(3) The right to apply for transitional national aid is not created and aid is not paid if the grant of the aid is not prescribed in the regulation established on the basis of subsection 1 of this section.

§ 97. Requirements for receiving transitional national aid

(1) Transitional national aid can be applied for by persons engaged in agricultural activities per eligible farm animal bred or on the basis of the transitional national aid entitlement.

(2) The requirements for receiving transitional national aid shall be established by a regulation of the minister in charge of the policy sector in accordance with the grounds provided in Article 147 of Regulation (EU) 2021/2115 of the European Parliament and of the Council.

(3) The requirements specified in subsection 2 of this section may be established separately for each type of transitional national aid.

§ 98. Transitional national aid entitlement

(1) Transitional national aid entitlement is a payment entitlement which has been granted to or obtained by a person on the basis of this Act and is entered in the agricultural support and agricultural parcels register.

(2) The grant of transitional national aid entitlement is based on:

- 1) the number of such hectares determined to a person in 2018 in the course of the single area payment scheme proceedings where arable crops specified in Article 141 of and in Annex IX to Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No

1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001 (OJ L 270, 21.10.2013, p. 1–69) were grown;
 2) the number of such hectares of hayseed fields determined to a person in 2018 in the course of the single area payment scheme proceedings and field-inspected by the Agriculture and Food Board in 2018 where the seed species specified in points 3 and 4 of Annex XI to Council Regulation (EC) No 1782/2003, except for the seeds of field peas (*Pisum sativum*L. (partim)) and field beans (*Vicia faba*L. (partim)), were grown;
 3) the milk production quota in kilograms determined to a person as at 31 March 2015;
 4) the number of such livestock units corresponding to the number bovine animals and dairy cows kept by a person as at 31 December 2018 in accordance with the data of the register of farm animals that were subject to performance testing of beef animals as at 31 December 2018 and that had produced a calf with at least 50 per cent of blood count of the beef animal breed during the year preceding the specified date;
 5) the number of ewes kept by a person which is not less than ten according to the agricultural register as at 31 December 2018.

(3) Information about the transitional national aid entitlement granted to a person is published on the website of the ARIB.

§ 99. Transfer of transitional national aid entitlement

(1) A person holding a transitional national aid entitlement, except for a hayseed transitional national aid entitlement, may transfer it.

(2) A person who has obtained a transitional national aid entitlement by way of transfer submits written information about the transfer agreement to the ARIB not later than together with the relevant application for transitional national aid on the basis of which the ARIB makes the relevant entries in the agricultural support and agricultural parcels register.

(3) Transitional national aid entitlement is inheritable. The person entitled to inherit a transitional national aid entitlement submits documents proving the inheritance to the ARIB not later than together with the relevant application for transitional national aid on the basis of which the ARIB makes the relevant entries in the agricultural support and agricultural parcels register.

(4) The procedure for notification about the transfer of transitional national aid entitlements shall be established by a regulation of the minister in charge of the policy sector.

(5) A granted transitional national aid entitlement cannot be transferred in a volume of less than one unit unless the ARIB has granted a transitional national aid entitlement of a fraction of a unit.

(6) A person who has acquired a transitional national aid entitlement by way of transfer, cannot transfer it, except to a direct relative in the ascending or descending line and to a relative by way of the collateral blood relationship, a spouse or a registered partner provided that the holding is transferred to the same person.
 [RT I, 06.07.2023, 6 – entry into force 01.01.2024]

(7) Where a person to whom transitional national aid entitlement was granted used the agricultural area or farm animal constituting the basis for a transitional national aid entitlement on a legal basis other than the right of ownership, the transitional national aid entitlement does not transfer to the owner of the agricultural area or farm animal upon the expiry of the right of use.

§ 100. Application for transitional national aid and processing of applications

(1) To apply for transitional national aid, the applicant submits an application to the ARIB.

(2) The procedure for applying for transitional national aid and processing of applications and the requirements for applications may be established by a regulation of the minister in charge of the policy sector.

(3) The procedure for applying for transitional national aid and processing of applications and the requirements for applications may be established for each type of transitional national aid separately.

§ 101. Reduction of transitional national aid

(1) Transitional national aid is reduced if:

- 1) the number of hectares determined for basic income support for sustainability in accordance with Article 21 of Regulation (EU) 2021/2115 of the European Parliament and of the Council is smaller than the number of transitional national aid entitlements of the applicant;
- 2) the determined number of farm animals is smaller than the number of farm animals indicated in the application;
- 3) false information has been knowingly entered in the accounts kept by the applicant on farm animals or in the bovine passport.

(2) The specific grounds for reduction of transitional national aid and for calculating it by types of aid shall be established by a regulation of the minister in charge of the policy sector.

§ 102. Refusal to grant application for transitional national aid

Grant of an application for transitional national aid is refused if:

- 1) the applicant is not a person engaged in agricultural activities or does not have eligible farm animals;
- 2) the applicant has no transitional national aid entitlement;
- 3) the size of the agricultural area or the number of farm animals provided in the application or determined in the course of processing the application is smaller than the size of agricultural area or the number of farm animals required for receiving aid;
- 4) the applicant does not comply with other requirements for receiving aid;
- 5) the applicant has knowingly submitted false information;
- 6) the applicant does not allow the carrying out of on-the-spot checks.

§ 103. Unit amount of transitional national aid

(1) The division of funds allocated from the state budget for transitional national aid by aid types shall be determined by a directive of the minister in charge of the policy sector.

(2) The ARIB determines the unit amount of transitional national aid, proceeding from the division of funds established on the basis of subsection 1 of this section and the units declared eligible for transitional national aid, observing the principle of equal treatment of applicants.

Chapter 10 Securities

§ 104. Provision of security

(1) Upon implementation of those common agricultural policy measures for which a security guaranteeing the performance of obligations is prescribed by regulations of the European Union or this Act, such security is provided to the ARIB as a deposit or guarantee unless otherwise provided in the legislation of the European Union.

(2) No security is required if the conditions provided in the legislation established on the basis of Article 64(3) of Regulation (EU) 2021/2116 of the European Parliament and of the Council are fulfilled.

(4) The security is provided, released and used on the grounds and in accordance with the rules provided in Article 64 of Regulation (EU) 2021/2116 of the European Parliament and of the Council and the legislation established on the basis of Articles 64(3) and (4) of the same Regulation.

(4) The specific procedure for providing, using and releasing securities may be established by a regulation of the minister in charge of the policy sector for the purposes of implementation of the common agricultural policy measures.

Chapter 11 Farm Sustainability Data Network and Economic Accounts for Agriculture

[RT I, 14.02.2025, 2 - entry into force 24.02.2025]

§ 105. Farm Sustainability Data Network

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(1) The performance of the tasks of the liaison agency provided in Article 7 of Council Regulation (EC) No 1217/2009 setting up the Farm Sustainability Data Network (OJ L 328, 15.12.2009, p. 27) is organised by the Ministry of Regional Affairs and Agriculture.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(2) The Ministry of Regional Affairs and Agriculture may designate an agency or authority which is administered by the ministry and whose areas of activity include activities necessary for the implementation of the common agricultural policy to perform the tasks of the liaison agency.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(3) For the purposes of collecting Farm Sustainability Data Network (FSDN) data, the liaison agency enters into relevant contracts with the data collectors and returning holdings on the basis of the selection plan prepared on the basis of Article 5a of Council Regulation (EC) No 1217/2009.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(4) The returning holdings specified in subsection 3 of this section may not, upon termination of the contract, prohibit further processing of the data presented during the term of the contract.

(5) The liaison agency may pay a fee or provide services to encourage participation in the FSDN.
[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

§ 106. Organisation of economic accounts for agriculture

The estimated data of indicators of economic accounts for agriculture specified in Annex II to Regulation (EC) No 138/2004 of the European Parliament and of the Council on the economic accounts for agriculture in the Community (OJ L 33, 5.2.2004, p. 1–87) are compiled by the Ministry of Regional Affairs and Agriculture and the data of the final results for the calendar year are compiled by Statistics Estonia within the time limits prescribed by the same Regulation.

Chapter 12

Measures Applied to Protect European Union Financial Interests Related to Common Agricultural Policy Measures

§ 107. Application of measures to protect European Union financial interests related to common agricultural policy measures

(1) This Chapter applies to the common agricultural policy measures provided in Chapters 4 and 6–8 of this Act.

(2) Taking account of the provisions of Regulation (EU) 2021/2116 of the European Parliament and of the Council and Article 5 of Council Regulation (EC, Euratom) No 2988/95 on the protection of the European Communities financial interests (OJ L 312, 23.12.1995, p. 1–4), in the case of common agricultural policy measures, relevant measures (hereinafter *protective measures*) are applied for the purposes of efficient protection of the European Union financial interests.

(3) Upon applying protective measures, the severity, extent and permanence of the detected non-compliance or non-conformity with the requirements and whether it is repeated are considered, depending on the detected non-compliance or non-conformity with the requirements.

(4) Protective measures are not applied in the cases provided in Article 59(5) of Regulation (EU) 2021/2116 of the European Parliament and of the Council.

(5) In the case of common agricultural policy measures, the application of protective measures is decided by the ARIB or the state foundation.

(6) Where an applicant for support or a beneficiary transfers in whole or in part their agricultural holding or another undertaking related to the use of the support to a person who is deemed to be an associated person for the purposes of § 8 of the Income Tax Act:

- 1) the consequences of a decision on protective measures transfer to such transferee in a part proportionate to the transferred agricultural holding or another undertaking if the protective measures provided in this Chapter have been applied to the transferor;
- 2) the protective measures are applied to the transferee in a part proportionate to the transferred agricultural holding or another undertaking if the grounds for applying the protective measures provided in this Chapter have been established in connection with the activities of the transferor.

(7) The specific conditions and procedure for applying protective measures may be established by a regulation of the minister in charge of the policy sector.

§ 108. Application of protective measures upon fraud

(1) Where an applicant for support or a beneficiary knowingly submits false information, on the basis of which the grant of support or its amount is decided, for the purpose of receiving support granted under common agricultural policy measures without legal basis, the person is prohibited from applying for support under one or more common agricultural policy measures in the calendar year when submission of false information is detected and in up to two subsequent calendar years.

(2) Where a situation provided in Article 62 of Regulation (EU) 2021/2116 of the European Parliament and of the Council is detected, the applicant for support or the beneficiary is prohibited from applying for support under

one or more common agricultural policy measures in the calendar year when the artificially created conditions are detected and in up to two subsequent calendar years.

(3) Where a person applies for support granted under common agricultural policy measures and the application for support is prohibited by the decision specified in subsection 1 or 2 of this section, the application is dismissed and returned to the person.

§ 109. Protective measures related to integrated administration and control system

(1) The protective measures provided in this section are applied separately to all such lands and separately to all such animals for which a unit amount of the same size has been established or separately for each animal breed or species.

(2) Upon application of the protective measures provided in this section, the difference between the area indicated in the application and the determined area (hereinafter *difference in the area*) and the difference between the number of animals indicated in the application and the determined number of animals (hereinafter *difference in the number of animals*) are calculated separately for each area- or animal-based direct payment specified in Article 65(2) of Regulation (EU) 2021/2116 of the European Parliament and of the Council or rural development support.

(3) The difference in the area or number of animals is calculated separately for all such lands and separately for all such animals for which a unit amount of the same size has been established or separately for each animal breed or species, whereas the determined areas of land which are larger and smaller than those indicated in the application are set off.

(4) Where an applicant applies for the area-based direct payment specified in Article 65(2) of Regulation (EU) 2021/2116 of the European Parliament and of the Council or rural development support in respect of an area which is up to 50 per cent larger than the determined area of the applicant, the support of the applicant is reduced by no more than the amount of support corresponding to the area exceeding the latter area.

(5) Where an applicant applies for the area-based direct payment specified in Article 65(2) of Regulation (EU) 2021/2116 of the European Parliament and of the Council or rural development support in respect of an area which is more than 50 per cent larger than the determined area of the applicant, the grant of the application of the applicant is fully refused in the part concerning such land.

(6) Where an applicant applies for the area-based direct payment specified in Article 65(2) of Regulation (EU) 2021/2116 of the European Parliament and of the Council or rural development support in respect of land for which the established unit amount is larger than the unit amount established for the determined land of the applicant, the grant of the application of the applicant is fully refused in the part concerning such land and the support of the applicant is reduced in accordance with subsections 4 and 5 of this section, proceeding from the unit amount established for the land for which the applicant applied for support.

(7) Where an applicant applies for the area-based direct payment specified in Article 65(2) of Regulation (EU) 2021/2116 of the European Parliament and of the Council or rural development support in respect of land for which the established unit amount is smaller than the unit amount established for the determined land of the applicant, the grant of the support is based on the unit amount established for the land for which the applicant applied for support.

(8) Where an applicant applies for the animal-based direct payment specified in Article 65(2) of Regulation (EU) 2021/2116 of the European Parliament and of the Council or rural development support in respect of the number of animals which is up to 50 per cent larger than the determined number of animals of the applicant, the support of the applicant is reduced by no more than the amount of support corresponding to the number of animals exceeding the latter number of animals.

(9) Where an applicant applies for the animal-based direct payment specified in Article 65(2) of Regulation (EU) 2021/2116 of the European Parliament and of the Council or rural development support in respect of the number of animals which is more than 50 per cent larger than the determined number of animals of the applicant, the grant of the application of the applicant is fully refused in the part concerning such animals.

(10) The protective measures provided in subsections 4 and 5 of this section are not applied where the difference in the area is up to three per cent or up to two hectares. The non-application of the protective measures is based on either the specified percentage or the number of hectares, depending on which of those results in a smaller difference in the area.

(11) The protective measures provided in subsections 8 and 9 of this section are not applied where the difference in the number of animals is up to three animals.

(12) The application of the protective measures provided in subsections 8 and 9 of this section either separately to all such animals for which a unit amount of the same size has been established or separately for each animal breed or species shall be established by a regulation of the minister in charge of the policy sector.

§ 110. Protective measures for conditionality

(1) Where an applicant breaches the requirements specified in subsection 1 of § 42 of this Act, the support of the applicant is reduced or the grant of the applicant's application is refused on the grounds and to the extent provided in Articles 84 and 85 of Regulation (EU) 2021/2116 of the European Parliament and of the Council and Commission Delegated Regulation (EU) 2022/1172.

(2) [Repealed – RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(3) The protective measure provided in subsection 1 of this section is not applied in the cases provided in Article 84(2), point (c), and Article 84(4) of Regulation (EU) 2021/2116 of the European Parliament and of the Council.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(4) In the case of the protective measure provided in subsection 1 of this section, the provisions of subsection 6 of § 107 of this Act are applied to the transferee of an agricultural holding even if the transferee is not an associated person for the purposes of § 8 of the Income Tax Act.

§ 110¹. Protective measures for social conditionality

(1) Where an applicant breaches the requirements for social conditionality, the support of the applicant is reduced or the grant of the applicant's application is refused on the grounds and to the extent provided in Articles 88 and 89 of Regulation (EU) 2021/2116 of the European Parliament and of the Council.

(2) The protective measure provided in subsection 1 of this section is not applied in the case provided in Article 88(2), point (b), of Regulation (EU) 2021/2116 of the European Parliament and of the Council.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

§ 111. Application of protective measure with direct effect provided in legislation of European Union

Where a common agricultural policy protective measure with direct effect is provided in the legislation of the European Union, the protective measure is applied to the person involved in the measure on the grounds and to the extent provided in such legislation.

Chapter 13

Agricultural Support and Agricultural Parcels Register

§ 112. Purpose of agricultural support and agricultural parcels register, controller and processor

(1) The purpose of the agricultural support and agricultural parcels register (hereinafter the *register*) is to collect, process and preserve data for implementing common agricultural policy measures, rural development and agricultural market organisation measures and fishing market organisation measures, for exercising the right to buy diesel fuel for specific purposes, for planning agricultural policy, for promoting sustainable agriculture and for exercising supervision.

[RT I, 04.01.2024, 2 – entry into force 14.01.2024]

(2) The statutes of the register shall be established by a regulation of the minister in charge of the policy sector.

(3) The joint controllers of the register are the Ministry of Regional Affairs and Agriculture and the ARIB.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(4) The statutes of the register establish:

- 1) the processor;
- 2) the tasks of the joint controllers and processor;
- 3) the specific composition of data collected and the procedure for entry thereof in the database;
- 4) the procedure for access to data and issue of data;
- 5) the specific data retention periods, conditions and procedures;
- 6) other organisational matters.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

§ 113. Information subject to entry in register

(1) The following data submitted concerning a person participating in the common agricultural policy measures and their application as well as the following data obtained in the course of implementing the common agricultural policy measures are entered in the register:

1) the name, registry code or personal identification code or, upon absence of a personal identification code, the date of birth of the person participating in the common agricultural policy measures, the data on their place of business and current account, and their contact details;
2) the data of the application submitted for participating in the common agricultural policy measures, the data obtained in the course of processing the application and the monitoring data collected about the receipt and use of the support, the processing of which is prescribed in Article 130 of Regulation (EU) 2021/2115 of the European Parliament and of the Council and Article 223 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council or in the legislation established on the basis of these Regulations;
3) the data on the decisions made, contracts entered into and acts performed in the course of implementation of the common agricultural policy measures.

(2) In addition to the provisions of subsection 1 of this section, the register includes:

1) a map of the agricultural parcel;
2) a catalogue of reference prices;
3) the agricultural data repository;
4) the market information and farm sustainability data network;
5) the measures for fisheries market organisation and the state measures for the regulation of rural development and agricultural market;
6) the right to purchase specific-purpose diesel.
[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(3) The map of an agricultural parcel is prepared on the basis of the land cover and use type map specified in § 13¹ and the backdrop maps specified in § 14¹ of the Land Cadastre Act.

(4) The procedure and conditions for the preparation of maps of agricultural parcels and determination of eligible areas of agricultural parcels, and the data to be submitted concerning the use of agricultural parcels and the procedure for submission thereof shall be established by a regulation of the minister in charge of the policy sector.

(5) The approved price cap of supplies or services that constitutes an eligible cost of rural development support along with the data on the respective supplies or services for which the reference price method is used upon granting rural development support are entered in the catalogue of reference prices. An expert opinion on the compatibility of the supplies or services with the environmental and climate objectives may also be included in the catalogue of reference prices.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(6) The list of supplies and services to be entered in the catalogue of reference prices and the procedures for providing an expert opinion on the compatibility of supplies and services with the environmental and climate objectives, verifying the reasonableness and approval of the price cap, and entering data in the catalogue are established by a regulation of the minister in charge of the policy sector.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(6¹) The data on agricultural activities which are required to be submitted due to participation in a common agricultural policy measure or which are submitted on a voluntary basis in the ARIB's e-service environment when using open e-services are entered in the agricultural data repository.

[RT I, 04.01.2024, 2 – entry into force 14.01.2024]

(6²) At the request of the person, the ARIB terminates further processing of the data voluntarily submitted to the agricultural data repository and returns them to the person and deletes them from the agricultural data repository.

[RT I, 04.01.2024, 2 – entry into force 14.01.2024]

(6³) Market information on agricultural products and FSDN data provided for in Articles 151 and 223 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council are entered in the market information and farm sustainability data network on the basis of Council Regulation (EC) No 1217/2009.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(7) A person who submits data to the register is responsible for the correctness of the submitted data. In the event of changes in the data entered in the register, an application for amendment of the data is submitted immediately.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(8) Personal data entered in the register are stored for a period of up to ten years from their receipt, unless otherwise provided in the legislation of the European Union.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

§ 114. Access to registry data

(1) The holder of information must designate the data entered in the agricultural data repository and the market information and farm sustainability data network and the data concerning the person participating in the common agricultural policy measures, their application and other procedural documents and the results of

checks as information for internal use unless otherwise provided in the legislation of the European Union or this Act.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(2) In addition to the persons specified in subsection 3 of § 38 of the Public Information Act, the persons who perform public functions on the basis of an Act, administrative decision or administrative contract or the persons engaged in monitoring or evaluation, to the extent required for monitoring or evaluation purposes, and experts involved in the proceedings have the right to access the information specified in subsection 1 of this section. The right of access to the data entered in the agricultural data repository is also available to any other person with a legitimate interest and to a company in private law maintaining the database with the consent of the person who has submitted data to the agricultural data repository.

[RT I, 04.01.2024, 2 – entry into force 14.01.2024]

§ 115. Publication of registry data

(1) On the basis of this Act, the ARIB publishes the following data on its website:

- 1) the data specified in Article 98 of Regulation (EU) 2021/2116 of the European Parliament and of the Council;
- 2) the unique numeric code designated for identifying a person if the name of the supported person is not published in the case specified in Article 98(4) of Regulation (EU) 2021/2116 of the European Parliament and of the Council;
- 3) the data of agricultural parcels and the maps of agricultural parcels;
- 4) the amount of the production quota set to a person;
- 5) the area of permanent grassland to be maintained in terms of agricultural parcels;
- 6) in case of decrease of the ratio of permanent grassland, the area of permanent grassland to be reconverted;
- 7) landscape features located on an agricultural parcel;
- 8) the name of a recognised producer group, the description of the main product of the producer group and the names of the members of the producer group;
- 9) the name of a recognised producer organisation, the area in which the producer organisation is recognised, and the names of the members of the producer organisation;
- 10) the data on supplies and services entered in the catalogue of reference prices and price caps;
- 11) other data to be published in accordance with the legislation of the European Union or Acts.

(2) The data specified in clauses 1 and 2 of subsection 1 of this section are published in accordance with the provisions of the legal instrument established on the basis of Article 100 of Regulation (EU) 2021/2116 of the European Parliament and of the Council.

(3) The data of the market information and farm sustainability data network are published on the website of an agency or authority in the area of government of the Ministry of Regional Affairs and Agriculture designated in accordance with subsection 2 of § 73 of this Act pursuant to the provisions of Article 223 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council and Council Regulation (EC) No 1217/2009 and legislation established on the basis thereof.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

Chapter 14

State Supervision and Administrative Oversight

§ 116. Extent of and authorities exercising state supervision

(1) Compliance with the requirements established for participation in the common agricultural policy measures and compliance of the activities of the beneficiary following the payment of support with the requirements provided in the decision on granting the application, in the relevant legislation of the European Union, this Act and legislation established on the basis of this Act are verified in the course of state supervision.

(2) The ARIB exercises state supervision over compliance with the requirements provided in the relevant legislation of the European Union, this Act and legislation established on the basis of this Act, unless otherwise provided in this section.

(3) The ARIB exercises state supervision over the granting of school scheme aid provided in Division 3 of Subchapter 2 of Chapter 6 of this Act also in such educational establishments that do not apply for school scheme aid themselves, but participate in the implementation of school scheme aid.

(4) The Ministry of Regional Affairs and Agriculture, the Agriculture and Food Board, the Land and Spatial Planning Board, the Environmental Board, the state foundation and the agency or authority specified in subsection 2 of § 48 of this Act exercise state supervision over compliance with the requirements for such interventions under the strategic plan and the requirements for such rural development support during the 2014–

2020 programming period, the compliance of which they check also upon resolving the applications in the cases provided in this Act or the regulation established on the basis thereof.
[RT I, 04.12.2024, 1 - entry into force 01.01.2025]

(5) The Agriculture and Food Board and the ARIB exercise state supervision over compliance of the agricultural products provided in § 78 of this Act with the requirements for their composition and quality, compliance of the storage place and, in the case of intervention buying-in, compliance of the processing facilities, including storage facilities, with the requirements.

(6) Upon implementing the measures of common organisation of markets in agricultural products, the Agriculture and Food Board exercises state supervision over:

- 1) compliance with the obligation to submit market information provided in subsection 4 of § 73 of this Act and over correctness of the submitted data;
- 2) conformity of product quantities in case of determining the purpose of use of products within the European Union upon the sale of products originating from the intervention stock specified in subsection 3 of § 80 of this Act;
- 3) compliance of imported hops and hop products with the quality standards provided in subsection 5 of § 85 of this Act;
- 4) compliance with the composition and quality requirements and marketing standards provided in §§ 86 and 88 of this Act;
- 5) compliance of determination of the quality classes of bovine, pig and lamb carcasses with the requirements and over determination of the categories of carcasses of bovine animals of up to 12 months of age specified in § 87 of this Act.

(7) The Agriculture and Food Board also exercises state supervision over compliance with the registered specification of a product bearing the European Union quality label for agricultural products, foodstuffs, spirit drinks or wines on the basis of the legislation specified in subsection 1 of § 91 of this Act, over the proper use of the registered name, and over the carrying out or implementation of the quality scheme recognised on the basis and in accordance with the rules provided in § 93.

(8) The Tax and Customs Board exercises state supervision, upon the sale of products originating from the intervention stock specified in subsection 3 of § 80 of this Act, over the placement of the product in intermediate storage and taking the product out of storage in the event of exporting the product to a third country, provided that the product is stored outside an intervention store before export.

(9) The procedure for exercising supervision over compliance with the obligation to submit market information and over the correctness of the submitted data may be established by a regulation of the minister in charge of the policy sector.

(10) The specific procedure for supervision over compliance with the marketing standards for fruit and vegetables and the special procedure for monitoring of conformity with marketing standards at the retail stage shall be established by a regulation of the minister in charge of the policy sector.

(11) Where necessary, the ARIB provides the European Commission with professional assistance upon exercising control.

§ 117. Control of transactions

(1) In addition to the provisions of § 116 of this Act, state supervision and administrative oversight are exercised over the making and correctness of the transactions specified in Chapter III of Title IV of Regulation (EU) 2021/2116 of the European Parliament and of the Council on the grounds and in accordance with the rules provided in the same Regulation.

(2) The supervision provided in subsection 1 of this section is exercised by the ARIB, taking account of the conditions provided in Article 77(3) of Regulation (EU) 2021/2116 of the European Parliament and of the Council.

§ 118. Organisation of administrative oversight

(1) Where a beneficiary is a state authority, a local government agency or another person or agency authorised to perform public administration duties, performance of the administrative contracts concluded in accordance with this Act, compliance with the requirements for participation in the common agricultural policy measures and compliance of the activities of the beneficiary following the payment of support with the requirements provided in the decision on granting the application, in the relevant legislation of the European Union, this Act and legislation established on the basis of this Act are verified in the course of administrative oversight.

(2) Administrative oversight over performance of administrative contracts entered into on the basis of subsection 3 of § 4, subsection 2 of § 6, subsection 2 of § 34, subsection 2 of § 35, clause 2 of subsection 2 of § 45, clause 2 of subsection 2 of § 73 and subsection 2 of § 105 of this Act is exercised by the Ministry of Regional Affairs and Agriculture.

(3) In the event of unilateral termination of an administrative contract entered into on the basis of subsection 3 of § 4, subsection 2 of § 6, subsection 2 of § 34, subsection 2 of § 35, clause 2 of subsection 2 of § 45, clause 2 of subsection 2 of § 73 and subsection 2 of § 105 of this Act or if other circumstances that hinder further performance of the administrative contract by the person who entered into it become evident, the materials relating to the performance of the contract are immediately handed over to the Ministry of Regional Affairs and Agriculture that organises the continued performance of the administrative duty.

(4) Administrative oversight over performance of administrative contracts entered into on the basis of subsection 7 of § 10 and subsection 7 of § 49 of this Act is exercised by the ARIB.

(5) In the event of unilateral termination of an administrative contract entered into on the basis of subsection 7 of § 10 and subsection 7 of § 49 of this Act or if other circumstances that hinder further performance of the administrative contract by the person who entered into it become evident, the materials relating to the performance of the contract are immediately handed over to the ARIB that organises the continued performance of the administrative duty.

(6) Where a beneficiary is a state authority, a local government agency or another person or agency authorised to perform public administration duties, the person or authority specified in § 116 of this Act exercises administrative oversight over compliance with the requirements provided in the relevant legislation of the European Union adopted for the implementation of the common agricultural policy measures, this Act and legislation established on the basis of this Act.

§ 119. Specifications of administrative oversight upon verifying compliance of operations of local action group

(1) The ARIB verifies compliance of a local action group and its activity with the requirements provided in the relevant legislation of the European Union, this Act and legislation established on the basis of this Act, and demands from the local action group prompt compliance with these requirements if it appears that a local action group or its activity does not comply with the requirements or a local action group impedes the exercise of supervision over its activities.

(2) If a local action group or its activity does not comply with the requirements provided in the relevant legislation of the European Union, this Act or legislation established on the basis of this Act or if another reason exists which prevents a local action group from continuing to implement a local development strategy or a joint strategy, the ARIB may suspend the right of the local action group to accept and process applications for LEADER project support.

(3) A local action group with regard to which the ARIB has suspended the processing of applications for LEADER project support may continue the processing of these as of the delivery of a corresponding written consent by the ARIB. The ARIB grants its consent if the local action group and its activities comply with all the relevant requirements.

(4) If a local action group has failed, by the set due date, to perform the obligations the performance of which has been demanded by the ARIB on the basis of subsection 1 of this section, the ARIB may suspend payment of the support specified in point (c) of Article 34(1) of Regulation (EU) 2021/1060 of the European Parliament and of the Council to the local action group, or the Ministry of Regional Affairs and Agriculture may revoke the decision on approval of the local development strategy or the joint strategy.

§ 120. Special state supervision measures

(1) To exercise state supervision provided in this Act, a law enforcement agency may apply special state supervision measures provided in §§ 30, 32 and 49–52 of the Law Enforcement Act on the basis and in accordance with the rules provided in the Law Enforcement Act.

(2) If residential premises are also used as commercial premises, a law enforcement agency may inspect these during the working or opening hours without the authorisation of an administrative court specified in subsection 2 of § 51 of the Law Enforcement Act.

(3) A law enforcement agency may take samples at the expense of the person upon inspection of a movable. If the inspected movable is no longer fit for ordinary use following the inspection, the cost of the movable or the cost of restoring the movable for ordinary use is not compensated to the person.

(4) State supervision measures may be applied without notifying the person participating in the common agricultural policy measures thereof in advance. Notification of application of state supervision measures may be given in advance only if advance notification does not compromise the achievement of the purpose of applying the measure.

§ 120¹. Removal of and restriction of access to information and domain names that are incompatible with protection of geographical indication and provided through online interface

(1) If information contrary to the protection of a protected designation of origin or a protected geographical indication pursuant to Articles 26 and 27 of Regulation (EU) 2024/1143 of the European Parliament and of the Council is disseminated through an online interface and the distributor of the information has not terminated the infringement despite the application of the supervision measures provided for in subsection 7 of § 116 of this Act, the Agriculture and Food Board has the right to issue a compliance notice to the information society service provider and demand the removal of the information submitted through the information society service or restriction of access to the information.

(2) Where the demand made on the basis of subsection 1 of this section is not complied with, the provider of a publicly available electronic communication service providing internet access restricts, on the basis of a compliance notice issued by the Agriculture and Food Board, the domain name specified in the compliance notice in the name servers owned by it.

(3) Where the demand made on the basis of subsection 1 of this section is not complied with or where the domain name is in conflict with Article 26(2) of Regulation (EU) 2024/1143 of the European Parliament and of the Council, the administrator of the domain register or the registrar of the domain register restricts access to the domain in the event and on the basis of a compliance notice issued by the Agriculture and Food Board or deletes the registration of the domain name specified in the compliance notice.

(4) The service provider, the administrator of the domain register and the registrar of the domain register specified in subsections 1–3 of this section are not liable for any damage caused by the failure to conclude a transaction, the late conclusion of a transaction or the restriction of the provision of the service due to performance of the obligations arising from this section.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

§ 121. Specifications of state supervision

(1) An official of a law enforcement agency applying a state supervision measure wears during the performance of a supervisory operation, where necessary or at the request of a person, special or protective clothing provided by the person.

(2) A list of supervisory operations during the performance of which officials of law enforcement agencies must wear special or protective clothing shall be established by a regulation of the minister in charge of the policy sector.

(3) To verify compliance with the requirements for the implementation of common agricultural policy measures and compliance of the activities of a beneficiary with the requirements, a law enforcement agency may apply special state supervision measures provided in §§ 30, 32, 49–52 of the Law Enforcement Act on the basis and in accordance with the rules provided in the Law Enforcement Act also on the premises of a third party related to a person participating in the common agricultural policy measures who possesses data or documents related to the implementation of the specified measures, and in the place where the supported activity is being carried out.

§ 122. Resolution of disputes related to implementation of common agricultural policy measures

(1) In case of disputes related to the implementation of the common agricultural policy measures, challenge proceedings must be conducted on the conditions and in accordance with the rules provided in the Administrative Procedure Act before filing an appeal with the administrative court.

(2) If a challenge is filed against a decision or act of the state foundation, the challenge is resolved by the state foundation.

(3) A challenge is resolved within 30 calendar days after its acceptance. The time limit for resolving a challenge may be extended by up to 30 calendar days if it is necessary due to the complexity of the case or due to the multitude of challenges filed simultaneously, informing the person filing the challenge thereof.

§ 123. Reclamation of support

(1) If, after payment of support, it becomes known that the support was paid unduly due to non-compliance with the requirements for grant or use of the support, breach of the requirements or application of protective measures, the support may be reclaimed from the beneficiary in part or in full on the grounds and within the term provided in Council Regulation (EC, Euratom) No 2988/95, Regulations (EU) 2021/2116 and (EU) 2021/2115 of the European Parliament and of the Council and other relevant legislation of the European Union.

(2) If, after payment of transitional national aid, it becomes known that the aid was paid unduly, it is reclaimed from the beneficiary in part or in full. A decision to reclaim the aid may be made within ten years after the day of making the decision to grant the application.

(3) Money received in accordance with subsection 1 of § 30 or subsection 1 of § 67 of this Act is reclaimed in accordance with the rules provided in §§ 124–126 if a decision on refusal to pay support from the European

Agricultural Fund for Rural Development is made regarding the beneficiary or if the beneficiary has used the received money for covering ineligible costs.

(4) The decision to reclaim support is made by the ARIB.

(4¹) Support is not reclaimed where the amount of support to be reclaimed, excluding interest, is up to 100 euros.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(5) Support which is unlawful or misused state aid for the purposes of Council Regulation (EU) 2015/1589 laying down detailed rules for the application of Article 108 of the Treaty on the Functioning of the European Union (OJ L 248, 24.9.2015, p. 9–29) is reclaimed by the ARIB on the grounds and in accordance with the rules provided in § 42 of the Competition Act, and in such case §§ 124–126 of this Act do not apply to reclaiming.

§ 124. Repayment of support

(1) A beneficiary must repay reclaimed support within 60 calendar days as of the day of making the decision to reclaim support unless otherwise specified in the relevant legislation of the European Union.

(2) The ARIB sets off reclaimed support in accordance with the conditions provided in the legislation established on the basis of Article 58 of Regulation (EU) 2021/2116 of the European Parliament and of the Council as of the day of making the decision to reclaim support.

(3) If a beneficiary fails to comply with the decision to reclaim support within the time limit provided in subsection 1 of this section and if the reclaimed support cannot be set off within a reasonable period of time, the ARIB has the right to refer the decision to reclaim support to compulsory enforcement in accordance with the rules provided in the Code of Enforcement Procedure.

(4) The set-off specified in subsection 2 of this section may also be made after referring the decision to reclaim support to compulsory enforcement.

(5) Upon repayment of support, out of the payment received the returned support is deemed paid first, then the interest and lastly the penalty for late payment.

§ 125. Postponement of repayment of support

(1) The ARIB may postpone repayment of support on the basis of a reasoned request of the beneficiary. In the case of postponement of repayment of support, the support must be repaid in accordance with a schedule for repayment of support within 12 months after the day of making the decision to postpone repayment of support. A security may be demanded in the case of postponement of repayment of support.

(2) The ARIB may postpone repayment of support by a longer period of time if repayment of support within 12 months may prove to be especially complicated or impossible.

(3) If, in the case of postponement of repayment of support, a beneficiary fails to pay instalments according to the schedule for repayment of support, the ARIB may revoke the decision to postpone repayment of support and, where possible, set off the reclaimed support. If the reclaimed support cannot be set off within a reasonable period of time, the ARIB has the right to refer the decision to reclaim support to compulsory enforcement in accordance with the rules provided in the Code of Enforcement Procedure.

§ 126. Penalty for late payment and interest

(1) If support is not repaid by the due date for repayment of support or support is not set off, the beneficiary must pay a penalty for late payment of 0.06 per cent per each calendar day by which repayment of support is delayed. The calculation of a penalty for late payment terminates once the amount of the penalty for late payment exceeds the amount of reclaimed support serving as the basis for its calculation.

(2) In the event of postponement of repayment of support, the beneficiary pays interest as of the day following the due date provided in subsection 1 of § 124 of this Act. The rate of interest on the outstanding balance of the returned support is six months' Euribor plus three per cent per annum. Six months' Euribor is based on the banking day preceding the making of the decision to postpone repayment of support. Calculation of interest is based on a 360-day period. Where Euribor is negative, the total percentage rate of less than one is not applied.

(3) Penalties for late payment and interests are not charged from state agencies unless the European Commission demands payment of a penalty for late payment or interest from the state. In such case the state charges a penalty for late payment or interest to the extent of the amount of penalty for late payment paid to the European Commission.

(4) The provisions of clause 1 of § 23 of the State Liability Act do not apply to the implementation of the common agricultural policy measures.

Chapter 15 Liability

§ 127. Violation of requirement to submit data

(1) Failure to submit market information for the implementation of the common agricultural policy measures is punishable by a fine of up to 100 fine units.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.

§ 127¹. Violation of requirements of European Union quality scheme

(1) Violation of the right of use provided for in Article 36 of Regulation (EU) 2024/1143 of the European Parliament and of the Council and of the notification obligation provided for in Article 39(1) or Article 116a(3) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council, for a product with a protected designation of origin or a protected geographical indication produced, processed, packaged or bottled in Estonia is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 32,000 euros.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

§ 128. Proceedings

Extra-judicial proceedings concerning the misdemeanours provided for in §§ 127 and 127¹ of this Act are conducted, within the limits of their competence, by the ARIB or the Agriculture and Food Board.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

Chapter 16 Implementing Provisions

§ 129. Accreditation of paying agency

The paying agency accredited in accordance with the rules in force before 1 January 2023 continues to perform the functions of the paying agency with regard to the duties provided in the accreditation decision.

§ 130. Application of Act to administrative contracts entered into before entry into force of this Act

Administrative contracts entered into on the basis of subsection 2 of § 6, subsection 7 of § 65 or subsection 2 of § 68 of the European Union Common Agricultural Policy Implementation Act in force before 1 January 2023 and effective at the time of entry into force of this Act are effective until the date specified in the contract.

§ 131. Application of Act to other contracts entered into before entry into force of this Act

(1) Contracts entered into on the basis of subsection 1 of § 85 or subsection 2 of § 86 of the European Union Common Agricultural Policy Implementation Act in force before 1 January 2023 and effective at the time of entry into force of this Act are effective until the date specified in the contract.

(2) Public contracts for the provision of advisory and training services and carrying out of long-term knowledge transfer programmes entered into as a result of public procurements organised on the basis of § 71 of the European Union Common Agricultural Policy Implementation Act in force before 1 January 2023 are effective until the date specified in the contract.

§ 132. Validity of legislation

(1) The legislation established on the basis the European Union Common Agricultural Policy Implementation Act (RT I, 04.12.2014, 3) remain in force until repeal thereof, but not for longer than until 31 December 2035.

(2) From 2023 to 2025, the minister in charge of the policy sector may amend the legislation specified in subsection 1 of this section.

§ 133. Participation in common agricultural policy measures

(1) The rights and obligations created in the course of participation in the common agricultural policy measures on the basis of the European Union Common Agricultural Policy Implementation Act in force before 1 January 2023 also remain effective after entry into force of this Act.

(2) In case of participation in the common agricultural policy measures on the basis of the European Union Common Agricultural Policy Implementation Act in force before 1 January 2023, challenge proceedings must be conducted on the conditions and in accordance with the rules provided in the Administrative Procedure Act and this Act before filing an appeal with the administrative court.

§ 134. Local action group

The local action group specified in Chapter 5 of this Act is deemed to be a local action group, proceeding from Article 33 of Regulation (EU) 2021/1060 of the European Parliament and of the Council.

§ 135. Database of traders of fruit and vegetables and special label authorisation

(1) The database of traders of fruit and vegetables specified in subsection 3 of § 88 of this Act is deemed to mean the database of traders of fruit and vegetables established on the basis of the legislation in force before entry into force of this Act.

(2) Special label authorisations specified in subsection 4 of § 88 of this Act that have been issued in accordance with the rules in force before entry into force of this Act remain valid until the expiry of their term of validity.

§ 136. Validity of recognition of food quality schemes

Food quality schemes recognised on the basis of the European Union Common Agricultural Policy Implementation Act in force before 1 January 2023 are deemed to be quality schemes recognised on the basis of this Act.

§ 137. Validity of recognition of producer groups

Recognition of the producer groups recognised on the basis of § 88 of the European Union Common Agricultural Policy Implementation Act in force before 1 January is effective until the end of participation in the common agricultural policy measures.

§ 138. Reclaiming of support granted before entry into force of this Act

(1) Support granted on the basis of the European Union Common Agricultural Policy Implementation Act in force before 1 January 2023 is reclaimed on the grounds and in accordance with the rules provided in this Act.

(2) In the case of support reclaimed before entry into force of this Act, penalties for late payment and interests are calculated at the rates provided in this Act on the part of the support repayable as at 1 January 2023.

(3) In case of support reclaimed before entry into force of this Act, the provisions of subsection 5 of § 124 of this Act apply to payments received as of 1 January 2023.

§ 139. Agricultural support and agricultural parcels register

The agricultural support and agricultural parcels register specified in subsection 1 of § 112 of this Act is deemed to mean the agricultural support and agricultural parcels register established on the basis of the legislation in force before entry into force of this Act.

§ 140. Establishment of conditions for granting support before approval of strategic plan

(1) The conditions for granting support may be established by the minister in charge of the policy sector before the approval of the strategic plan by the European Commission.

(2) The grant of support under the strategic plan is not decided before the approval of the strategic plan by the European Commission.

(3) Where the draft strategic plan differs from the approved strategic plan, the conditions for granting support established before the approval of the strategic plan which are in conflict with the approved strategic plan may be amended.

(4) If the conditions for granting support are amended in accordance with subsection 3 of this section, a time limit will be set to the applicants for bringing applications into compliance with the conditions for granting

support. If an applicant refuses to amend the application or does not amend the application within the set time limit, a decision on refusal to grant the application is made.

§ 140¹. Continuation of recognition granted for determining quality classes of bovine, pig and lamb carcasses

(1) A person who has been granted recognition for determining the quality classes for bovine, pig and lamb carcasses before 1 January 2025 must comply with the requirements provided for in subsection 3¹ of § 87 of this Act by 1 January 2026 at the latest.

(2) Where a person fails to comply with the obligation provided for in subsection 1 of this section, the recognition granted for determining the quality classes of bovine, pig and lamb carcasses ceases to be valid on 2 January 2026.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

§ 140². Entry of data contained in database of traders of fruit and vegetables in national register of food and feed business operators

The database of traders of fruit and vegetables specified in subsection 2 of § 88 of this Act in force before the entry into force of this section is liquidated and the data thereof are entered in the national register of food and feed business operators.

[RT I, 14.02.2025, 2 – entry into force 24.02.2025]

§ 141.–§ 144.[The provisions on amendment of other Acts have been omitted from the translation.]

§ 145. Repeal of Act

The European Union Common Agricultural Policy Implementation Act (RT I, 04.12.2014, 3) is repealed.

§ 146. Entry into force of Act

This Act enters into force on 1 January 2023.