GUIDANCE DOCUMENT ON AID APPLICATIONS AND PAYMENT CLAIMS REFERRED TO IN
ART. 72 OF REGULATION (EU) 1306/2013¹

CLAIM YEAR 2018 ONWARDS²

This document is referred to as "aid applications guidance"

This document provides for guidance on the elaboration of aid applications (direct payments) and payment claims (rural development measures in the scope of IACS) referred to in Art. 72 of Regulation (EU) No 1306/2013, Art. 11 to 14 of Regulation (EU) No 640/2014 and Art. 11 to 21 of Regulation (EU) No 809/2014, as well as its Art. 22.

The purpose of this note is to give guidance to Member States (MS) on how the legal provisions in reference are best met, it is not to repeat what is in the legislation. In case part of the work related to aid applications and payment claims is contracted out/delegated, it remains the responsibility of the MS that the work is carried out in line with the applicable legislation and to the standard required. Detailed guidelines for the purpose of instructing the contractor are also the responsibility of the individual MS opting for sub-contracting.

This guidance is either derived directly from the mentioned legal provisions or, whilst not expressing straight-forward legal obligations, it constitutes recommendations by the Commission services to the Member States.

It should be emphasised that this guidance is aimed at guiding MS in developing aid applications in a way that assists beneficiaries in declaring correctly. It is provided for information purposes only and is not a legally binding document. It was prepared by Commission services and does not commit the European Commission. In the event of a dispute involving Union law it is, under the Treaty on the Functioning of the European Union, ultimately for the Court of Justice of the European Union to provide a definitive interpretation of the applicable Union law.

¹ This guidance document does not prejudge other specific documents for certain rural development measures or cross-compliance obligations to be more restrictive. If this is the case the latter, more specific, would take precedence.

² MS that use the derogation for the GSAA implementation deadline may continue using the guideline for claim year 2017 (DSCG/2014/39 FINAL – REV 2).
1. ACRONYMS USED / TERMINOLOGY FOR THE PURPOSE OF THIS DOCUMENT

"Beneficiary": as defined in Art. 2(1) of Regulation (EU) No 640/2014

"Aid application", "Area related aid schemes": terminology used in the context of Direct Payment

"Payment claim", "Area related support measures": terminology used in the context of Rural Development

GIS: Geographical Information System

GSAA: Geo-Spatial Aid Application

"Use": as defined in Art. 2(1) of Regulation (EU) No 640/2014

"Pre-established information"= information that is given by the competent authority to the beneficiaries in the pre-established forms and graphical material (maps) referred to in Art. 72(3) of Regulation (EU) No 1306/2013.

"Pre-established area"= the area of an agricultural parcel which is pre-registered in the GSAA system; it corresponds to the declared area of the previous claim year or where relevant to the determined area.

"Calculated area"= in the context of the GSAA, the alphanumerical area given by the GIS tool when drawing a new polygon or when changing the border of an existing polygon; this should be given to the beneficiary when filling in his/her GSAA.

"Declared area"= the area that the beneficiary has declared in his/her aid application or payment claim.
2. **INTRODUCTION**

In accordance with Art. 72 of Regulation (EU) No 1306/2013 in view of receiving payments, beneficiaries shall submit an aid application for direct payments or a payment claim for the relevant area and animal-related rural development measures. For that purpose, in view of facilitating the submission by the beneficiaries, to reduce the risk of errors and to make administrative cross-checks more efficient, MS shall provide the pre-established forms based on the areas determined in the previous year in an electronic format and the corresponding map through a software application based on a geographic information system (GIS), i.e. the so-called geo-spatial aid application (GSAA).

The GSAA should contain all relevant information described in the sections below and should provide for as much as possible "guiding alerts" to the beneficiary (see section 5.). The objective is to increase the awareness of the beneficiary of the conditions of eligibility and the consequences of the declaration s/he has the intention to submit and convey him/her to adapt his declaration before submitting it definitively.

Only for beneficiaries who are not in the position to submit the aid applications via the GSAA system, the competent authority shall provide the beneficiary in accordance with Art. 17 of Regulation (EU) No 809/2014 either with:

- the required technical assistance; or
- the pre-established forms and the corresponding map on paper. In this case, the information received on paper should be transcribed into the geo-spatial aid application form by the competent authority.

MS are expected to pre-establish the information in the GSAA in a way that will assist the farmer as much as possible in submitting a correct declaration. The GSAA should also be designed in a way that minimises the burden for the farmer. For that purpose, it is recommended to use as much as possible data derived from data sources at the disposal of national authorities for the purpose of aid applications and payment claims (cf. Art. 11(2) of Regulation (EU) No 809/2014 on simplification of procedures).

As regards graphic material, it is essential to provide beneficiaries with the most up-to-date ortho-photo as a basis for the spatial declaration in the GSAA. If considered helpful to assist the applicants’ spatial declaration, MS may provide them with recent Sentinels images although, due to their lower resolution compared to ortho-photos, they are not considered acceptable as the sole basis for making spatial declarations. Similarly, where checks by monitoring are applied, information stemming from monitoring (e.g. on mowing status, crop identified, etc.) may be provided to applicants if considered helpful to assist the applicants’ spatial declaration.

Attention should be given, however, not to overload the beneficiaries with information; the GSAA design and content should effectively assist beneficiaries in declaring correctly.

However, it is recalled that, in any case, the beneficiaries remain responsible for submitting a correct aid application or payment claim.
3. **SCOPE OF THE SINGLE APPLICATION**

The single application should at least cover the aid applications and all relevant information for the following area related aid schemes (direct payments):

- the BPS/SAPS;
- the greening payment;
- the redistributive payment;
- the payment for areas with natural constraints;
- the payment for young farmers;
- the area-related voluntary coupled support(s) (VCS);
- the crop-specific payment for cotton;
- the small farmers scheme (SFS).

It is strongly recommended also to cover the payment claims and applications for support for area-related support measures (e.g. AECM, Natura 2000 payment, etc.), as well as applications for (first) allocation or increase of the value of payment entitlements within the single application to facilitate their filling in and submission by the beneficiaries.

4. **AID APPLICATION: AREA RELATED ISSUES**

4.1. **Reference parcels**

Pre-established information in the GSAA:

The GSAA shall specify the maximum eligible area (MEA) per reference parcel for the relevant direct payment schemes and the rural development measures (cf. Article 17(4) of Regulation (EU) No 809/2014). Per scheme or measure different eligibility criteria might apply and different reference parcels or reference parcels with several MEAs might exist and should be specified.

The main objective of the GSAA is to support beneficiaries and to reduce the risk of errors. Therefore, it should be properly explained to the applicant (in the GSAA or in accompanying information) how the MEA is calculated, e.g. based on measurement of the reference parcel area (which might not be the same as the agricultural parcel) and e.g. the application of a pro-rata.

The corresponding map shall show the boundaries and, if considered useful/necessary by the MS, the unique identification of the reference parcels as referred to in Art. 5(1) of Regulation (EU) No 640/2014 in combination with the most recent coloured ortho-photo or, in case the current ortho-imagery extracted from the LPIS is more recent, the later should be used. For the other information mentioned in Art. 5(2)(d) it is recommended to also make those areas, including their boundaries, visible on the map (see LPIS guidance document DSCG/2014/33) if it does not compromise the readability of the map. Otherwise this information should be provided with the GSAA.
Action of the beneficiary in the GSAA:

Based on this pre-established graphical material, beneficiaries are expected to declare their agricultural parcels within the limits of the reference parcels. However, in case the MEA is not correct (too big or too small according to the beneficiary) or the beneficiary disagrees with the reference parcel boundaries, the beneficiary should indicate this in his/her single application. Such indications may trigger an update of the reference parcels in the LPIS, to be done by the competent authority taking into account the relevant guidance documents and technical specifications. Note that the need for update should be assessed by the competent authority already for the claim year where the change has been submitted by the beneficiary. It should not wait for the next regular update of the LPIS. This is particularly important in 2018 where the changes introduced by Regulation (EU) 2017/2393 (hereinafter Omnibus) could have implications on changes in the LPIS (see LPIS guidance document DSGC/2014/33).

4.2. Agricultural parcels: declaration of boundaries and areas

The definition of agricultural parcels given in Art. 67(4) of Regulation (EU) No 1306/2013 is elaborated in section 2.2 of the OTSC guidelines (DSCG/2014/32).

Pre-established information in the GSAA:

The areas and boundaries of the agricultural parcels of the beneficiary, which were declared/determined in the previous year for the purposes of the BPS/SAPS and/or area-related RD measures shall be visible in the GSAA. It is strongly recommended to also show the declared/determined boundaries and areas of other surrounding agricultural parcels which were declared by other beneficiaries in the current year or, if not available, in previous years so as to discover overlaps already during the process of submitting applications. A clear distinction between the parcels of the beneficiary concerned and the parcels of the other beneficiaries should be made. Where MS, after the final submission of the aid application in the previous year, are informed that specific agricultural parcels, most likely, will be declared by another beneficiary (as an example due to a transfer of a holding in accordance with Art. 8 of Regulation (EU) No 809/2014), MS may decide to also include those agricultural parcels in the pre-established information of that other beneficiary.

Action of the beneficiary in the GSAA:

The beneficiary must spatially declare all the agricultural parcels on the holding and areas referred to under Art. 32(2)(b) of Regulation (EU) No 1307/2013 (irrespective of whether claiming aid on it or not) as well as non-agricultural land for which support under rural development is claimed. An exception is provided for farmers participating in the Small Farmers Scheme, if the MS decides to use the option set out in Art. 72(2)(b) of Regulation (EU) No 1306/2013; these beneficiaries do not need to declare the agricultural parcels on which an application for payment is not made, unless such a declaration is required for the purpose of other aid or support. The beneficiary has to unambiguously identify and declare the area of each agricultural parcel on his/her holding. In order to minimise the need for beneficiaries to draw boundaries on the map, the beneficiaries may simply confirm the agricultural parcels from last year when there is no change or only draw the changes/corrections.
Concerning the spatial declaration of agricultural parcels, the following workflow should be followed:

1. **Localise the agricultural parcel on the map:**

   Indicate on the map the location of the agricultural parcels, either by:
   - confirming a pre-established existing agricultural parcel, or;
   - changing/correcting the boundaries of the pre-established agricultural parcel, or;
   - drawing a completely new agricultural parcel.

   It is recommended to use available GIS-tools in such a way that the beneficiary has to draw as few new boundaries as possible. For instance, where two pre-established adjacent agricultural parcels need to be declared as one big new agricultural parcel, it should not be necessary to draw new boundaries at all. Another example is where a pre-established agricultural parcel needs to be split into two separate agricultural parcels, only the new boundary between the two agricultural parcels should have to be drawn.

   The GSAA system should then calculate the area based on the surface covered by the polygon of the agricultural parcel and display it alphanumerically to the beneficiary ("calculated area").

2. **Declare the area:**

   Based on this "calculated area" the beneficiary should either:
   - a) Confirm this calculated area as his/her declared area, or;
   - b) Redo step 1 or;
   - c) Change the calculated area alphanumerically into the area s/he intends to declare as per the GSAA. If the difference between the "calculated area" and the alphanumerically declared area goes beyond the technical tolerance, the GSAA system should guide the beneficiary to redo step 1 (draw the new -or change pre-established- boundaries on the map).

   Member States may decide not to use the possibility to change alphanumerically the calculated area (under c) at all.

   The "calculated area" by the GSAA confirmed by the beneficiary (a) or the area changed within the margin by the beneficiary (c) should be considered as the declared area. This should be clearly indicated by the GSAA meaning that there is no misunderstanding about the declared area.

3. **Adding additional information:**

   The beneficiary should have the possibility to indicate all possible uses, e.g. different crops. The crops of the agricultural parcels should be indicated by adding that information for each agricultural parcel. In case where different crops, relevant for the different aid schemes, follow each other on the same area (for
instance vegetables, or catch crops qualifying for EFA), they should be indicated as well.

All other relevant information should be indicated per agricultural parcel.

4.3. **Agricultural parcels: declaration of the uses, EFA, rural development commitments, etc.**

4.3.1. **General principles**

Pre-established information in the GSAA:

Information such as the use, presence of EFAs, greening equivalence, etc. linked to the agricultural parcels determined the previous year should be pre-established. Where a MS adopts the monitoring approach, information on the use/land cover stemming from the automated analysis of Sentinels data or similar data of equivalent value may be provided to beneficiaries if considered helpful to assist them in declaring correctly.

Action of the beneficiary in the GSAA:

The beneficiary can either confirm or adapt the information.

When declaring the uses of the agricultural parcels, beneficiaries may be given the possibility, under certain conditions, to make a simplified declaration. As an example, beneficiaries having less than 10 hectares of arable land are exempted from EFA and crop diversification. In absence of voluntary coupled support and of areas with grass or other herbaceous forages, such beneficiary does not need to declare the details of the crops. The beneficiaries falling under the exemptions of Art. 44(3)(a) and (b) or 46(4) of Regulation (EU) No 1307/2013 could declare only the details of the crops which demonstrate their exemption. However, beneficiaries close to the exemption thresholds for crop diversification could be advised to still declare all their crops or, for EFA, to still declare the EFAs at their disposal (see OTSC guidelines DSCG/2014/32).

As regards the ban on the use of plant production products on certain EFAs, the aid-application should, where relevant, include a specific statement by the beneficiary indicating that (s)he is aware of this ban, which should allow the administration to carry out administrative checks as referred to in the explanatory note "On the implementation by Member States of certain provisions of the greening scheme (Based on Commission Delegated Regulation (EU) No 639/2014 amended by Commission Delegated Regulation (EU) 2017/1155)" (DS/EGDP/2017/01).

4.3.2. **Declaration of permanent grassland: eligibility and greening**

Pre-established information in the GSAA:

Areas covered with permanent grassland should be made visible, including their geo-localised boundaries. For areas of permanent grassland the following details should be indicated:

- Whether the MEA is established using the pro rata (Art. 10 of Regulation (EU) No 640/2014); relevant information regarding the criteria used to assess eligibility should be made available to the beneficiaries so that they can confirm or change the MEA calculated using the pro-rata;
• Whether it concerns permanent grassland on which established local practices in accordance with Art. 7 of Regulation (EU) No 639/2014 are applicable (PG-ELP), where such areas are separately identified in the LPIS (see LPIS guidelines DSCG/2014/33);

• Whether it concerns permanent grassland with a ban on conversion or ploughing in accordance with Art. 45(1) of Regulation (EU) No 1307/2013 (greening);

• Whether it concerns permanent grassland created due to an individual reconversion obligation in accordance with Art. 44(3) of Regulation (EU) No 639/2014 or Art. 93(3) of Regulation (EU) No 1306/2013. Since by way of derogation from Art. 4(1)(h) of Regulation (EU) No 1307/2013 such permanent grassland is considered to be permanent grassland as from the first day of reconversion and should at least stay permanent grassland for 5 consecutive years (or the remaining number of years to respect that period), it is necessary to follow specifically those areas and indicate the number of years.

It is also recommended to indicate the consecutive number of years for arable land declared as grasses or other herbaceous forage ("temporary grassland") in order to keep track of the moment the "temporary grassland" turns into permanent grassland (which may have an impact on greening requirements).

Action of the beneficiary in the GSAA:

The beneficiary should unambiguously identify (graphically) and declare the area (numerically) of each of his/her parcels of permanent grassland.

MS who apply the ‘ploughing-up’ option in the definition of PG, it is strongly recommended to require beneficiaries to indicate if a ploughing-up event has occurred since this information is relevant as regards the "5-years succession".

4.3.3. Declaration of the uses on arable land for crop diversification

Action of the beneficiary in the GSAA:

Regarding crop diversification, for beneficiaries with 10 hectares of arable land or more it is required to indicate the specific crops within each agricultural parcel of arable land in such a way that the classification defined under Art. 44(4) of Regulation (EU) No 1307/2013 is made possible.

The classification under Art. 44(4) is the following:

"For the purposes of this Article, a "crop" means any of the following:

(a) a culture of any of the different genera defined in the botanical classification of crops;

(b) a culture of any of the species in the case of Brassicaceae, Solanaceae, and Cucurbitaceae;

(c) land lying fallow;

(d) grasses or other herbaceous forage;
Winter crop and spring crop shall be considered to be distinct crops even if they belong to the same genus. Triticum spelta shall be considered to be a distinct crop from crops belonging to the same genus."

For instance, as vegetables can potentially be classified under points (a) or (b) of this Article, depending of the botanical family of the vegetable, it should be declared as genera if the family is part of point (a) or as species if the family is part of point (b).

As a general principle, for each agricultural parcel, only the crop present in the field during the major part of the "crop diversification period" (defined by MS according to Art. 40(1) of Regulation (EU) No 639/2014) should be declared by beneficiaries in the single application.

Following recital 40 of Regulation (EU) No 639/2014 the "crop diversification period" should be set taking account of the practical timing of crop cultivation activities and the need to allow a simple administration. Moreover, as stated in Art. 40 of the same Regulation, the "crop diversification period" shall be the most relevant part of the cultivation period taking account of the traditional cultivation practices in the national, regional or appropriate subregional context.

Therefore the "crop diversification period" should be based mainly on late spring-summer, as this is the period when the most cultivated crops in Europe are traditionally present. In addition, the length of the period should be limited in order to allow an effective control of the shares. Thus a period of maximum 3 months is recommended.

Given that controls are normally performed during the crop diversification period, it is not recommended to set the period in a way that it coincides with the application period and the period for amendments.

Where relevant for EFA and/or specific schemes (e.g. VCS) or support measures, beneficiaries might also be required to declare specifically for those purposes the crop following (or where relevant, preceding) the crop present during the major part of the "crop diversification period".

Certain areas declared as EFA can be counted for the purpose of crop diversification following the table below (other EFAs are to be dealt with under Art. 40(2) of Regulation (EU) No 639/2014 in the context of crop diversification whilst some others are not to be considered for crop diversification):

<table>
<thead>
<tr>
<th>Type of EFA (not exhaustive)</th>
<th>Uses that can be declared in the aid application</th>
<th>Crop diversification classification (Art. 44(4) of R.1307/2013)</th>
</tr>
</thead>
</table>

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3 The administrative controls of the applications should include a plausibility check, based on the declaration of those crops, whether the beneficiaries are exempted, whether they fulfil the relevant shares for crop diversification or whether they comply with the CD via an equivalent measure.

4 It is reminded that as a general principle, the OTSC should be performed in the appropriate period in order to sufficiently target the risks related to the obligation (see OTSC guidance for claim year 2018 DSCG/2014/32).
<table>
<thead>
<tr>
<th><strong>Land lying fallow/ land lying fallow with melliferous plants</strong></th>
<th><strong>Land lying fallow</strong></th>
<th>(c)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Field Margin</strong>&lt;sup&gt;5&lt;/sup&gt;</td>
<td>Use on the parcel which the &quot;field margin&quot; is the margin of&lt;sup&gt;6&lt;/sup&gt;</td>
<td>(a), (b), (c) or (d)</td>
</tr>
<tr>
<td><strong>Ineligible (for BPS/SAPS) Field Margin</strong></td>
<td>&quot;Other uses&quot; (see Art. 17(9) of R.809/2014)</td>
<td>The area does not count for crop diversification</td>
</tr>
<tr>
<td><strong>Buffer Strips</strong>&lt;sup&gt;5&lt;/sup&gt;</td>
<td>Use on the parcel which the buffer strip is making a buffer with&lt;sup&gt;7&lt;/sup&gt;</td>
<td>(a), (b), (c) or (d)</td>
</tr>
<tr>
<td><strong>Buffer strips of permanent grassland</strong></td>
<td>Permanent grassland</td>
<td>The area does not count for fulfilling the shares of crop diversification</td>
</tr>
<tr>
<td><strong>Ineligible (for BPS/SAPS) buffer strips</strong></td>
<td>&quot;Other uses&quot; (see Art. 17(9) of R.809/2014)</td>
<td>The area does not count for crop diversification</td>
</tr>
</tbody>
</table>
| **Hectares of agro-forestry** | Use on the parcel | If arable land: (a), (b), (c) or (d)  
If permanent grassland or permanent crops: the area does not count for crop diversification |
| **Strips of eligible ha along forest edges WITH PRODUCTION** | Use on the strip | (a), (b) or (d) |

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<sup>5</sup> In the context of EFA, it is expected that a visual distinction exists in cover between the field margin and the parcel to which the field margin is part of / adjacent to in order for the field margin to qualify as EFA. The same applies to buffer strip and strips along forest edges without production.

<sup>6</sup> Use on the field margin could also be declared by the beneficiary, i.e. land laying fallow (44(4)(c) of R.1307/2013) if the MS opted for such an approach. Administrative burden (declaration, delineation and control of additional uses) should be considered when making such a choice.

<sup>7</sup> Use on the buffer strip could also be declared by the beneficiary, i.e. land laying fallow (44(4)(c) of R.1307/2013) if the MS opted for such an approach. Administrative burden (declaration, delineation and control of additional uses) should be considered when making such a choice.
<table>
<thead>
<tr>
<th>WITHOUT PRODUCTION&lt;sup&gt;5&lt;/sup&gt;</th>
<th>Use on the parcel which the strip is part of&lt;sup&gt;8&lt;/sup&gt;</th>
<th>(a), (b), (c) or (d)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Areas with short rotation coppice</td>
<td>Short rotation coppice</td>
<td>The area does not count for crop diversification</td>
</tr>
<tr>
<td>Afforested areas as referred to in Art. 32(2)(b)(ii) of R.1307/2013</td>
<td>Afforested areas</td>
<td>The area does not count for crop diversification</td>
</tr>
<tr>
<td>Areas with nitrogen fixing crops</td>
<td>The type of the nitrogen fixing crop</td>
<td>(a)&lt;sup&gt;9&lt;/sup&gt;</td>
</tr>
</tbody>
</table>

Attention is drawn to the provision on landscapes features as referred to in Art. 40(2) of Regulation (EU) No 639/2014 when declaring the area to be taken into account for the calculation of the share (see OTSC guidelines DSCG/2014/32: "For that purpose, farmers have the flexibility to choose to include the bordering landscape features between two crops in one or the other crop area or to distribute it between the 2 with a "logical" approach (e.g. if a pond is located partly on a crop area and partly on another crop area, its area should be distributed to each crop for the proportion which is on each type of crop)").

4.4. Finally, the level of details of the uses on the agricultural parcels to be declared in the aid applications also depends on the eligibility criteria defined by MS for the area-related VCS. Declaration of individual Ecological Focus Areas

Pre-established information in the GSAA:

Information from the EFA layer has to be shown to beneficiaries, i.e. the EFAs determined in the previous year shall be pre-established. It is also recommended that information on EFAs at the borders between two parcels be provided, including the EFAs declared by other beneficiaries in the surrounding agricultural parcels. However, the EFAs of the beneficiary in question should be distinguishable from the EFAs declared by other beneficiaries.

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8 Use on the strip of eligible ha along forest edges without production could also be declared by the beneficiary, i.e. land laying fallow (44(4)(c) of R.1307/2013) if the MS opted for such an approach. Administrative burden (declaration, delineation and control of additional uses) should be considered when making such a choice.

9 Based on the recent Commission interpretation on the classification of pure leguminous as crops, pure alfalfa and clover should be classified as a crop pursuant to letter (a) of Article 44(4) of Regulation (EU) 1307/2013 and not as grass pursuant to letter (d) of the same Article. Where for the 2015 claim year farmers, acting in good faith, considered pure leguminous crop such as alfalfa as "grassess" further to letter (d) of Article 44(4) of the above mentioned Regulation in respect of fulfilling the crop diversification requirement, those farmers, exceptionally in the claim year 2015, should not face negative consequences.
Action of the beneficiary in the GSAA:

Beneficiaries shall indicate the location (in or, where applicable adjacent to, the agricultural parcels of arable land), size and type of the EFAs to be declared for the fulfilment of the EFA requirement. The same applies to equivalent practices with EFAs which are listed under Annex IX of Regulation (EU) No 1307/2013.

The spatial declaration of EFAs as polygons should follow a workflow similar to the one for agricultural parcels described in section 4.2.

In case the EFAs concerned are treated with conversion factors, the beneficiary should clearly indicate on the map the location (by drawing a line, a dot, an arrow or a cross) and alphanumerically add the relevant information in particular for linear EFAs the length. As regards EFAs where conversion factors apply, the "calculated area" should be calculated by multiplying the conversion factor by the declared length for linear EFAs.

Where the conversion factors are not applicable, the EFAs should be declared following the same principles as agricultural parcels (boundaries + areas).

It is expected that areas - the ones that are eligible for BPS/SAPS - declared by a beneficiary as qualifying for EFAs are also declared by the same beneficiary for the purpose of BPS/SAPS. In other words, a hedge part of a field which is declared as eligible under BPS/SAPS by a beneficiary cannot be declared by another beneficiary for the purpose of greening (EFA).

As only EFAs declared for the purpose of the fulfilment of the "5% EFA" should be taken into account for the determination of the requirement (see OTSC guidelines, DSCG/2014/32), it should be recommended to the beneficiaries where possible, to declare more EFAs than what is strictly required. This is however without prejudice to the possibility to compensate EFAs referred to the OTSC guidelines, DSCG/2014/32.

As regards the ban of use of plant protection products (PPP) on certain EFAs, beneficiaries should be asked to tick a box to expressly indicate they are aware they should comply with the ban.

5. AUTOMATED CONTROLS AND GUIDING ALERTS DURING THE SUBMISSION OF AN APPLICATION

MS are invited to use as much as possible guiding alerts, i.e. messages informing the farmer on possible non-compliances with eligibility criteria, commitments and other obligations before the definitive submission of the application.

The GSAA makes it possible to check a number of conditions during the submission of the application. In particular, the beneficiary should be warned about:

− Missing data or missing declarations/statement/documents

The beneficiary should be warned about missing/incomplete data, in particular about specific statements which are required (e.g. concerning the active farmer or the ban of use of pesticides).
− Declaration out of the reference parcel:

The spatial declaration of an agricultural parcel outside the reference parcel should normally not be possible and therefore trigger an alert by the system to the beneficiary. In case s/he wants to bypass the alert, the system should require the beneficiary to indicate the reason why the reference parcel is incorrect or incomplete. The GSAA system should store all such indications of incorrect reference parcels. Based on such indications and taking into account the reasons given by the beneficiary, the need of an update of the reference parcels should be assessed by the competent authority.

− Overlap of areas:

In case of conditions where several beneficiaries are involved (for instance a possible over declaration of the MEA of a reference parcel by several beneficiaries) the GSAA system should inform all the beneficiaries concerned. The provision provided for in Art. 29(3) of Regulation (EU) No 809/2014 may be taken into account. All the beneficiaries should then be made aware of this possible error and should have the possibility to adapt the application within the regulatory deadlines. When the GSAA has already been submitted definitively, the beneficiary could still amend, under certain conditions, the application without any penalty until the last day of amendments to the single application or payment claim (see Art. 15 of Regulation (EU) No 809/2014).

− EFA:

Based on the declared information, the GSAA system should calculate if the "5% EFA" has been reached.

− Calculation of exemption or shares for greening:

The GSAA system should provide for information to the beneficiaries whether he fulfils the greening requirements based on his/her declaration or whether s/he is exempted. In general where a beneficiary based on his/her declaration seems to be exempted (for instance below 10 hectares of arable land) the check should be done whether the beneficiary has declared alphanumerically less arable land than calculated based on his/her calculated areas of the polygons involved.