

**COMMISSION IMPLEMENTING DECISION (EU) 2022/2262****of 11 November 2022****excluding from European Union financing certain expenditure incurred by the United Kingdom under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD)***(notified under document C(2022)7871)***(Only the English text is authentic)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy 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 <sup>(1)</sup>, and in particular Article 52 thereof, in conjunction with Articles 131 and 138 of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community,

After consulting the Committee on the Agricultural Funds,

Whereas:

- (1) In accordance with Article 52 of Regulation (EU) No 1306/2013, the Commission is to carry out the necessary verifications, communicate to the United Kingdom the results of those verifications, take note of the comments provided by the United Kingdom, initiate a bilateral discussion so that an agreement may be reached and formally communicate its conclusions to the United Kingdom.
- (2) The United Kingdom has had an opportunity to request the launch of a conciliation procedure. That opportunity has not been used.
- (3) In accordance with Regulation (EU) No 1306/2013, only agricultural expenditure, which has been incurred in a way that has not infringed Union law may be financed.
- (4) In the light of the verifications carried out and the outcome of the bilateral discussion, part of the expenditure declared by the United Kingdom does not fulfil this requirement and cannot therefore be financed under the EAGF and the EAFRD.
- (5) The amounts that are not recognised as being chargeable to the EAGF and the EAFRD should be indicated. Those amounts do not relate to expenditure incurred more than twenty-four months before the Commission's written notification of the results of the verifications to the United Kingdom.
- (6) The amounts excluded from Union financing by this Decision should also take into account any reductions or suspensions in accordance with Article 41 of Regulation (EU) No 1306/2013 due to the fact that such reductions or suspensions are of a provisional nature and without prejudice to decisions taken pursuant to Articles 51 or 52 of that Regulation.
- (7) As regards the cases covered by this Decision, the assessment of the amounts to be excluded on grounds of non-compliance with Union law was notified by the Commission to the United Kingdom in a summary report on the subject <sup>(2)</sup>.
- (8) This Decision is without prejudice to any financial conclusions that the Commission may draw from the judgments of the Court of Justice of the European Union in cases pending on 21 September 2022,

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 549.

<sup>(2)</sup> Ares(2022)6655537.

HAS ADOPTED THIS DECISION:

*Article 1*

The amounts set out in the Annex and related to expenditure incurred by the United Kingdom's accredited paying agencies and declared under the EAGF and the EAFRD shall be excluded from Union financing.

*Article 2*

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 11 November 2022.

*For the Commission*  
Janusz WOJCIECHOWSKI  
*Member of the Commission*

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## Budget Item: 6200

Member State	Measure	FY	Reason	Type	Correction %	Currency	Amount	Deductions	Financial Impact
<b>GB</b>	Cross-compliance	2018	CY 2017	FLAT RATE	2,00%	EUR	- 566 913,74	- 22 814,34	- 544 099,40
	Cross-compliance	2019	CY 2017	FLAT RATE	2,00%	EUR	- 26 004,08	- 824,60	- 25 179,48
	Cross-compliance	2020	CY 2017	FLAT RATE	2,00%	EUR	- 3 623,70	0,00	- 3 623,70
	Cross-compliance	2019	CY 2018	FLAT RATE	2,00%	EUR	- 3 768 822,41	- 100 974,81	- 3 667 847,60
	Cross-compliance	2020	CY 2018	FLAT RATE	2,00%	EUR	- 8 120,58	0,00	- 8 120,58
	Cross-compliance	2020	CY 2019	FLAT RATE	2,00%	EUR	- 3 805 285,77	- 78 804,23	- 3 726 481,54
	Clearance of Accounts - Financial Clearance	2020	Known and random errors EAGF IACS	ONE OFF		EUR	- 305 991,12	0,00	- 305 991,12
	Clearance of Accounts - Financial Clearance	2020	Known error EAGF Non-IACS	ONE OFF		EUR	- 52 757,63	0,00	- 52 757,63
	Clearance of Accounts - Financial Clearance	2020	Known error EAGF Non-IACS - F&V	ONE OFF		EUR	- 623,79	- 623,79	0,00
						<b>Total GB:</b>	<b>EUR</b>	<b>- 8 538 142,82</b>	<b>- 204 041,77</b>

Currency	Amount	Deductions	Financial Impact
<b>EUR</b>	- 8 538 142,82	- 204 041,77	- 8 334 101,05

**Budget Item: 6201**

Member State	Measure	FY	Reason	Type	Correction %	Currency	Amount	Deductions	Financial Impact
<b>GB</b>	Clearance of Accounts - Financial Clearance	2020	Calculated correction EAFRD IACS	ONE OFF		EUR	- 176 260,63	0,00	- 176 260,63
	Cross-compliance	2018	CY 2017	FLAT RATE	2,00%	EUR	- 264 138,40	- 70,19	- 264 068,21
	Cross-compliance	2019	CY 2017	FLAT RATE	2,00%	EUR	- 100 396,25	- 25,86	- 100 370,39
	Cross-compliance	2020	CY 2017	FLAT RATE	2,00%	EUR	- 3 228,80	0,00	- 3 228,80
	Cross-compliance	2021	CY 2017	FLAT RATE	2,00%	EUR	- 4 028,24	0,00	- 4 028,24
	Cross-compliance	2018	CY 2018	FLAT RATE	2,00%	EUR	- 631,32	0,00	- 631,32
	Cross-compliance	2019	CY 2018	FLAT RATE	2,00%	EUR	- 24 408,70	- 5,57	- 24 403,13
	Cross-compliance	2020	CY 2018	FLAT RATE	2,00%	EUR	- 25 273,34	0,00	- 25 273,34
	Cross-compliance	2021	CY 2018	FLAT RATE	2,00%	EUR	- 1 631,77	0,00	- 1 631,77
	Cross-compliance	2019	CY 2019	FLAT RATE	2,00%	EUR	- 874,82	0,00	- 874,82
	Cross-compliance	2020	CY 2019	FLAT RATE	2,00%	EUR	- 50 787,41	0,00	- 50 787,41
	Cross-compliance	2021	CY 2019	FLAT RATE	2,00%	EUR	- 17 381,35	0,00	- 17 381,35
	Cross-compliance	2020	CY 2020	FLAT RATE	2,00%	EUR	- 1 507,10	0,00	- 1 507,10
	Cross-compliance	2021	CY 2020	FLAT RATE	2,00%	EUR	- 64 003,64	0,00	- 64 003,64
	Clearance of Accounts - Financial Clearance	2020	Debt management EAFRD 2007-2013 and EAFRD 2014-2020	ONE OFF		EUR	- 149 505,26	0,00	- 149 505,26

Member State	Measure	FY	Reason	Type	Correction %	Currency	Amount	Deductions	Financial Impact
	Clearance of Accounts - Financial Clearance	2020	Known error EAFRD Non-AICS - Facilitation Fund	ONE OFF		EUR	- 1 798 731,05	0,00	- 1 798 731,05
	Clearance of Accounts - Financial Clearance	2020	Known errors items 14 and 57 EAFRD Non-IACS	ONE OFF		EUR	- 6 806,29	0,00	- 6 806,29
	Clearance of Accounts - Financial Clearance	2020	PIR EAFRD Non-IACS	ESTIMATED BY AMOUNT		EUR	- 5 810 207,16	0,00	- 5 810 207,16
					<b>Total GB:</b>	<b>EUR</b>	<b>- 8 499 801,53</b>	<b>- 101,62</b>	<b>- 8 499 699,91</b>

Currency	Amount	Deductions	Financial Impact
<b>EUR</b>	- 8 499 801,53	- 101,62	- 8 499 699,91