



Comité edroit rural –  
European Council for Rural  
Law – Europäische Gesells-  
chaft für Agrarrecht und das  
Recht des ländlichen Raums

**SGAR** Schweizerische Gesellschaft für Agrarrecht  
**SSDA** Société Suisse de Droit Agraire  
Sekretariat, Laurstrasse 10, 5200 Brugg

**Congrès européen de droit rural – 11–14 septembre 2013  
Lucerne (Suisse)**

**European Congress on Rural Law – 11–14 September 2013  
Lucerne (Switzerland)**

**Europäischer Agrarrechtskongress – 11.-14. September 2013  
Luzern (Schweiz)**

organisé sous la direction du C.E.D.R. par la Société Suisse de Droit Agraire et  
l'Université de Lucerne – organised under the direction of the C.E.D.R. by the  
Swiss Society for Rural Law and the University of Lucerne – organisiert unter  
der Leitung des C.E.D.R. durch die Schweizerische Gesellschaft für Agrarrecht  
und die Universität Luzern

### **Commission I**

Développement scientifique et pratique du droit rural dans l'UE, dans  
les Etats, les régions et dans l'OMC – **Scientific and practical  
development of rural Law in the EU, in States and regions and in the  
WTO** – Wissenschaftliche und praktische Entwicklung des Rechts des  
ländlichen Raums in der EU, in den Staaten und Regionen sowie in der  
WTO

#### **National report for Spain**

Gloria **DOMENECH MARTINEZ**  
Universidad Politécnica de Valencia

*A. Legal developments since the last Congress (September 2011)*

1. From your national viewpoint, what are the main legal developments at WTO, EU and national level in the following areas:

1.1. Rural economic and structural law

The Spanish rural environment has faced major changes in the last three decades, and particularly after accession to the EU in 1986. According to the Spanish Ministry of Agriculture, Food and Environment, the rural areas cover the 90 % of the territory and the 25 % of the country's population, with a high biological and landscape diversity.

During this period, changes in international trade relations and markets liberalisation entailed a direct impact on Europe's rural areas, as a result of the talk rounds held at the WTO (Uruguay, Doha, Geneva, etc.) on the liberalisation of agricultural trade by the gradual elimination of quotas and tariffs. Although not significant commitments have been reached, the talks have led to major changes within the EU in the philosophy of the support schemes for farmers and the rural sector.

The objective of the successive rounds of negotiation was to remove measures on market intervention ("Amber Box") which directly affect the trade liberalisation such as systems of guarantee prices and withdrawal mechanisms as well as intervention measures (for cereals, milk products or meat) at the EU level, or the marketing loan subsidies, counter-cyclical payments and direct payments in US.

At the same time, the proposal encourages to strengthen measures which should not have influence on international trade, f.i. the agricultural research programmes, environmental protection schemes, farm structural investments, measures to fight against diseases of animals and plants or promotes transparency in the food chain (measures "Green Box") as well as payments aimed to limit production by quotas or ceilings (withdrawal, abandonment and set-aside measures) or "Blue box".

The need for a gradually removal of tariff barriers whilst protecting the interests and the legitimate expectations of European consumers, has bring attention to the new functions of the agriculture under the CAP, which are linked to the protection of the cultural values and the European natural heritage. From that "ruralistic" conception, the "second pillar" of the CAP (developed by the first time) on the basis of Council Regulation (EC) 1257/1999 of 17 May

1999, has been described by Spanish scholars (Vatier Fuenzalida) as the genuine Rural Code of the 21st century. The Regulation also responds to external commitments, in particular those negotiated within the WTO, and to the internal challenges such as the EU enlargement, the food safety, promote the competitiveness or reducing commodities prices.

#### Rural development programmes

During the period 2007-2013 has been in force the National Strategic Plan, according to art. 11 Regulation (EC) 1698/2005. This plan includes 17 regional programmes, one for each Autonomous Community and the national framework, art 15 (3) of the Regulation, which incorporates the common elements and horizontal measures approved by Decision C (2007) 5937 of 28 November 2007. Each regional programme are structured on axes and programmes, includes in addition to these horizontal measures, other measures specifically tailored to the territory. It has also drawn up a specific programme: The national rural network, promotion of equal opportunities between women and men, with the aim of:

1. Improving the competitiveness of the agri-food sector
2. Promoting sustainability and protection of the natural environment
3. Promoting the diversification and improving the quality of life in rural areas
4. Development of local rural community capacities and diversification

In accordance with established the competencies, in the period 2007-2013 the management of rural development measures corresponds entirely to the Autonomous Communities

#### Outermost regions: Poseican (Canary Islands)

The EU's outermost regions benefit from the (Programme of Options Specifically Relating to Remoteness and Insularity) POSEI arrangements ("Programme d'Options Spécifiques à l'Éloignement et l'Insularité")

Spain applies the scheme for Outermost regions to the Canary Islands, within of the general framework (POSEICAN). In addition, a specific programme of rural development, which apply under Article 70.4 of Regulation (EC) 1698/2005.

## 1.2. Rural environmental law

Law 45/2007 of 13 December 2007, for the sustainable development of the rural areas set down principles for rural policy fully adapted to the economic, social and environmental conditions of those Spanish rural areas.

The objective of the law 45/2007 is (Article 1), “regulating and establish basic measures ensuring equality of all citizens on the exercise of certain constitutional rights and set up the basis of the general planning of economic activity in that environment”. The aim is to improve the socio-economic conditions in the rural areas by aligning their living conditions with those of other economic areas. To this end, the Law is on development under a five years Action Plan. At the time being, the Royal Decree 752/2010 of 4 June establishes the first sustainable rural development programme for the period 2010-2014, fixing the common elements of the national planning framework, mapping the territory for that purposes and fixing the contents of the plans for each of the areas of implementation in cooperation with regional authorities.

Other legislative areas of action for improving the rural environment (Royal Decree No 401 of 18 February), are:

### Environmental evaluation:

- **Air quality.** The environmental assessment of plans, programmes and projects of all aspects relating to the protection of the environment. Carry out environmental assessments of plans, programmes and projects whose authorisation is borne by the General State Administration.
- **Noise pollution.** Fight against noise pollution includes the evaluation and management of environmental noise and the definition of noise areas and action plans

### Waste management:

Protection of the environmental and human health adverse effects; prevention and control of waste disposal; mitigation of the adverse impacts. Other measures aimed at reducing overall impacts of resources and to improve their efficiency use.

### Chemicals:

Includes: Environmental risk assessment and management of chemicals (industrial, phytosanitary, biocides, fertiliser) in compliance with European legislation and international agreements. Prevention of industrial origin' pollution. Set up an integrated control programme.

#### Urban environment — Plan PIMA air:

Royal Decree 89/3013 which regulates the aid of the new plan (PIMA air), for the improvement of air quality in Spain through the renewal of the commercial vehicle fleet and its replacement by other more efficient models with lesser environmental impact.

#### Community eco-management and audit scheme (EMAS)

The Community eco-management and audit scheme (EMAS) is aimed to providing for compliance with environmental legislation, to promote continual improvements in the environmental performance of stakeholders by the establishment and implementation of environmental management systems.

#### Contaminated soils

Law No 10/1998 on 21 April waste, Articles 27 and 28 and Royal Decree 9/2005 of 14 January.

#### Biotechnology

Marketing and release activities related to genetically modified organisms (GMOs) are regulated in Spain by Law No 9/2003 of 25 April 2003 establishing the legal framework for contained use, deliberate release and marketing of GMOs and by the Royal Decrees 178/2004 and 367/2010.

#### Environmental liability

Law No 26/2007 covers the administrative regime for environmental liability based on the principles of ‘damage prevention’ and ‘polluter pays’ for the activities listed to Annex III. This law provides for a new legal regime to mitigate and repair damage; Operators who cause damage to the environment or threatens to produce must cease it or restore the natural resources damaged to the original state

#### 1.3. The law governing agricultural aspects of the food chain (droit agricole alimentaire)

Improving the structure of the food chain is the objective of two law which will enter into force shortly after the process of adoption are completed. Both laws which address also several recommendations of the European Union

A) Law improving the functioning of the food chain.

In Spain, the atomisation of the farm production confronts the distribution which is concentrated in a few hands resulting imbalance of the food chain. The law establishes an legal obligation to sign contracts in writing for marketing of food raw materials with a derogation for transactions of less than 2 500 EUR, for operational reasons.

The Law deals with the recommendations made from the European Union, addressed to Member States in order to take certain measures:

To recognise producer organisations whose purposes are: Adaptation of supply to demand, joint commercialisation, optimising production costs and carry out environmental actions.

To Recognise interbranch organisations whose purposes are: Improving the transparency of production and the market, export growth, promotion and actions on quality improvement

To establish binding contracts in marketing, in origin by establishing minimum contractual requirements

To allow certain producer and inter-branch organisations which represents a certain share of national production in the sectors olive oil, beef and veal, cereals and arable cops, to hold group contracts

In situations of major market imbalances the EU may grant derogation to the implementation of competition law to the producer organisations, associations and interbranch organisations with a view to implementing measures of support or responses in case of crisis

B) The law promoting integration of cooperatives and other agri-food business associations, of agri-food nature

The law supports the fusion process between cooperatives in order to strengthen their position in the market and allow them to keep a proactive role in the agricultural sectors, increasing the integration of entities already incorporated with good market knowledge

The law introduces the figure of priority associated entity, aimed to cooperative integration, which are all those cooperatives and non-profit organisations that reaches a given volume of marketing.

## **Competition**

Regulation 1857/2006 together with the Community guidelines for State aid in the agriculture sector lay down the conditions for exemption from certain types of aid and the possible compatibility of schemes that are not exempted.

Among these instruments include aids which are granted to producer associations to promote to farmers concentrating their supply and adapting their production to market requirements. Limited in any event to small and medium-sized enterprises

The Commission is to decide on the compatibility with the EU internal market in accordance with Article 107 (3) (c) TFEU, of producer groups or producer associations benefiting from the aid in accordance with the conditions laid down in Article 9 of Regulation (EC) No 1857/2006,

## **New market challenges**

Improving the food chain and the new framework in USA Food Safety Modernisation Act-FSMA, which are largely based in the hazard analysis and risk-based preventive controls for food and feed. The capital role of cost/benefits analysis in the new proposals have to take into account benefits and cost, both quantitative and qualitative and to identify and use the, most innovative, and least burdensome tools for achieving regulatory NSDS, between the current US administration goals: Regulatory system must protect public health, welfare, safety, and our environment well promoting economic growth, innovation, competitiveness, and job creation. (...). It must take into account the benefits and costs, both quantitative and qualitative

Implementation of GMP/HACCP in the food business; keypoints:

The food system relies on the voluntary implementation (by food/feed operators) of GMPs. The HACCP guidelines are acceptable standards within the GMPs own business. Federal Official HACCP systems are compulsory only for seafood and juice production (FDA), meat and poultry industry (USDA), and dietetics products.

- The application of the preventive controls would be required only in cases where facilities determined that hazards are reasonably likely to occur'

- The new priorities are more focussed to cope with biological/microbiological risks than with chemicals risks (residues). Interestingly, the page 20 of the draft on harvesting of raw products states that “We recognise that there are other hazards relevant to produce safety on farm that would not be addressed in this proposed rule such as chemical, physical, and radiological hazards”
- General food safety principles differs to some extent of those of the EU food law: For instance: The role of voluntary guidelines for risk analysis or the status of generally recognised as safe — GRAS (for food/feed additives and ingredients), substantial equivalence (for approval of new GMO varieties) or reasonable evidence of harm (for risk assessment of chemicals, residues, MRLs). The precautionary principle is also substituted by “precautionary approach”.

#### 1.4. The law governing rural land use (including planning law (droit foncier rural et’aménagement du territoire)

In the area of rural development the approval of Royal Decree 1336/2011 of 3 October regulating the Territorial contract is a new instrument to promote the sustainable development of the rural environment through the territorial contract for rural areas<sup>1</sup>

This legal basis is aligned within the measures for the second pillar of the common agricultural policy of the European Union, the national rural development framework for the programming period 2007-2013, approved by Commission Decision (2007) 5937 of 28 November 2007, designates the national measures of axes 1 and 2 so far are corresponding with competencies of Article 53 of Regulation (EC) No1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD). The rural funds can be managed through binding land-use contracts. In application of this Community framework some Autonomous Communities have included this formula under a different name.<sup>2</sup>

---

<sup>1</sup> Published in the Spanish Official Gazette of 4 October 2011, P. 104199.

<sup>2</sup> Decree No50/2007 of 27 February, the Department of Agriculture, Food and Rural Action, published in the OJ.Generalitat de Catalunya 1 March 2007, no 4832, P. 7195, regulates the overall contract, points out that one of the challenges faced with agricultural holdings in Catalonia is to adapt to the reform of the common agricultural policy and ensure that their domain environmentally sound, ensuring value for money and better efficiency in their technical and economic management and strategic orientation and thereby ensure continuity.

Law 45/2007 of 13 December 2007 on the sustainable development of the rural environment, expressly includes in art 16 the Territorial contract, leaving its requirements, conditions and regulatory purposes to be developed further.<sup>3</sup> In Royal Decree 752/2010 of 4 June on the first sustainable rural development programme for the period 2010-2014 in application of law 45/2007, included the implementation of territorial contracts of rural areas within the types of actions that the Autonomous Communities can include in their plans of rural areas, not possible to apply the mechanism for lack of the regulations governing the making required by the law itself 45/2007.<sup>4</sup>

The territorial contract is the formal instrument that establishes all commitments entered into between a government and the holder of a farm to guide their activity for the benefit of sustainable development of the rural environment<sup>5</sup>

The following issues are contractually covered:

- 1.- Territorial contracts concluded between public administrations with holders of agriculture to support to sustainable development.<sup>6</sup>
- 2.- Territorial rural area contracts concluded between the competent public administrations with farm owners of rural areas included in the sustainable rural development programme for the sustainable development of the rural environment.

The objective of this Contract is to guide the activity of agricultural holdings to generate positive externalities which contribute to sustainable development. The effects which impact favourably on the rural areas, actively contributes to significantly improve the economic, social or environmental purposes describing the sustainability of the territory.

The competent public administrations shall endeavour the territorial contracts towards one of the following specific objectives:

- A. Prevent the depopulation of rural areas.
- B. Establishing a multifunctional agricultural activity that contributes, with strategic interest to the territory, to strengthen local and strengthening of the production, processing and marketing chain of

---

<sup>3</sup> Published B.O.E.14 December 2007, page 51339

<sup>4</sup> Published B.O.E.11 June 2010, page 49441

<sup>5</sup> Art.2.1.Royal Decree 1336/2011

<sup>6</sup> Art.1.1 Royal Decree 1336/2011

rural production or services, which may also have consequences for improving quality, the consolidation of local markets, training, input reduction or improvement in the management of the wastes, by-products and emissions.

- C. Creating and preserving employment in the rural environment, reducing their temporary scope, and fostering their quality and safety, equality in employment, and the reconciliation of working and family life, the attachment to the territory of women and young people, and the integration into working life of people with disabilities or at risk of exclusion.
- D. Maintain traditional farming systems of high natural and/or cultural value at the current trend to rural abandonment.
- E. Preserve and restore environmental values, soil, water, the natural heritage and biodiversity wild indigenous genetic diversity in agriculture of territorial basis, the rural landscape and cultural heritage.
- F. Contribute to achieving the conservation objectives of the programme Natura 2000 sites or other spaces or protected areas.
- G. Contribute to specific objectives of sustainable rural development explicitly covered by plans of rural areas that support sustainable rural development programme, or in the strategic guidelines territorial rural development.
- H. Fostering recognition by the company of the positive externalities generated by agricultural activities.

The specific nature of the territorial rural contract area comprises within the geographical area to which they relate, rural areas included in the sustainable rural development programme adopted by the Government of the nation at the initiative of the Autonomous Communities.<sup>7</sup> Contracts have to be specific to each area, depending on its specific characteristics and the guidelines in order to enhance sustainability of the territory, in particular as regards their environmental and social aspects.

The content of contracts shall comply with the applicable provisions contained in the sustainable rural development programme, as well as to the

---

<sup>7</sup> Art.16.2. of law 45/2007

determinations of the strategic guidelines of the territorial rural development Plan in the Autonomous Community where these exist.

Commitments of contracts territorial rural area different and be well identify of other commitments that might be identified and financed by Community funds .It is considered that agricultural and forestry holdings within the framework of applicable regulations can use on their hunting resources which are associated or assign to a third party ownership of its exploitation hunting by any valid document in law.

Territorial rural Contracts area will be financed 50 per cent by the General State Administration, in accordance with the Agreement on cooperation concluded for this purpose by each Autonomous Community, within the budgetary limits set out in this Convention.

## 1.5. RURAL TAX LAW

Agricultural special tax regimes.

The taxation of agricultural activity, at the mean of the activity pursued by their owner when obtaining agricultural products, livestock or forestry for their placing on the market.<sup>8</sup> He development of any operating individually or through a Community of goods or civil society, unless it is an agricultural processing company (SAT) the yields obtained are personal income, subject to the tax on the income of natural persons (irpf), in proportion to their share<sup>9</sup>

---

<sup>8</sup> Art.2 law 19/95 of modernisation of farms and extends this concept, through the law of shared ownership of agricultural holdings law 35/2011 of 4 October, to the direct sales by farmers or farmers own production without processing or first processing, where the end-product is included in Annex I of Article 38 of the Treaty on the Functioning of the European Union, the elements comprising the holding in municipal markets or in locations that are not permanent business establishments, also any agricultural activity involving the management or direction and management of the holding.

<sup>9</sup> The tax administration, through the Directorate-General for Taxation for defining a yield and agricultural activity takes into account the farm operator and not at the level of the farm.Thus

Deductions under agricultural and livestock activities shall have a percentage varied depending on the origin of the goods, so that a livestock activities in fattening pigs and poultry were retained 1 %; and other activities 2 %.<sup>10</sup> These rates shall be applied on the total income received with the exception of the current subsidies and capital and allowances. Among the activities subject to retention are included as agricultural and livestock: a) the livestock (b) provision, by farmers or stockbreeders, work and other services of agricultural or livestock nature, ordinarily used by the farms c) the breeding, keeping and fattening.”

The calculation of the yields deriving from the farm can be conducted through three separate regimes: The direct estimate the direct estimate simplified and the objective estimate method.

The objective assessment scheme, the bases for modules on agriculture and livestock keeping.<sup>11</sup> The net income attributable to the farmer or farmers are determined by the sum of the net yields for each of the activities that could be identified as such.<sup>12</sup>

The net yield whole are obtained:

A) In the case of activities of arable and livestock farming, by multiplying the total volume of revenue. In these revenues are included grants and compensation for the rate of return that for each activity is set out in Annex.<sup>13,14</sup> The tax is payable each of the calendar year, i.e. from 1 January to 31 December. Accordingly, this rate should be approved until no later than 31 December the year to be applied, but regarding agriculture is common practice to establish tax benefits approving afterwards, even after the beginning of the period of auto-settlement of this tax.

---

considers performance of land and buildings that to the holder of finca rustica for the lease from the holding, however, a tenancy fee paid for the transfer of a holding shall be treated as the Return furniture

<sup>10</sup> Art.95.4 of Regulation of the tax on the income of natural persons

<sup>11</sup> Calero Garcia.M'objective estimation of bases for modules on Agriculture and Livestock Farming'.In magazine from the Faculty of Law, University Complutense, Monograph No20, P. 1 et seq.

<sup>12</sup> For the tax year 2012 eha/3257/2011 order of 21 November 2003, Official State Gazette of 22 November 2011, by developing for the year 2012 to the objective estimate method, of the tax on the income of natural persons and the simplified scheme of the tax

<sup>13</sup> [Http://www.radiohuesca.com/noticia/339253/incertidumbre-entre-los-agricultores-y-ganaderos-que-no-saben-como-tributar-por-las-ayudas-al-pago-unico](http://www.radiohuesca.com/noticia/339253/incertidumbre-entre-los-agricultores-y-ganaderos-que-no-saben-como-tributar-por-las-ayudas-al-pago-unico).

<sup>14</sup> In Annex I of the order eha/3257/2011, 21 November, by developing for the year 2012 to the objective estimate method, of the tax on the income of natural persons and the simplified scheme of the tax

As an example, we can select the tax year 2012, some of whose modules were hap/660/2013 decrease by order of 22 April 2013, published on the day preceding the start year of the deadline for submission of the 24 April to 1 July 2013.<sup>15</sup> Also, in this order is agreed for exceptional reasons reduce the rate of those modules when we have feed to third parties. Be offset the negative consequences for the feed price increase during the tax period of the 2012 are brought in livestock farms.

B) If the main activities of manufacture, processing or manufacture, is multiplied by the net return index corresponding to the market value of the natural products used in the activity.<sup>16</sup>

Direct aid the single payment from the CAP should be cumulated to revenue from crops (s) of the recipient in proportion to their amount. Where the beneficiary of such aid would not has obtained income from farming or livestock activities the rate to be applied shall be the 0.56.

If the aid or subsidy is granted by a given crop or a specific livestock production and is meant to compensate the foregone income, it applied the net return index concerned with the crop or production carries above. If the subsidy received is not related to a crop or production particular, as e.g., set-aside of production or causing fallow, the amount of the subsidy shall be allocated between the remaining crops or holdings as the farmer or farmers in proportion to revenue from each of them.

To determine the yield by module does not include capital gains or losses highlighted in connection with the transfer of good and services marketed for the holding. These are taxed in accordance with the general rules. This objective assessment scheme provides for simplification of the duties of form. Are only required to keep a log-book of sales and depreciation. Neither are they required to submit annual declaration of operations with third parties.

---

<sup>15</sup> Published in the Spanish Official Gazette of 23 “reductions set by national governments for the tax return 2012 for farmers, are: — of the olive tree:0.32 to 0.18 (-44 %); -flores and ornamental plants:0.32 to 0.22 (-30 %); -bovino of milk:De0,32 to 0.16 (-50 %); -cunicultura:0.13 to 0.07 (-50 %); — sheep’s and goat’s milk:0.26 to 0.18 (-30 %); -ovino and goats for meat extensive:0.13 than 0.09 (-30 %); -porcino of extensive rearing (in cotton-growing areas):0.26 to 0.18 (-30 %); -porcino meat extensive (in cotton-growing areas):0.13 than 0.09 (-30 %); -apicultura:0.26 than 0.20 (-23 %).“

<sup>16</sup> For example for the processing, preparation or manufacture of cereals 0.36, pigs for meat the 0.23 tonnes, of trees with short period of less than 30 years.

## 1.6. Rural social law

The rural women role in economic, social and cultural terms is the basis for the conservation and development of the rural area, but remains vulnerable and non-visible. On the role that is clear gender equality, but the work of women is understood as a “family helper” complementary to the main income, the husband, not as financially independent.<sup>17</sup> Although there are other legal formulations for women in agricultural holdings may bear the same rights as their spouses or partners shall has used the Law No 35/2011 of 4 October, of shared ownership of agricultural holdings.

One of the objectives of this standard is to encourage the establishment and regulation of shared ownership of agricultural holdings, in order to promote real equality and effective women in rural areas through the legal and economic recognition of their participation in the agricultural activity.

“Agricultural holding of shared ownership” is conceived as the economic entity without legal personality but capable of being taxable person for tax purposes. This holding can be formed by a married or unmarried couple bound by the partner for the joint management of the holding. Among the requirements are referred to the need for the effective implementation of the agricultural activity both, personal and direct regime. Also regulates a simplified formula which may benefit natural persons who may be a shared ownership of agricultural holding in accordance with this law does not constitute and decide to formalise a limited liability company.<sup>18</sup>

The shared ownership can be set up through a joint declaration of consent to the administration of the Autonomous Community concerned. In any case the parties should respect the commons provisions such as: The administration, Art.4.1; The representation Art.4.2; The distribution of dividends, Art.5.1.; However, the parties to such statement or agreement of wills constituting in its content can add clauses which considered for the sake of the autonomy of its willingness, in the sense of Art.1255 of the Spanish Civil Code, relating to the matters of interest to them.

Requires the establishment of such statement before the registration of the administration of the Autonomous Community competent to take full effect who must reply within three months, otherwise the silence will have positive

---

<sup>17</sup> Directive 41/2010 Directive 2010/41/eu of the European Parliament and of the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity.

<sup>18</sup> First additional provision law 35/2011 whose proposals must prepare the Minister of Justice.

effects and means the registration.<sup>19,20</sup> The competent registry shall be these of the Autonomous Community in which territory's holding is located, coinciding with the residence of the holders of agricultural land or farm under shared ownership.<sup>21</sup> Once entered the declaration of exploitation of shared ownership shall be communicated to the national register of the Ministry of Agriculture, food and the Environment within three months.<sup>22,23</sup> Also, the different Autonomous Communities may approve a model declaration of shared ownership of agricultural holdings for registration as a shared ownership.

Where the subject of shared ownership of the agricultural holding is part of the operational fishing fleet, the procedure has the uniqueness contained in Royal Decree 1081/2012 of 13 July.<sup>24</sup>

#### 1.7. Other rural areas of law

National rural network. Integrated system to enhance alliances, disseminate experiences and shape a scenario common with all actors involved in the sustainable development of the rural environment Spanish. Promotion of rural tourism, recovery of traditional practices:

Restoration of Old Livestock migration routes (Vias Pecuarias). The Livestock routes are all rural routes which has been used historically in Spain to move ruminants ("Livestock transhumance") between mountain grazing areas in summer and plain foraging areas in winter and representing more than

---

<sup>19</sup> The autonomous communities that have developed and regulated the farm register on the priority and shared ownership are:

- 1.- Autonomous Community of the region of Murcia, by decree 8/2013 of 18 January 2008
- 2.- Autonomous Community of Castile-Leon, by order ayg/546/2012 leyl of 6 June 2012\ 234,
- 3.- Autonomous Community of Aragon, by order of 7 March 2012 larg 2012\ 121
- 4.- Autonomous Community of Castile-La Mancha, by order of 29 June 2012 lclm 2012\ 162
- 5.- Autonomous Community of Galicia, by decree 200/2012 of 4 October 2012\ 364, LG
- 6.- Autonomous Community of the Basque country by Decree 203/2011 of 27 September 2011\ 302, LPV
- 7.- region of Murcia. Decree 448/2009 of 29 December lrm 2010\ 3 Ministry agriculture and water,
- 8.- Autonomous Community of Rioja, by decree 60/2010 of 30 December 2011\ llr 5)
- 9.- Comunidad Valenciana, by order No 33/2010 of 5 October LCV 2010\ 458 Regional Ministry of Agriculture, Fisheries and Food, published in the d.o.cv, 15 October 2010, no6377, P. 38386.

<sup>20</sup> Art.6.3 law 35/2011.

<sup>21</sup> Article 3, point 1 and ultimately of Law No 35/2011

<sup>22</sup> Art.7 of Law No 35/2011

<sup>23</sup> The register is assigned to the Directorate-General for rural development and forestry policy of the Ministry of Agriculture, Food and the environment by aaa/1408/2012 order of 26 June 2012.

<sup>24</sup> Published in BOE 14 July 2012, no168, P. 50541.

100.000 km of tracks which occupy about 450 000 hectares (1 % of the national territory). The Livestock routes are under public domain and currently is protected by Law 3/1995 N° of Livestock routes although have disappeared corporations a trade (Concejo de la Mesta in Castile, Casa de pastores en Aragon , etc.) that ruled routes since the middle ages until their abolition.<sup>25</sup>

Natural pathways. The programme of natural pathways has made it possible to recover more 8.544 km of roads natural from disused infrastructure

Gender equality and sustainable development in rural areas. Initiatives and actions aimed at the support of rural women, important represent in the process of revitalising the rural environment, in order to bring rural women have the same job opportunities, political and cultural characteristics.

Territorial development. Initiatives designed to promote territorial cohesion, the envelope rural infrastructure and other rural development in certain districts.

## B. Aanalysis

### 2. Which of the above (see point 1) a legal developments OJ you considers

#### 2.1. To be particularly successful? And for which reasons?

As pointed out by Professor Lacuesta Sáenz (2011), rural development is meant by “the process that applies in the rural environment overall and cross-sectoral and that requires the active involvement of the public in an endogenous action supported under subsidiaitry of administration and other external actors, in order to achieve an improvement of living and working conditions to take job and human activity, compatible with environmental protection and sustainable use”.

According to Professor Amat (2012) rural development measures described can be classified in three groups:

- Predominantly economic measures, addressed to he modernisation of agriculture (improving the structures of production, processing and

---

<sup>25</sup> See sleeves Navas et al. Booklets of transhumance number 0: Drove routes. MARM 2012. Are listed in a).- General Archives of drove routes, documents generated by the State administration during the period 1924/31-1980/95, together with the draft classification in 3.881 municipalities. B) — file of the national network of drove routes, consisting of documents on file general and the generated since 1995.

marketing, new installation of young farmers, rural conversion, introduction of new technologies, improving the quality and diversification of the products

- Social and equal measures (improvement of the working and living conditions positive discrimination in favour of women, introduction of criteria ambientalistas),
- And finally, common complementary measures (aid for less-favoured areas, agri-environmental measures and conversion of the districts rural).

## 2.2. To be particularly unsuccessful? And for which reasons?

CAP reform does not match with the current structure of farms and main farm systems in Spain. That are characterised by the presence of rural landscapes which show high variability and biodiversity to which new CAP proposals can lead to a serious constraints for the rural environment

Furthermore, decentralisation of the Spanish State are split between different regional authorities whose objectives that differ from common, objectives hampering efficiency of the measures of support.

In this regard, flexibility that conferred the new measures proposed to make transfers of funds between the second and first pillar, have no practical effect in Spain, where there were so many rural development plans as Autonomous Communities have their territory in Spain (16 of the 17 ACS, with the exception of Canary Islands)

## 3. Can you discern, in light of the above developments, new or current trends?

Key aspects and alternatives. The aid schemes designed in the last European Union proposals are completely insufficient or inadequate in responding to this challenge.

- The single payment, designed as a safety net of the income, is not the appropriate instrument, since it is linked to agricultural activities (areas) and not in livestock rearing needs and does not cover all of the models and livestock sectors in Europe.
- It is clear that for the European model of production is an opportunity rather than a burden for livestock production is necessary that consumers are able to in any way reward efforts made by producers on prices.

Consequently:

- The food chain should perform a lot better than it does
- We must stress the labelling policy with a much simpler approach (allowing to know what the advantages of European production, without perditions in labelled of all kinds and which bring little or no)
- Finally, it is reiterated over and over again in the need for the 'gap' in the form of legislative costs currently exists between European production and other world producers, not be extended. So you need to claim prudence in the development of new legislation involving cost increases.

4. How do you assess the overall role of international and European legislation and jurisprudence in the development of rural law?

The extend of EU Co-decision procedure to the agriculture and rural development Chapter represents a new challenge for the previous and existing system of management of the CAP

TFEU: By way of derogation from Article 2 (5) and point (a) of Article 6 and in accordance with point (k) of Article 4 (2), the European Parliament and the Council, acting in accordance with the ordinary legislative procedure and after consulting the Economic and Social Committee and the Committee of the Regions, shall contribute to the achievement of the objectives referred to in this Article through adopting, to meet common safety concerns:

A) [...];

(b) measures in the veterinary and phytosanitary fields which have as their direct objective the protection of public health;

C) measures setting high standards of quality and safety for medicinal products and devices for medical use.

5. How do you assess the overall FP6 your national legislature on the development of rural law?

In Spain the powers in the area of agriculture are split between the State and the Autonomous Communities who, through the contents of its own statutes of autonomy, can so opt-in assume this field.<sup>26</sup>

As example the Autonomous Community of Valencia (Generalitat) in whose Statute of autonomy and to collect their powers, includes the same those which are the object of our study, adding expressly in point fourth of the art.2749, as an exclusive competence of the Generalitat the development and implementation of European Union law in the Autonomous Community of Valencia, in matters that are within their competence within the meaning of the Staff Regulations.

It is for this reason that in Spain the adoption and implementation of agricultural law is shared between the State and the Autonomous Communities by constitutionally attributed these competencies .Distribution of responsibilities which provides for a map fragmented and developed unevenly between the different Autonomous Communities.

6. How do you assess the overall FP6 your national jurisprudence on the development of rural law?

Any dispute arising in the field of agriculture can be divided between those which have to be settled in the jurisdiction and in the administrative disputes to be resolved in the civil court.

On the one hand, we find those disputes facing the administration with the public.<sup>28</sup> In Spain the agricultural skills, sometimes distributed, between the

---

<sup>26</sup> Article 149 of the Spanish Constitution provides that “1.The State has exclusive competence on the following material (...) 3.Matters not specifically attributed to the State by this Constitution may correspond to the Autonomous Communities, under their respective statutes.

<sup>27</sup> Home Rule Act of the Autonomous Community of Valencia, approved by Organic Law 1/2006 of 10 April on the reform of organic law 5/1982 of 1 July, autonomous status of the Autonomous Community of Valencia

<sup>28</sup> High Court of Justice of Galicia, Administrative Appeals Chamber, section 2) ruling No **345/2013 of 2 May JUR 2013\ 205839**. In its fj3 notes that in the exercise of the right of access to the property of the holder of a historical agricultural leases, in the price valuation to pay for the same to be carried out by the Junta de estimate has to take as the sales value of land by their class and similar situation only on their agricultural potential.With due respect for the eventual price increase of agricultural land by its next character of land not rustico, i.e., urban.

State and the Autonomous Communities.<sup>29</sup> In those opportunities where the aid is channelled through the government, the possible complaints must be brought before the administrative courts as any other complaint with respect to the administration the claim arises against Decision of the administration of an autonomous Community, this situation may lead to the existence of different solutions, and even contradictory throughout Spanish territory, particularly since, can only be resolved before the Supreme Court has sole jurisdiction throughout Spain, where the financial claim exceeds EUR 150 000, criterion used for the possibility of Cassation.<sup>30,31</sup> Only are recognised such aid up to the amount budgeted by the administration.<sup>32</sup> The court addressed, considers the claim of the younger wife and considers eligibility for this aid to the young woman farmer.<sup>33</sup>

But the distribution of responsibilities between the State and the autonomous communities not always re for individuals and should be a simplification in this respect, as example decoupling between both administrations of the material and to impose penalties<sup>34,35</sup>

---

<sup>29</sup> Case oils and energy Santamaría s A. against Autonomous Community of Andalucía. **Judgment of the t.s., Section 3, room administrative disputes, 26 November 2012, ref.7718/2012.** Appeal by oils and energy Santamaría S.A. Against the resolution adopted by the Directorate General for Industry and agri-food promotion of the regional Ministry for Agriculture and Fisheries of the Junta de Andalucía on refusal of aid for the processing and marketing of products.

Another judgment of the Supreme Court, Third Chamber (third section of the Supreme Court the appeal núm. 6155/2009, date 19 November 2012, brought by the “Livestock the or vatedde, S.A.” against board of Community of Castile-La Mancha on regularisation of vineyards.

<sup>30</sup> As an element of public policy because the procedural requirement that the amount of the Appeal exceeds EUR 150 000, as budget procedure, is a matter of public policy would not be left to the free availability of the parties, hence its examination and control appropriate initially to the Court ‘a quo’ putting in issue — before which to prepare the appeal — followed if necessary by the Supreme Court (for all, and among the most recent, orders of 19 May 2011 and 19 January 2010, given in the appeals numbers 4629/2010 and 3561/2011 respectively).

<sup>31</sup> The Appeal is rejected because the amounts claimed are 105 247.56 EUR 1.973 62.295,23 euro and euro and although the total amount exceeds 150.000.-eur in full, each of them not.

<sup>32</sup> Judgment of the TSP, chamber, Section 3rd of 31 October 2012, reference 7845/2012 interpuesto by the Regional Government of Andalusia for grants approved to fruit Isabel S.C.A.”

<sup>33</sup> Judgment Supreme Court (chamber 3) of 11 June 2012.

<sup>34</sup> The Constitutional Court in its judgment handed down on 15 February 2001, covers the legal basis for the milk levy, both in Community law and national law, recalling how the system was amended, in order to recognise smoothly to the Autonomous Communities executive functions in the field of application of the arrangements on additional levies on milk and milk products and how the RD 174/98 of 16 February.

<sup>35</sup> Judgment of the t.s, disputes, Room 3 rd, section.2nd, dated 29 October 2012, no7029/2012, ID cendoj:28079130022012101196, brought by feiraco limited company on administrative

Moreover, in our country, the resolution of any dispute arising between individuals, nor is closed to a special tribunal, we do not have a specific jurisdiction to farming, as is the case in other materials which have the specialised tribunals as labour or as commercial matters, among others.<sup>36,37</sup> Aware of this risk the legislator seeks to minimise odour on the content of the standard itself agricultural with the introduction of alternative dispute resolution mechanisms such as arbitration. In this sense we could cite as example Law No 2/2000 of 7 January 2000 on model contracts for agri-food products that exist between their closed provides for the resolution of disputes through arbitration.<sup>38,39</sup> However, given the publication, in our country) of Law 5/2012 of mediation in civil and commercial matters of cross-border conflicts, it should apply a mediation, in comparable with the arbitration, without the appointment of the mediator by the Ministry of Agriculture as in the arbitration<sup>40,41</sup>

7. Current question: What is your national approach to the proposed reforms of the CAP for the period 2014-2020?

The proposal for a Regulation of the European Parliament and of the Council establishing common rules for direct support schemes for farmers under the common agricultural policy, establishes a new design of direct payments for the next period 2014-2020. The Commission justifies its proposal considering that the model of single payment, based on historical references except Support for individual level, is becoming less justifiable in a new policy in which no longer premium both the production function, and this raises move towards a more equitable distribution of aid under a new model based on:

- a basic payment scheme (rpb) for producers, which would replace the current SPS disengaged per holding (SPS).
- an additional payment compulsory for farmers following practices beneficial for the environment and climate (the known so far as “green” component).

---

penalty law 8/1989, of 13 April, of charges and public prices, habilitaban to the Regulation to assign him such jurisdiction.

<sup>36</sup> Law 36/2011 of 10 October on labour jurisdiction.

<sup>37</sup> The creation of the new commercial courts by Organic Law 8/2003 of 9 July.

<sup>38</sup> BOE of 10 January 2000 that in its Art. Art.10 in fine of Law No 2/2000 on model contracts for agri-food products.

<sup>39</sup> Arbitration, another way to solve disputes in the standard contract, doctoral thesis, page 304.

<sup>40</sup> That on mediation transposes Directive 2008/52/ec parlam EUR and of the Council of 21 May 2008

<sup>41</sup> The marketing of agri-food products through model contracts for agri-food products and mediation in settling their disputes. In magazine agricultural law and food No60 page 47

- voluntary an additional payment for farmers in areas with natural constraints,
- an additional payment mandatory for young farmers on the activity.
- a voluntary system of coupled payments.
- A simplified scheme for small farmers, mandatory for the Member States and voluntary for farmers.
- a specific payment for cotton.

There is a “progressive” cut or “capping of direct payments.

The definition of an active farmer described in a negative sense. At Community level I entities that would not be receiving aid cap, compulsory for all Member States: Airports, golf courses, camping sites, amenities, sports grounds, etc.

Each Member State, after prior notification to the Commission, it may add new areas excluded from the aid. The entities of list of exclusion from support CAP be entitled to receive support if they show that agricultural activity.

Flat rate:

The design of a standard flat rate linked to the hectare is a major difficulty in the models farmers who have no ground and does not fit, in general with livestock farming in Mediterranean regions. Even in those models more “extended” in theory (such as sheep and goats), because surfaces that are in many cases are crop areas declared I by farmers.

The new scheme should safeguard the quantities which today is for each sector, since none of them is competitive without aid.

The design adopted should not involve the general exclusion of any livestock sector of the currently receive CAP aid;

Therefore, and in view of the present situation of departure by sectors and regions, the proposed hybrid model which takes into account the geographic regions/administrative and types of farming. Within the livestock sectors identified differences relate to the types of area declared by the producers in active employment, with the following particularities

The dairy sector (21.535 receive the single payment) is that provides a great diversity varied. However, a 77 % of those stocks are shared between pasture

and fodder crops. Furthermore, the hectares declared by each livestock keepers are rarely (national average of 27, 17)

The fattening cattle (12.806 farmers) declares mostly areas of 'pasture' (62 %). The amount of hectares declared per farmer is significantly higher (average of 103.7), although it is obvious that a large part of this area is not used directly by the animals.

The sheep (51.316 receivers of "normal" rights) declare mostly pasture areas (70 %), although almost 20 % are in category "other crops". The national average of hectares declared is in close to 100.

The goat sector, (29.745 farmers), declare mostly areas of pasture (more than 71 %),

Sheep for milk, finally, it is the sector which has less respondents of Pu in the framework of 'normal' rights (6.476) and is the least grazed area declared percentage (37 % of the declared area) in this sector, it makes great importance (nearly 40 %) the area under the heading 'other crops'. The average of hectares declared per farmer is 85.

Alternative options:

Given the fact that geographical spread of the different livestock production is unique and characteristic, aims at "play" with different flat rates in the two types of area more related to livestock production (pasture and fodder crops), of the geographical regions.

In this way, would come short in respect of the former regime the amount of the flat rate to the current average amounts received by farmers in the different sectors and regions. The regions defined for the typology "pasture" would not have to be the same landscape with Autonomous Communities. Could be indicative of broader type, such as

"Spain Green", coinciding with the Autonomous Communities in the North.

Dehesa, coinciding with Extremadura and the western part of Castilla y León and Andalucía

Interior, coinciding with the rest of Castilla y León, Castilla La Mancha, Aragon, Madrid and La Rioja.

Dry zone, involving the east of Andalusia and the Region of Murcia

Mediterranean, covering the Autonomous Communities of Valencia and Cataluña.

Reference period. The reference for the calculation of the number of new rights to be allocated will be equal to that of the request for aid for the year 2011. This avoids the entry of new eligible hectares, them to 22.4 million. Therefore, some 500 000 ha of fruit and vegetables in Spain, of which around 40,000 belong to the Comunitat Valenciana will continue excluded under purely political criteria, aid schemes which themselves perceive the majority of crops

Internal convergence. According to the new Agreement, all the rights of “region” have to fulfil in 2019, at least 60 % of the average value of that territory now integrated into the concept of “territorial autonomous Community”, on the understanding that a farmer may see decreased their income in the 30 % compared to the amount received at this stage. The European Commission will probably allow Spain to raise a regionalisation split on system including in 40 different regions.

Coupled aid. In Spain, 90 % of direct payments granted under the single payment remain coupled: The protein crop premium, the crop specific payment for rice, aid for nuts, the premium for starch potato, the suckler cow premium and the slaughter premium veal. Least the suckler cow premium, all be decoupled in 2012.

Has been also the decoupling of the remaining 50 % of the premium to sheepmeat and goatmeat as obligatory integration into the single payment scheme has not been adopted. Have developed specific national programmes in the framework of Article 68 with aid for cotton, sugar, suckler cows, quality beef quality dairy quality, vegetables, tobacco, sheep and goats of quality, sheep and goats in vulnerable zones and veal in vulnerable zones.

Greening. The Green component” should be kept simple, annual and controllable in the framework of the wings green measures being considered include in the green component are:

Maintenance of permanent pastures: only would require the presence of the pasture for the long term, with no additional requirements and minimum stocking density or maintenance work.

Crop diversification, instead of crop rotation: Defined as a % maximum of one crop, a minimum number of crops at the holding, or as a combination of the two.

30 % of the payment for each holding is subject to compliance with the greening, a number of practices beneficial for the climate and the environment.

Permanent pasture. Farmers shall keep areas of permanent pasture at the same level as in the 2012. May be ploughed up a maximum of 5 % of permanent pasture. If the ratio of permanent pasture and agricultural land fell by more than 7 % in one year, at national level or regional, the State will oblige farmers who roturaron land without authorisation to reconvertirlos in permanent pasture. In Spain this calculation is done at national level.

#### Aid ceiling per holding, modulation or “capping

Modulation of the aid is obligatory, but shall apply only to holdings receiving more than 150 000. The reduction from that quantity shall be 5 %. No farms will receive direct payments above EUR 300,000. Between 15 000 and 300 000 Member States may apply a voluntary modulation by various strata. The total amount is calculated by deducting wages linked to agricultural activity, taxes and social security contributions

The money generated by the application of modulation will be devoted to rural development

Young farmers. The Member States may maintain the payment for young farmers under the first pillar of the CAP on an optional basis. Consequently, Spain in the model application of the CAP may implement this supplement in the first pillar. Even as it appears that the possible to assign such aid the 2 % of the total is a low percentage to tackle one of the major challenges of the rural world, rejuvenation of its farmers and livestock

Small farmers. Member States can use to smallholder farmers, those which apply a maximum of 1.250/anuales, up to 10 % of their national envelope for direct payments. These small farmers will receive a fixed annual payment between 500 and 1 250 euro, and not subject to the process of internal convergence.

In Spain, 46 % of all beneficiaries of CAP payments charged less than 1.250/anuales, which might mean a major simplification of the administrative checks and inspections of the CAP aid.

Common market organisation: CMO. Systems for public intervention and private storage aid, export refunds are reviewed and introducing safeguard measures to respond to emergency situations

These will be funded with a reserve of crisis which is endowed with an annual reduction of direct payments. The money which is not used shall be transferred to the farmers the following year.

Sugar: Has been extended until 30 September 2017, end of the campaign 2016/17, the quota scheme in the same terms as currently applies.

Wine: Adjust the wine producing potential is essential to ensure the viability of the sector. We have avoided the discharge of vineyards from 2015..In 2016 shall enter into force a new authorisation system, of plantations which will remain in force until construction. Increasing the area of vineyard shall be limited to 1 % per annum; And States may set a lower threshold at national level or regional level. Authorisations for planting not longer than 3 years not be used.

#### Special sectors

Milk sector: In principle there is no additional measures to those foreseen by the single CMO for the dairy sector. While the European Parliament itself is in favour of introducing any new measure for cases of price crisis.

The current quota system will disappear definitively located on 1 April 2015. However, the Commission will convene in September a conference to address possible imbalances that may arise from the elimination of the milk quota

Beef: Has increased the price it triggers the opening of public intervention by 21 %.

Olive oil and table olives: Been re-introduced prices starting/onset of private storage for this sector, with the possibility that such trigger prices may be revised by the Commission in the light of production and the market, they must also be met the cost of production.

Durum wheat. Has been reintroduced this product within those eligible for public intervention.

Fruit and vegetables: Has recovered the reference to “Standard import value” within the entry price system for fruit and vegetables, which is the essential that calculated daily the EC and that, in the case of Spain, we allows knowing whether imports from third countries respect the entry price.

Maintaining the mandatory labelling of the country of origin.

Are recovered most of the specific requirements of the Fruit and Vegetable Producers Organization including the obligation to joint market the production. The programme of free fruit in schools will be extended from 90 to 150 million.

Bee-keeping maintain the co-financing at 50 % of the aid.

## Rural development

In rural development, has been achieved the coexistence of national and regional programmes, to enable more effective implementation of certain measures/sub-measures (cooperation, programmes for the conservation of plant genetic resources and fight against certain pests and diseases, forest fire prevention and restoration of areas affected, innovation, cooperative integration...).

The above objectives will be addressed through 6 priorities for action at Community level for rural development:

- 1.Fostering knowledge transfer and innovation in agriculture, forestry and rural areas.
- 2.Improving the competitiveness of all types of agriculture and enhancing farm viability.
- 3.Improved food chain organisation and risk management in agriculture.
- 4.Restoration, maintaining and enhancing ecosystems dependent on agriculture and forestry.
- 5.Promotion of energy efficiency and supporting the shift towards a low-carbon and climate-resilient in the agri-food and forestry sectors.
- 6.Promoting social inclusion, poverty reduction and economic development in rural areas.

In addition, all priorities should contribute to the cross-cutting objectives of innovation, environment and contribution to climate change mitigation and adaptation.The EAFRD will continue through multi-annual rural development programmes (2014-2020) designed and co-financed by the Member States (or regions).

For irrigation provides for the financing of investments to secure savings of at least 5 %,

Conclusions Agriculture sectoral conference July 2013. Ministry of Agriculture, Food and Environment- Spain

It has been agreed that there are no transfers of funds between the two pillars of the CAP.

It has also been decided to limit the area eligible for aid. In this respect, the Minister has announced the creation of a technical group to examine what mechanism for limiting the areas is the most suitable

Has laid down minimum threshold of EUR 300 in order to receive direct aid from 2015 providing for a transitional period for that beneficiaries which are below this threshold may be established between partnership and mechanisms allowing them to come together and to continue receiving the aid.

For the sake of simplification, the small farmers scheme for all beneficiaries receiving less than EUR 1 250, which will not be subject to internal convergence

The maximum threshold for receiving aid is EUR 300 000

Has also been created a high level working group to define figure of an active farmer. In this respect, the sectoral conference considers to be used the maximum percentage of 15 % and that the livestock sectors, in particular, must be a primary consideration within these payments.

It was also decided that the amount of 142,7 million, whereas the programme of support to the wine sector directed to the single payment scheme, is incorporated in final form

It has been decided to the existence of a national programme which co-existed with rural development plans of the Autonomous Communities, to which be assigned a maximum amount extra of the negotiation of Community funds. I.e. EUR 238 million of excess achieved in the negotiation in the EU in this way, is recovering a national programme and at the same time respects the full amount that had the autonomous communities for programmes for rural development in that national programme shall include the rural network naciona

Have been agreed mechanisms to render the transfer of funds between national and regional programmes, with the aim of avoiding the loss of Community funds.