Montenegro Institutional Development and Agricultural Strengthening Project (MIDAS)

Workshop: Direct payments and IACS pilot project

Paying agency and Integrated Administrative and Control System (IACS)

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CONTENT

- Paying agency
 - Introduction
 - Legal background
 - Accreditation criteria
- IACS

Introduction

- The responsibility for the accreditation of a Paying agency lies with the Member State
 - which for this purpose appoints an authority at ministerial level.
- Accreditation may only be granted if the paying agency complies with a set of detailed criteria
- Once a paying agency is accredited
 - constant supervision (EC should be informed)
 - In case of deficiencies in respect of the accreditation criteria, the Member State has to remedy the situation
 - the accreditation has to be withdrawn
 - If the Member State does not remedy adequately the deficiencies nor withdraws the accreditation, the Commission can impose financial corrections on the Member State under the conformity clearance procedure.

Legal background

FINANCIAL REGULATION No 966/2012

= financial rules applicable to the general budget of the Union (ex Reg.1605/2002)

COMMON STRATEGIC FRAMEWORK REG. No 1303/2013

= common provisions for ESI funds: ERDF, ESF, CF, EAFRD and EMFF Fund and the

HORIZONTAL REGULATION No 1306/13

= financing, management and monitoring of the CAP (ex 1290/05)

PA, accreditation

- Delegated Reg. 907/14
- Implementing Reg. 908/14

- IACS
- Delegated Reg 640/2014
- Implementing Reg. 809/2014

3 SECTOR-SPECIFIC REGULATIONS

- 1305/2013 Rural Development
- 1307/2013 Direct Payments
- 1308/2013 Market Measures

Legal background

- 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
- Commission delegated regulation (EU) No 907/2014 of 11 March 2014 supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to paying agencies and other bodies, financial management, clearance of accounts, securities and use of euro;
- Commission implementing regulation (EU) No 908/2014 of 6 August 2014 laying down rules for the application of Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to paying agencies and other bodies, financial management, clearance of accounts, rules on checks, securities and transparency;

CAP management - institutions

Legal background / Management/ Programming

- Competent Authority
- Managing authority

Implementation

- Paying agency
- External bodies Delegated functions / Technical services
- Competent Authorities / Inspections

Audit

- Pre-accreditation Body (Audit authority)
- Certifying Body
- Avoid overlapping or conflict of interest!
- Respect Acreditation criteria

Paying Agency

Definition

Accredited body that pays expenditure from the Agricultural funds.

Role

To ensure that compliance with Community rules has been checked before it authorises and executes the Community part of payment.

Duties - to provide sufficient guarnatees that

- The eligibility of requests & their compliance with Community rules are checked before payment is authorized;
- Accurate and exhaustive accounts are kept of payments;
- Checks laid down by EU legislation are made;
- The requisite documents are presented timely;
- The documents are accessible and kept in a manner which ensures their completeness, validity and legibility over time;

Coordinating Body

Definition

In case of more than one PA in MS – sole interlocutor of MS for questions relating to EAGF and EAFRD.

Role & duties

- dissemination of information and guidelines
- collecting and sending information to COM
- ensuring availability of all accounting information required for statistical and control purposes for COM
- taking or coordinating actions to resolve any deficiencies of common nature and keep COM informed of follow-up
- promoting harmonised application of EU rules.

Competent Authority

Definition

MS body which has the powers to issue and withdraw accreditation.

Role & duties

- decides on accreditation of PA on the basis of examination of fulfilment of accreditation criteria
- selects certifying body to certify annual accounts and to keep continuous review of compliance with accreditation criteria.
- performs constant supervision of PA and informs COM every three years of its results
- instructs PA to correct the significant deficiencies
- if necessary, puts PA's accreditation under probation or withdraws accreditation

Certifying Body

Definition

 Audit body designated by MS to provide opinion on completeness, accuracy and veracity of PA's annual accounts, and on proper functioning of internal control system.

Role & duties

- issues annual opinion on proper functioning of PA's internal control system,
- prepares annual report of its findings, including on delegated functions. Report states whether PA complies with accreditation criteria.

Accreditation Criteria

In order to properly fulfil its duties, PA shall have:

- administrative organisation and
- system of internal control which complies with criteria set out in Annex I of Commission Delegated Reg. 907/2014

ACCREDITATION CRITERIA as regards:

- 1. Internal environment
- 2. Controls
- **3.** Information & Communication
- 4. Monitoring

	Accreditation Criteria					
	Annex I –Reg. 907/2014					
1.	INTERNAL ENVIRONMENT					
1.A	Organizational structure					
	Authorization and control of payments					
	Execution of payment					
	Accounting to record all payments					
	<i>Clear assignment of authority and responsibility at all operational levels and for separation of main functions</i>					
1.B	Human-resource standard					
	Allocation of appropriate human resources					
	Division of duties for main processes					
	Responsibilities of each official (written job descriptions)					
	Staff training (including fraud awareness)					
Measures to avoid a conflict of interests						
1.C	Delegation					
	A written agreement concluded between the paying agency and delegated body / technical service					
	The paying agency shall in all cases remain responsible					
	The paying agency shall ensure that the other body has effective systems					
	Delegated body shall explicitly confirm to the paying agency that it in fact fulfills its tasks					
	The paying agency shall regularly review the tasks delegated					

	Accreditation Criteria Annex I –Reg. 907/2014
2.	CONTROL ACTIVITIES
2.A	Procedures for authorizing claims
	- The paying agency shall lay down detailed procedures for the receipt, recording and processing of claims, including a description of all documents to be used
	- Each official responsible for authorization shall have at his/her disposal a detailed checklist of the verifications to be carried out
	- A claim shall be authorized for payment only after sufficient checks have been carried out
	- The management of the paying agency shall be informed on a regular and timely basis of the results of administrative and on- the-spot checks
	- The work performed shall be detailed in a report accompanying each claim, batch of claims or, if appropriate, in a report covering one marketing year.
2.B	Procedures for payment
	- The procedures to ensure that payments are made only to bank accounts belonging either to beneficiaries or to their assignees.
2.C	Procedures for accounting
	- Accounting procedures shall ensure that monthly (for EAGF), quarterly (for the EAFRD) and annual declarations are complete, accurate and timely, and that any errors or omissions are detected and corrected
	- The accounting for intervention storage shall ensure that the quantities and associated costs are correctly and promptly processed and recorded
2.D	Procedures for advances and securities
	- Payments of advances are separately identified in the accounting or subsidiary records.
	- Guarantees are obtained only from financial institutions
	- The advances are cleared within the stipulated time limits and those overdue for clearing are promptly identified
2. E	Procedures for debts
	- The paying agency shall set up a system for the recognition of all amounts due and for the recording in a single debtor's ledger.
2.F	Audit trail
	- The information regarding documentary evidence of the authorization, accounting and payment and handling of advances, securities and debts shall be available in the paying agency

	Accreditation Criteria				
	Annex I –Reg. 907/2014				
3.	INFORMATION AND COMMUNICATION				
3.A	Communication				
	- The paying agency shall adopt the necessary procedures to ensure that every change in the Union's regulations, and in particular the rates of aid applicable, are recorded and the instructions, databases and checklists updated in good time				
3.B	Information systems security				
	- Information systems security shall be based on the criteria laid down in one of the IT security standards.				

	Accreditation Criteria Annex I –Reg. 907/2014					
4.	MONITORING					
4. A	Ongoing monitoring via internal control activities					
	- Monitoring of the technical services and delegated bodies responsible for carrying out the controls					
	- Initiating of system changes in order to improve control systems in general					
	- Reviewing claims and requests submitted to the paying agency as well as other information providing suspicion of irregularities.					
	- Monitoring procedures to prevent and detect fraud and irregularity					
4.B	Separate evaluations via an internal audit service					
	- The internal audit service shall be independent of the paying agency's other departments and shall report directly to the paying agency's director					
	- The internal audit service shall verify that procedures adopted by the agency are adequate to ensure that compliance with Union rules is verified and that the accounts are accurate, complete and timely.					

Accreditation criteria

General aggregates:

Written procedures

Technical facilities

Human resources

Internal control system

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Additional important topics

- System of internal controls clear definition of controls to be implemented on all levels → importance of management controls
- On-the-spot controls
- Delegated functions and monitoring
- Horizontal co-ordination of the processes and flow between sections and departments
- Timely payments
- Financial flow
- IT support automated processes
- IT security
- Risk management register
- Management of appeals

Accreditation (2014-2020) - additional emphasis

- Fraud prevention, detection & awarness raising
- Leagility and regularity of the underlying transactions
- EAFRD controls: **Contracting**
- EAFRD controls: all applicable **national rules**, including thoise fixed in RDP, are respected
- IT security: ISO 27001

CAP control matrix



Certifying body

-TIMELINE:



European Commision audit

CLEARANCE OF ACCOUNTS

- = efficient control tool of Commission over MS
- = protection of Community financial interests
- 1) Financial Clearance (annual)
 - true, complete and accurate accounts
 - general overview over the PAs, based on CB reiew; SoA
 - from 15 February to 30 April / 31 May
- 2) Conformity Clearance (multi-annual)
 - checking the system & compliance with Community law
 - ad hoc, in accordance with COM's risk analysis

Implementation in MS – practical experience

CROATIA

Process of Accession Negotiations – Chapter 11

Closing benchmarks:

•An implementation plan for the setting up of a Paying Agency and IACS - to be fully operational by the date of accession

•An implementation plan for CMO

Implementation plans:

- •Development and establishment of a legal framework
- •Organizational structure
- •Provision of the required logistics and a sufficient number of qualified staff
- •System for submission, control and approval of applications
- •Detailed procedures for administration of support and implementation of controls
- •Education program for the PA employees
- •Registers needed for implementation of the CAP measures
- •Setting-up of the Land Parcel Identification System (LPIS)
- •System for accounting, payments and reporting
- •Establishment of a complete IT system
- •Informing of the farmers and all involved institutions.

CROATIA - Timetable of accession to the EU (2004-2013)

Official candidate country	Screening	 The benchmark for opening of negotiations published 		The benchmark completed	Te positions for Chapter 11 delivered	EU adopts the negotiation	The beginning of negotiations in chapter 11	 RoC fulfills the benchmarks for closing of negotiations 	Negotiations; auditing; negotiation positions	Completion of accession negotiations	Accession Treaty signing	The referendum on EU bership	The Ratification of Accession	Croatia becomes a EU mber	
2004	2005	2006	2007	200	8	200	9	20	010	201	1	2012	20	013	

Farm register (including cadastre and animal register)

2003 Reform – national measures (coupled payments)

SAPARD/IPARD Agency

EU Pre-accession RD measures

Land Parcel Identification System (LPIS)

Integrated Administration and Control System (IACS)

Paying Agency

Transitional "EU like" measures

EU EAGF measures

Organizational structure – CAP implementation



Paying Agency Development

Before PAAFD - Paying Agency function

- Directorate for Market and Structural Support in Agriculture established in 2005 within MoA
- SAPARD Agency accredited from 2006
- IPARD Agency accredited from 2009

Paying Agency for Agriculture, Fisheries and Rural Development (PAAFRD)

- independent institution from Dec 2009
- central office (Headquarters) Zagreb + 21 regional offices in Counties
- 682 work posts (50% in HQ, 50% in reg. offices) 645 filled (37 vacant)
- •Main tasks:
 - national and EU direct payments (SPS)
 - implementation of CMO measures
 - implementation of RD measures
 - implementation of EFF measures

Paying agency in Montenegro - Plan

Development of the main elements

- organizational structure
- provisional estimate on the number of PA staff
- proposal for central/ regional organisation
- timeline
- budget
- EU and other international assistance
- Strategy

Current situation... IPARD agency

Requirement	Status		
Legal framework	Prepared FA and SA; IPARD II program and Ordinances for measures in preparation		
Organisational structure	Basic organization established under the MARD; update needed		
Procedures for administration of support and implementation of controls	Prepared; should be assessed by external audit and accredited		
System for submission, control and approval of applications,	Prepared; should be assessed by external audit and accredited		
System for accounting, payments and reporting	Prepared; should be assessed by external audit and accredited		
Qualified staff for implementation	Qualified but insufficient number; necessary to further employ a substantial number of people		
Training /education	Existing employees trained and experienced (IPARD like and MIDAS project); required to prepare and implement a training plan for all new employees for IPARD II		
Internal audit	Established and trained; need for further capacity building		
Communication and informing the farmers	System is established and needs to be adjusted to IPARD II		
Registers and IT system	FR, reference price DB and finance and accounting SW should be established (not critical for accreditation)		
Logistics	Premises and IT center and equipment under the process of establishment (to be in line with physical and IT security)		

Next steps... Paying agency...to be fully compliant with EU req

Requirement	Status
Planning	Strategy for agriculture and RD and Action plans at final stage of preparation (should be agreed with EC)
Legal framework	Policy for DP, CMO and RD should be defined; List of Laws and Ordinances prepared; should be developed and communicated to PA (to be able to assess the needs and to prepare the system);
Organisational structure	Basic organization established for IPARD; should be upgraded to be able to implement EAGF and EAFRD funds and all other tasks
Procedures for administration of support and implementation of controls	Prepared for IPARD (should be upgraded for EAFRD); for EAGF (DP and CMO) should be developed and assessed by external audit and accredited
System for submission, control and approval of applications,	Prepared for IPARD (should be upgraded for EAFRD); for EAGF (DP and CMO) should be developed and assessed by external audit and accredited. Technical requirement: finalization of FR, establishment of LPIS and IACS (integration with FR, LPIS, PE register, aid application system, OTSC for all measures, payment authorization and reporting)
System for accounting, payments and reporting	Prepared for IPARD; should be extended and upgraded (IT system) for EAGF and EAFRD funds; assessed by external audit and accredited

Next steps... Paying agency... to be fully compliant with EU req

Requirement	Status
Qualified staff for implementation	Qualified but insufficient number of stuff for IPARD; assessment of needs for fully functional PA; preparation of WLA, recruitment plan; necessary to further employ a substantial number of people
Training /education	Existing employees trained and experienced (IPARD like and MIDAS project); required to prepare and implement a training plan for all new employees for EAGF and EAFRD funds
Internal audit	Established and trained; need for further capacity building to be able to cover all funds
Communication and informing the farmers	System for informing farmers about EU CAP and EAGF (DP and CMO) and EAFRD should be developed
Registers and IT system	Finalization of FR, establishment of LPIS and IACS (integration with FR, LPIS, PE register, aid application system, OTSC for all measures, payment authorization and reporting) respecting IT security standards; implementation of SW for EAFRD management; implementation of SW for CMO measures and mechanisms; implementation of document management system
Logistics	Finalization and improving of premises (centrally and regionally) and upgrading of IT center and equipment (to be in line with physical and IT security); cars and other equipment for OTSC

Costs of Paying agency establishment



Establishment of fully functional Paying agency	in period from 2015-2020
Human resources	Minimum 156 employees by the end of 2020 - 100 at central level - 56 on regional level
Financial resources	20 mil EUR in total (2015-2020) - 8,5 mil EUR for employees - 4, 5 mil EUR for SW development - 2,5 mil EUR for HW and network infrastructure - 2,0 mil EUR for services (consulting, expertise, works) - 2,5 mil EUR for other costs (equipment, cars, premises, education and trainings)

Integrated Administration and Control System (IACS)

Introduction

Integrated Administration and Control System (IACS)

• system for the management and control of payments to farmers made by the MS administration in application of the Common Agricultural Policy

• IACS is uniform basis for control

- administrative and on-the-spot controls of applications
- IT system which supports administration in carrying out their functions
- IACS is operated in the MS by accredited paying agencies.
- IACS covers
 - Direct payments schemes
 - certain Rural development measures
 - Cross compliance

Introduction (II)

- Assessment of fulfillment of the criteria for receiving aid
 - The administrative controls automatic cross-checks of the information contained in each beneficiary's application
 - On-the-spot-checks a number of farms (selected randomly or by risk analysis)
 - **Technology** aerial or satellite photographs of the agricultural parcels, (independent measurement; size of a given parcel size; plant coverage; without going to the field)
 - If the checks reveal irregularities penalties (reductions and/or exclusions)
- IACS databases have to be regularly updated by the MS (historical data for the farmers must be saved).
- **MS report annually to the Commission** by submitting detailed statistics on applications, controls and reductions.
- Audit national, EC, CoA

Legal background (overall)

FINANCIAL REGULATION No 966/2012

= financial rules applicable to the general budget of the Union (ex Reg.1605/2002) COMMON STRATEGIC FRAMEWORK REG. No 1303/2013

= common provisions for ESI funds: ERDF, ESF, CF, EAFRD and EMFF Fund and the

HORIZONTAL REGULATION No 1306/13

= financing, management and monitoring of the CAP (ex 1290/05)



PA, accreditation

- Delegated Reg. 907/14
- Implementing Reg. 908/14

- Delegated Reg 640/2014
- Implementing Reg. 809/2014

3 SECTOR-SPECIFIC REGULATIONS

- 1305/20013 Rural Development
- 1307/2013 Direct Payments
- 1308/2013 Market Measures

Legal background

- 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
- Commission Delegated Regulation (EU) No 640/2014 of 11 March 2014 supplementing Regulation (EU) No 1306/2013 with regard to the integrated administration and control system and conditions for refusal or withdrawal of payments and administrative penalties applicable to direct payments, rural development support and cross compliance;
- Commission Implementing Regulation (EU) No 809/2014 of 17 July 2014 laying down rules for the application of Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the integrated administration and control system, rural development measures and cross compliance
Legal background

- Integrated Administration and Control System (IACS) shall apply to:
 - Direct payments Support schemes listed in Annex I of Regulation (EU) No 1307/2013
 - Rural development Support granted in accordance with points (a) and (b) of Article 21(1) and Articles 28 to 31, 33, 34 and 40 of Regulation 1305/2013
 - Cross compliance controls (Chapter VI, Reg. 1306/2013)

Elements of IACS (Art 68 Reg 1306/2013)

IACS elements:

- a computerised database;
- an identification system for agricultural parcels;
- a system for the identification and registration of payment entitlements;
- aid applications and payment claims;
- an integrated control system;
- a single system to record the identity of each beneficiary of the support who submits an aid application or a payment claim.

Where applicable - System for identification and registration of animals

Computerised data base (Article 69 1306/2013)

The **computerised data base** shall record, for each agricultural holding, **the data obtained from aid applications**.

This data base shall, in particular, **allow direct and immediate consultation**, through the competent authority of the Member State, of the data **relating to the past year**

The Member States may set up decentralised data bases on condition that these, and the administrative procedures for recording and accessing data, are designed homogeneously throughout the territory of the Member State and are compatible with one another in order to **allow cross-checks**.

Respecting - Information systems security criteria!

Identification system for agricultural parcels (Article 70, 1306/2013)

The identification system for agricultural parcels shall be established on **the basis of maps or land registry documents or other cartographic references**.

Use shall be made of **computerised geographical information system** (GIS) techniques including preferably **aerial or spatial orthoimagery**, with a homogenous standard guaranteeing accuracy at least equivalent to cartography at a scale of 1:10.000 (1:5.000 from 2016)

Identification of each agricultural parcel declared under IACS

Obtained: through "reference parcels" providing

- A geographic location
- Identification of parcel extent, boundaries
- A reference area
- Other elements of eligibility

LPIS – Aid application



System for the identification and registration of payment entitlements (Art 68 Reg 1306/2013)

The system for **the identification and registration of payment entitlements** shall allow for verification of the entitlements and for cross-checks with

- the aid applications and
- the identification system for agricultural parcels.

Farmers shall have access to the **Basic Payment Scheme (single payment scheme)** if they:

- have been granted a payment in the reference period
- have received the holding or part of the holding, by way of actual or anticipated inheritance, by a farmer who met the conditions
- have received a payment entitlement from the national reserve or by transfer.

System for the identification and registration of payment entitlements

Allocation of payment entitlements



Aid applications

(Article 72. 1306/2013)

- Each year, a farmer shall submit an application for direct payments subject to the integrated system, indicating, where applicable:
 - all agricultural parcels of the holding;
 - the payment entitlements declared for activation;
 - any other information provided for by this Regulation or by the MS
- Aid application shall contain all information necessary to establish eligibility for the aid
 - Date of submission of the application
 - Common contents of the application
 - the identity of the farmer
 - the aid scheme or schemes concerned
 - a statement by the farmer that he is aware of the conditions pertaining to the aid schemes in question

An integrated control system (Art 74 Reg 1306/2013)

- Administrative control
- On-the-spot checks
 - shall be made in such a way as to ensure effective verification of compliance with the terms under which aids are granted and of the requirements and standards relevant for cross-compliance
- Verification of eligibility conditions and reductions
- On The Spot Controls (OTSC) including Control with Remote Sensing (CwRS)

Single system to record the identity of each beneficiary of the support who submits an aid application or a payment claim (Art 71 Reg 1306/2013)

The single system for recording the identity of each beneficiary of the support as referred to in Article 67(2) shall guarantee that all aid applications and payment claims submitted by the same beneficiary can be identified as such.

• Farm register

Additional Subsystems

- Cross Compliance Paying Agency /Other
- Payment, Accounting Paying Agency
- Identification of animals Paying Agency / Other

IACS and LPIS process during the year



Direct Payments Workflow



ON-THE-SPOT CONTROLS (OTSC)

Selection of the farm holdings

- Random selection:
- Risk analysis: farm holdings are selected on the basis of risk factors.
- Direct selection: suspicion of irregularities, reports

OTSC methods

- Classical on-the-spot controls
- Controls With Remote Sensing (CWRS)









DIRECT PAYMENTS / IACS - control system





IACS ... Direct Payments (Reg.1307/2013)



Voluntary coupled support (Article 52-55, R. 1307/2013)

Implementation in MS – practical experience

CROATIA

Establishment of IACS

Farmer register – established in 2003 (Unique identification of farmers)

- 194. 674 farmers
- LPIS (ARKOD) in use from campaign 2011
 - farmers 150.395
 - parcels 1.306.813
 - ha 1.022.398
- Animal register external register, in use as part of IACS from 2011 (integrated)
- Payment entitlements system in use from 2012 (integrated)
- Application System, Administrative Control, OTS Control developed from 2009-2011; IACS compatible; in use from 2011

Establishment of IACS – direct payments (1)



Establishment of IACS – direct payments (2)





Financial level

Finance

Accounting

Reporting

LPIS STRATEGY

- LPIS multifunctional reference system used for administration and control of area-related subsidies, including the area of cross-compliance, permanent crops and organic farming
- Reference parcel Farmer block
- The link with farmers is established during direct consultations and is based on existing Farm Register data
- Unique farm identifier (MIBPG) linking each reference parcel with a specific farm
- The whole system was tested and verified in selected areas before the start of nation-wide LPIS implementation

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Aplikacija Pogledi

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LPIS module

📕 Rezultati pretraživanja

🔍 V mirovanju





IACS checklist

	Criteria	Description
Farm	register	
-	Methodology	
-	Data (legal persons, addresses, animals, land)	Single system to record the identity of each beneficiary of
-	SW	the support who submits an aid application or a payment
-	HW and infrastructure	claim.
-	Human resources	
-	Communication	
LPIS (I	Land parcel identification system)	
-	Methodology	
-	Data (DOP, DCM, DTM, TM, inLPIS, finLPIS)	
-	SW	Identification system for agricultural parcels;
-	HW and infrastructure	
-	Human resources	
-	Communication	
Payme	ent entitlements register	
-	Methodology	
-	Data (FR, AnR, AidApR)	Custom for the identification and registration of norm ont
-	SW	System for the identification and registration of payment entitlements;
-	HW and infrastructure	
-	Human resources	
-	Communication	
Aid ap	plication management system	
-	Methodology	
-	Data (FR, AnR, PE, AidApR)	
- pro	SW (pre-defined aid application, filling in of application, submission, ocessing, admin controls (completnes and time), cross-checks)	Aid applications and payment claims;
-	HW and infrastructure	
-	Human resources	
-	Communication	

IACS checklist

- Farm register
- LPIS (Land parcel identification system)
- Payment entitlements register
- Aid application management system
- Administrative and OTSC system
- Rural development area related measures (IACS compatible)
 - Methodology
 - Data (FR, AnR, LPIS, PE, AidApR)
 - SW (pre-defined aid application, filling-in of application, submission, processing, admin controls, OTSC, cross-checks)
 - HW and infrastructure
 - Human resources
 - Communication



Thank you for your attention!

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