COMMISSION DECISION

of 22 October 2009

amending Decision 2009/379/EC setting the amounts which, pursuant to Council Regulations (EC) No 1782/2003, (EC) No 378/2007, (EC) No 479/2008 and (EC) No 73/2009 are made available to the EAFRD and the amounts available for EAGF expenditure

(2009/781/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy [1], and in particular Article 12(2) and (3) thereof,

Whereas:

(1) Commission Decision 2009/379/EC [2] sets the amounts which, pursuant to Articles 10(2) and 143d of Council Regulation (EC) No 1782/2003 [3], Article 4(1) of Council Regulation (EC) No 378/2007 [4], Article 190a of Council Regulation (EC) No 1234/2007 [5] and Articles 9(1), 10(3), 134 and 135 of Council Regulation (EC) No 73/2009 [6] are made available to the European Agricultural Fund for Rural Development (EAFRD), as well as the amounts available for European Agricultural Guarantee Fund (EAGF) expenditure.

(2) Article 136 of Regulation (EC) No 73/2009 allows Member States to transfer to EAFRD from the financial year 2011 an amount calculated in accordance with Article 69(7) of Regulation (EC) No 73/2009 instead of having recourse to Article 69(6)(a) of the same Regulation.

(3) The amounts available for transfer have been calculated and fixed in Annex III to Commission Regulation (EC) No 639/2009 of 22 July 2009 laying down detailed rules for the implementation of Council Regulation (EC) No 73/2009 as regards specific support [7].

(4) Germany and Sweden have decided to make use of Article 136 of Regulation (EC) No 73/2009.

(5) Commission Decision 2008/788/EC of 3 October 2008 fixing the net amounts resulting from the application of voluntary modulation in Portugal for the calendar years 2009 to 2012 [8] has been repealed and replaced by Commission Decision 2009/780/EC [9] in order to take into account the decision taken by Portugal not to apply voluntary modulation for calendar year 2009.

(6) Decision 2009/379/EC should therefore be amended accordingly,

HAS DECIDED AS FOLLOWS:

Sole Article

The Annex to Decision 2009/379/EC is replaced by the text set out in the Annex to this Decision.

Done at Brussels, 22 October 2009.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

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[1] OJ L 209, 11.8.2005, p. 1.
[2] OJ L 117, 12.5.2009, p. 10.
[3] OJ L 270, 21.10.2003, p. 1.
[4] OJ L 95, 5.4.2007, p. 1.
[5] OJ L 299, 16.11.2007, p. 1.
[6] OJ L 30, 31.1.2009, p. 16.
[7] OJ L 191, 23.7.2009, p. 17.
[8] OJ L 271, 11.10.2008, p. 44.
[9] See page 59 of this Official Journal.

ANNEX

'ANNEX

(EUR million)

Budget year	Amounts made available for EAFRD								Net balance available for EAGF expenditure
	Article 10(2) of Regulation (EC) No 1782/2003	Article 143d of Regulation (EC) No 1782/2003	Article 9(1) of Regulation (EC) No 73/2009	Article 134 of Regulation (EC) No 73/2009	Article 135 of Regulation (EC) No 73/2009	Article 136 of Regulation (EC) No 73/2009	Article 4(1) of Regulation (EC) No 378/2007	Article 190a(2) of Regulation (EC) No 1234/2007	
2007	984	22							44 753
2008	1 241	22					362		44 592
2009	1 305,7	22					424	40,66	44 886,64
2010			1 867,1	22			397	82,11	44 777,79
2011			2 095,3	22	484	51,6	403,9	122,61	44 437,59
2012			2 355,3	22	484	51,6	372,3	122,61	44 685,19
2013			2 640,9	22	484	51,6	334,9	122,61	44 917,99'