



# ACCESSTOLAND

A European network of grassroots organisations securing land for agroecological farming

## Policies and instruments of land market regulations

### The SAFER, French land agencies

*Presentation written by Mathilde Sanglier, Tanguy Martin and Véronique Rioufol, Terre de Liens, 2017*

#### General presentation of SAFER

In France, buying and selling farmland is done on a **regulated market**. Control over this particular market is operated by the SAFER (*Société d'aménagement foncier et d'établissement rural* – Organism for rural land design and rural settlement). Every French region has its own local SAFER.

SAFERs were created in the 1960's to promote the development of financially sustainable farms and to help farmers set up. They evolved over time to include in their mission environmental protection, local development, as well as to ensure the transparency of the rural property market.

To achieve its missions, SAFER monitors farm land sales and intervenes when needed to make the sale best suit the objectives of the law. They take action by buying the land and selling it back to the person they choose. Unlike a private seller who will choose the highest bidder, SAFER will sell to the **best bidder**.

The SAFER is a stronghold of France's land policy issued over the last 50 years. They were designed **in coherence with other regulatory mechanisms** overseeing the farmland market. As compared with other countries in Europe, these policies have succeeded in limiting the land consolidation and the increase in property prices. However, SAFERs need today to be adapted to the evolutions of the agricultural sector, in particular, they need to be enabled to regulate the financial world's operations on farm land.

#### History: main dates and purposes of the SAFER

SAFERs were created in 1960 to **modernise French agriculture while preserving its family trait of character**. The period is marked by the food shortages of World War II and the low productivity of the agricultural sector. At the same time, the European common market of the 6 is in writing. France's government then decided to profoundly modernise its agriculture in order to secure and improve food production.

**Case study prepared for the Erasmus + partnership on Access to land for Agroecology 2014-7 Toolkit on Legal Tools for Access to land in Europe – August 2017**

With regard to farm land, the goal is to better plan farm land by creating larger farms (easier to mechanise) by putting together smaller plots and improving parcels<sup>1</sup> (drainage, etc). This modernisation process took family farms as reference: the objective being to develop modern "at human level" farms, resting on the work of a couple of farmers and guarantying them a satisfactory income. Other distinctive trait: this mutation took place thanks to a close collaboration between the State and the farming trade unions, in particular, the Young Farmers syndicate.

France's land management policy rests on 3 complementary pillars:

- To secure the rights of farmers in order to encourage them to invest in their production and improve it. This is the goal of the "Tenant Farming Statute" of 1946, which establishes a nine-year minimum lease, automatically renewable, transmissible to the farmer's children and secures regulated rent<sup>2</sup>.
- To oversee the right to farm land through an authorisation procedure, in order to ensure that no property is neither too big or too small. This is the role of the Structures' Policy<sup>3</sup>.
- To regulate the farmland market to make sure that lands remain in agricultural use, control farming areas and direct land use. This is the role played by the SAFER.

The role, proper functioning and results of SAFERs cannot be understood outside of the general policy regulating transactions and the way farmland is used in France.

### SAFER's legal grounds

SAFERs are:

- Public limited companies with stockholders
- Non profit: they do not make profit and do not compensate their stockholders
- Mandated for public service missions: they are assigned to the observation (notification), the transparency (market studies) and control over (pre-emptive right) the rural property market.

Because they are assigned with public service missions, SAFERs are governed by the Rural Code (art. L. 141-7) and under direct supervision of the Ministries of Agriculture and Finance:

- Their establishment and operating scope are subject to the agreement of those two ministries
- The Agriculture Minister must approve the choice of the elected president and appointed director
- The two ministries must approve the annual program (art. R. 141-3)
- Each SAFER operates under the supervision of two government officials, each respectively appointed by one of the ministers (art. R. 141-9)

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<sup>1</sup> The process of consolidating small plots into bigger properties took place from the 1950's through the 1980's. 21 000 operations were led over 18 million hectares. These operations, which greatly simplified the French clustered farm land were often dramatic experiences for those concerned and have had tragic consequences on the environment and landscape.

<sup>2</sup> See <http://www.accesstoland.eu/The-tenant-farmers-statute>

<sup>3</sup> See <http://www.accesstoland.eu/Structures-Policy-in-France>

Hence, SAFERs lead public policies with the status of a commercial operation. This enables them to balance out their accounts by collecting a margin on the land they sell. In this way, they are not dependent on public funding, even though they are granted subsequent tax advantages (exemption from change-of-ownership levies<sup>4</sup>).

## Structure and governance of the SAFER

### Governing authorities

Stockholders of SAFERs are professional organisations (Chamber of Agriculture, producer associations, farming trade unions, local communities and banks). Since SAFERs are non-profit, stockholders do not get compensated. Administrators are elected within the group of stockholders.

Initially, SAFERs operated based on the principle of co-management by the State and the farming. Then, in order to better take into account a diversity of opinions and make their operations more transparent, they progressively opened their governance to other stakeholders. Hence in 2014, the law established that the board of directors includes 3 equally represented groups of board members:

- a) The agriculture sector representatives (trade unions, chambers),
- b) Local communities
- c) State representatives (state commissioners)
- d) Other organisation representatives<sup>5</sup>

### Technical Committees

Decisions related to the acquisition and assignments of land are made by commissions existing for each department: the technical committees (TCs). These committees deliver advisory notices, the final decision being made by the regional board of directors.

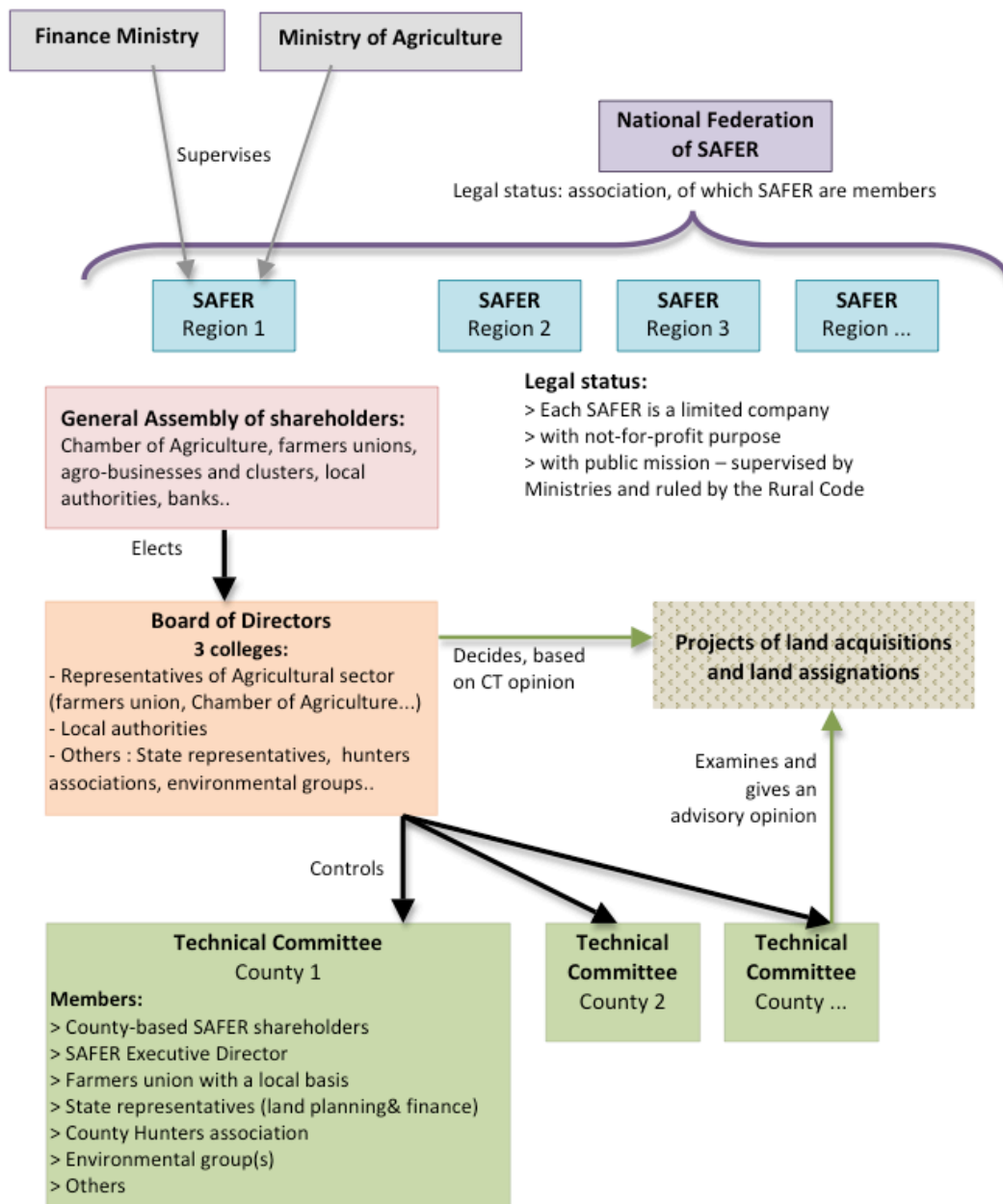
Members of department TCs are:

- SAFER stockholders from the given department
- The SAFER's director
- Farmers trade unions which have sufficient support in the department (based on the results of the latest union elections)
- The department's and regional mayor associations
- The local representatives for the Ministries of Agriculture and Public finance
- Local organisations (for hunting or for the environment)
- Any other individual included by internal regulations (such as agricultural banks, the agricultural welfare administration)

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<sup>4</sup> SAFERs are exempted of change-of-ownership levies, that is, the taxes due to the State or a local authority when real estate changes owners. The State granted SAFERs this fiscal advantage to help them with their public service mission of intervention into farmland markets.

<sup>5</sup> Farm Law (*Loi d'avenir agricole*) 14 October 2014, modifying article L141-6 of the Rural Code.



Graph 1- Governance of the SAFERs

### National SAFER federation

All SAFERs form together the National SAFER Federation regulated by the law of 1901 on associations. Established simultaneously to the first SAFERs, the Federation guarantees their proper functioning and their financial balance while also representing them to the Ministry of Agriculture. The Federation has no authority over the regional SAFERs who are autonomous.

## SAFER's means of intervention

### **Notice of a sale to the SAFER**

In France, all sales and any property transfers of agricultural and rural real estate, built or non-built must be notified to the SAFER by the seller's notary. The 2014 law expands this obligation to any transfer of *rural* real estate and not only *agricultural*. The obligation stands for all transfers may they be against payment or free. It also includes the sale of shares and transfers of usufruct and bare ownership.

This mandatory notification enables the SAFERs to conduct studies and establish statistics on the rural property market. However, they only have a right to intervene when farming real estate is concerned, excluding sales within families.

### **Two means of intervention: amicable transaction or pre-emption right**

The SAFER intervenes in 20 to 30 percent of rural transactions. It can take action in two ways:

1/ The SAFER, in the case of a private sale, will enter the operation at the request of the seller to act as an **intermediary of an amicable transaction**. This role, though close to that of a real estate agent's differs on two main issues:

- The SAFER does not give the sale to the highest bidder, but to the best bidder, offering the best project as decided by its board of directors following general guidelines established by law and under the supervision of the government representatives
- The SAFER does not pay its stockholders; its possible profits can only be used towards its employees' salaries or be invested in its operations

2/ If it is invited to by a third party wanting to block the sale, a SAFER can also take action through its **pre-emption right to buy**. In this case, its governing authorities decide or not to intervene. They will assess as to whether or not this third party has a more interesting project according to the nine objectives stipulated by the law on the right of pre-emption. A pre-emption can only take place with the agreement of the Ministry of Agriculture and the Ministry of Finance's representatives. When a goal linked to the environment is concerned, a representative of the Ministry of Environment is also sought after.

### **Amicable transactions**

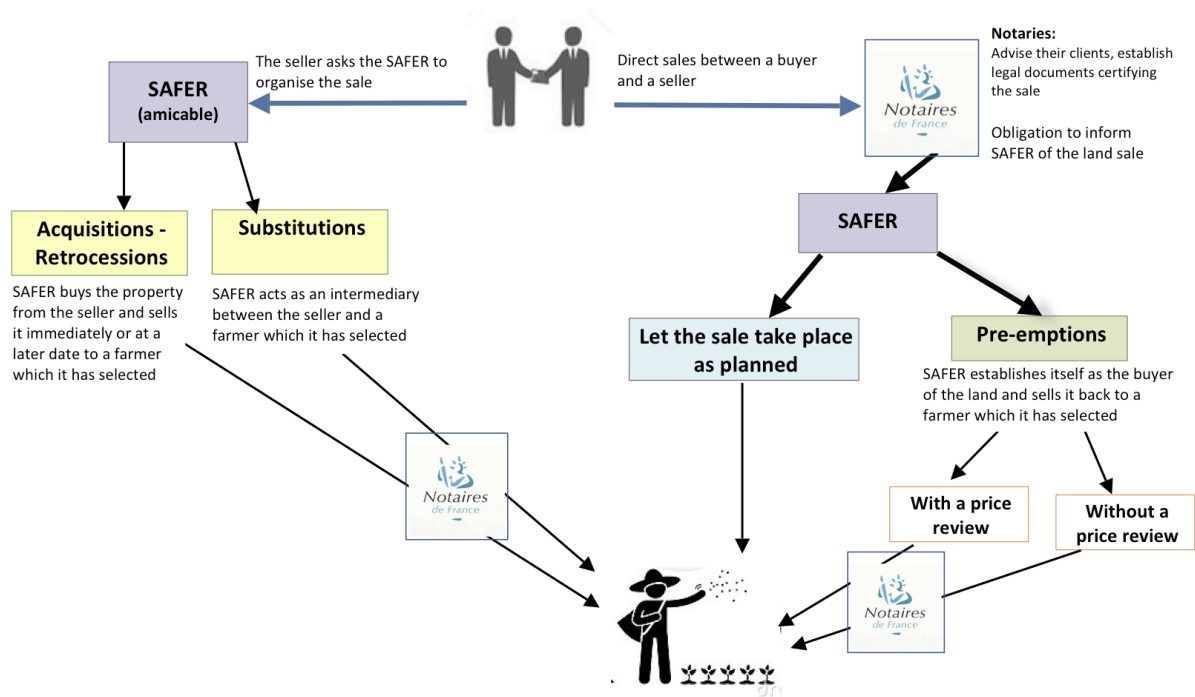
The SAFER can intervene at the request of the seller in two different ways, differing mainly in their form and notary costs:

- Acquisition-retrocession: the SAFER buys the land. In a second operation it sells it to a chosen party. This procedure as it requires two bills of sale is more onerous but it enables to temporarily stock land and possibly reorganise plots.
- Substitution: the SAFER and the seller sign an agreement to sell authorising the SAFER to be replaced by a third party buyer of its choice. The SAFER will then search and select a new buyer. Once the buyer is chosen, the operation happens in one only bill of sale between the seller and the buyer. The SAFER will however include in the bill mandatory guidelines specifying the land's use, based on the reasons for which the buyer was chosen. This procedure is faster and more cost-effective.

**SAFER:**  
**Means of intervention on the land market**

**All sales and property transfers of rural real estate:**

- > Sale of farm land and buildings,
- > Sale of country houses,
- > Sale of shares of companies whose main object is to own rural real estate,
- > Transfer of usufruct and bare ownership



Graph 2- SAFER's means of intervention

**Pre-emption operation:**

In these cases, the SAFER forcibly establishes itself as the buyer. This can be done in two different ways:

- Without a price review: the SAFER agrees to the price offered by the seller and the seller is obligated to sell at this initial price
- With a price review: if the SAFER finds the price overvalued considering the state of the property or compared to local pricing, it can decide to dispute the price and offer a lower price than asked for by the seller. In this case, the seller can: 1/ agree; 2/ withdraw from the sale; 3/ challenge the SAFER's decision in court.

In the event of a pre-emption, the grounds for intervention and assignment to a new party can only be of farming consideration and must pursue one of these goals, established by law:

- 1/ The settlement, the resettlement or the continuation of farmers;
- 2/ The consolidation of farms in order to enable them to achieve a sustainable financial situation with regard to regional directives and the optimisation of the pre-existing plot distribution;
- 3/ The protection of the viability of farms when it is put at risk by public interest works (road construction, etc);
- 4/ The protection of the family trait of a farm;

5/ To fight against real estate speculation;

6/ The preservation of existing financially sustainable farms when it is compromised by the separate transfers of the land and the farm house or buildings;

7/ The promotion and conservation of forests as well as the optimisation of forestry activities in regards to the agreements made with the State;

8/ The protection of the environment, primarily by the implementation of adapted farming methods, in regards to the strategies established by the State or the regional and local authorities;

9/ The preservation and promotion of suburban farms and green spaces.

A 2014 study by the Court of Auditors shows that almost all purchases by SAFER's are done through amicable operations (see table below). In 2012, 68 % of interventions were through substitution and 24 % through acquisition-retrocession. The right of pre-emption is only used in 5% to 8% of cases (depending on the year). However, it is a tool with powerful deterring effect: through its own existence, it is a strong incentive for sellers to moderate their prices.

Data - 20112	Land area acquired		Value of the land acquired	
	Hectares	% France	K €	% France
Substitutions	60 528	68%	839 390	78%
Acquisitions - Retrocessions	21 163	24%	180 035	17%
Pre-emptions	6 868	8%	52 883	5%
<b>Total acquisitions</b>	<b>88 568</b>	<b>100%</b>	<b>1 072 297</b>	<b>100%</b>

Table 1: Various means of interventions of the SAFER, as appearing in the notarised agreements on land sales. Source: Report of the Court of Auditors, 2014

### **Reselling the land to a candidate:**

SAFERs are not established to preserve and manage land for a long time<sup>6</sup>. When it buys land, it is always to resell it to a new buyer offering a project in line with its missions set by law:

- Promote agricultural and forestry,
- Encourage young farmers to set up
- Protect the environment, the landscape and natural resources
- Develop local economies

Within the boundaries set by these missions, the land assignments are chosen by the Technical Committee and the Board of Directors under supervision by the government commissioners. There is no hierarchy between these missions.

In each case, the SAFER looks for potential buyers through public announcements of the sale (e.g. municipal advertising) and allocates the land to the most promising project with regard to the goals set by the law. Hence, even in the case of a pre-emption, the land is not necessarily

<sup>6</sup> In principle, the SAFER cannot hold onto a land for more than 5 years.

sold to the individual having activated the pre-emption procedure. Furthermore, the SAFER issues for each operation mandatory guidelines for the buyer to follow for at least ten years. These mandatory specifications are linked to the motives for which the buyer was chosen.

In the event the property is sold to a buyer wanting to rent it to a third party farmer or another real estate owner such as *Terre de liens*, the SAFER has a right to oversee their choice. The farmer must be chosen in accordance with the Structures policy and the priorities set by the rural regional plan (see below Structures Policy). However, the farmer is exempted from requesting an authorisation to operate, because the agreement of the government commissioners vows as authorisation to operate.

### ***Temporary land storage***<sup>7</sup>

In some cases, the SAFER will decide to keep the property for a while, in particular if the land is of key interest but none of the candidates is immediately ready to buy the land according to the goals set by the SAFER. The SAFER will then set aside the land and manage it for a few months or years until it finds an appropriate buyer.

This tool is extremely helpful towards enabling the set up of new farmers who are not ready at the time of the sale (e.g. still studying or have not yet gathered enough funding). It is also a key lever to control the way the land is used (e.g. continuation of organic farming on the land or giving the SAFER time to find the right farmer).

## **Development landmarks and current situation**

### ***Evolution of the mission of real estate market regulator***

In the 1960's, when the SAFERs were created, the law set the following goals for them to pursue: set up young farmers, expand financially unsustainable farms, preserve the family trait of a farm and fight property speculation. As soon as 1962, the law gave them a pre-emption right to strengthen their means of action.

Progressively many other different missions were given to SAFERs. Since the 1980s, through preserving a pool of real estate they have helped regional authorities with their land planning policies. In the 1990s, the SAFERs received new objectives:

- Promote the economic life of rural areas beyond agriculture
- Take part in protecting the environment: preservation of landscape diversity, protection of natural resources, maintaining biodiversity, etc
- Insure the real estate market is transparent through periodical studies, in particular an annual report on real estate prices

The last noticeable amendment was in 2014 when the law made it mandatory for a safer to give an organic farm to an organic farmer.

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<sup>7</sup> Temporary land storage is explained in Tool-sheet 3 of the Handbook, available on [www.accesstoland.eu](http://www.accesstoland.eu).



### ***Expansion of SAFERs other activities***

Next to their public service missions, SAFERs have developed other activities. All SAFERs do not take part in these activities but the latter have globally been in expansion these past years.

- Real estate watch for local authorities (Vigifoncier<sup>8</sup> tool) or for private individuals,
- Sale of rural properties (real estate services),
- Rental intermediation: the SAFER plays the role of intermediary between owners and potential renters,
- Hydraulical studies (study services).

Rental intermediation is becoming a bigger part of the SAFERs' missions. Their role as rental intermediary is based in the Rural Code. Rental intermediations proceed with an agreement between the owner and a SAFER for the SAFER to find tenant farmers. In the case of multiple candidates, the SAFER will choose from them with the same criteria and methods then in the event of a sale. The owner will pay a service fee and the candidates pay for their application.

Forgotten for some time, rental intermediations are being revived because of the SAFERs' interests in transmissions. Indeed, almost always when a farm is being transferred will one part be up for sale and another up for rent. Thanks to the rental intermediation procedure and alongside its intervention on the sale, a SAFER can make sure the farm is not split, by choosing the same individual for the rent and the sale.

### ***SAFERs under pressure from financial investors***

For a couple of years, the regulatory role of SAFERs has been under pressure because of the emergence of multinationals and investors on the real estate market. With the expansion of corporate agriculture and the financialisation of agriculture, public limited companies are created with the sole purpose of acquiring farmland to rent to farmers or to keep as an investment. In these cases, the land changes hands not through sales or leases but by the transfer of shares.

SAFERs could not regulate these transactions, as they were only established to control property sales not share sales. Share transactions also avoid the control over farm structures because they are divided in a large series of small transactions. In consequence, through a strategy of share acquisitions, "*holdings can be created to control farms that may be as big as 1000, 2000 ha or even more*"<sup>9</sup>. In this type of investment, capital gain takes the lead on good management, jobs decrease and the added value to the territory drops to nothing.

The 2014 law for the future of agriculture enabled SAFERs to intervene on sales of real estate shares. But they can only do so if 100 percent of shares are put on sale, which is easily avoided by orchestrating the sale in two parts. SAFERs are in consequence usually helpless when transfers of shares are concerned<sup>10</sup>.

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<sup>8</sup> *Vigifoncier* is an online tool offered by the SAFERs that enables the local authorities to quickly know about land sale projects in their area. They now have follow-up indicators and analysis over their local real estate dynamics

<sup>9</sup> SAFER, *The price of land in 2014*. Also: Robert Levesque, *Farm land: Chinese acquisitions in the Berry: a European case study*, in *La Revue Foncière* n°11 May-June 2016

<sup>10</sup> A law proposal was recently examined by Parliament to enable SAFERs to intervene when only parts of the shares are being transferred. The proposal ended up being blocked on March 17<sup>th</sup> 2017 by the Constitutional Court for being contrary to private property and the right to free enterprise.

## SAFER's impact on access to land

It is a hard task distinguishing the SAFERs' action from other farmland policies. Furthermore, economic, political and social factors also need to be taken into account with regard to France's relatively low prices and limited land concentration compared to other European countries. However, many studies agree that the SAFERs have helped in<sup>11</sup>:

### - Moderating land consolidation in France:

The average farmland size has gone up from 20 to 55 hectares between 1970 and 2010. This concentration, however large, is lower than most other European neighbours. Furthermore, the number of "mega-farms" of several hundreds hectares remains low.

### - Limiting the rise in land prices

In 2015, the average value per hectare in France is 6100 Euros. Even though prices have increased within the last 10 years (+40%), they remain well under those of their neighbours (usually 20.000 to 30.000 Euros per hectare) and increase less rapidly.

### - Preserving farmland

SAFERs intervene by pre-empting land under threat of being used for non-farming purposes (e.g. vacation homes). Besides, by advising local authorities (technical help, watch over local land sales, land storage), they have strengthened the latter's vision and capabilities.

### - Helping new farms set up

In 2014, 34 % of land (20 % of sales) on which SAFERs intervened were used towards the set up of new farmers. 59 % of retrocessions for new farmers happened outside family ties.

Today the SAFERs action scope is dramatically limited by new developments:

- The end of State land endowments, which complicates their public service missions (in particular, storage which is costly)
- Candidates' financial abilities: the SAFERs can only assign land to candidates capable of buying them. Because of the rise in value of farm land (due to inflation and the increase in size) combined to the reluctance of banks, prospective farmers are finding it increasingly hard to finance the acquisition of land
- The high development of tenant farming: currently, 77% of farmland is being operated under tenancy when the SAFER's action is mainly aimed at sales<sup>12</sup>
- The financialisation of land transactions: in 2016, share transfers including farmland represented 6% of land transactions in numbers, and 18% of land transaction in value<sup>13</sup>. SAFERs have almost no reach on these operations.

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<sup>11</sup> Levesque and Merlet, 2008; AEIAR, 2015.

<sup>12</sup> 25 years ago, SAFERs operated on 425 000 hectares, today this number has dropped to 275 000 hectares.

FNSAFER, Congress 2015, La Rochelle, [http://www.safer.fr/iso\\_album/20151204-3-mfoetactivite.pdf](http://www.safer.fr/iso_album/20151204-3-mfoetactivite.pdf)

<sup>13</sup> FN SAFER, *Le prix des terres 2016*, 2017 <http://www.le-prix-des-terres.fr/>

## Connections between SAFER and other tools

### SAFER and Community farmland Trusts

Since 2010, Terre de liens (TDL)<sup>14</sup>, a major community farmland trust in France, and the National SAFER Federation are bound by an agreement, which serves to define and reinforce the way in which they co-operate. For example, when a retrocession takes place, TDL is often the recipient. Other times, the SAFER will hold on to a land until TDL raises enough money to buy it. Through these operating methods, since 2007, half of TDL's acquisitions have taken place with the SAFER as intermediary. Relations between TDL and SAFER are better where local authorities create partnerships between all rural real estate stakeholders. Even though TDL and SAFERs have common goals – preservation of farmland, set up of new farmers, fight against land speculation – they also have different opinions. For instance, SAFERs do not give priority to organic farming over other forms of farming, while TDL systematically promotes it. These differences can make a SAFER assign a land to another buyer than TDL.

### SAFER and temporary land storage

Thanks in part to agreements made with local authorities; the SAFER has now become the main farmland storage actor.

## SWOT analysis

	<b>Harmful to achieving the objectives</b>	<b>Helpful to achieving the objectives</b>
<b>Internal factors</b>	<ul style="list-style-type: none"> <li>- Strong tool: solid legal base + public support (exempted from change-of-ownership levies) + 50 years experience</li> <li>- Importance and experience acknowledged by the State, local authorities and the farming sector</li> <li>- Large scope of intervention</li> <li>- Action backed by pre-empting right which enables to intervene directly on a sale and redirect the use of land as well as limit land speculation</li> <li>- The Board of directors is an all-party authority (the State, agriculture institutions and trade unions), which was further opened up (Law of 2014) to minority trade unions, local communities and environmental organisations.</li> </ul>	<ul style="list-style-type: none"> <li>- The lack of investment from local representatives and some civil society organisations leaves the agricultural players sole in charge of certain SAFERs</li> <li>- Highly regulated activities demanding heavy administrative and legal bases</li> <li>- Complex operating system not easy to understand by farmers with no agricultural background</li> <li>- A SAFER cannot use its pre-emptive right with price review if not called upon (a third party needs to ask SAFER to intervene)</li> </ul>

<sup>14</sup> See [www.terredeliens.org](http://www.terredeliens.org)

<b>External factors</b>	<ul style="list-style-type: none"> <li>- Consistency of French land policies. SAFERs are particularly efficient, in connection with the Structures' policy</li> <li>- Farm land preservation tools were recently reinforced</li> <li>- Collaboration with local authorities on a real estate watch, pre-emption and storage of land</li> <li>- Real estate portage financially backed by Regional Authorities</li> <li>- Local authorities can delegate to the SAFERs a pre-emption right (e.g. to manage flood risks)</li> </ul>	<ul style="list-style-type: none"> <li>- End of state endowments: the only public support is now the exemption of change-of-ownership taxes. As a result, SAFERs have largely turned to real estate operations in rural areas to maintain financial viability leaving less time for its public service missions.</li> <li>- SAFERs are largely inoperative and without pre-emption right in the lease sector, which constitutes 77% of farm land area</li> <li>- SAFERs are largely toothless against the corporate world and financialisation of the farmland market (sale of shares, lack of transparency of transactions)</li> <li>- Prospective farmers often lack financial means which prevents SAFERs from assigning them land</li> </ul>
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## Case study

### **Les Eygageyres, Auvergne:** Rebuilding a farm from the merger of two farms in the 1970's

Until the 1970's, the Eygageyres farm was a traditional 27,5 hectares crop and livestock farm. Later on, like many other "small" farms at the time it became part of a larger farm's expansion from the neighbouring vicinity, the property covered now 70 ha. The larger farm quickly became the heart of the operation and Eygageyres grew to be a simple annexe slowly completely abandoned. Parcels were not cared for neither cropped and shrub eventually covered the land. The living quarters were not lived in for 30 years.

At the end of 2014, the whole 70ha were put up for sale. The owner wishing to sell rapidly and under pressure by many potential buyers decided to entrust the SAFER with the sale. The SAFER bought the land in order to later on sell it to a farmer of its choice. The township of Chadron, where the farm is located, wanting to promote the set up of young farmers on her territory backed the application of Romain, representing a new generation of farmers with no agricultural background and who'd been looking for a farm for 5 years now.

In 2015, the SAFER sold the land and the facilities to several candidates.

- the first 27,5 hectares of land and facilities corresponding to the Eygageyres farm were sold to Terre de Lien who in turn leased it to Romain. The price per hectare was 3253 Euros. It is a good deal for the seller in regards to the state the farm was in. Terre de Lien rapidly collected enough funding to buy the lot thanks to the local mobilisation backed by the district and Terre de Lien. This mobilisation included inhabitants, environmental organisations and consumer groups.
- The other 40 hectares (and one other living facility) were used to expand 4 other farms from the neighbouring districts. Some of these lots were sold for up to 6000 Euros per hectare (high demand linked to AOC on lentils in the region)

As soon as the summer of 2015, Romain moved into Les Eygageyres with a project of pigs living in the open, sheep for meat and milking cows, all in organic farming with 100% processing and farm to consumer distribution. The SAFER stored the land waiting for Terre de Lien to raise enough private funding to buy the farm. This target was reached in June 2016. The regional council covered the costs undertaken by the SAFER while it held on to the land. This was done according to a long term porting agreement between the SAFER and the Region.

During that time, Romain worked hard to get back to life the abandoned farm. He started clearing out the facility: before his work a third of the plots were covered in shrub. He bought on his own the facilities and started renovation on the house, annexes and gated the plots. Aiming for self-sustenance on the farm, he bit by bit replanted part of the land.

Romain processed his first production in September 2016, all of it being pre-sold before being ready. In term, Romain wants to process 80 pigs, 40 lambs and 5 veals per year as well as create a  $\frac{3}{4}$  part time job.

Thanks to Romain and the interventions of the SAFER and Terre de Liens as well as local mobilisation, a farm was reborn, a home brought back to life, an all new family found a place to set up, jobs and economic activity were created, all on this “small” farm with so much added value.

## Conclusion

SAFERs are the cornerstone of regulation on the French property market. A powerful tool, created in the 1960's in the context of a global land planning policy, they are fitted with a vast action scope, a multi-facetted intervention tool kit such as the pre-emption right.

They have helped in limiting the concentration of land, the loss of farms and the rise of prices. Furthermore, they answer the need of local authorities to better know and control the use of farm land on their territories in order to promote food production or the creation of jobs and other activities.

SAFERs need now to be reinforced and amended to better suit today's issues of the farm land markets: less sales and more leases, financialisation of property transactions and the entry on the market of investors from the non agricultural world, the emerging trend of a new generation of farmers with no farming background.

Several improvements could contribute to reinforce the SAFER's role in the promotion of a new farmer's set up and agro-ecology:

1. Reinforce the action of the SAFERs with regard to generational renewal and environmental protection, namely by better coordinating the actions of the SAFERs with regional agricultural planning and better funding by local authorities.
2. Encourage authorities and civil society organisations to actively engage in the governance of the SAFERs (Board of Directors, technical committees)
3. Give SAFERs optimal tools to regulate land transactions in the form of share transfers even when partial
4. Strengthen public funding on the long term in order to enable SAFERs to engage in their public service missions, namely real estate temporary portage

## Further reading

- Michel Merlet and Robert Levesque, [\*The SAFERs, an original land market regulation mechanism that is operated by the State and farmers' organisations in France\*](#), aGter, 2008
- Gwenaëlle Mertz, [\*La régulation de la taille des exploitations agricoles : « le contrôle des structures »\*](#), aGter, 2010
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This note was written as part of a **Handbook on Legal Tools for Access to land in Europe**, produced by the Access to land partnership – 2017  
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This work is funded by the Erasmus + programme of the European Commission.

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