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Contents

I *Acts whose publication is obligatory*

- ★ Council Regulation (EEC) No 1938/81 of 30 June 1981 on a common measure to improve public amenities in certain less-favoured agricultural areas of the Federal Republic of Germany 1
 - ★ Council Regulation (EEC) No 1939/81 of 30 June 1981 on an integrated development programme for the Western Isles of Scotland (Outer Hebrides) 6
 - ★ Council Regulation (EEC) No 1940/81 of 30 June 1981 on an integrated development programme for the Department of Lozère 9
 - ★ Council Regulation (EEC) No 1941/81 of 30 June 1981 on an integrated development programme for the less-favoured areas of Belgium 13
 - ★ Council Regulation (EEC) No 1942/81 of 30 June 1981 for the stimulation of agricultural development in the less-favoured areas of Northern Ireland 17
 - ★ Council Regulation (EEC) No 1943/81 of 30 June 1981 on a common measure to improve the processing and marketing conditions in the cattlefeed sector in Northern Ireland 23
 - ★ Council Regulation (EEC) No 1944/81 of 30 June 1981 establishing a common measure for the adaptation and modernization of the structure of production of beef and veal, sheepmeat and goatmeat in Italy 27
 - ★ Council Regulation (EEC) No 1945/81 of 30 June 1981 restricting investment aids for pig production 31
 - ★ Council Regulation (EEC) No 1946/81 of 30 June 1981 restricting investment aids for milk production 32
 - ★ Council Regulation (EEC) No 1947/81 of 6 July 1981 laying down the conditions on which the Hellenic Republic may maintain on a transitional basis certain national aid measures falling within the scope of the socio-structural Directives 33
-

Contents (continued)

II *Acts whose publication is not obligatory*

Council

81/527/EEC:

- ★ Council Directive of 30 June 1981 on the development of agriculture in the French overseas departments 38

81/528/EEC:

- ★ Council Directive of 30 June 1981 amending Directive 72/159/EEC on the modernization of farms 41

81/529/EEC:

- ★ Council Directive of 30 June 1981 amending Directive 72/161/EEC concerning the provision of socio-economic guidance for and the acquisition of occupational skills by persons engaged in agriculture 44
-

Corrigenda

- ★ Corrigendum to Commission Regulation (EEC) No 997/81 of 26 March 1981 laying down detailed rules for the description and presentation of wines and grape musts (OJ No L 106, 16. 4. 1981) 46

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1938/81

of 30 June 1981

on a common measure to improve public amenities in certain less-favoured agricultural areas
of the Federal Republic of Germany

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas, by virtue of Article 39 (2) (a) of the Treaty, the social structure of agriculture and the structural and natural disparities between agricultural regions must be taken into account in determining the common agricultural policy;

Whereas, in order to attain the objectives of the common agricultural policy set out in Article 39 (1) (a) and (b) of the Treaty, special measures must be taken, at Community level, to remedy the situation in those agricultural areas where production conditions are particularly difficult;

Whereas certain less-favoured areas of the Federal Republic of Germany, within the meaning of Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas ⁽²⁾, are lacking in public amenities, including water engineering in agriculture;

Whereas structural changes and agricultural reforms in these regions cannot be effective unless these amenities are improved;

Whereas it seems opportune to provide for a proper rural road network and the improvement of water engineering by means of Community aid;

Whereas the projects must also, in order to qualify for Community financing, contribute in particular to a lasting improvement in the public amenities available to agricultural holdings, have adequate economic justification and be coordinated with other measures for encouraging agriculture and for improving amenities; whereas they must also form part of an outline programme coordinating the various programmes and measures for the balanced development of agriculture and public amenities in the areas concerned;

Whereas, to ensure coordination of action by the Community and by the Member State concerned, the projects to be financed by the European Agricultural Guidance and Guarantee Fund, hereinafter referred to as 'the Fund', should be approved and part-financed by that Member State;

Whereas, to secure observance by the recipients of the conditions on which aid is granted from the Fund, an effective control system should be set up and provision made for suspension, reduction or termination of aid from the Fund;

Whereas, in view of the special difficulties affecting these regions, the Community should provide aid from the Fund in the form of a capital subsidy not exceeding 30 % of the total investment;

⁽¹⁾ OJ No C 101, 4. 5. 1981, p. 56.

⁽²⁾ OJ No L 128, 19. 5. 1975, p. 1.

Whereas the measures referred to above accordingly constitute a common measure within the meaning of Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EEC) No 3509/80 ⁽²⁾;

Whereas aid from the Fund provisionally estimated at 45 million ECU over five years will contribute to improving public amenities in these regions;

Whereas a procedure for approval of the projects should be established which ensures close cooperation between the Member States and the Commission within the Standing Committee on Agricultural Structure, set up under Article 1 of the Council Decision of 4 December 1962 on the coordination of policies on the structure of agriculture ⁽³⁾; whereas consultation of the Fund Committee referred to in Article 11 of Regulation (EEC) No 729/70 should also be provided for,

HAS ADOPTED THIS REGULATION:

Article 1

1. In order to improve agricultural production and working conditions in certain less-favoured areas of the Federal Republic of Germany, a common measure within the meaning of Article 6 (1) of Regulation (EEC) No 729/70 is hereby set up to improve public amenities more quickly.

2. The common measure shall apply in certain less-favoured areas of the Federal Republic of Germany within the meaning of Article 3 of Council Directive 75/268/EEC.

These areas include:

- areas listed in Directive 75/270/EEC ⁽⁴⁾ which form part of the areas referred to in Article 92 (2) (c) of the Treaty,
- areas which form part of less-favoured agricultural areas within the meaning of Article 3 (4) and (5) of Directive 75/268/EEC, classified under numbers 12, 13, 15, 16 and 25 in the Annex to Directive

75/270/EEC, in which at the date of entry into force of the present Regulation a compensatory allowance is paid in accordance with the first indent of Article 4 (1) of Directive 75/268/EEC,

- areas of the region of Hunsrück which appear in Directive 75/270/EEC.

3. In accordance with Titles III and IV, the Commission may grant aid for the common measure by financing projects, from the Guidance Section of the Fund, which are included in the outline programme described in Title I and which meet the conditions of Title II.

TITLE I

Outline programme

Article 2

The outline programme for the improvement of public amenities shall cover:

- water engineering measures in agriculture including the establishment of reservoirs, the regulation of water courses and the control of floods,
- the construction and improvement of farm and local roads which are mainly used for agriculture and forestry.

It shall be drawn up by the Federal Republic of Germany.

Article 3

1. The following minimum particulars shall be given in the outline programme:

- (a) a description of the measures planned, how they can help to expedite work and how it is expected that the programme will be financed;
- (b) the limits of the area covered by the programme;
- (c) the estimated time required to carry out the programme;
- (d) the provisions for coordination with any other programmes or measures for the balanced development of agriculture and public amenities in the areas covered by the programme and for giving

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 367, 31. 12. 1980, p. 87.

⁽³⁾ OJ No 136, 17. 12. 1962, p. 2892/62.

⁽⁴⁾ OJ No L 128, 19. 5. 1975, p. 10.

priority to projects which are complementary to these programmes or measures;

- (e) an assurance that the actions undertaken are compatible with the protection of the environment.

2. All the measures included in this action must fall within the framework of a regional development programme when the Federal Republic of Germany is obliged to forward it to the Commission in accordance with Article 6 of Council Regulation (EEC) No 724/75 establishing the European Regional Development Fund ⁽¹⁾.

Article 4

1. The outline programme and any modifications to it shall be sent by the Federal Republic of Germany to the Commission.

2. At the request of the Commission, the Federal Republic of Germany shall supply additional background information of the kind referred to in Article 3.

Article 5

Commission approval of the outline programme and any modifications thereto shall be decided in accordance with the procedure laid down in Article 15.

TITLE II

Projects

Article 6

1. For the purpose of this Regulation, 'project' means any material investment in the public, semi-public or private sector relating wholly or in part to the measures described in Article 2.

2. Projects may embrace one or more of the actions indicated in Article 2. They may be implemented in all or part of an area covered by the outline programme.

Article 7

Projects must:

- (a) be included in the outline programme;

- (b) contribute to a lasting improvement in the amenities necessary for agricultural holdings;
- (c) be shown to be economically sound;
- (d) be coordinated with other measures for encouraging agriculture and for improving amenities.

TITLE III

Procedure for the security of projects

Article 8

1. Applications for aid from the Fund must be submitted by the Federal Republic of Germany.

2. In order to qualify for aid from the Fund, projects must have been approved by the Federal Republic of Germany.

3. Applications for aid must be supported by proof that the project fulfils the conditions laid down in Title I.

4. The information to be provided with applications and the form in which it is to be presented shall be determined in accordance with the procedure laid down in Article 15 after consultation with the Fund Committee on the financial aspects.

Article 9

1. The Commission shall decide on the granting of aid from the Fund in accordance with the procedure laid down in Article 15 after consulting the Fund Committee on the financial aspects.

2. The Member State concerned and the recipient of aid shall be notified of the Commission's decision.

Article 10

This Regulation shall not apply to projects for which Community aid is being provided under other common measures within the meaning of Article 6 (1) of Regulation (EEC) No 729/70 or through the European Regional Development Fund.

⁽¹⁾ OJ No L 73, 21. 3. 1975, p. 1.

TITLE IV

Financial and general provisions

Article 11

1. The period envisaged for carrying out the common measure is five years from the date of entry into force of this Regulation.
2. Before expiry of the period referred to in paragraph 1, this Regulation shall be reviewed by the Council, acting on a proposal from the Commission.
3. The estimated total cost to the Fund of the common measure, for the period envisaged in paragraph 1, shall be 45 million ECU.
4. Article 6 (5) of Regulation (EEC) No 729/70 shall apply to this Regulation.

Article 12

1. The aid from the Fund shall consist of capital subsidies granted in one or more instalments.
2. Of the total cost of the investment involved in each project:
 - (a) the financial contribution of the beneficiary must be at least 10 %;
 - (b) the financial contribution of the Federal Republic of Germany must be at least 20 %;
 - (c) the subsidy granted by the Fund shall be 30 %.

Article 13

1. Natural or legal persons or groups of such persons who would in the last resort bear the cost of carrying out the project may qualify for a contribution from the Fund.

The aid from the Fund shall be paid by agencies designated for that purpose by the Member State concerned.

2. For the whole period in which a contribution is made from the Fund, the authority or agency designated for the purpose by the Member State concerned shall send the Commission, should it so request, all supporting documents which may be needed to show that the financial or other conditions laid down for each project are fulfilled. The Commission may, if necessary, carry out on-the-spot inspections.

After consulting the Fund Committee on the financial aspects, the Commission may decide to suspend, reduce

or terminate aid from the Fund, in accordance with the procedure laid down in Article 15;

- if the project is not carried out as planned, or
- if some of the conditions laid down are not fulfilled, or
- if the beneficiary, contrary to the information contained in his application and set out in the decision to grant aid, has neither begun the work within two years of the date of notification of that decision, nor furnished adequate assurances, before the end of the said period, that the project will be carried out.

The decision shall be notified to the Member State concerned and to the recipient.

The Commission shall take steps to recover monies the payment of which was not, or has ceased to be, justified.

3. The appropriations released either as the result of a decision taken in accordance with the second subparagraph of paragraph 2 of this Article or arising out of the fact that the recipient has abandoned the project or reduced the scale of the investment on which the aid decision was based, may be used to finance other projects.

4. Detailed rules for the implementation of this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 14

Applications submitted to the Commission for aid from the Fund for projects which could not be granted for lack of funds may, if the applicants so agree, be carried forward to the following financial year by the Federal Republic of Germany.

Requests for carrying forward applications must be made to the Commission within 30 days of the date on which the Member State was notified of the decision taken in accordance with the procedure laid down in Article 15. An application for aid may, however, be carried forward once only.

Article 15

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred to the Standing Committee on Agricultural Structure, either by the chairman on his own initiative or at the request of the representative of a Member State.

2. The representative of the Commission shall submit a draft of the measures to be adopted. The Standing Committee on Agricultural Structure shall deliver an opinion on those measures by a majority of 45 votes within a time limit set by the chairman according to the urgency of the matter; the votes of the member States shall be weighted as provided for in Article 148 (2) of the Treaty. The chairman shall not vote.

3. The Commission shall adopt measures which shall be immediately applicable. However, if such measures are not in accordance with the opinion of the Standing Committee on Agricultural Structure, they shall forthwith be communicated by the Commission to the

Council; in that event, the Commission may defer application of the measures which it has adopted for not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision within one month.

Article 16

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 30 June 1981.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 1939/81

of 30 June 1981

on an integrated development programme for the Western Isles of Scotland (Outer Hebrides)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas the general socio-economic situation in the Western Isles of Scotland (Outer Hebrides) is particularly unfavourable, whereas, in order to improve this situation, the means and instruments available must be combined and implemented in an integrated manner;

Whereas the Community has at its disposal sources of action arising from its financing possibilities notably from the European Social Fund, and from the European Regional Development Fund; whereas it is suitable, taking account of the situation in the regions, to supplement these measures by the intervention of the European Agricultural Guidance and Guarantee Fund under a common measure within the meaning of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽²⁾, as last amended by Council Regulation (EEC) No 3509/80 ⁽³⁾;

Whereas, the implementation of this common measure requires the combining, by way of adequate procedures, of the various means available within the context of an integrated development programme;

Whereas, this programme is to be prepared by the United Kingdom;

Whereas the preparation and implementation of such a programme in the area concerned require financial aid from the Community;

Whereas there should be a Community financial contribution to certain measures vital for the implementation of the programme with the aim of improving the structures in agriculture and fishing, which are particularly deficient in the region concerned,

HAS ADOPTED THIS REGULATION:

Article 1

1. In order to improve working and living conditions in the Western Isles of Scotland (Outer Hebrides), a common measure within the meaning of Article 6 (1) of Regulation (EEC) No 729/70 is hereby established to facilitate the implementation of an integrated development programme in those isles.

2. The common measure shall involve the financial participation, subject to the rules and conditions laid down in Title III, of the European Agricultural Guidance and Guarantee Fund, Guidance Section, hereinafter called 'the Fund', in the agricultural measures referred to in Title II required for the implementation of the integrated development programme described in Title I, which has received a favourable opinion in accordance with Article 4 (3).

3. The conditions and limits laid down in Article 13 (2) and Article 19 (2) and (3) of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms ⁽⁴⁾, as last amended by Directive 81/528/EEC ⁽⁵⁾, and in Article 15 of Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas ⁽⁶⁾, as last amended by Directive 80/666/EEC ⁽⁷⁾, shall not apply to the measures included in this common measure.

⁽¹⁾ OJ No C 85, 8. 4. 1980, p. 53.

⁽²⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽³⁾ OJ No L 367, 31. 12. 1980, p. 87.

⁽⁴⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽⁵⁾ See page 41 of this Official Journal.

⁽⁶⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽⁷⁾ OJ No L 180, 14. 7. 1980, p. 34.

TITLE I

Integrated development programme*Article 2*

The integrated development programme, hereinafter referred to as 'the programme', shall cover not only measures to improve agriculture, including the afforestation of marginal land, operations to improve the marketing and processing of agricultural products and measures to develop fisheries, but also measures relating to tourist amenities, crafts, industrial and other complementary activities essential to the improvement of the general socio-economic situation of those isles.

Article 3

1. The programme shall include:

- a description of the present situation,
- a description of the objectives to be attained and a list of priorities,
- a description of operations and measures already under way in each of the sectors concerned, and the funds available for them,
- a description of any further measures needed to implement the programme,
- an estimate of costs and of the funds required, together with a timetable of expected expenditure,
- an assurance that the actions envisaged are compatible with the protection of the environment,
- the measures taken to ensure the utilization of other Community financial instruments with structural objectives.

2. All the action referred to in Article 2 must fall within the framework of the regional development programme where the United Kingdom is obliged to forward it to the Commission in accordance with Article 6 of Council Regulation (EEC) No 724/75 of 18 March 1975 establishing a European Regional Development Fund ⁽¹⁾, as amended by Council Regulation (EEC) No 214/79 ⁽²⁾.

Article 4

1. The programme shall be forwarded to the Commission by the United Kingdom.

2. At the request of the Commission, the United Kingdom shall provide additional information on the points listed in Article 3.

3. The Commission shall issue an opinion on the programme and on any amendments thereto.

TITLE II

Agricultural measures*Article 5*

1. The Fund shall finance agricultural measures forming part of the programme and concerning:

- the improvement of the structure of agricultural production, excluding premiums granted on a unit of production basis,
- the planting of windbreaks for the protection of agriculture,
- operations for improving the marketing and processing of agricultural products,
- the improvement of the agricultural infrastructure,
- investments in landing-stages and other shore facilities for the inshore fisheries industry and the development of aquaculture.

2. The United Kingdom shall send to the Commission a detailed description of the agricultural measures envisaged indicating in particular:

- the conditions and criteria of the aid measures provided for; where aid measures for investments in farms are provided for, these may not be granted on conditions more favourable than those granted in application of Article 8 of Directive 72/159/EEC, taking account of Article 9 of Directive 75/268/EEC,
- the annual budget resources allocated for carrying out the agricultural measures and the distribution of these resources between the different measures specified.

3. The Commission shall decide whether to approve the agricultural measures and any amendments thereto

⁽¹⁾ OJ No L 73, 21. 3. 1975, p. 1.

⁽²⁾ OJ No L 35, 9. 2. 1979, p. 1.

in accordance with the procedure laid down in Article 18 of Directive 72/159/EEC after the Standing Committee on Agricultural Structures has acquainted itself with the programme.

TITLE III

Financial and general provisions

Article 6

1. The duration of the common measure shall be limited to five years as from the date of notification of the opinion referred to in Article 4 (3).

2. During the fourth year, the Commission shall submit a progress report on the common measure. Before the end of the five-year period, the Council shall decide, on a proposal from the Commission, whether the measure should be extended.

3. The estimated cost of the common measure to the Fund is 13 million ECU for the period specified in paragraph 1.

4. Article 6 (5) of Regulation (EEC) No 729/70 shall apply to this Regulation

Article 7

1. Expenditure by the United Kingdom on the measures referred to in Article 5 (1) up to a maximum amount of 32.9 million ECU (A) for the period referred to in Article 6 (1), of which a maximum of 604 500 ECU (A) may be in respect of the actual cost of drawing up the programme excluding costs relating to staff of the public administration, shall be eligible for aid from the Fund.

2. The Fund shall reimburse to the United Kingdom 40 % of the eligible expenditure.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 30 June 1981.

3. Expenditure as referred to in paragraph 1 which benefits from Community aid under other common measures within the meaning of Article 6 (1) of Regulation (EEC) No 729/70 or from aid under the European Regional Development Fund shall not fall within the scope of this Regulation.

Article 8

When the programme is under examination, the Commission shall, in agreement with the United Kingdom, fix the manner in which it is to be informed periodically of the progress of the programme and, in particular, progress on non-agricultural action and measures specified in the programme. The United Kingdom shall at the same time designate the bodies responsible for the technical execution of the programme.

Article 9

1. Applications for reimbursement shall relate to expenditure incurred by the United Kingdom in the course of one calendar year and shall be submitted to the Commission before 1 July of the following year, together with the periodic information referred to in Article 8, proving that implementation of the non-agricultural action provided for in the programme is under way.

2. The decision whether to grant aid from the Fund shall be taken in accordance with Article 7 (1) of Regulation (EEC) No 729/70.

3. Advance payments may be granted by the Fund on the basis of the financial arrangements adopted by the United Kingdom and in the light of progress made in implementing the projects.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 10

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 1940/81

of 30 June 1981

on an integrated development programme for the Department of Lozère

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas the general socio-economic situation in the department of Lozère is particularly unfavourable; whereas improvement of this situation requires that the available funds and measures should be brought together and implemented in an integrated manner;

Whereas the Community has at its disposal sources of action arising from its financing possibilities, notably from the European Social Fund and from the European Regional Development Fund; whereas it is suitable, taking account of the situation in that region, to supplement these measures by the intervention of the European Agricultural Guidance and Guarantee Fund under a common measure within the meaning of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽²⁾, as last amended by Council Regulation (EEC) No 3509/80 ⁽³⁾;

Whereas the implementation of this common measure requires the combining, by way of adequate procedures, of the various means available within the context of an integrated development programme;

Whereas, this programme is to be prepared by the French Republic;

Whereas the preparation and implementation of such a programme in the region in question necessitates Community financial aid;

Whereas there should be a Community financial contribution to certain measures vital for the implementation of the programme with the aim of improving agricultural structures, which are particularly deficient in the region concerned,

HAS ADOPTED THIS REGULATION:

Article 1

1. In order to improve working and living conditions in the Department of Lozère, a common measure within the meaning of Article 6 (1) of Regulation (EEC) No 729/70 is hereby established to facilitate the implementation of an integrated development programme in that region.

2. The common measure shall involve the financial participation, subject to the rules and conditions laid down in Title III, of the European Agricultural Guidance and Guarantee Fund, Guidance Section, hereinafter called 'the Fund', in the agricultural measures referred to in Title II required for the implementation of the integrated development programme described in Title I which has received a favourable opinion in accordance with Article 4 (3).

3. The conditions and limits laid down in Articles 13 (2) and 19 (2) and (3) of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms ⁽⁴⁾, as last amended by Directive 81/528/EEC ⁽⁵⁾, and in Article 15 of Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas ⁽⁶⁾, shall not apply to the measures included in this common measure.

⁽¹⁾ OJ No C 85, 8. 4. 1980, p. 53.

⁽²⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽³⁾ OJ No L 367, 31. 12. 1980, p. 87.

⁽⁴⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽⁵⁾ See page 41 of this Official Journal.

⁽⁶⁾ OJ No L 128, 19. 5. 1975, p. 1.

TITLE I

Integrated development programme*Article 2*

The integrated development programme, hereinafter referred to as 'the programme', shall cover not only measures to improve agriculture and operations to improve the marketing and processing of agricultural products, but also measures to improve infrastructures, to develop tourism, crafts and industry and other complementary activities essential to the improvement of the general socio-economic situation of the region.

Article 3

1. The programme shall include:

- a description of the present situation,
- a description of the objectives to be attained and a list of priorities,
- a description of operations and measures already under way in each of the sectors concerned and the funds available for them,
- a description of any further measures needed to implement the programme,
- an estimate of costs and of the funds required, together with a timetable of expected expenditure,
- the measures taken to ensure the utilization of other Community financial instruments with structural objectives,
- the period envisaged for implementation of the programme, which should not in principle exceed five years.

2. All the action referred to in Article 2 shall fall within the framework of the regional development programme where the French Republic is obliged to forward it to the Commission in accordance with Article 6 of Council Regulation (EEC) No 724/75 of 18 March 1975 establishing a European Regional Development Fund⁽¹⁾, as amended by Regulation (EEC) No 214/79⁽²⁾.

⁽¹⁾ OJ No L 73, 21. 3. 1975, p. 1.

⁽²⁾ OJ No L 35, 9. 2. 1979, p. 1.

Article 4

1. The programme shall be forwarded to the Commission by the French Republic.

2. At the request of the Commission, the French Republic shall provide additional information on the points listed in Article 3.

3. The Commission shall issue an opinion on the programme and on any amendments thereto.

TITLE II

Agricultural measures*Article 5*

1. The Fund shall finance agricultural measures forming part of the programme concerning:

- land and pasture improvement,
- reparacling and the related work involved,
- changes in and promotion of the structure of cattle and sheep farming, excluding premiums granted on a unit of production basis,
- renovation of chestnut plantations intended for the production of sweet chestnuts,
- efforts to combat the isolation of farms in winter,
- forest clearings required to improve agricultural structures.

2. The French Republic shall send to the Commission a detailed description of the agricultural measures envisaged, indicating in particular:

- the conditions and criteria of the aid measures provided for; where aid measures for investments in farms are provided for, these may not be granted on conditions more favourable than those granted in application of Article 8 of Directive 72/159/EEC, taking account of Article 9 of Directive 75/268/EEC,
- the annual budget resources allocated for carrying out the agricultural measures and the distribution of these resources between the different measures envisaged.

3. The Commission shall decide whether to approve the agricultural measures, and any amendments thereto, in accordance with the procedure laid down in Article 18 of Directive 72/159/EEC, after the Standing Committee in Agricultural Structures has acquainted itself with the programme.

TITLE III

Financial and general provisions

Article 6

1. The duration of the common measure shall be limited to five years as from the date of notification of the opinion referred to in Article 4 (3).

2. During the fourth year, the Commission shall submit a progress report on the common measure. Before the end of the five-year period, the Council shall decide on a proposal from the Commission, whether the measure shall be extended.

3. The estimated cost of the common measure to the Fund is 12 million ECU for the period specified in paragraph 1.

4. Article 6 (5) of Regulation (EEC) No 729/70 shall apply to this Regulation.

Article 7

1. Expenditure by the French Republic on the measures referred to in Article 5 (1) up to a maximum amount of 30 million ECU (A) for the period referred to in Article 6 (1), of which a maximum of 604 500 ECU (A) may be in respect of the actual cost of drawing up the integrated development programme, excluding costs relating to staff of the public administration, shall be eligible for aid from the Fund.

2. The Fund shall reimburse to the French Republic 40 % of the eligible expenditure.

3. The expenditure referred to in paragraph 1 which may receive Community financial assistance under Regulations (EEC) No 1361/78 ⁽¹⁾, EEC No 1760/78 ⁽²⁾ and EEC No 269/79 ⁽³⁾ or which receives

aid under the European Regional Development Fund shall not fall within the scope of this Regulation.

Article 8

When the programme is under examination, the Commission shall, in agreement with the French Republic, fix the manner in which it is to be informed periodically of the progress of the programme, in particular the progress on non-agricultural action and measures specified in the programme. The French Republic shall at the same time designate the bodies responsible for the technical execution of the programme.

Article 9

1. Applications for reimbursement shall relate to expenditure incurred by the French Republic in the course of one calendar year and shall be submitted to the Commission before 1 July of the following year together with the periodic information referred to in Article 8, proving that implementation of the non-agricultural action provided for in the integrated programme is under way.

2. The decision whether to grant aid from the Fund shall be taken in accordance with Article 7 (1) of Regulation (EEC) No 729/70.

3. Advance payments may be granted by the Fund on the basis of the financial arrangements adopted by the French Republic and in the light of progress in implementing the projects.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 10

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ No L 166, 23. 6. 1978, p. 9.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 1.

⁽³⁾ OJ No L 38, 14. 2. 1979, p. 1.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 30 June 1981.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 1941/81

of 30 June 1981

on an integrated development programme for the less-favoured areas of Belgium

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas the general socio-economic situation in the less-favoured agricultural areas of Belgium within the meaning of Directive 75/269/EEC ⁽²⁾ is particularly unfavourable; whereas improvement of this situation requires that the available funds and measures should be brought together and implemented in an integrated manner;

Whereas the Community has at its disposal sources of action arising from its financing possibilities, notably from the European Social Fund and from the European Regional Development Fund; whereas it is suitable, taking account of the situation in that region, to supplement these measures by the intervention of the European Agricultural Guidance and Guarantee Fund under a common measure within the meaning of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽³⁾, as last amended by Council Regulation (EEC) No 3509/80 ⁽⁴⁾;

Whereas the implementation of this common measure requires the combining, by way of adequate procedures, of the various means available within the context of an integrated development programme;

Whereas this programme is to be prepared by the Kingdom of Belgium;

Whereas there should be a Community financial contribution to certain measures vital for the implementation of the programme with the aim of improving agricultural structures, which are particularly deficient in the area concerned,

Article 1

1. In order to improve working and living conditions in all Belgium's less-favoured areas within the meaning of Directive 75/269/EEC, a common measure within the meaning of Article 6 (1) of Regulation (EEC) No 729/70 is hereby established to facilitate the implementation of an integrated development programme in that region.

2. The common measure shall involve the financial participation, subject to the rules and conditions laid down in Title III, of the European Agricultural Guidance and Guarantee Fund, Guidance Section, hereinafter called 'the Fund', in the agricultural measures referred to in Title II required for the implementation of the integrated development programme described in Title I which has received a favourable opinion in accordance with Article 4 (3).

TITLE I

Integrated development programme

Article 2

The integrated development programme, hereinafter referred to as 'the programme', shall cover not only measures to improve agriculture and operations to improve the marketing and processing of agricultural products, but also measures to improve infrastructure, to develop tourism, crafts and industry and other complementary activities essential to the improvement of the general socio-economic situation of the region.

Article 3

1. The programme shall include:

- a description of the present situation,
- a description of the objectives to be attained and a list of priorities,

⁽¹⁾ OJ No C 85, 8. 4. 1980, p. 53.

⁽²⁾ OJ No L 128, 19. 5. 1975, p. 8.

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁴⁾ OJ No L 367, 31. 12. 1980, p. 87.

- a description of the measures and operations already under way in each of the sectors concerned and the funds available for them,
- a description of any further measures needed to implement the programme,
- an estimate of costs and of the funds required, together with a timetable of expected expenditure,
- the measures taken to ensure the utilization of other Community financial instruments with structural objectives,
- the period envisaged for implementation of the programme, which should not in principle exceed five years.

2. All the measures referred to in Article 2 must fall within the framework of the regional development programme where the Kingdom of Belgium is obliged to forward it to the Commission in accordance with Article 6 of Council Regulation (EEC) No 724/75 of 18 March 1975 establishing a European Regional Development Fund⁽¹⁾, as amended by Regulation (EEC) No 214/79⁽²⁾.

Article 4

1. The programme shall be forwarded to the Commission by the Kingdom of Belgium.
2. At the request of the Commission, the Kingdom of Belgium shall provide additional information on the points listed in Article 3.
3. The commission shall issue an opinion on the programme and on any amendments thereto.
4. When the programme is under examination, the Commission shall, in agreement with the Kingdom of Belgium, fix the manner in which it is to be informed periodically of the progress of the programme, in particular the progress of non-agricultural action and measures specified in the programme.

TITLE II

Projects

Article 5

1. The Fund shall finance projects forming part of the programme and concerning:

- the identification and analysis of problems at farm level in the context of the integrated development programme and the implementation of solutions,
- the development of experimental centres for new forms of production, agricultural techniques and farm management,
- the improvement of agricultural infrastructure.

2. The measures mentioned in paragraph 1, first indent, may be put into practice either through the medium of groups of full-time farmers employing the services of technical staff for this purpose, or through the establishment of demonstration farms; these measures may not cover areas of activity which normally fall within the scope of agricultural advisory work nor may they be undertaken by a public service.

Article 6

For the purpose of this Regulation, 'project' means any material investment in the public, semi-public or private sector and any specific public action in connection with measures as specified in Article 5.

TITLE III

Financial and general provisions

Article 7

1. Applications for aid from the Fund must be made through the Kingdom of Belgium.
2. In order to receive aid from the Fund projects must have received a favourable opinion from the Kingdom of Belgium.
3. The Kingdom of Belgium shall participate in financing the project.
4. Applications for aid must be accompanied by documentation showing that the project meets the conditions laid down in Title I, as well as the periodic information referred to in Article 4 (4), proving that implementation of the non-agricultural action provided for in the integrated programme is under way.
5. The information to be included in applications and the form of their presentation shall be determined in

⁽¹⁾ OJ No L 73, 21. 3. 1975, p. 1.

⁽²⁾ OJ No L 35, 9. 2. 1979, p. 1.

accordance with the procedure laid down in Article 13, after consultation of the Fund committee on the financial aspects.

Article 8

1. The Commission shall decide on the granting of aid from the Fund in accordance with the procedure laid down in Article 13, after consulting the Fund Committee on the financial aspects.

2. The Kingdom of Belgium and the recipient of aid shall be notified of the Commission's decision.

Article 9

Projects which may benefit from Community aid under other common measures within the meaning of Article 6 (1) of Regulation (EEC) No 729/70 or which receive aid under the European Regional Development Fund shall not fall within the framework of this Regulation.

Article 10

1. The duration of the common measure shall be limited to 5 years as from the date of notification of the opinion referred to in Article 4 (3).

2. During the fourth year, the Commission shall submit a progress report on the common measure. Before the end of the five-year period, the Council shall decide, on a proposal from the Commission whether the measures should be extended.

3. The estimated cost of the common measure to the Fund is five million ECU for the period specified in paragraph 1.

4. Article 6 (5) of Regulation (EEC) No 729/70 shall apply to this Regulation.

Article 11

1. Aid from the Fund shall consist of capital grants paid in one or more instalments.

2. The grant from the Fund for each project shall be at most 35 % of its actual cost; for the measures in the first indent of Article 5 (1) such actual cost shall cover only operating costs and not administrative expenses nor the cost of establishing new farms.

Article 12

1. Aid from the Fund shall be granted to the natural or legal persons or groups thereof who are ultimately responsible for the financing of each project.

Payments from the Fund shall be made by agencies appointed for this purpose by the Kingdom of Belgium.

2. Throughout the period when aid from the Fund is being granted, the authority or agency appointed for this purpose by the Kingdom of Belgium shall transmit to the Commission, at its request, all supporting documents showing that the financial or other conditions laid down for each project are met. The Commission may, if necessary, make on-the-spot checks.

After consulting the Fund Committee on the financial aspects the Commission may decide, in accordance with the procedure laid down in Article 13, to suspend, reduce or withdraw aid from the Fund:

— if the project is not implemented as envisaged, or

— if certain of the conditions laid down have not been met, or

— if the beneficiary, contrary to the information contained in his application and quoted in the decision to grant aid, does not begin the work within two years following the date of notification of the decision to grant aid, or does not, before the end of such period, furnish adequate guarantees that the project will be carried out.

The decision shall be notified to the Kingdom of Belgium and to the beneficiary.

The Commission shall proceed to recover sums, payment of which was not or is no longer justified.

3. Without prejudice to Article 6 (5) of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities⁽¹⁾, appropriations made available by a decision taken in accordance with the second subparagraph of paragraph 2 of this Article or by the beneficiary's deciding not to carry out the project or to reduce the amount of investment mentioned in the decision to grant aid may be used for the financing of other projects referred to in Article 5.

⁽¹⁾ OJ No L 356, 31. 12. 1977, p. 1.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 13

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred to the Standing Committee on Agricultural Structures by its chairman either on his own initiative or at the request of the representative of a Member State.

2. The representative of the Commission shall submit a draft of the measures to be taken. The Standing Committee on Agricultural Structures shall deliver its opinion on these measures within a time limit set by the chairman having regard to the urgency of the questions under consideration. Opinions shall be adopted by a majority of 45 votes, the votes of the Member States

being weighted as provided for in Article 148 (2) of the Treaty. The chairman shall not vote.

3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Standing Committee on Agricultural Structures, the Commission shall forthwith communicate them to the Council. In that event, the Commission may defer application of the measures which it has adopted for not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision within one month.

Article 14

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 30 June 1981.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 1942/81

of 30 June 1981

for the stimulation of agricultural development in the less-favoured areas of Northern Ireland

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas Article 39 (2) (a) of the Treaty provides that account should be taken of the social structure of agriculture and the structural and natural disparities between the various agricultural regions in determining the common agricultural policy;

Whereas, to achieve the objectives of the common agricultural policy as set out in Article 39 (1) (a) and (b) of the Treaty, measures appropriate to the production conditions of the less-favoured areas should be adopted at Community level;

Whereas in the less-favoured areas of Northern Ireland within the meaning of Directive 75/276/EEC ⁽³⁾ there is much underemployment in agriculture;

Whereas, because of a lack of alternative employment opportunities, the percentage of the active population in farming is relatively high;

Whereas, because of the relatively poor quality of the land in these areas, allied to adverse climatic conditions, the level of farm incomes is relatively low;

Whereas the continuing development of agriculture is of vital importance to the general development of the regional economy;

Whereas the agricultural structure is deficient in these areas;

Whereas the existing state of farm roads is very inadequate; whereas the construction or improvement of such amenities is an important prerequisite to the development of the agricultural structure;

Whereas the possibilities for improving agricultural production in these areas are severely limited by a lack of adequate field drainage; whereas the need for other types of land improvement including land reclamation, pasture improvement and the removal of superfluous fences, ditches and walls is of equal importance in this regard;

Whereas experience to date with the implementation of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms ⁽⁴⁾, as last amended by Directive 81/528/EEC ⁽⁵⁾, shows that relatively few farmers in these areas, because of their existing low income levels, are capable of implementing farm development plans aimed at attaining the level of income referred to in Article 4 of this Directive;

Whereas, in such circumstances, the development of farms through the initiation of improvement programmes is worthy of special consideration;

Whereas the physical improvement of farms is best undertaken within the framework of a specific action emphasizing in particular the production of cattle farming for meat production and/or sheep farming, which, because of the limited production possibilities of the areas, offer one of the few means of agricultural development;

Whereas in recent years cattle production has been declining and, as a result, a special system of premiums payable on breeding stock will now be necessary to reverse this trend;

Whereas, because of economic and budgetary constraints, the United Kingdom does not have sufficient means to finance such a programme and, in the circumstances, Community financial help will be required;

⁽¹⁾ OJ No C 291, 10. 11. 1980, p. 82.

⁽²⁾ OJ No C 230, 8. 9. 1980, p. 25.

⁽³⁾ OJ No L 128, 19. 5. 1975, p. 231.

⁽⁴⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽⁵⁾ See page 41 of this Official Journal.

Whereas aid from the European Agricultural Guidance and Guarantee Fund at an estimated cost of 48 million ECU over a period of 10 years can help ensure the rational development of agriculture in the less-favoured areas of Northern Ireland;

Whereas it follows that the foregoing measures constitute a common measure within the meaning of Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Council Regulation (EEC) No 3509/80⁽²⁾;

Whereas it should be for the Commission, after receiving the opinion of the Standing Committee on Agricultural Structures, to approve the aforesaid measures within the framework of the programme put forward by the United Kingdom,

HAS ADOPTED THIS REGULATION:

TITLE I

Measures to stimulate the development of agriculture in certain areas of Northern Ireland

Article 1

1. In order to stimulate the development of agriculture in certain areas of Northern Ireland, a common measure within the meaning of Article 6 (1) of Regulation (EEC) No 729/70, to be implemented by the United Kingdom, is hereby introduced for the purpose of bringing about a significant improvement in agricultural structures and in agricultural production possibilities in the areas concerned.

2. The common measure shall apply to the less-favoured areas of Northern Ireland within the meaning of Directive 75/276/EEC, hereinafter referred to as 'less-favoured areas'.

3. The Community may, in accordance with Title V, grant aid for the common measure by financing through the Guidance Section of the European Agricultural Guidance and Guarantee Fund, hereinafter referred to as 'the Fund', measures relating to:

- (a) the improvement of farm roads;
- (b) land improvement;

(c) the introduction of a specific development action aimed at the orientation of farm production.

4. The measures referred to in paragraph 3 shall be implemented within the framework of a programme to be drawn up by the United Kingdom and approved by the Commission. This programme will be referred to hereinafter as 'the programme'.

Article 2

1. The programme shall comprise:

- (a) a description of the separate measure as outlined in Titles II to IV including the cost of and detailed arrangements for financing them;
- (b) the priority to be given to the separate measures and the timescale envisaged for the implementation of each measure;
- (c) the provisions for coordination with any other programmes or measures which may influence the development of agriculture in the less-favoured areas;
- (d) an assurance that the actions undertaken are compatible with the protection of the environment.

2. The programme shall also include the information referred to in Articles 5, 7 and 9. The United Kingdom will also supply any additional information that may be required by the Commission for the assessment of the programme.

3. All measures provided for in this common measure must fit into the framework of a regional development programme where the United Kingdom is obliged to forward it to the Commission under Article 6 of Council Regulation (EEC) No 724/75 of 18 March 1975 establishing a European Regional Development Fund⁽³⁾, as amended by Regulation (EEC) No 214/79⁽⁴⁾.

4. The duration of the programme shall be at least the same as that of the common measure. It shall be reviewed every four years. It may relate to the less-favoured areas as a whole or to any area which forms part of them.

Article 3

1. The programme and the results of reviewing it shall be forwarded to the Commission by the United Kingdom.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 367, 31. 12. 1980, p. 87.

⁽³⁾ OJ No L 73, 21. 3. 1975, p. 1.

⁽⁴⁾ OJ No L 35, 9. 2. 1979, p. 1.

2. The programme and any amendments thereto shall be approved in accordance with the procedure provided for in Article 17, after consultation of the Fund Committee on the financial aspects.

TITLE II

Farm roads

Article 4

The improvement of farm roads referred to in Article 1 (3) (a) shall include the construction and improvement of such roads.

Article 5

1. The programme shall include data on the farm and non-farm population and an estimate of the length in kilometres of farm roads to be constructed or improved in addition to information on the sources of finance for this measure.

2. This Regulation shall not apply to projects for which Community aid is being provided under other common measures within the meaning of Article 6 (1) of Regulation (EEC) No 729/70 or through the European Regional Development Fund.

TITLE III

Land improvement

Article 6

Land improvement as referred to in Article 1 (3) (b) shall include:

- (a) field drainage;
- (b) land reclamation and pasture improvement;
- (c) the removal of superfluous fences, ditches and walls.

Measures in connection with (a) and (b) shall include fencing, soil preparation, the initial application of lime and fertilizers and reseedling as necessary.

Article 7

The following information shall be included in the programme:

- (a) the total land area to be drained in accordance with Article 6 (a), and the number of farms concerned;
- (b) the total land area to be reclaimed and the total area of pasture to be improved in accordance with Article 6 (b), the length in kilometres of fencing to be erected, and the number of farms concerned;
- (c) the total area of land to be improved in accordance with Article 6 (c), and the number of farms concerned.

TITLE IV

Orientation of agricultural production

Article 8

1. The orientation of agricultural production, as referred to in Article 1 (3) (c), shall be achieved through the medium of a specific action for the development of agricultural production.

2. The aims of the specific action shall be:

- (a) to promote the orientation of production as well as the farming techniques and practices best suited to the physical, economic and structural situation of agriculture in the less-favoured areas, with particular emphasis on beef and sheepmeat production;
- (b) and therefore to ensure that investments made in the context of all appropriate national and Community measures which have an influence on agricultural development are utilized to maximum advantage and in a coordinated fashion.

Article 9

The following information shall be included in the programme:

- (a) the orientation of production envisaged by the specific action referred to in Article 8 (1) and the priority areas to be covered by it;
- (b) the manner in which the advisory service is to contribute to the attainment of the aims of the specific action and, in particular, the specific advisory projects planned to this end;

- (c) the provisions for establishing the improvement plan referred to in Article 10 (1) (d).

Article 10

1. Within the framework of the specific action referred to in Article 8 (1), aid for investment shall be granted to farmers who:

- (a) satisfy the conditions of Article 2 (1) (a) and (b) of Directive 72/159/EEC;
- (b) are not capable of attaining the level of earned income laid down in Article 4 of Directive 72/159/EEC;
- (c) are not yet eligible for the annuities provided for in Article 2 (1) of Directive 72/160/EEC ⁽¹⁾;
- (d) draw up a plan for the physical improvement of their farm emphasizing, in particular, cattle farming for meat production and/or sheep farming;
- (e) keep simplified accounts from the introduction of the improvement plan referred to in (d).

2. The improvement plan referred to in paragraph 1 (d) must show by means of a specific calculation that the investment is economically profitable and makes for a lasting improvement in the economic performance of the holding and thereby increases farm income.

Article 11

1. The aid referred to in Article 10 (1) shall be granted subject to Article 8 (2) of Directive 72/159/EEC, taking account of Article 9 (1) of Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas ⁽²⁾, as last amended by Directive 80/666/EEC ⁽³⁾. However, the maximum amount of the investment which shall be eligible for aid, as referred to in Article 8 (2) of Directive 72/159/EEC, shall be reduced to 18 135 ECU (A) per farm. This amount shall be additional to that provided for the measures referred to in Articles 4 and 6 of this Regulation.

2. Where the improvement plan referred to in Article 10 (1) (d) provides for a reorientation of

production towards cattle farming for meat production and/or sheep farming, a special annual premium shall be paid towards the production of cattle stock of acceptable genetic merit. This reorientation shall require that on completion of the improvement plan the proportion of sales deriving from the production of beef cattle is increasing and that the proportion of sales deriving from the production of beef cattle and sheep is not diminishing and exceeds 50 % of sales deriving from animal production on the farm. This premium shall be paid during the period of the improvement plan but, in any case, for not more than six years.

3. The special premium referred to in paragraph 2 shall be paid on cows mated with superior quality beef bulls, either naturally or through artificial insemination, provided that the offspring is maintained on the farm for at least eight months. It shall apply to herds of between five and 40 cows and shall be limited to an amount of 1 000 ECU (A) per farm.

4. Where the beneficiary of the premium referred to in paragraph 2 has not carried out investments to the amount of at least 3 000 ECU (A), in accordance with Articles 6 and 10, before the end of the third year after presentation of the improvement plan referred to in Article 10 (1) (d), payment of the premium for the remaining years of the plan shall be discontinued. On completion of the plan the total amount of the premiums received may not exceed the amount of the investments made.

TITLE V

General and financial provisions

Article 12

1. The period of time envisaged for the implementation of the common measure is 10 years.

2. The total contribution by the Fund to the cost of the common measure is estimated at 48 million ECU.

3. Article 6 (5) of Regulation (EEC) No 729/70 shall apply to this Regulation.

Article 13

The aid provided for in Articles 4 and 6 may not exceed 70 % of the cost of the work concerned.

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 9.

⁽²⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽³⁾ OJ No L 180, 14. 7. 1980, p. 34.

Article 14

1. The expenditure incurred by the United Kingdom under the common measure shall be eligible for assistance from the Fund up to the amounts specified in paragraph 2.

2. The Fund shall reimburse to the United Kingdom the following percentage of its actual expenditure:

(a) 40 % for measures under Article 4 with a maximum eligible amount of 31·5 million ECU (A);

(b) 40 % for the other measures, with a maximum eligible amount of:

— 600 ECU (A) per ha for the work referred to in Article 6 (a),

— 500 ECU (A) per ha for the work referred to in Article 6 (b) and (c),

— 14·5 million ECU (A) for the work referred to in Article 11 (1),

— 40 ECU (A) per livestock unit for the work referred to in Article 11 (2), subject to a maximum eligible amount of 30 million ECU (A).

3. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

4. The amount devoted to the payment of the premium referred to in Article 11 (2) shall not exceed 25 % of the overall expenditure under this programme.

Article 15

When the programme is being approved the Commission shall determine, in agreement with the United Kingdom, the manner in which it is to be periodically informed of the progress of the specific action referred to in Article 8 (1).

Article 16

1. Requests for reimbursement shall relate to expenditure incurred by the United Kingdom during one calendar year and shall be submitted to the Commission before 1 July of the following year.

2. Aid from the Fund shall be granted in accordance with Article 7 (1) of Regulation (EEC) No 729/70.

3. Where the beneficiary of the premium referred to in Article 11 (2) does not fulfil the investment condition laid down in Article 11 (4), the Commission shall recover from the United Kingdom any payments already made in this respect.

4. Detailed rules for the application of this Article shall be adopted under the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 17

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred to the Standing Committee on Agricultural Structures, either by the chairman on his own initiative or at the request of the representative of a Member State.

2. The representative of the Commission shall submit a draft of the measures to be adopted. The Standing Committee on Agricultural Structures shall deliver an opinion on those measures by a majority of 45 votes within a time limit set by the chairman according to the urgency of the matter; the votes of the Member States shall be weighted as provided for in Article 148 (2) of the Treaty. The chairman shall not vote.

3. The Commission shall adopt measures which shall be immediately applicable. However, if such measures are not in accordance with the opinion of the Standing Committee on Agricultural Structures, they shall forthwith be communicated by the Commission to the Council; in that event, the Commission may defer application of the measures which it has adopted for not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision within one month.

Article 18

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 30 June 1981.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 1943/81

of 30 June 1981

on a common measure to improve the processing and marketing conditions in the cattlefeed sector in Northern Ireland

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

sectors mentioned and of a lasting positive effect on the agricultural sector;

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Whereas, in order to ensure consistency between the measures taken by the Community and those taken by the Member State concerned, it appears necessary that the Member State approve projects to be financed by the Fund and also contribute towards their financing;

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas, in order to ensure that beneficiaries comply with the conditions imposed at the time aid from the Fund is granted, a procedure should be laid down for an effective check and for the possibility of suspending, reducing or discontinuing aid from the Fund;

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas the agricultural production sectors which depend on cattlefeed are of vital importance for the agricultural economy of Northern Ireland;

Whereas aid from the Fund in the form of a capital grant of not more than 50 % of the amount of the investment constitutes an appropriate contribution to the implementation thereof;

Whereas these production sectors are, however, experiencing very serious problems, particularly on account of their dependence on external supply sources in cattlefeed; whereas an improvement in the processing and marketing activities in the cattlefeed sector may contribute towards a lasting solution to these problems;

Whereas aid from the Fund must not affect or be of such a kind as to affect conditions of competition in a manner incompatible with the principles of the Treaty; whereas, for this purpose in particular, it must neither reinforce nor create a dominant position in the common market or in a substantial part thereof, save where this proves necessary for attaining the aims of this Regulation;

Whereas the measures envisaged in this field are of a Community nature and are intended to achieve the objectives set out in Article 39 (1) (a) of the Treaty; whereas they therefore constitute a common measure within the meaning of Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽³⁾, as last amended by Council Regulation (EEC) No 3509/80 ⁽⁴⁾;

Whereas aid from the Fund over a period of four years amounting to an estimated six million ECU may permit the objective pursued by the common measure to be attained;

Whereas, in order to be eligible for Community financing, projects must permit the achievement of improvement and rationalization of processing and marketing structures in respect of the products in the

Whereas, for the approval of projects, a procedure should be laid down ensuring close cooperation between Member States and the Commission within the Standing Committee on Agricultural Structures, set up by Article 1 of the Council Decision of 4 December 1962 on the coordination of agricultural structural policies ⁽⁵⁾; whereas provision should also be made for the Fund Committee referred to in Article 11 of Regulation (EEC) No 729/70 to be consulted,

⁽¹⁾ OJ No C 291, 10. 11. 1980, p. 82.

⁽²⁾ OJ No C 230, 8. 9. 1980, p. 21.

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁴⁾ OJ No L 367, 31. 12. 1980, p. 87.

⁽⁵⁾ OJ No 136, 17. 12. 1962, p. 2892/62.

HAS ADOPTED THIS REGULATION:

Article 1

1. In order to improve the structural situation of farms depending on animal feed in Northern Ireland, a common measure is hereby introduced for the purpose of bringing about the modernization and rationalization of enterprises dealing with treatment, processing and marketing in the animal feed sector.

2. All the measures provided for in this Regulation shall constitute a common measure within the meaning of Article 6 (1) of Regulation (EEC) No 729/70.

3. In accordance with the provisions of Titles II and III, the Commission may grant aid for the common measure by financing projects which satisfy the conditions of Title I through the European Agricultural Guidance and Guarantee Fund, Guidance Section, hereinafter referred to as 'the Fund'.

TITLE I

Projects

Article 2

1. Within the meaning of this Regulation, 'project' means any project involving public, semi-public or private material investment relating wholly or in part to buildings and/or equipment intended in particular for:

- (a) rationalizing or developing facilities for storing, treatment or processing of the products of the sector referred to in Article 1 (1), including those located in harbours;
- (b) improving marketing channels;
- (c) better knowledge of the facts relating to prices and to their formation on the markets for products of the sector mentioned in Article 1 (1).

2. This Regulation shall not apply to investment at the retail level.

Article 3

1. The projects shall relate to the marketing of the agricultural products indicated in Annex II to the Treaty or to the production of the processed products listed in the aforesaid Annex. They shall offer adequate guarantees as to their profitability and contribute to the

long-term improvement of the situation of the sector mentioned in Article 1 (1) and, thus, to the improvement of production possibilities of farms concerned by this sector.

2. Aid from the Fund may be granted only if the beneficiary provides sufficient evidence that the conditions specified in paragraph 1 are fulfilled. Account may be taken *inter alia* of long-term supply contracts concluded with the producers of the basic agricultural products on reasonable terms for such producers.

TITLE II

Procedure for examining projects

Article 4

1. Applications for aid from the Fund shall be submitted through the Member State concerned before 1 May.

2. The Commission shall decide twice yearly on applications for aid submitted. Its decisions shall be taken not later than 30 June and 31 December.

Decisions which are taken during the first six months of a year shall be limited to applications for aid submitted not later than 31 December of the preceding year. Applications for aid submitted between 1 January and 30 April cannot be considered until the second half of the same year.

3. In order to be eligible for aid from the Fund, projects shall have been approved by the United Kingdom.

4. Applications for aid shall be accompanied by information making it possible to establish that the project satisfies the requirements laid down in Title I.

5. The particulars given in the applications and the form in which they are presented shall be those laid down by Regulation (EEC) No 219/78 ⁽¹⁾.

Article 5

1. The Commission shall decide on the granting of aid from the Fund, in accordance with the procedure laid down in Article 13, after consulting the Fund Committee on the financial aspects.

⁽¹⁾ OJ No L 35, 4. 2. 1978, p. 10.

2. The United Kingdom and the beneficiary shall be notified of the Commission's decision.

Article 6

1. In taking its decision, the Commission shall take account in particular of the allocation to the project concerned of any direct or indirect investment aid other than that provided for in this Regulation. To that end, the United Kingdom shall inform the Commission of any such aid.

2. Projects which receive aid under Regulation (EEC) No 355/77⁽¹⁾ or which may receive Community aid under other common measures within the meaning of Article 6 (1) of Regulation (EEC) No 729/70 shall not fall within the scope of this Regulation.

TITLE III

Financial and general provisions

Article 7

1. The estimated time required for carrying out the common measure shall be four years as from 1 January 1981.

2. The estimated cost of the common measure financed by the Fund for the period 1 January 1981 to 31 December 1984 shall be six million ECU.

3. Article 6 (5) of Regulation (EEC) No 729/70 shall apply to this Regulation.

Article 8

1. Aid from the Fund shall consist of capital grants made in the form of one or more payments.

2. For each project, in relation to the investment made:

- (a) the financial contribution of the beneficiary shall be not less than 25 %;
- (b) the financial contribution of the United Kingdom shall be not less than 10 %;
- (c) the aid granted by the Fund shall be not more than 50 %.

Article 9

The granting of aid from the Fund shall not affect the conditions of competition in a manner incompatible with the principles contained in the Treaty.

Article 10

1. Aid from the Fund shall be granted to natural or legal persons, or groups thereof, who shall be ultimately responsible for the cost of carrying out the project.

Aid from the Fund shall be paid through agencies appointed for that purpose by the United Kingdom.

2. Throughout the period during which aid is granted from the Fund, the authority or agency appointed for that purpose by the United Kingdom shall, at the request of the Commission, forward to it all supporting documents and all documents of such a kind as to establish that the financial or other conditions laid down in respect of each project have been fulfilled. The Commission may, if necessary, carry out an on-the-spot check.

After it has consulted the Fund Committee on the financial aspects, the Commission may decide to suspend, reduce or discontinue aid from the Fund in accordance with the procedure laid down in Article 13:

- if the project has not been carried out as planned, or
- if some of the conditions laid down have not been fulfilled, or
- if the beneficiary, contrary to the details contained in his application and set out in the decision to grant aid, has neither begun the work within two years of the date of notification of that decision nor furnished adequate assurance before the end of the said period that the project will be carried out.

The United Kingdom and the beneficiary shall be notified of the decision.

The Commission shall recover any sums payment of which was not, or is no longer, justified.

3. The detailed rules for the application of this Article shall be those laid down in Regulation (EEC) No 1685/78⁽²⁾.

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 197, 22. 7. 1978, p. 1.

Article 11

1. For each project which has received aid from the Fund, the beneficiary shall forward to the Commission, through the Member State concerned, a report on the financial results of the project. This report shall be submitted within the period laid down by the Commission in its decision to grant aid.

2. If the beneficiary does not fulfil the obligation laid down in paragraph 1, the Commission, after giving the beneficiary due notice, may decide to reverse, in whole or in part, its decision to grant aid, acting in accordance with the procedure laid down in Article 13 and after consulting the Fund Committee on the financial aspects. The decision shall be communicated to the United Kingdom and to the beneficiary concerned. The Commission shall recover, in whole or in part, the sums paid.

3. Detailed rules for the application of this Article, particularly as regards the contents which the report referred to in paragraph 1 shall contain, shall be adopted in accordance with the procedure laid down in Article 13, after consultation of the Fund Committee on the financial aspects.

Article 12

Applications for aid from the Fund submitted to the Commission in respect of projects which were not granted aid owing to the insufficiency of available resources may, with the agreement of the applicants, be carried forward to the following financial year by the United Kingdom.

Requests that such applications be carried forward shall be submitted to the Commission within a period of 30 days from the date on which the United Kingdom receives notification of the outcome of the procedure laid down in Article 13. An application for aid may, however, be carried forward once only.

Article 13

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred to the Standing

Committee on Agricultural Structures, either by the chairman on his own initiative or at the request of the representative of a Member State.

2. The representative of the Commission shall submit a draft of the measures to be adopted. The Standing Committee on Agricultural Structures shall deliver an opinion on those measures by a majority of 45 votes within a time limit set by the chairman according to the urgency of the matter; the votes of the Member States shall be weighted as provided for in Article 148 (2) of the Treaty. The chairman shall not vote.

3. The Commission shall adopt measures which shall be immediately applicable. However, if such measures are not in accordance with the opinion of the Standing Committee on Agricultural Structures, they shall forthwith be communicated by the Commission to the Council; in that event, the Commission may defer application of the measures which it has adopted for not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision within one month.

Article 14

Articles 92, 93 and 94 of the Treaty shall remain applicable in respect of matters covered by this Regulation.

Article 15

The first decisions to grant aid under this Regulation shall be taken under the 1981 financial year.

Article 16

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 30 June 1981.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 1944/81

of 30 June 1981

establishing a common measure for the adaptation and modernization of the structure of production of beef and veal, sheepmeat and goatmeat in Italy

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas Article 39 (2) (a) of the Treaty provides that, in working out the common agricultural policy, account is to be taken of the social structure of agriculture and of the structural and natural disparities between the various agricultural regions;

Whereas, in order to achieve the objectives of the common agricultural policy set out in Article 39 (1) (a) and (b) of the Treaty, special measures appropriate to production conditions in the less-favoured agricultural areas should be adopted at Community level;

Whereas these problems prove to be particularly necessary in the mountain and hill areas in the north, in the centre and in the Mezzogiorno of Italy;

Whereas it is therefore appropriate to envisage for these areas special measures likely to improve the economic situation of agricultural holdings and to simultaneously curb the decline in the production of beef and veal, sheepmeat and goatmeat;

Whereas cattle, sheep and goat farming intended for meat production is developing particularly poorly in mountain and hill areas, despite the fact that production conditions are favourable to the raising of cattle, sheep and goats and will be further improved by the programme for the acceleration and guidance of collective irrigation works in the Mezzogiorno;

Whereas it is appropriate by means of Community aid, to aid the modernization and construction of livestock housing on farms where the production of beef and veal, sheepmeat and goatmeat is an important part of total farm production, to encourage other investments likely to increase the profitability of cattle, sheep and goat farming, and to stimulate the keeping of beef-breed calves;

Whereas these objectives should be pursued by means of a common measure combining all these aspects and implemented under a special programme extending over several years;

Whereas it follows from the foregoing that the measures referred to above constitute a common measure within the meaning of Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 3509/80 ⁽⁴⁾;

Whereas it is for the Commission, after receiving the opinion of the Standing Committee on Agricultural Structures, to approve an outline programme and special regional programmes relating to the development of cattle, sheep and goat farming presented by the Italian Republic,

HAS ADOPTED THIS REGULATION:

Article 1

In order to speed up agricultural development and thus to improve the structural and economic situation of agricultural holdings in mountain areas and in the hill areas in the north, in the centre and in the Mezzogiorno of Italy, a common measure within the meaning of Article 6 (1) of Regulation (EEC) No 729/70 aimed at adapting and modernizing the structure of production of beef and veal, sheepmeat and goatmeat is hereby established to be implemented by the Italian Republic.

⁽¹⁾ OJ No C 124, 17. 5. 1979, p. 9.

⁽²⁾ OJ No C 85, 8. 4. 1980, p. 53.

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁴⁾ OJ No L 367, 31. 12. 1980, p. 87.

Article 2

1. The conditions and limits in Article 14 (2) of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms⁽¹⁾, as last amended by Directive 81/528/EEC⁽²⁾, shall not apply to the action covered by the common measure.

2. The Community's financial contributions shall be used in special programmes which shall form part of a framework programme relating to the objectives defined in Article 1. These programmes shall be submitted to the Commission by the Italian Republic.

3. The programmes and any adjustments thereto shall be examined and approved in accordance with the procedure laid down in Article 18 (2) and (3) of Directive 72/159/EEC, after consultation with the Committee of the European Agricultural Guidance and Guarantee Fund, hereinafter referred to as 'the Fund', on the financial aspects.

Article 3

1. The programmes concern the following measures:

- (a) aids for the modernization, rationalization and construction of livestock housing on agricultural holdings granted to farmers within the meaning of Article 3 of Directive 72/159/EEC who draw up a plan for the improvement of their holdings.

This improvement plan must show:

- that on completion of the improvement plan, the share of sales deriving from the production of beef and veal, sheepmeat and goatmeat, in relation to the holding's total sales, is not reduced and exceeds 40 % of the holding's total sales,
- by means of a specific calculation, that the investment is economically profitable and makes for a lasting improvement in the economic performance of the holding and thereby increases the holding's income,
- that the livestock housing meets the health and hygiene conditions laid down by Community provisions;

- (b) aid for the purchase of machinery for fodder production;

- (c) aid for the improvement of meadows, pastures and enclosures;

- (d) an additional premium for beef-breed calves or calves resulting from a cross with a beef breed which are kept for at least 12 months on the holding of origin and/or on cooperative holdings situated inside the areas referred to in Article 1;

- (e) the introduction of an additional premium for keeping cows for meat production, provided that such cows belong to a herd of not less than three and not more than 20 head.

2. The aid referred to in paragraph 1 (a) and (b) shall be granted in accordance with Article 8 (2) of Directive 72/159/EEC, taking account of Article 9 (1) of Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas⁽³⁾, as last amended by Directive 80/666/EEC⁽⁴⁾. However, the maximum investment to be taken into consideration for the granting of aid referred to in paragraph 1 (a) shall be reduced to 18 135 ECU (A) per individual holding.

3. The additional premium referred to in paragraph 1 (e) shall be granted for a period of five years to begin as soon as the improvement plan referred to in paragraph 1 (a) has been approved by the competent authorities. However, if by the end of the third year of the plan, the beneficiary has not made at least 3 627 ECU (A) of investment pursuant to paragraph 1 (a) and/or (c), the premium for the third, fourth or fifth year shall be discontinued.

Article 4

The framework programme referred to in Article 2 shall comprise:

- a description of the areas concerned,
- a description of the existing situation,
- a description of the objectives to be attained and an indication of the priorities,
- an indication of the connection between this programme and other measures and programmes, and in particular the programme for the acceleration and guidance of collective irrigation works in the Mezzogiorno,

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ See page 41 of this Official Journal.

⁽³⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽⁴⁾ OJ No L 180, 14. 7. 1980, p. 34.

- an indication of the provisions concerning the establishment of the improvement plan referred to in Article 3 (1) (a).

All the measures referred to in Article 3 (1) must fall within the framework of the regional development programme where the Italian Republic is obliged to forward it to the Commission in accordance with Article 6 of Council Regulation (EEC) No 724/75 of 18 March 1975 establishing a European Regional Development Fund⁽¹⁾, as amended by Regulation (EEC) No 214/79⁽²⁾.

Article 5

The special programmes referred to in Article 2 shall indicate:

- the measures taken to achieve the objectives of the framework programme and the conditions for the granting of aid,
- the financial resources earmarked for implementation of the programmes and the various measures provided for therein,
- the links between these programmes and other measures and programmes undertaken at regional level, and in particular the special programmes for the acceleration and guidance of collective irrigation works in the Mezzogiorno and the measures for improving the agricultural infrastructure.

Article 6

1. The cost to the Italian Republic, under the programmes referred to in Article 2, of the measures referred to in Article 3 (1) shall be eligible for assistance by the Fund, Guidance Section, up to a maximum of:

- 530 million ECU (A) for the measures referred to in Article 3 (1) (a) and (b),
- 48 million ECU (A) for the measure referred to in Article 3 (1) (c),
- 54 million ECU (A) for the measure referred to in Article 3 (1) (d),
- 165 million ECU (A) for the measure referred to in Article 3 (1) (e).

2. The Fund, Guidance Section, shall reimburse the Italian Republic 40 % of the eligible expenditure.

However, the Community's financial contribution towards the eligible expenditure may not exceed:

- 192 ECU (A) per ha for the measure referred to in Article 3 (1) (c),
- 14.4 ECU (A) for the premium referred to in Article 3 (1) (d),
- 48 ECU (A) for the premium referred to in Article 3 (1) (e), with a limit of 480 ECU (A) for each individual holding.

Article 7

1. The duration of the common measure shall be limited to five years from the date when the framework programme referred to in Article 2 is approved.

2. During the fourth year, the Commission shall submit a report on the progress of the common measure. Before the five-year period expires, the Council shall decide, on a proposal from the Commission, whether the measure needs to be extended for a further period.

3. The estimated cost of the common measure to be borne by the Fund shall be 291 million ECU for the period provided for in paragraph 1.

Article 8

When the programmes are approved, the Commission shall, by agreement with the Italian Government, establish the procedure for informing it periodically of the progress of the programmes. The Italian Government shall at the same time designate, where appropriate, the body responsible for the technical execution of the programmes.

Article 9

1. Applications for reimbursement shall relate to expenditure incurred by the Italian Republic in the course of a single calendar year and shall be submitted to the Commission before 1 July of the following year.

2. The decision whether to grant aid from the Fund shall be taken in accordance with Article 7 (1) of Regulation (EEC) No 729/70.

⁽¹⁾ OJ No L 73, 29. 3. 1975, p. 1.

⁽²⁾ OJ No L 35, 9. 2. 1979, p. 1.

3. If the beneficiary of the premium referred to in Article 3 (1) (e) fails to fulfil the investment condition referred to in Article 3 (3), the Commission shall recover from the Italian Republic the sums already paid in respect of the said premium.

4. Advance payments may be granted by the Fund on the basis of the financial arrangements adopted by the Italian Republic and in the light of the progress made in implementing the programme.

5. The detailed rules for implementing this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 10

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 30 June 1981.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 1945/81

of 30 June 1981

restricting investment aids for pig production

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Article 9 of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms ⁽⁴⁾, as last amended by Directive 81/528/EEC ⁽⁵⁾, places restrictions on the granting of aid for carrying out a development plan; whereas, in order to take account of the objective of market equilibrium in the Community, the specific conditions under which aid is granted for investments in the pig sector should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

1. Aids for investment in pig production shall be prohibited except for those granted for that volume of investments necessary to attain 550 pig places per farm.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 30 June 1981.

The Commission may permit a Member State to adjust the limit in the first subparagraph in the context of a farm development plan in specific cases where 550 pig places will not provide a comparable earned income for 1.5 man-work units. However, even in such cases no aid may be granted for that part of the investment which brings the number of pig places to more than 1 000.

2. The detailed rules of application of this Article shall be adopted in accordance with the procedure laid down in Article 18 of Directive 72/159/EEC.

Article 2

The first subparagraph of Article 9 (2) of Directive 72/159/EEC is replaced by the following:

'2. Where the development plan provides for an investment in pig farming, the granting under Article 8 (1) (b) and (c) of the incentives to that investment shall be subject to the condition that the farm will be capable on completion of the plan of producing at least 35 % of the feedingstuffs consumed by the pigs.'

Article 3

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

For the Council

The President

G. BRAKS

⁽¹⁾ OJ No C 124, 17. 5. 1979, p. 1.

⁽²⁾ OJ No C 85, 8. 4. 1980, p. 57.

⁽³⁾ OJ No C 53, 3. 3. 1980, p. 22.

⁽⁴⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽⁵⁾ See page 41 of this Official Journal.

COUNCIL REGULATION (EEC) No 1946/81
of 30 June 1981
restricting investment aids for milk production

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Article 8 (1) (b) of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms ⁽⁴⁾, as last amended by Directive 81/528/EEC ⁽⁵⁾, provides for the granting of aid for the investments necessary for carrying out a development plan; whereas, in order to take account of the objective of market equilibrium in the Community, aid should not be granted for investment in milk production except under certain specific conditions,

implementing a development plan in accordance with Directive 72/159/EEC, or farm improvement plans in the framework of common measures.

2. The aids referred to in paragraph 1 shall be limited to the investment such as will permit the achievement of the comparable earned income defined in Article 4 (2) of Directive 72/159/EEC for a maximum number of 1.5 man-work units per farm, and shall be subject to the condition that the investment does not increase the number of dairy cows at the end of the plan to more than 40 per man-work unit.

However, for farms with more than 1.5 man-work units, aids may be granted for investments such as will permit the increase in the number of dairy cows by no more than 15 % at the end of the plan.

3. Member States are authorized to grant investment aids to farmers who do not present a development plan provided that the investment does not increase the number of dairy cows to more than 40 per farm.

HAS ADOPTED THIS REGULATION:

Article 1

1. Aids for investments in milk production shall be prohibited except in the case of those granted to farmers

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 30 June 1981.

For the Council

The President

G. BRAKS

⁽¹⁾ OJ No C 124, 17. 5. 1979, p. 1.

⁽²⁾ OJ No C 85, 8. 4. 1980, p. 57.

⁽³⁾ OJ No C 53, 3. 3. 1980, p. 22.

⁽⁴⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽⁵⁾ See page 41 of this Official Journal.

COUNCIL REGULATION (EEC) No 1947/81

of 6 July 1981

laying down the conditions on which the Hellenic Republic may maintain on a transitional basis certain national aid measures falling within the scope of the socio-structural Directives

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the 1979 Act of Accession, and in particular Article 69 thereof,

Having regard to the proposal from the Commission,

Whereas, in accordance with the Joint Declaration on the procedure for the joint examination of national aids granted by the Hellenic Republic in the field of agriculture during the period prior to accession, annexed to the Final Act of the Treaty of Accession, the list of national aid measures which are to be assessed with reference to the scope of the socio-structural Directives referred to in Annex IV to the Act of Accession and which the Hellenic Republic is authorized to maintain on a transitional basis is to be as agreed within the Conference.

Whereas, however, that list should be updated in order to take account of corrections, of the abolition of certain aid measures, of changes in the way certain types of aid are granted and of the updating, where necessary, of the amount thereof which may have occurred in the meantime;

Whereas, under Article 114 of the Act of Accession and Annex IV thereto, the Hellenic Republic must implement the measures necessary to comply not later than 31 December 1983 with the socio-structural Directives mentioned in the said Annex; whereas this necessitates the abolition or adaptation of certain national aid measures which fall within the scope of these Directives and which the Hellenic Republic is authorized to maintain by Article 69 of the Act of Accession, subject to the terms of the said Directives;

Whereas, if the aid currently granted by the Hellenic Republic in certain regions to producers of common wheat and barley and to certain sheep and goat farmers were abolished, the incomes of the farmers concerned might be sharply reduced; whereas the Hellenic

Republic should, consequently, be authorized to maintain some aid measures beyond the date of implementation of Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming in certain less-favoured areas ⁽¹⁾, as last amended by Directive 80/666/EEC ⁽²⁾, and to lay down the conditions relating thereto;

Whereas, if the amount of the aid currently granted by the Hellenic Republic for the restocking of vineyards under a quality wine psr programme were adapted to the terms of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms ⁽³⁾, as last amended by Directive 81/528/EEC ⁽⁴⁾, the objectives of the programme might be jeopardized; whereas the Hellenic Republic should, consequently, be authorized to maintain these amounts beyond the date of implementation of Directive 75/268/EEC,

HAS ADOPTED THIS REGULATION:

Article 1

1. With effect from 1 January 1981 the national aid measures which are to be assessed with reference to the scope of the socio-structural Directives referred to in Annex IV to the Act of Accession and which the Hellenic Republic is authorized to maintain on a transitional basis shall be as laid down in the Annex.

2. The national aid measures referred to in paragraph 1 may be maintained, at the amounts specified in the Annex, until 31 December 1983. Should the Hellenic Republic implement the Directives referred to in the first paragraph before 31 December 1983, the national aid measures must be adapted to meet the conditions laid down by those Directives or abolished by the time the Directives are implemented.

⁽¹⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽²⁾ OJ No L 180, 14. 7. 1980, p. 34.

⁽³⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽⁴⁾ See page 41 of this Official Journal.

3. By way of derogation from paragraph 2, the aids referred to under points I, II, V (b) and XII of the Annex may be maintained at the amounts and subject to the conditions laid down in the Annex until 31 December 1985.

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 6 July 1981.

For the Council

The President

G. HOWE

ANNEX

Designation of the aid	Maximum amount of the aid in 1980 (*)	Rate of abolition or adaptation
I. COMMON WHEAT		
Aid to farmers in mountain regions	200 Drs/stremma	— in areas covered by Directive 75/268/EEC, to be maintained until 31 December 1985 — in other areas, to be maintained until 31 December 1985, subject to being reduced at the rate stipulated in No I.1 of the Annex to Regulation (EEC) No 37/81 (OJ No L 3, 1. 1. 1981, p. 1)
II. BARLEY		
Aid to farmers in mountain and island regions	200 Drs/stremma	To be maintained until 31 December 1985 — in the areas specified in Article 3 (3) of Directive 75/268/EEC, for farmers with less than 3 ha of UAA, — in other areas, subject to being reduced at the rate laid down in No I.1 of the Annex to Regulation (EEC) No 37/81
III. MAIZE		
Aid for the purchase of drying and ensiling equipment (capital subsidy)		
(a) to individual producers	20 % of the purchase rate	Article 1 (2)
(b) to producer groups and organizations	40 % of the purchase rate	Article 1 (2)
IV. FRUIT AND VEGETABLES		
1. Aid for the construction of glasshouses (capital subsidy)	20 % of expenditure	Article 1 (2)
2. Aid for the construction of frames (Drs/stremma) ⁽¹⁾	20 % of expenditure	Article 1 (2)
3. Aid for the purchase of automatic irrigation systems	20 % of expenditure	Article 1 (2)

(¹) For the production of strawberries and melons only.

Designation of the aid	Maximum amount of the aid in 1980 (*)	Rate of abolition or adaptation
V. WINE		
Quality wine psr programme aid (capital subsidy) for producers, in respect of:		
(a) new plantings	50 % of expenditure, up to 2 300 to 4 550 Drs/stremma, according to region,	Article 1 (2)
(b) restocking of vineyards	50 % of expenditure, up to 3 380 to 5 850 Drs/stremma	To be maintained until 31 December 1985
(c) tying up of vines	50 % of expenditure, up to 2 600 Drs/stremma, according to region	Article 1 (2)
(d) purchase of machinery	20 to 30 % of expenditure	Article 1 (2)
VI. FLORICULTURE		
Aid for the construction of glasshouses and multiplication facilities (capital subsidy)		
(a) glasshouses	20 % of expenditure	Article 1 (2)
(b) multiplication facilities producing root cuttings	20 % of expenditure	Article 1 (2)
VII. AROMATIC AND PHARMACEUTICAL PLANTS		
1. Aid for equipment to treat aromatic and pharmaceutical plants (capital subsidy)	40 % of the purchase price	Article 1 (2)
2. Cultivation machinery (capital subsidy)	20 % of the purchase price	Article 1 (2)
3. Buildings (capital subsidy)	20 % of expenditure	Article 1 (2)
4. Aid per stremma for the introduction of aromatic and pharmaceutical crops	2 000 to 3 500 Drs/stremma	Article 1 (2)
VIII. SILKWORMS		
1. Aid for the establishment of new plantations of mulberry trees (capital subsidy)	Up to 6 000 Drs/stremma	Article 1 (2)
2. Aid for the construction of silkworm cultivation installations (capital subsidy)		
— for individual silkworm farmers	40 % of construction costs	Article 1 (2)
— for groups of silkworm farmers	40 % of construction costs	Article 1 (2)

Designation of the aid	Maximum amount of the aid in 1980 (*)	Rate of abolition or adaptation
IX. CATTLE		
1. Aid for the establishment, extension or improvement of family-run cattle farms (buildings, equipment, purchase of animals) (capital subsidy)	Up to 40 % of expenditure	Article 1 (2)
2. Beef and veal: aid for the purchase of breeding female bovine animals of improved breeds	Up to 40 % of expenditure	Article 1 (2)
X. DRILLING		
Aid for drilling work on farms, for the purpose of irrigation (capital subsidy)	Approximately 16 % of expenditure	Article 1 (2)
XI. LOW INTEREST LOANS		
Medium- and long-term loans at reduced rates of interest, to promote certain types of agricultural production	2 to 3 % reduction in the interest rate	Article 1 (2)
XII. SHEEP AND GOATS		
1. Aid for the establishment, expansion or improvement of sheep and goat units (buildings, equipment and purchase of domestic sheep and goats)	40 % of expenditure	Article 1 (2)
2. Aid for sheep farmers in mountain regions and the islands with flocks of more than 30 ewes	120 Drs per head	To be maintained until 31 December 1985 — in the areas specified in Article 3 of Directive 75/268/EEC, for farmers with less than 3 ha of UAA, — in other areas, subject to being reduced at the rate laid down in No I.1 of the Annex to the Council Regulation (EEC) No 37/81

(*) Aids numbered III, IV, V, VI, VII, VIII, IX, X, XI are increased by 25 % for the Nomos: Evros, Rodopi, Xanthi, Dodecanisos, Samos, Lesbos and Chios as well as the Nomos areas Thesprotia, Ioannina, Kastoria, Florina, Pella, Kilkis, Serres and Drama located within a zone of 20 km from the frontiers.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 30 June 1981

on the development of agriculture in the French overseas departments

(81/527/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas, in order to attain the objectives of the common agricultural policy set out in Article 39 (1) (a) and (b) of the Treaty, special measures must be taken, at Community level, to remedy the situation in those agricultural areas where production conditions are particularly difficult;

Whereas from 1980 onwards there can be no aid from the European Development Fund;

Whereas the French overseas departments are very little developed compared with the other regions of the

Community and are in a particularly unfavourable situation as regards agricultural yield and incomes, while the agricultural sector is the only one capable of playing a prominent part in the economic development of the said departments;

Whereas the conditions and limits laid down in Articles 13 and 19 of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms ⁽³⁾, as last amended by Directive 81/528/EEC ⁽⁴⁾, are not well-suited to the particular structural situation of the said departments;

Whereas the objective should be to enable the structural development of these regions to catch up through measures having lasting effects on their agricultural economies;

Whereas agricultural production in the said departments is seriously affected by a water supply situation which is distorted by an inadequate infrastructure in rural areas, and by soils which require much improvement before they can yield well or be efficiently exploited for forestry;

⁽¹⁾ OJ No C 291, 10. 11. 1980, p. 83.

⁽²⁾ OJ No C 348, 31. 12. 1980, p. 6.

⁽³⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽⁴⁾ See page 41 of this Official Journal.

Whereas measures to promote stockfarming and the diversification of crops must be encouraged;

Whereas these measures concerned with underdevelopment should be expedited by means of Community aid;

Whereas these objectives should be pursued by way of a multi-purpose common measure covering all the French overseas departments and constituting a special programme extending over several years and submitted by the French Republic;

Whereas it follows from the foregoing that the measures referred to above constitute a common measure within the meaning of Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EEC) No 3509/80 ⁽²⁾,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. With a view to promoting the development of agriculture in the French overseas departments, a common measure within the meaning of Article 6 (1) of Regulation (EEC) No 729/70, to be implemented by the French Republic, shall be introduced in the departments of Réunion, Guadeloupe, Martinique and Guiana.

2. The conditions and limits laid down in Article 13 (2) and Article 19 (2) and (3) of Directive 72/159/EEC shall not apply to the operations covered by this common measure.

Article 2

1. The Community's financial contribution may be used only in the framework of a programme implementing all the measures envisaged in the departments concerned. Such a programme for all the departments concerned or for one or more thereof shall be submitted to the Commission by the French Republic.

2. The Commission shall decide whether to approve the programme and any amendments thereto in

accordance with the procedure laid down in Article 18 of Directive 72/159/EEC after consultation of the Committee of the European Agricultural Guidance and Guarantee Fund, hereinafter called the 'Fund', on the financial aspects.

Article 3

The object of the programme shall be to implement projects essential to the development of agriculture by means of:

- (a) collective irrigation operations,
- (b) improvements to agricultural infrastructure,
- (c) soil improvement, flood protection work and other protection work,
- (d) afforestation and the improvement of degraded forest, including the establishment of shelter belts and forest roads, provided that these operations guarantee an improvement in agricultural structures,
- (e) measures to encourage stockfarming, with particular emphasis on meat production, and the diversification of crops by promoting the cultivation of crops suited to production conditions and marketing possibilities.

Article 4

1. The programme shall include:

- a description of the current situation and requirements,
- a description of the various measures envisaged,
- the plan for financing the programme,
- the scope of operations and the timescale envisaged for carrying out the programme,
- the rules governing intervention by public authorities in carrying out the programme.

2. All the measures covered by this action must fall within the framework of the regional development programme where the French Republic is required to forward it to the Commission under Article 6 of Council Regulation 724/75 of 18 March 1975 establishing a European Regional Development Fund ⁽³⁾, as amended by Council Regulation (EEC) No 214/79 ⁽⁴⁾.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 367, 31. 12. 1980, p. 87.

⁽³⁾ OJ No L 73, 29. 3. 1975, p. 1.

⁽⁴⁾ OJ No L 35, 9. 2. 1979, p. 1.

Article 5

1. Expenditure incurred by the French Republic under the programme on the measures referred to in Article 3 shall be eligible under the Guidance Section of the Fund up to the following limits:

- under Article 3 (a), up to 31 million ECU (A);
- under Article 3 (b), up to 90 million ECU (A);
- under Article 3 (c), up to 47 million ECU (A);
- under Article 3 (d), up to 9 million ECU (A);
- under Article 3 (e), up to 34 million ECU (A), of which a maximum of 10 % may be used for technical assistance.

2. The Guidance Section of the Fund shall reimburse to the French Republic 40 % of the eligible expenditure.

Article 6

1. The duration of the common measure shall be not more than five years as from the date on which the programme is approved.

2. Before the period referred to in paragraph 1 expires, this Directive shall be reviewed by the Council acting on a proposal from the Commission.

3. The total estimated cost of the common measure to be borne by the Fund shall be 85 million ECU.

4. Article 6 (5) of Regulation (EEC) No 729/70 shall apply to this Directive.

Article 7

When the programme is approved, the Commission shall, by agreement with the French Republic, determine the manner in which it shall be kept informed periodically of the progress of the common measure.

Article 8

1. Requests for reimbursement shall relate to expenditure incurred by the French Republic during one calendar year and shall be submitted to the Commission not later than 30 June of the following year.

2. Aid from the Fund shall be decided upon in accordance with Article 7 of Regulation (EEC) No 729/70.

3. The Fund may make advance payments on the basis of the method of financing adopted by the French Republic and in the light of the progress of the programme.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 9

This Directive is addressed to the French Republic.

Done at Luxembourg, 30 June 1981.

For the Council

The President

G. BRAKS

COUNCIL DIRECTIVE

of 30 June 1981

amending Directive 72/159/EEC on the modernization of farms

(81/528/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas Article 16 of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms ⁽³⁾, as last amended by Directive 80/370/EEC ⁽⁴⁾, stipulates that the measures provided for therein are to be re-examined after five years by the Council upon a proposal from the Commission;

Whereas non-agricultural workers have to spend part of their income and part of their time travelling to and from their place of work; whereas farmers should be authorized to make a corresponding deduction from the comparable earned income;

Whereas it is the responsibility of the Member States to determine what constitutes an adequate return on the capital invested in the farm; whereas a single rate should be fixed for the return on the farmer's capital, for the purpose of calculating the earned income;

Whereas the funds available must be used as effectively as possible; whereas funds should be concentrated on development plans which do not provide for the attainment of an earned income far in excess of the comparable earned income and on farms which do not themselves have sufficient means for modernization;

Whereas, having regard to the rate of inflation in the Community since the entry into force of Directive 72/159/EEC, the maximum amount of investment per man-work unit should be increased;

Whereas special aid may facilitate the establishment of a farm development plan by young farmers after their first installation on a farm;

Whereas the Member States should be authorized to continue granting transitional aid in respect of investments to improve the situation of managers who do not at present, for various reasons, qualify for the agricultural reform measures,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 72/159/EEC is hereby amended as follows:

(1) Article 2 (2) shall be replaced by the following:

- '2. its level of earned income is less than the modernization objective established by Member States in accordance with Article 4 (2) or whose earned income does not exceed 120 % of this modernization objective, and where its present structure is such as to jeopardize maintenance of that income at a comparable level; in the latter case, the interest rate subsidy provided for in Article 8 (1) (b) shall apply only to two-thirds of the loan referred to in Article 8 (2).';

(2) Article 4 (2) shall be replaced by the following:

- '2. A comparable earned income as referred to in paragraph 1 means the average gross wage for a non-agricultural worker to which Member States may apply a 5 % general corrective abatement.

Member States may, where necessary, take account of disparities between the social security

⁽¹⁾ OJ No C 124, 17. 5. 1979, p. 1.

⁽²⁾ OJ No C 85, 8. 4. 1980, p. 53.

⁽³⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽⁴⁾ OJ No L 90, 3. 4. 1980, p. 43.

arrangements for farmers and those for non-agricultural workers.

Furthermore, Member States are authorized to accept, at the request of the farmer, development plans whose income objective represents only 90 % of the comparable earned income fixed in accordance with this paragraph.'

- (3) The second indent of Article 4 (4) (a) shall be replaced by the following:

'— determine what constitutes an adequate return on the capital invested in the farm business. Member States may add to the earned income accruing from the farm the amount of any return on capital over and above 3.5 %.'

- (4) The following indent shall be added to Article 4 (4) (a):

'— lay down the conditions of application of paragraph 2, subparagraph 3.'

- (5) The following sentence shall be added to Article 4 (5):

'Moreover, income from forestry work on the farm may be included in the agricultural income.'

- (6) The second sentence of Article 4 (6) shall be replaced by the following:

'However, Member States may be authorized, under the procedure laid down in Article 18, to specify a longer period not exceeding nine years for certain regions or for young farmers who have not reached the age of 40 years and who carry out a development plan within five years after their first installation on a farm.'

- (7) The first sentence in the first subparagraph of Article 8 (2) shall be replaced by the following:

'2. The interest rate subsidy provided for in paragraph 1 (b) shall apply to the whole of the loan except for any part of the loan exceeding 72 538 ECU (A) per man-work unit and 217 612 ECU (A) per farm. However, the Member States may fix lower maximum amounts.'

- (8) The following paragraph shall be added to Article 8:

'3. Member States may grant special aid to young farmers who have not reached the age of 40 years and who within five years after their first

installation on a farm fulfil the conditions referred to in Article 2.

The special aid shall at most be equal to 10 % of the amount of the investment provided for in the development plan and eligible within the meaning of paragraph 1, without, however, exceeding 7 254 ECU (A).

Where two or more young farmers who fulfil the conditions of the first subparagraph carry out a development plan in association, the special aid may not exceed 10 881 ECU (A).

The special aid shall be paid as a capital grant. Member States may, however, grant the aid in some other form.

The special aid may be paid in several instalments.'

- (9) Article 14 (2) (a) shall be replaced by the following:

'(a) with effect from 1 January 1981, Member States may grant transitional aid to farmers practising farming as their main occupation who:

— are unable to attain the earned income fixed pursuant to Article 4;

— are not yet eligible for the annuities provided for in Article 2 (1) of Council Directive 72/160/EEC of 17 April 1972 concerning measures to encourage the cessation of farming and the reallocation of utilized agricultural areas for the purpose of structural improvement ⁽¹⁾.

The transitional aid may be granted only in respect of investment not exceeding 18 135 ECU (A) and it may not be granted on terms more favourable than those laid down in Article 8, taking account of Article 9 (1) of Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas ⁽²⁾, as last amended by Council Directive 80/666/EEC ⁽³⁾.

The grant of this transitional aid shall not exclude the farmer from subsequent eligibility for aid pursuant to Article 1 (1) or to the first subparagraph of this paragraph;

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 9.

⁽²⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽³⁾ OJ No L 180, 14. 7. 1980, p. 34.'

- (10) The following paragraph shall be added to Article 14:

'4. Aid for the purchase of land shall not be covered by this Directive.'

Article 2

Member States shall bring into force the measures necessary to comply with this Directive by 31 December 1981 at the latest.

- (11) The first subparagraph of Article 19 (1) shall be replaced by the following:

'1. The expenditure incurred by Member States for the purposes of any measures taken under Article 8 (1) (b), under the first subparagraph of paragraph 2, under paragraph 3, and under Articles 10, 11 and 12, shall be eligible for assistance under the Guidance Section of the European Agricultural Guidance and Guarantee Fund.'

Article 3

This Directive is addressed to the Member States.

Done at Luxembourg, 30 June 1981.

For the Council

The President

G. BRAKS

COUNCIL DIRECTIVE

of 30 June 1981

amending Directive 72/161/EEC concerning the provision of socio-economic guidance for
and the acquisition of occupational skills by persons engaged in agriculture

(81/529/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas Article 9 of Council Directive 72/161/EEC of 17 April 1972 concerning the provision of socio-economic guidance for and the acquisition of occupational skills by persons engaged in agriculture ⁽³⁾ stipulates that the measures provided for therein are to be re-examined after five years by the Council upon a proposal from the Commission;

Whereas, in order to encourage a greater number of persons already engaged in agriculture to take part in vocational training courses qualifying for Community aid, the total eligible amount per farmer having taken a vocational training course should be increased;

Whereas it should be made possible for the Member States to draw up special programmes for the training of leaders and managers of cooperatives in those areas where such programmes prove to be necessary,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 72/161/EEC is hereby amended as follows:

(1) The heading of Title II shall be replaced by the following:

⁽¹⁾ OJ No C 124, 17. 5. 1979, p. 1.

⁽²⁾ OJ No C 85, 8. 4. 1980, p. 53.

⁽³⁾ OJ No L 96, 23. 4. 1972, p. 15.

'Acquisition of occupational skills by persons engaged in agriculture and training of leaders and managers of cooperatives'.

(2) The following paragraph shall be inserted in Article 5:

'2. In regions where the need for such programmes is apparent, Member States shall introduce special programmes for the training of leaders and managers of cooperatives with the qualifications necessary to undertake:

- the management of groups of agricultural producers;
- through such groups or through organizations providing sufficient guarantees with regard to farmer participation in their management, viable economic initiatives as regards the processing and marketing of agricultural products.

Such training programmes shall be drawn up in particular with a view to:

- the creation of producer groups and associations thereof as provided for in Regulation (EEC) No 1360/78 ⁽¹⁾;
- the implementation of programmes as provided for in Regulations (EEC) No 355/77 ⁽²⁾ and No 1361/78 ⁽³⁾.

⁽¹⁾ OJ No L 166, 23. 6. 1978, p. 1.

⁽²⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽³⁾ OJ No L 166, 23. 6. 1978, p. 9.'

Former paragraph 2 shall become paragraph 3.

(3) Title III shall be deleted and former Title IV shall become Title III;

(4) In Article 12 (1), 'Article 7' shall be replaced by 'Article 5 (2)';

(5) In the first, second and third indents of Article 12 (2), the amounts shall be replaced by the following:

1st indent: 7 500 units of account per 9 068 ECU (A);

2nd indent: 4 500 units of account per 5 441 ECU
(A);

3rd indent: 1 500 units of account per 2 902 ECU
(A);

(6) The fourth indent of Article 12 (2) shall be replaced
by the following:

‘— 25 % of the expenditure actually incurred in
connection with the measures provided for in
Article 5 (2), up to an overall amount of 2 902
ECU (A) per person who has followed a
complete further-training course.’.

Article 2

The Member States shall bring into force the measures
necessary to comply with this Directive by 31 December
1981 at the latest.

Article 3

This Directive is addressed to the Member States.

Done at Luxembourg, 30 June 1981.

For the Council

The President

G. BRAKS

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 997/81 of 26 March 1981 laying down detailed rules for the description and presentation of wines and grape musts

(Official Journal of the European Communities No L 106 of 16 April 1981)

Pages 34, 35 and 36, Annex II, X. Hungary:

<i>for:</i>	<i>read:</i>
1. — Ersekhalm	— Érsekhalm
— Forráskút	— Forráskút
— Asotthalom	— 'Asotthalom
— Cserkeszölő	— Cserkeszölő
— Kunfehértó	— Kunfehértó
— Morhalm	— Mórhalom
2. — Öreghegy	— Öreghegy
— Csókakő	— Csókakő
— Ábrahámhegy	— Ábrahámhegy
— Győzzentivan	— Győrszentiván
— Kővágóórs	— Kővágóórs
— Nemesgulács	— Nemesgulács
— Orhalm	— Órhalom
— Komáron	— Komárom
3. — Tereziámajor	— Teréziámajor
— Köröshegy	— Köröshegy
— Cserkút	— Cserkút
— Kővágószőlős	— Kővágószőlős
4. — Farkasmaj	— Farkasmaj
— Debrő	— Debrő
— Egerszólát	— Egerszólát

Page 63, Annex IV, V. Chile:

<i>for:</i>	<i>read:</i>
— Moscatel do Alojandria	— Moscatel de Alejandría
— Moscatelos en général	— Moscateles en general
— Carignano	— Carignane

Page 66, Annex IV, VII. Hungary:

<i>for:</i>	<i>read:</i>
— Rudai zöld	— Budai Zöld
— Erzeletkirálynő	— Erzséletkirálynő
— Fűszeres Trimini	— Fűszeres Trimini
— Gyöngyszőlő	— Gyöngyszőlő
— Irsai oliver	— Irsai olivér
— Kéknyelű	— Kéknyelű
— Király furmint	— Király furmint
— Muskotaly	— Muskotály

Page 17, Article 22, paragraph 5:

<i>for:</i>	'... , and that the wine is not designated a quality wine psr.'
<i>read:</i>	'... , and that the wine does not bear the name of a quality wine psr.'

Page 17, Article 22, paragraph 1, second subparagraph:

<i>for:</i>	'... from the date of entry into force of such amendment.'
<i>read:</i>	'... from the date of application of such amendment.'

Page 18, Article 25, second sentence:

<i>for:</i>	'... 1 September 1981.'
<i>read:</i>	'... 1 September 1980.'

