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II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 24 April 1997

on the approval of the single programming document for Community structural assistance in industrial South Wales concerned by Objective 2 in the United Kingdom

(Only the English text is authentic)

(97/691/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the

European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC⁽¹⁾ and from unused appropriations of ECU 39,62 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C (96) 3643 of 13 December 1996;

Whereas the United Kingdom Government has submitted to the Commission on 5 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for industrial South Wales; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds⁽²⁾, as last amended by Regulation (EC) No 2745/94⁽³⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance

available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund⁽⁴⁾, as amended by Regulation (EEC) No 2083/93⁽⁵⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund⁽⁶⁾, as amended by Regulation (EEC) No 2084/93⁽⁷⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas the single programming document satisfies the conditions and includes the information required by Article 14 of Regulation (EEC) No 4253/88;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities⁽⁸⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95⁽⁹⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

⁽¹⁾ OJ L 192, 2. 8. 1996, p. 29.

⁽²⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽³⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽⁴⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁵⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁶⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁷⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁸⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁹⁾ OJ L 240, 7. 10. 1995, p. 12.

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/7 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the United Kingdom;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in industrial South Wales concerned by Objective 2 in the United Kingdom, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in the United Kingdom;

the main priorities are:

1. community economic regeneration,
2. investment in the valleys,
3. developing indigenous SME potential,
4. increasing the innovative capacity of SMEs,
5. action for tourism;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality and an initial evaluation of the latter;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	68,725
1998	71,560
1999	74,480
Total	214,765

2. To this global maximum allocation is added an amount of ECU 39,62 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 254,385 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 325,6 million for the public sector and ECU 49,4 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 200,796 million,
- ESF: ECU 53,589 million.

2. The budgetary commitments for the first instalment are as follows:

— ERDF: ECU 40,159 million,

— ESF: ECU 17,148 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December

1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/7.

Article 10

This Decision is addressed to the United Kingdom.

Done at Brussels, 24 April 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 24 April 1997

on the approval of the single programming document for Community structural assistance in the regions of the west coast (Varsinais-Suomi and Satakunta), Päijät-Häme, the eastern gulf of Finland (Kymenlaakso and east Uusimaa), south Karelia, central Finland and Kokkola concerned by Objective 2 in Finland

(Only the Finnish text is authentic)

(97/692/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as last amended by Regulation (EC) No 3193/94⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision SEC(95) 28/3 of 14 January 1995 and from unused appropriations of ECU 16,145 million of the corresponding single programming document covering the period 1995 to 1996, pursuant to Commission Decision C(96) 3687 of 17 December 1996, as amended by Decision C(97) 1007 of 24 April 1997;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the Finnish Government has submitted to the Commission on 20 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the regions of the west coast (Varsinais-Suomi and Satakunta), Päijät-Häme, the eastern gulf of Finland (Kymenlaakso and east Uusimaa), south Karelia, central Finland and Kokkola; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex III to Regulation (EEC) No 2052/88 as amended by the Act of Accession; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas the single programming document satisfies the conditions and includes the information required by Article 14 of Regulation (EEC) No 4253/88;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/14 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of Finland;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the regions of the west coast (Varsinais-Suomi and Satakunta), Päijät-Häme, the eastern gulf of Finland (Kymenlaakso and east Uusimaa), south Karelia, central Finland and Kokkola concerned by Objective 2 in Finland, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in Finland;

the main priorities are:

1. increasing, developing and internationalizing business activity,
2. raising the level of skills and technology,
3. infrastructure, environment and culture;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality and an initial evaluation of the latter;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

<i>ECU million (1997 prices)</i>	
1997	39,054
1998	39,890
1999	40,204
Total	119,148

2. To this global maximum allocation is added an amount of ECU 16,145 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1995 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 135,293 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 224,482 million for the public sector and ECU 383,831 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 105,528 million,
- ESF: ECU 29,765 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 42,221 million,
- ESF: ECU 12,978 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/14.

Article 10

This Decision is addressed to the Republic of Finland.

Done at Brussels, 24 April 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 7 May 1997

on the approval of the single programming document for Community structural assistance in the *Land* Bayern concerned by Objective 2 in the Federal Republic of Germany

(Only the German text is authentic)

(97/693/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 2,547 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3645 of 13 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the German Government has submitted to the Commission on 8 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the *Land* Bayern; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas the single programming document satisfies the conditions and includes the information required by Article 14 of Regulation (EEC) No 4253/88;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas Article 20 (3) of Regulation (EEC) No 4253/88 provides, subject to available funding, for a single commitment where the Community assistance granted is less than ECU 40 million for the whole programming period;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/5 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the Federal Republic of Germany;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the *Land* Bayern concerned by Objective 2 in the Federal Republic of Germany, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of the Federal Republic of Germany;

the main priorities are:

1. infrastructure measures for the economic sector,
2. development of indigenous potential,
3. development of human resources;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality and an initial evaluation of the latter;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	5,505
1998	5,727
1999	5,990
Total	17,222

2. To this global maximum allocation is added an amount of ECU 2,547 million not subject to indexation, resulting from unused appropriations of the

corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 19,769 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 18,877 million for the public sector and ECU 4,042 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 13,740 million,
- ESF: ECU 6,029 million.

2. The budgetary commitments at the moment of approval of the single programming document refer to the total Community assistance.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/5.

Article 10

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 7 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 7 May 1997

on the approval of the single programming document for Community structural assistance in the western part of the *Land* Berlin concerned by Objective 2 in the Federal Republic of Germany

(Only the German text is authentic)

(97/694/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 5,186 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3053 of 20 November 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the German Government has submitted to the Commission on 8 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the western part of the *Land* Berlin; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas certain measures planned under this single programming document include the part-financing of aid schemes which have not yet been approved by the Commission; whereas the financial commitments should be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/5 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the Federal Republic of Germany;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the western part of the *Land* Berlin concerned by Objective 2 in the Federal Republic of Germany, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in the Federal Republic of Germany;

the main priorities are:

1. improvement of the regional economic structure,
2. support for the industrial economy,
3. measures for improvement of the environment,
4. support for technological potential,
5. support for SMEs and for east-west cooperation;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality and an initial evaluation of the latter;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	59,456
1998	61,851
1999	64,682
Total	185,989

2. To this global maximum allocation is added an amount of ECU 5,186 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 191,175 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 192,895 million for the public sector and ECU 29,070 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 123,289 million,
- ESF: ECU 67,886 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 28,758 million
- ESF: ECU 21,701 million

In accordance with the rules laid down in Article 7, these commitments do not include the amounts relating to the aid schemes not yet approved by the Commission. The corresponding commitments will be made after the approval of the aid schemes concerned.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the

budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

This Decision is without prejudice to the Commission's position on the aid schemes in the measures UFP V (development priority 3.1) and ZÖWII (development priority 3.2), listed for that purpose in the single programming document. In accordance with Articles 92 and 93 of the Treaty, the aid schemes must be approved by the Commission and hence the financial commitments shall be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission. The contributions to the aids for integration under the measures 3.5.2.1.2. UFP, labour-market policy measures and 3.5.2.3.2 SME, labour-market policy measures shall be granted, until the end of the current examination of the compatibility of these aids, only in the strict compliance with the *de minimis* rule ⁽¹⁾.

Article 8

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance

has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 9

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 10

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/5.

Article 11

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 7 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

⁽¹⁾ OJ C 68, 6. 3. 1996, p. 9.

COMMISSION DECISION

of 7 May 1997

on the approval of the single programming document for Community structural assistance in the *Land Bremen* concerned by Objective 2 in the Federal Republic of Germany

(Only the German text is authentic)

(97/695/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the German Government has submitted to the Commission on 9 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the *Land Bremen*; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas certain measures planned under this single programming document include the part-financing of aid schemes which have not yet been approved by the Commission; whereas the financial commitments should be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/5 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the Federal Republic of Germany;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the *Land Bremen* concerned by Objective 2 in the Federal Republic of Germany, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of the Federal Republic of Germany;

the main priorities are:

1. Diversification and modernization of industry,
2. strengthening of the services sector,
3. improvement of environmental protection/ redevelopment of sites,
4. coherence-fund for ERDF and ESF,;

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

5. accompanying measures for labour-market policy (ESF);

- (b) the assistance from the Structural Funds as referred to in Article 4;
- (c) the detailed provisions for implementing the single programming document comprising:
 - the procedures for monitoring and evaluation,
 - the provisions on financial implementation,
 - the rules for compliance with Community policies;
- (d) the procedures for verifying additionality and an initial evaluation of the latter;
- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;
- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1 For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	17,618
1998	18,328
1999	19,167
Total	55,113

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 55,113 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 57,5 million for the public sector and ECU 94,3 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 35,823 million,
- ESF: ECU 19,290 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 11,452 million,
- ESF: ECU 6,168 million.

In accordance with the rules laid down in Article 7, these commitments do not include the amounts relating to the aid schemes not yet approved by the Commission. The corresponding commitments will be made after the approval of the aid schemes concerned.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

This Decision is without prejudice to the Commission's position on the aid schemes in the measures 1.1 — financial assistance for small and medium-sized enterprises and 3.1 support programme for the application of environmental technologies for 1999. In accordance with Articles 92 and 93 of the Treaty, the aid schemes must be approved by the Commission and hence the financial commitments shall be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission. The contributions to the aids for integration under the measures 5.1, 5.2 and 5.3 shall be granted, until the end of the current examination of the compatibility of these aids, only in the strict compliance with the *de minimis* rule ⁽¹⁾.

⁽¹⁾ OJ C 68, 6. 3. 1996, p. 9.

Article 8

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 9

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 10

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/5.

Article 11

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 7 May 1997.

For the Commission

Monika WULF-MATHIES,

Member of the Commission

COMMISSION DECISION

of 7 May 1997

on the approval of the single programming document for Community structural assistance in the *Land* Hessen concerned by Objective 2 in the Federal Republic of Germany

(Only the German text is authentic)

(97/696/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 4,991 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3052 of 20 November 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the German Government has submitted to the Commission on 9 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the *Land* Hessen; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas the single programming document satisfies the conditions and includes the information required by Article 14 of Regulation (EEC) No 4253/88;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas Article 20 (3) of Regulation (EEC) No 4253/88 provides, subject to available funding, for a single commitment where the Community assistance granted is less than ECU 40 million for the whole programming period;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/5 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the Federal Republic of Germany;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the *Land* Hessen concerned by Objective 2 in the Federal Republic of Germany, covering

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of the Federal Republic of Germany;

the main priorities are:

1. modernization and diversification of the economic structure,
2. qualification;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality and an initial evaluation of the latter;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	7,984
1998	8,305
1999	8,686
Total	24,975

2. To this global maximum allocation is added an amount of ECU 4,991 million not subject to indexation,

resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 29,966 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 21,103 million for the public sector and ECU 27,180 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 26,467 million,
- ESF: ECU 3,499 million.

2. The budgetary commitments at the moment of approval of the single programming document refer to the total Community assistance.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/5.

Article 11

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 7 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 7 May 1997

on the approval of the single programming document for Community structural assistance in the *Land* Niedersachsen concerned by Objective 2 in the Federal Republic of Germany

(Only the German text is authentic)

(97/697/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC⁽¹⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as last amended by Regulation (EC) No 3193/94⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the German Government has submitted to the Commission on 14 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the *Land* Niedersachsen; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas certain measures planned under this single programming document include the part-financing of aid schemes which have not yet been approved by the Commission; whereas the financial commitments should be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/5 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the Federal Republic of Germany;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the *Land* Niedersachsen concerned by Objective 2 in the Federal Republic of Germany, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of the Federal Republic of Germany;

the main priorities are:

1. industry,
2. tourism,
3. research and technological development, environment and energy,

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

- 4. employment growth and stability,
 - 5. scientific further training;
- (b) the assistance from the Structural Funds as referred to in Article 4;
- (c) the detailed provisions for implementing the single programming document comprising:
- the procedures for monitoring and evaluation,
 - the provisions on financial implementation,
 - the rules for compliance with Community policies;
- (d) the procedures for verifying additionality and an initial evaluation of the latter;
- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;
- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	15,964
1998	16,608
1999	17,368
Total	49,940

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 49,940 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 50,067 million for the public sector and ECU 125,175 million for the private sector, may be

met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 33,306 million,
- ESF: ECU 16,634 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 9,942 million,
- ESF: ECU 5,323 million.

In accordance with the rules laid down in Article 7, these commitments do not include the amounts relating to the aid schemes not yet approved by the Commission. The corresponding commitments will be made after the approval of the aid schemes concerned.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

This Decision is without prejudice to the Commission's position on the aid schemes in the measure. 6.1.III.3 — support for the improvement of the environment. In accordance with Articles 92 and 93 of the Treaty, the aid schemes must be approved by the Commission and hence the financial commitments shall be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission.

Article 8

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 9

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 10

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/5.

Article 11

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 7 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 7 May 1997

on the approval of the single programming document for Community structural assistance in the *Land* Nordrhein-Westfalen concerned by Objective 2 in the Federal Republic of Germany

(Only the German text is authentic)

(97/698/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as last amended by Regulation (EC) No 3193/94⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC⁽⁵⁾ and from unused appropriations of ECU 26,108 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3644 of 13 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the German Government has submitted to the Commission on 12 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the *Land* Nordrhein-Westfalen; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas certain measures planned under this single programming document include the part-financing of aid schemes which have not yet been approved by the Commission; whereas the financial commitments should be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/5 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the Federal Republic of Germany;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the *Land* Nordrhein-Westfalen concerned by Objective 2 in the Federal Republic of Germany, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of the Federal Republic of Germany;

the main priorities are:

1. support for business development, in particular for SMEs,
2. support for technology and innovation, advice and other software-activities,
3. creation and improvement of support infrastructures for the economic sector, in particular for SMEs and start-ups,
4. restructuring of industrial and military sites, improvement of their surroundings and environmental quality, and addressing the legacy of development constraints left by earlier industrialization,
5. Promotion of human resources;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality and an initial evaluation of the latter;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	135,704
1998	141,172
1999	147,633
Total	424,509

2. To this global maximum allocation is added an amount of ECU 26,108 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 450,616 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 502,8 million for the public sector and ECU 659,8 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 335,998 million,
- ESF: ECU 114,618 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 76,928 million,
- ESF: ECU 36,678 million.

In accordance with the rules laid down in Article 7, these commitments do not include the amounts relating to the aid schemes not yet approved by the Commission. The corresponding commitments will be made after the approval of the aid schemes concerned.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the

budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

This Decision is without prejudice to the Commission's position on the aid schemes in the measures 1.3 (support for investments on projects and initiatives for employment, 1.4 support for productive investments in the field of environment, in particular for the SMEs, 2.1 technology and innovation, media and telecommunication and 4.3 support for infrastructure investments for the efficient use of energy and for the use of renewable energy resources. In accordance with Articles 92 and 93 of the Treaty, the aid schemes must be approved by the Commission and hence the financial commitments shall be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission. The contributions to the aids for integration under the measures 5.1.2, 5.1.3, 5.2.2, 5.2.3, 5.3.2 and 5.3.3 shall be granted, until the end of the current examination of the compatibility of these aids, only in the strict compliance with the *de minimis* rule ⁽¹⁾.

Article 8

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally

binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 9

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 10

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/5.

Article 11

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 7 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

⁽¹⁾ OJ C 68, 6. 3. 1996, p. 9.

COMMISSION DECISION

of 7 May 1997

on the approval of the single programming document for Community structural assistance in the *Land* Rheinland-Pfalz concerned by Objective 2 in the Federal Republic of Germany

(Only the German text is authentic)

(97/699/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as last amended by Regulation (EC) No 3193/94⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the German Government has submitted to the Commission on 12 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the *Land* Rheinland-Pfalz; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas the single programming document satisfies the conditions and includes the information required by Article 14 of Regulation (EEC) No 4253/88;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas Article 20 (3) of Regulation (EEC) No 4253/88 provides, subject to available funding, for a single commitment where the Community assistance granted is less than ECU 40 million for the whole programming period;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/5 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the Federal Republic of Germany;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the *Land* Rheinland-Pfalz concerned by Objective 2 in the Federal Republic of Germany, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of the Federal Republic of Germany;

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

the main priorities are:

1. promotion and improvement of infrastructure in the economic sector,
2. development of tourism,
3. promotion of technological development,
4. strengthening of indigenous potential,
5. human resource development and vocational training,
6. measures for specific target groups in the labour market,
7. technical assistance

(b) the assistance from the Structural Funds as referred to in Article 4;

(c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

(d) the procedures for verifying additionality and an initial evaluation of the latter;

(e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

(f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	8,809
1998	9,164
1999	9,583
Total	27,556

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 27,556 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 38,240 million for the public sector and ECU 1,309 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 17,911 million,
- ESF: ECU 9,645 million.

2. The budgetary commitments at the moment of approval of the single programming document refer to the total Community assistance.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

Done at Brussels, 7 May 1997.

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/5.

Article 10

This Decision is addressed to the Federal Republic of Germany.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 7 May 1997

on the approval of the single programming document for Community structural assistance in the *Land* Saarland concerned by Objective 2 in the Federal Republic of Germany

(Only the German text is authentic)

(97/700/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as last amended by Regulation (EC) No 3193/94⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC⁽⁵⁾ and from unused appropriations of ECU 1,224 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3646 of 13 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the German Government has submitted to the Commission on 12 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the *Land* Saarland; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas certain measures planned under this single programming document include the part-financing of aid schemes which have not yet been approved by the Commission; whereas the financial commitments should be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/5 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the Federal Republic of Germany;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the *Land* Saarland concerned by Objective 2 in the Federal Republic of Germany, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in the Federal Republic of Germany;

the main priorities are:

1. research and technology environment, infrastructure,
2. ecology, energy, economy,
3. technology advice and promotion,
4. promotion of human resources to support technological and organizational change in the labour market,
5. interregional cooperation, preparatory and accompanying measures, evaluation, technical assistance;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality and an initial evaluation of the latter;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	18,443
1998	19,186
1999	20,065
Total	57,694

2. To this global maximum allocation is added an amount of ECU 1,224 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 58,918 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 67,507 million for the public sector and ECU 190,401 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 41,610 million,
- ESF: ECU 17,308 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 11,961 million,
- ESF: ECU 5,533 million.

In accordance with the rules laid down in Article 7, these commitments do not include the amounts relating to the aid schemes not yet approved by the Commission. The corresponding commitments will be made after the approval of the aid schemes concerned.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the

budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

This Decision is without prejudice to the Commission's position on the aid schemes in the measures 6.2.2 and 6.3.1. In accordance with Articles 92 and 93 of the Treaty, the aid schemes must be approved by the Commission and hence the financial commitments shall be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission.

Article 8

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 9

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 10

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/5.

Article 11

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 7 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 7 May 1997

on the approval of the single programming document for Community structural assistance in the *Land* Schleswig-Holstein concerned by Objective 2 in the Federal Republic of Germany

(Only the German text is authentic)

(97/701/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as last amended by Regulation (EC) No 3193/94⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the German Government has submitted to the Commission on 9 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the *Land* Schleswig-Holstein; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas the single programming document satisfies the conditions and includes the information required by Article 14 of Regulation (EEC) No 4253/88;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas Article 20 (3) of Regulation (EEC) No 4253/88 provides, subject to available funding, for a single commitment where the Community assistance granted is less than ECU 40 million for the whole programming period;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/5 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the Federal Republic of Germany;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the *Land* Schleswig-Holstein concerned by Objective 2 in the Federal Republic of Germany, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of the Federal Republic of Germany;

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

the main priorities are:

1. investment in industrial infrastructure,
 2. support for employment growth and stability, and strengthening of indigenous potential in research, science and technology;
- (b) the assistance from the Structural Funds as referred to in Article 4;
- (c) the detailed provisions for implementing the single programming document comprising:
- the procedures for monitoring and evaluation,
 - the provisions on financial implementation,
 - the rules for compliance with Community policies;
- (d) the procedures for verifying additionality and an initial evaluation of the latter;
- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;
- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	5,779
1998	6,013
1999	6,287
Total	18,079

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 18,079 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which

form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 19,106 million for the public sector and ECU 0,372 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 11,752 million,
- ESF: ECU 6,327 million.

2. The budgetary commitments at the moment of approval of the single programming document refer to the total Community assistance.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

Done at Brussels, 7 May 1997.

This Decision is ruled by the provisions laid down in the
Annex to Decision C(97) 1035/5.

Article 10

This Decision is addressed to the Federal Republic of
Germany.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 7 May 1997

on the approval of the single programming document for Community structural assistance in the region of Bourgogne concerned by Objective 2 in France

(Only the French text is authentic)

(97/702/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 13,571 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4159/2 of 18 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the French Government has submitted to the Commission on 16 September 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Bourgogne; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the French authorities has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/1 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of France;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Bourgogne concerned by Objective 2 in France, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in France;

the main priorities are:

1. to encourage the development of economic activities,
2. to structure and upgrade the territories,
3. to develop human resources,
4. to strengthen environmental protection,
5. technical assistance;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

<i>ECU million (1997 prices)</i>	
1997	17,965
1998	18,674
1999	19,492
Total	56,131

2. To this global maximum allocation is added an amount of ECU 13,571 million not subject to indexation,

resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 69,702 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 86,683 million for the public sector and ECU 48,407 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 58,839 million,
- ESF: ECU 10,863 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 18,838 million,
- ESF: ECU 3,477 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/1.

Article 10

This Decision is addressed to the French Republic.

Done at Brussels, 7 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 7 May 1997

on the approval of the single programming document for Community structural assistance in
the region of Emilia-Romagna concerned by Objective 2 in Italy

(Only the Italian text is authentic)

(97/703/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as last amended by Regulation (EC) No 3193/94⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC⁽⁵⁾ and from unused appropriations of ECU 171 000 of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4174/2 of 18 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the Italian Government has submitted to the Commission on 8 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Emilia-Romagna; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the authorities of Italy has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas Article 20 (3) of Regulation (EEC) No 4253/88 provides, subject to available funding, for a single commitment where the Community assistance granted is less than ECU 40 million for the whole programming period;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/6 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of Italy;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Emilia-Romagna concerned by Objective 2 in Italy, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of Italy;
the main priorities are:
 1. strengthening and development of companies,
 2. territorial pact for the subregion of Ferrara,
 3. strengthening of human resources;
- (b) the assistance from the Structural Funds as referred to in Article 4;
- (c) the detailed provisions for implementing the single programming document comprising:
 - the procedures for monitoring and evaluation,
 - the provisions on financial implementation,
 - the rules for compliance with Community policies;
- (d) the procedures for verifying additionality;
- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;
- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	4,480
1998	4,663
1999	4,857
Total	14,000

2. To this global maximum allocation is added an amount of ECU 171 000 not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 14,171 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 24,245 million for the public sector and ECU 2,571 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 11,337 million,
- ESF: ECU 2,834 million.

2. The budgetary commitments at the moment of approval of the single programming document refer to the total Community assistance.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the

Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/6.

Article 11

This Decision is addressed to the Italian Republic.

Done at Brussels, 7 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 7 May 1997

on the approval of the single programming document for Community structural assistance in the region of Toscana concerned by Objective 2 in Italy

(Only the Italian text is authentic)

(97/704/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 15,180 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4174/2 of 18 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the Italian Government has submitted to the Commission on 8 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Toscana; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the authorities of Italy has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/6 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of Italy;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Toscana concerned by Objective 2 in Italy, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of Italy;

the main priorities are:

1. development and reinforcement of the SME base,
2. tourism and cultural goods,
3. technological innovation,
4. environment,
5. redevelopment of the territory and of the port system,
6. strengthening of human resources;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

<i>ECU million (1997 prices)</i>	
1997	46,000
1998	47,883
1999	49,867
Total	143,750

2. To this global maximum allocation is added an amount of ECU 15,180 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 158,930 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 253 million for the public sector and ECU 100 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 128,886 million,
- ESF: ECU 30,044 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 41,244 million,
- ESF: ECU 9,614 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/6.

Article 10

This Decision is addressed to the Italian Republic.

Done at Brussels, 7 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 7 May 1997

on the approval of the single programming document for Community structural assistance in the regions of east London and the Lee Valley concerned by Objective 2 in the United Kingdom

(Only the English text is authentic)

(97/705/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as last amended by Regulation (EC) No 3193/94⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC⁽⁵⁾ and from unused appropriations of ECU 1,844 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3685 of 17 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the United Kingdom Government has submitted to the Commission on 2 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the regions of east London and the Lee Valley; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas the single programming document satisfies the conditions and includes the information required by Article 14 of Regulation (EEC) No 4253/88;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/7 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the United Kingdom;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the regions of east London and the Lee Valley concerned by Objective 2 in the United Kingdom, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in the United Kingdom;

the main priorities are:

1. SME growth and competitiveness,
2. developing business opportunity areas,
3. technology transfer, innovation and advanced telematics,
4. community economic development;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality and an initial evaluation of the latter;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	31,943
1998	33,260
1999	34,618
Total	99,821

2. To this global maximum allocation is added an amount of ECU 1,844 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 101,665 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 112,039 million for the public sector and ECU 36,249 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

— ERDF: ECU 76,447 million,

— ESF: ECU 25,218 million.

2. The budgetary commitments for the first instalment are as follows:

— ERDF: ECU 15,289 million,

— ESF: ECU 6,305 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/7.

Article 10

This Decision is addressed to the United Kingdom.

Done at Brussels, 7 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 7 May 1997

on the approval of the single programming document for Community structural assistance in the region of north-east England concerned by Objective 2 in the United Kingdom

(Only the English text is authentic)

(97/706/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as last amended by Regulation (EC) No 3193/94⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC⁽⁵⁾ and from unused appropriations of ECU 20,479 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3681 of 17 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the United Kingdom Government has submitted to the Commission on 2 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of north-east England; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas the single programming document satisfies the conditions and includes the information required by Article 14 of Regulation (EEC) No 4253/88;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/7 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the United Kingdom;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of north-east England concerned by Objective 2 in the United Kingdom, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

(a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in the United Kingdom;

the main priorities are:

1. small business start-up, SME growth and development,
2. technology and the environment,
3. strategic regional developments,
4. community economic development;

(b) the assistance from the Structural Funds as referred to in Article 4;

(c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

(d) the procedures for verifying additionality and an initial evaluation of the latter;

(e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

(f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	114,541
1998	119,266
1999	124,134
Total	357,941

2. To this global maximum allocation is added an amount of ECU 20,479 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 378,420 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 445,473 million for the public sector and ECU 149,745 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 282,195 million,
- ESF: ECU 96,225 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 47,159 million,
- ESF: ECU 19,245 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/7.

Article 10

This Decision is addressed to the United Kingdom.

Done at Brussels, 7 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 7 May 1997

on the approval of the single programming document for Community structural assistance in the region of western Scotland concerned by Objective 2 in the United Kingdom

(Only the English text is authentic)

(97/707/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as last amended by Regulation (EC) No 3193/94⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC⁽⁵⁾ and from unused appropriations of ECU 27,985 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3682 of 17 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the United Kingdom Government has submitted to the Commission on 15 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of western Scotland; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas the single programming document satisfies the conditions and includes the information required by Article 14 of Regulation (EEC) No 4253/88;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/7 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of United Kingdom;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of western Scotland concerned by Objective 2 in the United Kingdom, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in the United Kingdom;

the main priorities are:

1. SME and local services,
 2. applied research, technological development and innovation,
 3. strategic spatial development,
 4. tourism and cultural sector,
 5. community economic development;
- (b) the assistance from the Structural Funds as referred to in Article 4;
- (c) the detailed provisions for implementing the single programming document comprising:
- the procedures for monitoring and evaluation,
 - the provisions on financial implementation,
 - the rules for compliance with Community policies;
- (d) the procedures for verifying additionality and an initial evaluation of the latter;
- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;
- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	98,086
1998	102,132
1999	106,301
Total	306,519

2. To this global maximum allocation is added an amount of ECU 27,985 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 334,504 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 397,515 million for the public sector and ECU 72,815 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 263,643 million,
- ESF: ECU 70,861 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 52,727 million,
- ESF: ECU 21,259 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/7.

Article 10

This Decision is addressed to the United Kingdom.

Done at Brussels, 7 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 7 May 1997

on the approval of the single programming document for Community structural assistance in the regions of Yorkshire and the Humber concerned by Objective 2 in the United Kingdom

(Only the English text is authentic)

(97/708/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 32,673 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3683 of 17 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the United Kingdom Government has submitted to the Commission on 2 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the regions of Yorkshire and the Humber; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas the single programming document satisfies the conditions and includes the information required by Article 14 of Regulation (EEC) No 4253/88;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/7 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the United Kingdom;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the regions of Yorkshire and the Humber concerned by Objective 2 in the United Kingdom, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in the United Kingdom;

the main priorities are:

1. improving SME competitiveness,
 2. new employment opportunities,
 3. delivering the regional innovation strategy,
 4. strategic spatial development,
 5. community economic development;
- (b) the assistance from the Structural Funds as referred to in Article 4;
- (c) the detailed provisions for implementing the single programming document comprising:
- the procedures for monitoring and evaluation,
 - the provisions on financial implementation,
 - the rules for compliance with Community policies;
- (d) the procedures for verifying additionality and an initial evaluation of the latter;
- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;
- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	117,768
1998	122,626
1999	127,631
Total	368,025

2. To this global maximum allocation is added an amount of ECU 32,673 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 400,698 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 456,975 million for the public sector and ECU 154,438 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 293,479 million,
- ESF: ECU 107,219 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 94,805 million,
- ESF: ECU 34,637 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/7.

Article 10

This Decision is addressed to the United Kingdom.

Done at Brussels, 7 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 26 May 1997

on the approval of the single programming document for Community structural assistance in the region of Turnhout concerned by Objective 2 in Belgium

(Only the Dutch text is authentic)

(97/709/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 5,634 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4152 of 18 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the Government of Flanders has submitted to the Commission on 2 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Turnhout; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the Flemish Authorities has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas Article 20 (3) of Regulation (EEC) No 4253/88 provides, subject to available funding, for a single commitment where the Community assistance granted is less than ECU 40 million for the whole programming period;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/3 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of Belgium;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Turnhout concerned by Objective 2 in Belgium, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in Belgium;

the main priorities are:

1. industrial sector,
2. services sector,
3. environment,
4. local economy;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	8,782
1998	9,075
1999	9,367
Total	27,224

2. To this global maximum allocation is added an amount of ECU 5,634 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 32,857758 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 40 million for the public sector and ECU 10 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 26,009006 million,
- ESF: ECU 6,848752 million.

2. The budgetary commitments at the moment of approval of the single programming document refer to the total Community assistance.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the

Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/3.

Article 10

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 26 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 26 May 1997

on the approval of the single programming document for Community structural assistance in the region of Arnhem-Nijmegen concerned by Objective 2 in the Netherlands

(Only the Dutch text is authentic)

(97/710/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as last amended by Regulation (EC) No 3193/94⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC⁽⁵⁾ and from unused appropriations of ECU 11,239 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4148 of 18 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the Government of the Netherlands has submitted to the Commission on 23 September 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Arnhem-Nijmegen; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the authorities of the Netherlands has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/4 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of Netherlands;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Arnhem-Nijmegen concerned by Objective 2 in the Netherlands, covering

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in the Netherlands;

the main priorities are:

1. Euro trade port,
2. industry and innovation,
3. tourism and urban economic environment;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	20,978
1998	21,831
1999	22,728
Total	65,537

2. To this global maximum allocation is added an amount of ECU 11,239 million not subject to indexation,

resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 76,776 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 126 million for the public sector and ECU 48 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 51,904 million,
- ESF: ECU 24,872 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 16,614 million,
- ESF: ECU 7,963 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/4.

Article 10

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 26 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 26 May 1997

on the approval of the single programming document for Community structural assistance in the region of Groningen-Drenthe concerned by Objective 2 in the Netherlands

(Only the Dutch text is authentic)

(97/711/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 22,328 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3676 of 17 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the Government of the Netherlands has submitted to the Commission on 23 September 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Groningen-Drenthe; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the authorities of the Netherlands has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/4 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the Netherlands;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Groningen-Drenthe

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

concerned by Objective 2 in the Netherlands, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in the Netherlands;

the main priorities are:

1. industry, business services and tourism,
2. business environment, tourism environment and the urban economy;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	29,048
1998	30,227
1999	31,470
Total	90,745

2. To this global maximum allocation is added an amount of ECU 22,328 million not subject to indexation,

resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 113,073 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 168 million for the public sector and ECU 46 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 75,026 million,
- ESF: ECU 38,047 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 24,015 million,
- ESF: ECU 12,178 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/4.

Article 10

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 26 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 26 May 1997

on the approval of the single programming document for Community structural assistance in the region of Twente concerned by Objective 2 in the Netherlands

(Only the Dutch text is authentic)

(97/712/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 9,853 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4146 of 18 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the Government of the Netherlands has submitted to the Commission on 23 September 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Twente; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas certain measures planned under this single programming document include the part-financing of aid schemes which have not yet been approved by the Commission; whereas the financial commitments should be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the authorities of the Netherlands has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/4 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the Netherlands;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Twente concerned by Objective 2 in the Netherlands, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in the Netherlands;

the main priorities are:

1. Twente as a transport and distribution region,
2. Twente as an industrial region,
3. Twente as a tourist region;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	22,271
1998	23,174
1999	24,128
Total	69,573

2. To this global maximum allocation is added an amount of ECU 9,853 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 79,426 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 137 million for the public sector and ECU 27 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

— ERDF: ECU 50,840 million,

— ESF: ECU 28,586 million.

2. The budgetary commitments for the first instalment are as follows:

— ERDF: ECU 16,272 million,

— ESF: ECU 9,150 million.

In accordance with the rules laid down in Article 7, these commitments do not include the amounts relating to the aid schemes not yet approved by the Commission. The corresponding commitments will be made after the approval of the aid schemes concerned.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

This Decision is without prejudice to the Commission's position on the aid schemes in the measures 2.3 business community and industry: employment rules. In accordance with Articles 92 and 93 of the Treaty, the aid schemes must be approved by the Commission and hence the financial commitments shall be reduced by the amounts corresponding to the said measures until the aid schemes are approved by the Commission.

Article 8

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 9

The single programming document shall be implemented in accordance with Community law, and in particular

Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 10

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/4.

Article 11

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 26 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 26 May 1997

on the approval of the single programming document for Community structural assistance in the region of Zuid-Limburg concerned by Objective 2 in the Netherlands

(Only the Dutch text is authentic)

(97/713/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 14,102 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4149 of 18 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the Government of the Netherlands has submitted to the Commission on 23 September the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Zuid-Limburg; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the authorities of the Netherlands has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/4 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the Netherlands;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Zuid-Limburg

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

concerned by Objective 2 in the Netherlands, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in the Netherlands;

the main priorities are:

1. industry and support services,
2. transport and logistics,
3. development and transfer of knowledge,
4. tourism and living environment;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	16,461
1998	17,128
1999	17,832
Total	51,421

2. To this global maximum allocation is added an amount of ECU 14,102 million not subject to indexation,

resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 65,523 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 97 million for the public sector and ECU 61 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 41,954 million,
- ESF: ECU 23,569 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 13,903 million,
- ESF: ECU 7,169 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/4.

Article 10

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 26 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 26 May 1997

on the approval of the single programming document for Community structural assistance in the region of Zuidoost-Brabant concerned by Objective 2 in the Netherlands

(Only the Dutch text is authentic)

(97/714/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽³⁾ and from unused appropriations of ECU 26,621 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4147 of 18 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the Government of the Netherlands has submitted to the Commission on 23 September 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Zuidoost-Brabant; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the authorities of the Netherlands has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/4 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the Netherlands;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Zuidoost-Brabant concerned by Objective 2 in the Netherlands, covering

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in the Netherlands;

the main priorities are:

1. reinforcement of the industrial environment,
2. tourism, living and business environment;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	27,111
1998	28,212
1999	29,373
Total	84,696

2. To this global maximum allocation is added an amount of ECU 22,621 million not subject to indexation,

resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 107,317 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 165 million for the public sector and ECU 82 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 72,542 million,
- ESF: ECU 34,775 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 23,221 million,
- ESF: ECU 11,131 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/4.

Article 10

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 26 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 2 June 1997

on the approval of the single programming document for Community structural assistance in the regions of Greater Manchester, Lancashire and Cheshire concerned by Objective 2 in the United Kingdom

(Only the English text is authentic)

(97/715/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 1,534 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3805 of 17 December 1996;

Whereas the United Kingdom Government has submitted to the Commission on 2 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the regions of Greater Manchester, Lancashire and Cheshire; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas the single programming document satisfies the conditions and includes the information required by Article 14 of Regulation (EEC) No 4253/88;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/7 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the United Kingdom;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the regions of Greater Manchester, Lancashire and Cheshire concerned by Objective 2 in the United Kingdom, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in the United Kingdom;

the main priorities are:

1. development and support of regional SME potential,
 2. knowledge based industries and advanced technologies,
 3. tourism and cultural industries,
 4. community economic development,
 5. strategic spatial development;
- (b) the assistance from the Structural Funds as referred to in Article 4;
- (c) the detailed provisions for implementing the single programming document comprising:
- the procedures for monitoring and evaluation,
 - the provisions on financial implementation,
 - the rules for compliance with Community policies;
- (d) the procedures for verifying additionality and an initial evaluation of the latter;
- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;
- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

<i>ECU million (1997 prices)</i>	
1997	129,061
1998	134,385
1999	139,870
Total	403,316

2. To this global maximum allocation is added an amount of ECU 1,534 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 404,850 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 430,153 million for the public sector and ECU 196,323 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 289,846 million,
- ESF: ECU 115,004 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 28,986 million,
- ESF: ECU 28,752 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/7.

Article 10

This Decision is addressed to the United Kingdom.

Done at Brussels, 2 June 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 2 June 1997

on the approval of the single programming document for Community structural assistance in the region of Gibraltar concerned by Objective 2 in the United Kingdom

(Only the English text is authentic)

(97/716/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the United Kingdom Government has submitted to the Commission on 6 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Gibraltar; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas the single programming document satisfies the conditions and includes the information required by Article 14 of Regulation (EEC) No 4253/88;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88,

and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas Article 20 (3) of Regulation (EEC) No 4253/88 provides, subject to available funding, for a single commitment where the Community assistance granted is less than ECU 40 million for the whole programming period;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/7 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the United Kingdom;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Gibraltar concerned by Objective 2 in the United Kingdom, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of Gibraltar;

the principle conversion priority is:

'To maximize the potential for generating wealth and employment in Gibraltar through sustainable economic diversification, particularly towards the tourism sector';

- (b) the assistance from the Structural Funds as referred to in Article 4;
- (c) the detailed provisions for implementing the single programming document comprising:
- the procedures for monitoring and evaluation,
 - the provisions on financial implementation,
 - the rules for compliance with Community policies;
- (d) the procedures for verifying additionality and an initial evaluation of the latter;
- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;
- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	1,936
1998	2,016
1999	2,098
Total	6,050

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 6,050 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing

plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 6,827 million for the public sector and ECU 0,904 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 4,840 million,
- ESF: ECU 1,210 million.

2. The budgetary commitments at the moment of approval of the single programming document refer to the total Community assistance.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

Done at Brussels, 2 June 1997.

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/7.

Article 10

This Decision is addressed to the United Kingdom.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 12 June 1997

on the approval of the single programming document for Community structural assistance in the region of Plymouth concerned by Objective 2 in the United Kingdom

(Only the English text is authentic)

(97/717/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as last amended by Regulation (EC) No 3193/94⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC⁽⁵⁾ and from unused appropriations of ECU 2,293 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3679 of 17 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the United Kingdom Government has submitted to the Commission on 2 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Plymouth; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas the single programming document satisfies the conditions and includes the information required by Article 14 of Regulation (EEC) No 4253/88;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas Article 20 (3) of Regulation (EEC) No 4253/88 provides, subject to available funding, for a single commitment where the Community assistance granted is less than ECU 40 million for the whole programming period;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/7 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the United Kingdom;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Plymouth concerned by Objective 2 in the United Kingdom, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in the United Kingdom;

the main priorities are:

1. industry and business development,
2. technology based industries,
3. tourism development,
4. community economic development;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality and an initial evaluation of the latter;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

<i>ECU million (1997 prices)</i>	
1997	11,615
1998	12,094
1999	12,588
Total	36,297

2. To this global maximum allocation is added an amount of ECU 2,293 million not subject to indexation,

resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 38,590 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 40,202 million for the public sector and ECU 8,719 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

— ERDF: ECU 31,341 million,

— ESF: ECU 7,249 million.

2. The budgetary commitments at the moment of approval of the single programming document refer to the total Community assistance.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/7.

Article 10

This Decision is addressed to the United Kingdom.

Done at Brussels, 12 June 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 12 June 1997

on the approval of the single programming document for Community structural assistance in the region of Thanet concerned by Objective 2 in the United Kingdom

(Only the English text is authentic)

(97/718/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 5,252 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3677 of 17 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the United Kingdom Government has submitted to the Commission on 2 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Thanet; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas the single programming document satisfies the conditions and includes the information required by Article 14 of Regulation (EEC) No 4253/88;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas Article 20 (3) of Regulation (EEC) No 4253/88 provides, subject to available funding, for a single commitment where the Community assistance granted is less than ECU 40 million for the whole programming period;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/7 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the United Kingdom;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Thanet concerned by Objective 2 in the United Kingdom, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in the United Kingdom;

the main priorities are:

1. building on SMEs and indigenous potential,
2. community economic development,
3. tourism and cultural industries,
4. specific carry forward for 1994 to 1996 — internationalization of Thanet;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality and an initial evaluation of the latter;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	5,485
1998	5,711
1999	5,945
Total	17,141

2. To this global maximum allocation is added an amount of ECU 5,252 million not subject to indexation,

resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 22,393 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 54,898 million for the public sector and ECU 4,504 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 18,526 million,
- ESF: ECU 3,867 million.

2. The budgetary commitments at the moment of approval of the single programming document refer to the total Community assistance.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/7.

Article 10

This Decision is addressed to the United Kingdom.

Done at Brussels, 12 June 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 12 June 1997

on the approval of the single programming document for Community structural assistance in the region of the west Midlands concerned by Objective 2 in the United Kingdom

(Only the English text is authentic)

(97/719/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 3,525 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3806 of 17 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the United Kingdom Government has submitted to the Commission on 2 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of the west Midlands; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas the single programming document satisfies the conditions and includes the information required by Article 14 of Regulation (EEC) No 4253/88;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas Article 20 (3) of Regulation (EEC) No 4253/88 provides, subject to available funding, for a single commitment where the Community assistance granted is less than ECU 40 million for the whole programming period;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/7 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the United Kingdom;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of the west Midlands concerned by Objective 2 in the United Kingdom, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in the United Kingdom;

the main priorities are:

1. community economic development,
2. SME development,
3. innovation technology and R & D,
4. targeted investment in employment growth areas,
5. regeneration based on opportunities for tourism, cultural and heritage industries;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality and an initial evaluation of the latter;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

<i>ECU million (1997 prices)</i>	
1997	142,290
1998	148,159
1999	154,206
Total	444,655

2. To this global maximum allocation is added an amount of ECU 3,525 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 448,180 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 455,71 million for the public sector and ECU 141,326 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

— ERDF: ECU 333,491 million,

— ESF: ECU 114,689 million.

2. The budgetary commitments for the first instalment are as follows:

— ERDF: ECU 66,699 million,

— ESF: ECU 26,379 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/7.

Article 10

This Decision is addressed to the United Kingdom.

Done at Brussels, 12 June 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 19 June 1997

on the approval of the single programming document for Community structural assistance in the regions of West Cumbria and Furness concerned by Objective 2 in the United Kingdom

(Only the English text is authentic)

(97/720/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 1,117 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3684 of 17 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the United Kingdom Government has submitted to the Commission on 2 August 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the regions of west Cumbria and Furness; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas the single programming document satisfies the conditions and includes the information required by Article 14 of Regulation (EEC) No 4253/88;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas Article 20 (3) of Regulation (EEC) No 4253/88 provides, subject to available funding, for a single commitment where the Community assistance granted is less than ECU 40 million for the whole programming period;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/7 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of the United Kingdom;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the regions of west Cumbria and Furness concerned by Objective 2 in the United Kingdom, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies in the United Kingdom;

the main priorities are:

1. SME start-up, development and growth,
2. knowledge-based industries and advanced technologies,
3. tourism development,
4. community economic development;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality and an initial evaluation of the latter;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

<i>ECU million (1997 prices)</i>	
1997	10,002
1998	10,415
1999	10,840
Total	31,257

2. To this global maximum allocation is added an amount of ECU 1,117 million not subject to indexation, resulting from unused appropriations of the

corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 32,374 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 34,248 million for the public sector and ECU 11,955 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 23,991 million,
- ESF: ECU 8,383 million.

2. The budgetary commitments at the moment of approval of the single programming document refer to the total Community assistance.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/7.

Article 10

This Decision is addressed to the United Kingdom.

Done at Brussels, 19 June 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 27 June 1997

on the approval of the single programming document for Community structural assistance in the region of Alsace concerned by Objective 2 in France

(Only the French text is authentic)

(97/721/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the French Government has submitted to the Commission on 3 December 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Alsace; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the French authorities of has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas Article 20 (3) of Regulation (EEC) No 4253/88 provides, subject to available funding, for a single commitment where the Community assistance granted is less than ECU 40 million for the whole programming period;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/1 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of France;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Alsace concerned by Objective 2 in France, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of France;

the main priorities are:

1. to encourage industrial deployment and the diversification of the economic activities,
2. to improve the attractiveness of the areas concerned,
3. technical assistance;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

<i>ECU million (1997 prices)</i>	
1997	7,016
1998	7,293
1999	7,611
Total	21,920

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 21,920 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing

plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 28,050 million for the public sector and ECU 48,418 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 17,170 million,
- ESF: ECU 4,750 million.

2. The budgetary commitments at the moment of approval of the single programming document refer to the total Community assistance.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/1.

Article 10

This Decision is addressed to the French Republic.

COMMISSION DECISION

of 27 June 1997

on the approval of the single programming document for Community structural assistance in the region of Auvergne concerned by Objective 2 in France

(Only the French text is authentic)

(97/722/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as last amended by Regulation (EC) No 3193/94⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC⁽⁵⁾ and from unused appropriations of ECU 9,055 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C (96) 3158 of 9 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the French Government has submitted to the Commission on 9 December 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Auvergne; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the French authorities has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/1 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of France;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Auvergne concerned by Objective 2 in France, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of France;

the main priorities are:

1. to strengthen the competitiveness of companies,
2. to develop training and research,
3. to accompany local development,
4. technical assistance;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

<i>ECU million (1997 prices)</i>	
1997	23,450
1998	24,370
1999	25,440
Total	73,260

2. To this global maximum allocation is added an amount of ECU 9,055 million not subject to indexation, resulting from unused appropriations of the

corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 82,315 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 82,315 million for the public sector and ECU 66,522 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 69,392 million,
- ESF: ECU 12,923 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 22,052 million,
- ESF: ECU 4,108 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/1.

Article 10

This Decision is addressed to the French Republic.

Done at Brussels, 27 June 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 27 June 1997

on the approval of the single programming document for Community structural assistance in the region of Basse-Normandie concerned by Objective 2 in France

(Only the French text is authentic)

(97/723/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as last amended by Regulation (EC) No 3193/94⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC⁽⁵⁾ and from unused appropriations of ECU 9,310 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3809 of 16 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the French Government has submitted to the Commission on 3 December 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Basse-Normandie; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the French authorities has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/1 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of France;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Basse-Normandie concerned by Objective 2 in France, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of France;

the main priorities are:

1. regional support for companies and training of employees,
2. reindustrialization of the area of Caen,
3. continuation of the conversion of the area of Cherbourg,
4. technical assistance;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	22,73
1998	23,63
1999	24,66
Total	71,02

2. To this global maximum allocation is added an amount of ECU 9,31 million not subject to indexation, resulting from unused appropriations of the

corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 80,33 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 151,053 million for the public sector and ECU 3,532 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 66,01 million,
- ESF: ECU 14,32 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 22,634 million,
- ESF: ECU 4,16 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/1.

Article 10

This Decision is addressed to the French Republic.

Done at Brussels, 27 June 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 27 June 1997

on the approval of the single programming document for Community structural assistance in the region of Bretagne concerned by Objective 2 in France

(Only the French text is authentic)

(97/724/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 8,108 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4161/2 of 18 December 1996;

Whereas the French Government has submitted to the Commission on 30 December 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Bretagne; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the French authorities has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/1 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of France;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Bretagne concerned by Objective 2 in France, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of France;

the main priorities are:

1. to mobilize firms for employment,
2. to develop the research, development, and training potential,
3. to support modernization of harbour sites,
4. to develop the assets of Bretagne as regards tourism,
5. to improve the attraction of the territories,
6. to support restructuring of defence;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	35,278
1998	36,671
1999	38,277
Total	110,226

2. To this global maximum allocation is added an amount of ECU 8,108 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 118,334 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 150 million for the public sector and ECU 45 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

— ERDF: ECU 101,603 million,

— ESF: ECU 16,731 million.

2. The budgetary commitments for the first instalment are as follows:

— ERDF: ECU 32,609 million,

— ESF: ECU 5,370 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the

budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Community Directives on the coordination of procedures for the award of contracts.

Article 9

Article 7

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/1.

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 10

This Decision is addressed to the French Republic.

Article 8

Done at Brussels, 27 June 1997.

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 27 June 1997

on the approval of the single programming document for Community structural assistance in the region of the Centre concerned by Objective 2 in France

(Only the French text is authentic)

(97/725/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 8,253 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4158 of 18 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the French Government has submitted to the Commission on 3 December 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of the Centre; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the French authorities has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas Article 20 (3) of Regulation (EEC) No 4253/88 provides, subject to available funding, for a single commitment where the Community assistance granted is less than ECU 40 million for the whole programming period;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/1 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of France;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of the Centre concerned by Objective 2 in France, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of France;

the main priorities are:

1. training and research,
2. to encourage economic development,
3. to improve the activity of the area,
4. technical assistance;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	9,517
1998	9,892
1999	10,325
Total	29,734

2. To this global maximum allocation is added an amount of ECU 8,253 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 37,987 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 43,377 million for the public sector and ECU 44,703 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 32,137 million,
- ESF: ECU 5,850 million.

2. The budgetary commitments at the moment of approval of the single programming document refer to the total Community assistance.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the

Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/1.

Article 10

This Decision is addressed to the French Republic.

Done at Brussels, 27 June 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 27 June 1997

on the approval of the single programming document for Community structural assistance in the region of Champagne-Ardenne concerned by Objective 2 in France

(Only the French text is authentic)

(97/726/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 22,919 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3159 of 9 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the French Government has submitted to the Commission on 21 November 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Champagne-Ardenne; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the French authorities has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/1 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of France;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Champagne-Ardenne concerned by Objective 2 in France, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of France;

the main priorities are:

1. development of SMEs,
2. research and technology transfer,
3. local development,
4. development of the attractiveness of the territory,
5. technical assistance;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

<i>ECU million (1997 prices)</i>	
1997	29,089
1998	30,237
1999	31,561
Total	90,887

2. To this global maximum allocation is added an amount of ECU 22,919 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 113,806 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 129 million for the public sector and ECU 54 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 97,095 million,
- ESF: ECU 16,711 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 31,079 million,
- ESF: ECU 5,349 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the

Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/1.

Article 10

This Decision is addressed to the French Republic.

Done at Brussels, 27 June 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 27 June 1997

on the approval of the single programming document for Community structural assistance in the region of Haute-Normandie concerned by Objective 2 in France

(Only the French text is authentic)

(97/727/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the French Government has submitted to the Commission on 21 November 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Haute-Normandie; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the French authorities has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/1 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of France;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Haute-Normandie concerned by Objective 2 in France, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of France;

the main priorities are:

1. diversification of the economic activity and development of qualifications,

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

2. strengthening of the harbour function and international development,
 3. enhancement and development of the technological and research potential,
 4. environmental development and urban upgrading;
- (b) the assistance from the Structural Funds as referred to in Article 4;
- (c) the detailed provisions for implementing the single programming document comprising:
- the procedures for monitoring and evaluation,
 - the provisions on financial implementation,
 - the rules for compliance with Community policies;
- (d) the procedures for verifying additionality;
- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;
- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	52,55
1998	54,63
1999	57,02
Total	164,20

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 164,20 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 248,390 million for the public sector

and ECU 91 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 127,810 million,
- ESF: ECU 36,390 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 39,810 million,
- ESF: ECU 11,340 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

Done at Brussels, 27 June 1997.

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/1.

Article 10

This Decision is addressed to the French Republic.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 27 June 1997

on the approval of the single programming document for Community structural assistance in the region of Nord-Pas-de-Calais concerned by Objective 2 in France

(Only the French text is authentic)

(97/728/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 19,592 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4162/2 of 18 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the French Government has submitted to the Commission on 3 December 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Nord-Pas-de-Calais; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the French authorities has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/1 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of France;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Nord-Pas-de-Calais concerned by Objective 2 in France, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of France;

the main priorities are:

1. economic regeneration,
2. training, research, technology,
3. quality of life, environment and image;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	113,88
1998	118,37
1999	123,55
Total	355,80

2. To this global maximum allocation is added an amount of ECU 19,592 million not subject to indexation, resulting from unused appropriations of the corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 375,392 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 539,731 million for the public sector and ECU 257,538 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 309,001 million,
- ESF: ECU 66,391 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 92,701 million,
- ESF: ECU 22,131 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the

Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/1.

Article 10

This Decision is addressed to the French Republic.

Done at Brussels, 27 June 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 27 June 1997

on the approval of the single programming document for Community structural assistance in the region of Pays de la Loire concerned by Objective 2 in France

(Only the French text is authentic)

(97/729/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 7,653 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3808 of 16 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the French Government has submitted to the Commission on 21 November 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Pays de la Loire; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the French authorities has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/1 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of France;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Pays de la Loire concerned by Objective 2 in France, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of France;

the main priorities are:

1. to support economic development,
2. to improve business start-ups and their environment,
3. to improve the technological environment of businesses,
4. area regeneration and diversification,
5. technical assistance;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

<i>ECU million (1997 prices)</i>	
1997	49,560
1998	51,510
1999	53,770
Total	154,840

2. To this global maximum allocation is added an amount of ECU 7,653 million not subject to indexation, resulting from unused appropriations of the

corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 162,493 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 185,692 million for the public sector and ECU 47,603 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 130,493 million,
- ESF: ECU 32,000 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 39,800 million,
- ESF: ECU 9,760 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/1.

Article 10

This Decision is addressed to the French Republic.

Done at Brussels, 27 June 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 27 June 1997

on the approval of the single programming document for Community structural assistance in the region of Picardy concerned by Objective 2 in France

(Only the French text is authentic)

(97/730/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 2,659 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3160 of 9 December 1996;

Whereas the French Government has submitted to the Commission on 3 December 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Picardy; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the French authorities has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/1 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of France;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Picardy concerned by Objective 2 in France, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of France;

the main priorities are:
 - 1. training and research,
 - 2. modernization of the economy,
 - 3. environment,
 - 4. development of regional attractiveness,
 - 5. technical assistance;
- (b) the assistance from the Structural Funds as referred to in Article 4;
- (c) the detailed provisions for implementing the single programming document comprising:
 - the procedures for monitoring and evaluation,
 - the provisions on financial implementation,
 - the rules for compliance with Community policies;
- (d) the procedures for verifying additionality;
- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;
- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

- 1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	43,820
1998	45,550
1999	47,540
Total	136,910

- 2. To this global maximum allocation is added an amount of ECU 2,659 million not subject to indexation, resulting from unused appropriations of the

corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 139,569 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 163,878 million for the public sector and ECU 177,333 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

- 1. The breakdown among the Structural Funds of the total Community assistance available is as follows:
 - ERDF: ECU 108,006 million,
 - ESF: ECU 31,563 million.
- 2. The budgetary commitments for the first instalment are as follows:
 - ERDF: ECU 34,573 million,
 - ESF: ECU 10,103 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

- 3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/1.

Article 10

This Decision is addressed to the French Republic.

Done at Brussels, 27 June 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 27 June 1997

on the approval of the single programming document for Community structural assistance in the region of Poitou-Charentes concerned by Objective 2 in France

(Only the French text is authentic)

(97/731/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the French Government has submitted to the Commission on 5 November 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Poitou-Charentes; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the French authorities has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/1 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of France;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Poitou-Charentes concerned by Objective 2 in France, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of France;

the main priorities are:

- 1. to develop and widen the reconversion activities,

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

2. to develop the assets of the employment areas,
3. to strengthen development activities,
4. to develop technological transfer, research and training,
5. technical assistance;

(b) the assistance from the Structural Funds as referred to in Article 4;

(c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

(d) the procedures for verifying additionality;

(e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

(f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	20,118
1998	20,912
1999	21,827
Total	62,857

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 62,857 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 79 million for the public sector and

ECU 45 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 51,416 million,
- ESF: ECU 11,441 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 16,456 million,
- ESF: ECU 3,662 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

Done at Brussels, 27 June 1997.

This Decision is ruled by the provisions laid down in the
Annex to Decision C(97) 1035/1.

Article 10

This Decision is addressed to the French Republic.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 27 June 1997

on the approval of the single programming document for Community structural assistance in the region of Provence-Alpes-Côte d'Azur concerned by Objective 2 in France

(Only the French text is authentic)

(97/732/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 15,317 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3653 of 11 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the French Government has submitted to the Commission on 3 December 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Provence-Alpes-Côte d'Azur; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the French authorities has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/1 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of France;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Provence-Alpes-Côte d'Azur concerned by Objective 2 in France, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of France;

the main priorities are:

1. integrated development of businesses,
2. strengthening of the potential of the area,
3. developing the privileged position of the area in the Mediterranean,
4. Marseilles-Euroméditerranée,
5. technical assistance;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

<i>ECU million (1997 prices)</i>	
1997	44,510
1998	46,260
1999	48,313
Total	139,083

2. To this global maximum allocation is added an amount of ECU 15,317 million not subject to indexation, resulting from unused appropriations of the

corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 154,400 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 199,134 million for the public sector and ECU 74,886 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

- ERDF: ECU 131,400 million,
- ESF: ECU 23,000 million.

2. The budgetary commitments for the first instalment are as follows:

- ERDF: ECU 40,997 million,
- ESF: ECU 7,176 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/1.

Article 10

This Decision is addressed to the French Republic.

Done at Brussels, 27 June 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 27 June 1997

on the approval of the single programming document for Community structural assistance in the region of Rhône-Alpes concerned by Objective 2 in France

(Only the French text is authentic)

(97/733/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

decision in a single document covering the points referred to in Article 8 (3) and the assistance from the Funds referred to in the last subparagraph of Article 14 (3);

Having regard to the Treaty establishing the European Community,

Whereas the Commission has established, by Decision 96/472/EC ⁽⁴⁾, the list of declining industrial areas concerned by Objective 2 for the programming period from 1997 to 1999;

Having regard to Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽¹⁾, as last amended by Regulation (EC) No 3193/94 ⁽²⁾, and in particular Article 10 (1) last subparagraph thereof,

Whereas the global maximum allocation foreseen for the assistance of the Structural Funds for the present single programming document is composed of resources coming from the indicative allocation of Structural Fund commitment appropriations for the period 1997 to 1999 under Objective 2 resulting from Commission Decision 96/468/EC ⁽⁵⁾ and from unused appropriations of ECU 35,357 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4157 of 18 December 1996;

After consultation of the Advisory Committee on the Development and Conversion of Regions and the Committee pursuant to Article 124 of the Treaty,

Whereas the programming procedure for structural assistance under Objective 2 is defined in Article 9 (6) to 9 (10) of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94; whereas however the last subparagraph of Article 5 (2) of Regulation (EEC) No 4253/88 foresees that in order to simplify and to speed up programming procedures, Member States may submit in a single programming document the information required for the regional and social conversion plan referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and the information required at Article 14 (2) of Regulation (EEC) No 4253/88; whereas Article 10 (1) last subparagraph of Regulation (EEC) No 4253/88 foresees that in that case the Commission adopt a single

Whereas the French Government has submitted to the Commission on 17 December 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Rhône-Alpes; whereas this document contains the elements referred to in Article 9 (8) of Regulation (EEC) No 2052/88 and in Article 14 (2) of Regulation (EEC) No 4253/88; whereas expenditure under this single programming document is eligible as from that date;

Whereas the single programming document submitted by this Member State includes a description of the conversion priorities selected and the applications for assistance from the European Regional Development Fund (ERDF) and the European Social Fund (ESF) as well as an indication of the planned use of the assistance available from the European Investment Bank (EIB) and the other financial instruments in implementing the single programming document;

⁽¹⁾ OJ L 374, 31. 12. 1988, p. 1.

⁽²⁾ OJ L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ L 185, 15. 7. 1988, p. 9.

⁽⁴⁾ OJ L 193, 3. 8. 1996, p. 54.

⁽⁵⁾ OJ L 192, 2. 8. 1996, p. 29.

Whereas, in accordance with Article 3 of Regulation (EEC) No 4253/88, the Commission is charged with ensuring, within the framework of the partnership, coordination and consistency between assistance from the Funds and assistance provided by the EIB and the other financial instruments;

Whereas the EIB has been involved in the drawing up of the single programming document in accordance with the provisions of Article 8 (1) of Regulation (EEC) No 4253/88, applicable by analogy in the establishment of the single programming document; whereas it has declared itself prepared to contribute to the implementation of this document in conformity with its statutory provisions; whereas, however, it has not yet been possible to evaluate precisely the amounts of Community loans corresponding to the financial needs;

Whereas Article 2 second subparagraph of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purpose of the budgetary management of the Structural Funds ⁽¹⁾, as last amended by Regulation (EC) No 2745/94 ⁽²⁾, stipulates that in the Commission decisions approving a single programming document, the Community assistance available for the entire period and the annual breakdown thereof shall be set out in ecus at prices for the year in which each decision is taken and shall be subject to indexation; whereas this annual breakdown must be compatible with the progressive increase in the commitment appropriations shown in Annex II to Regulation (EEC) No 2052/88; whereas indexation is based on a single rate per year, corresponding to the rates applied annually to budget appropriations on the basis of the mechanism for the technical adjustment of the financial perspectives;

Whereas Article 1 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund ⁽³⁾, as amended by Regulation (EEC) No 2083/93 ⁽⁴⁾, defines the measures for which the ERDF may provide financial support;

Whereas Article 1 of Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund ⁽⁵⁾, as amended by Regulation (EEC) No 2084/93 ⁽⁶⁾, defines the measures for which the ESF may provide financial support;

Whereas the single programming document has been established in agreement with the Member State

concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 lays down that Member States shall provide the relevant financial information to the Commission to permit verification of the respect of the principle of additionality; whereas the analysis, in the framework of partnership, of the information provided for by the French authorities has not yet allowed this verification; whereas payments should therefore be suspended after the first advance provided for in Article 21 (2) of the said Regulation until the Commission has verified the respect of the additionality;

Whereas the present assistance satisfies the conditions laid down in Article 13 of Regulation (EEC) No 4253/88, and so should be implemented by means of an integrated approach involving finance from more than one Fund;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁷⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 ⁽⁸⁾, states that the legal commitments entered into for measures extending over more than one financial year must contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas it is appropriate to mention that this Decision is ruled by the provisions on the eligibility of expenditure laid down in the Annex to Commission Decision C(97) 1035/1 of 23 April 1997 modifying the decisions approving the Community support frameworks, the single programming documents and the Community initiative programmes in respect of France;

Whereas all the other conditions laid down for the grant of aid from the ERDF and the ESF have been complied with,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Rhône-Alpes concerned by Objective 2 in France, covering the period 1 January 1997 to 31 December 1999, is hereby approved.

⁽¹⁾ OJ L 170, 3. 7. 1990, p. 36.

⁽²⁾ OJ L 290, 11. 11. 1994, p. 4.

⁽³⁾ OJ L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ L 193, 31. 7. 1993, p. 34.

⁽⁵⁾ OJ L 374, 31. 12. 1988, p. 21.

⁽⁶⁾ OJ L 193, 31. 7. 1993, p. 39.

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

Article 2

The single programming document includes the following essential elements:

- (a) a statement of the main priorities for joint action, their specific quantified objectives, an appraisal of their expected impact and their consistency with economic, social and regional policies of France;

the main priorities are:

1. support and reconversion of existing activities,
2. attractivity of the area and qualification of its population,
3. diversification of the economy and of qualifications;

- (b) the assistance from the Structural Funds as referred to in Article 4;

- (c) the detailed provisions for implementing the single programming document comprising:

- the procedures for monitoring and evaluation,
- the provisions on financial implementation,
- the rules for compliance with Community policies;

- (d) the procedures for verifying additionality;

- (e) the arrangements for associating the environmental authorities with the implementation of the single programming document;

- (f) the means available for technical assistance necessary for the preparation, implementation or adaptation of the measures concerned.

Article 3

1. For the purpose of indexation, the annual breakdown of the global maximum allocation foreseen for the assistance from the Structural Funds is as follows:

ECU million (1997 prices)	
1997	36,331
1998	37,764
1999	39,418
Total	113,513

2. To this global maximum allocation is added an amount of ECU 35,357 million not subject to indexation, resulting from unused appropriations of the

corresponding single programming document covering the period 1994 to 1996.

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 148,870 million.

The procedure for granting the financial assistance, including the financial contribution from the Funds to the various priorities and measures, is set out in the financing plan and the detailed implementing provisions which form an integral part of the single programming document.

The national financial contribution envisaged, which is approximately ECU 152 million for the public sector and ECU 128 million for the private sector, may be met in part by Community loans, in particular from the EIB.

Article 5

1. The breakdown among the Structural Funds of the total Community assistance available is as follows:

— ERDF: ECU 123,960 million,

— ESF: ECU 24,910 million.

2. The budgetary commitments for the first instalment are as follows:

— ERDF: ECU 46,036 million,

— ESF: ECU 8,773 million.

Commitments of subsequent instalments will be based on the financing plan for the single programming document and on progress in its implementation.

3. Payments subsequent to the first advance provided for in Article 21 (2) of Regulation (EEC) No 4253/88 shall be subject to confirmation by the Commission of the respect of the principle of additionality on the basis of the relevant information supplied by the Member State.

Article 6

The breakdown among the Structural Funds and the procedure for the grant of the assistance may be altered subsequently, subject to the availability of funds and the budgetary rules, in the light of adjustments decided according to the procedure laid down in Article 25 (5) of Regulation (EEC) No 4253/88.

Article 7

The Community aid concerns expenditure on operations under the single programming document which, in the Member State concerned, are the subject of legally binding commitments and for which the requisite finance has been specifically allocated no later than 31 December 1999. The final date for taking account of expenditure on these measures is 31 December 2001.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular Articles 6, 30, 48, 52 and 59 of the Treaty and the Community Directives on the coordination of procedures for the award of contracts.

Article 9

This Decision is ruled by the provisions laid down in the Annex to Decision C(97) 1035/1.

Article 10

This Decision is addressed to the French Republic.

Done at Brussels, 27 June 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission
