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II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 11 July 1997

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

(Only the English text is authentic)

(97/766/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 13,928 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3680 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 region of the East 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 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 the region of the East Midlands 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. innovation and new technologies,
2. strengthening SME development,
3. area based regeneration,
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	31,943
1998	33,260
1999	34,618
Total	99,821

2. To this global maximum allocation is added an amount of ECU 13,928 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 113,749 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 143,524 million for the public sector and ECU 27,193 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 84,919 million,
- ESF: ECU 28,830 million.

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

— ERDF: ECU 27,428 million,

— ESF: ECU 9,312 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 11

This Decision is addressed to the United Kingdom.

Done at Brussels, 11 July 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 11 July 1997

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

(Only the Dutch text is authentic)

(97/767/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 13,534 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4151 of 18 December 1996;

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 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 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 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,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural assistance in the region of Limburg concerned by Objective 2 in Belgium, 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 Belgium;

the main priorities are:

1. support for the industrial sector,
2. support for the service sector,
3. improvement and protection of the 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	17,286
1998	18,136
1999	18,882
Total	54,304

2. To this global maximum allocation is added an amount of ECU 13,534 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 67,838 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 115 million for the public sector and ECU 263 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 50,971 million,

— ESF: ECU 16,867 million.

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

— ERDF: ECU 16,316 million,

— ESF: ECU 5,399 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) 1035/3.

Article 11

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 11 July 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 24 July 1997

on the approval of the single programming document for Community structural assistance in the region of Meuse-Vesdre (Liège) concerned by Objective 2 in Belgium

(Only the French text is authentic)

(97/768/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 9,581 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4150 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 empowered authorities of the Kingdom of Belgium have 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 Meuse-Vesdre; 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 empowered authorities of the Kingdom of Belgium have 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) 1035/3 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 Meuse-Vesdre (Liège) 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. economic strengthening and diversification,
 2. technological innovation,
 3. attractiveness of the area,
 4. promotion of employment through social trade activities,
 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	33,828
1998	34,961
1999	36,073
Total	104,862

2. To this global maximum allocation is added an amount of ECU 9,581 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 114,443 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 146,106 million for the public sector and ECU 181,495 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 95,095 million,
- ESF: ECU 19,348 million.

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

- ERDF: ECU 28,587 million,
- ESF: ECU 6,241 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 measure 4.1. investment aid to promote social trade activities. 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) 1035/3.

Article 11

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 24 July 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 24 July 1997

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

(Only the Italian text is authentic)

(97/769/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 64,495 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4173/2 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 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 Piedmont; 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 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 Piedmont 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 in Italy;

the main priorities are:

1. development and strengthening of SMEs,
2. tourism,
3. dissemination of technological innovation and the information society,
4. environment and sustainable development,
5. urban regeneration and spatial planning,
6. integrated projects in support of economic development,
7. human resources,
8. 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	78,400
1998	81,609
1999	84,991
Total	245,000

2. To this global maximum allocation is added an amount of ECU 64,495 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 309,495 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 494 million for the public sector and ECU 173 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 259,918 million,
- ESF: ECU 49,577 million.

2. The budgetary commitments for the first instalment

- ERDF: ECU 83,174 million,
- ESF: ECU 15,866 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 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 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.

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

Done at Brussels, 24 July 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 24 July 1997

on the approval of the single programming document for Community structural assistance in the region of Valle d'Aosta concerned by Objective 2 in Italy

(Only the Italian text is authentic)

(97/770/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 5,532 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4169 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 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 Valle d'Aosta; 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 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 Valle d'Aosta 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 in Italy;
the main priorities are:
 - 1. structures to support economic activities,
 - 2. 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	2,560
1998	2,665
1999	2,775
Total	8,000

2. To this global maximum allocation is added an amount of ECU 5,532 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 13,532 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 16 million for the public sector and ECU 0,6 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 13,202 million,
- ESF: ECU 0,330 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, 24 July 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 24 July 1997

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

(Only the Italian text is authentic)

(97/771/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 2,251 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4170/2 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 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 Lombardy; 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 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 Lombardy 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 in Italy;
the main priorities are:
 1. modernization and conversion of manufacturing production,
 2. protection and upgrading of the environment,
 3. development and improvement of human resources,
 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	10,16
1998	10,58
1999	11,01
Total	31,75

2. To this global maximum allocation is added an amount of ECU 2,251 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 34,001 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 52,868 million for the public sector and ECU 1,336 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 26,241 million,
 - ESF: ECU 7,760 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.

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 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 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.

Article 8

The single programming document shall be implemented in accordance with Community law, and in particular

Done at Brussels, 24 July 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 24 July 1997

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

(Only the Italian text is authentic)

(97/772/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 15,7385 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4172/2 of 18 December 1996;

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 Liguria; 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 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 Liguria 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 in Italy;

the main priorities are:

1. creation of businesses,
2. strengthening existing small businesses,
3. tourism and the revitalization of urban centres,
4. promoting research and development potential and training,
5. environment and rehabilitation of industrial areas,
6. port system,
7. development of human resources,
8. 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	36,400
1998	37,890
1999	39,460
Total	113,750

2. To this global maximum allocation is added an amount of ECU 15,7385 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 129,4885 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 184 million for the public sector and ECU 26,2 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 92,4737 million,
- ESF: ECU 37,0148 million.

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

- ERDF: ECU 29,5916 million,
- ESF: ECU 11,8448 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, 24 July 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 24 July 1997

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

(Only the Italian text is authentic)

(97/773/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 23,072381 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4176/2 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 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 Veneto; 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 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 Veneto 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 in Italy;

the main priorities are:

1. development of the productive sector,
2. environment,
3. tourism and promotion of environmental potential,
4. Marghera and Laguna Veneta,
5. Polesine,
6. vocational 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	27,120000
1998	28,230225
1999	29,399775
Total	84,750000

2. To this global maximum allocation is added an amount of ECU 23,072381 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 107,822381 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 176,690130 million for the public sector and ECU 19,065503 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 90,479572 million,
- ESF: ECU 17,342809 million.

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

- ERDF: ECU 43,241312 million,
- ESF: ECU 6,262230 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 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 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.

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

Done at Brussels, 24 July 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 24 July 1997

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

(Only the Italian text is authentic)

(97/774/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 9,004 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4177/2 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 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 Marche; 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 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 Marche 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 in Italy;

the main priorities are:

1. strengthening local firms,
2. land use and protection of the environment,
3. development and improvement of tourism and of the potential offered by historic town and city centres,
4. human resources,
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	7,040
1998	7,328
1999	7,632
Total	22,000

2. To this global maximum allocation is added an amount of ECU 9,004 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 31,004 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 46,995 million for the public sector and ECU 8,082 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 27,659 million,
- ESF: ECU 3,345 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 10

This Decision is addressed to the Italian Republic.

Done at Brussels, 24 July 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 24 July 1997

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

(Only the Italian text is authentic)

(97/775/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 18,114 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 4178/2 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 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 Umbria; 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 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 Umbria 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 in Italy;
the main priorities are:
 1. reinforcement of the productive system and development of new initiatives (SMEs),
 2. diversification of productive activities and exploitation of local potential,
 3. protection and conservation of the environment,
 4. development of human resources,
 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	11,183
1998	11,668
1999	12,149
Total	35,000

2. To this global maximum allocation is added an amount of ECU 18,114 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 53,114 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 68 million for the public sector and ECU 4,4 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 42,077 million,
- ESF: ECU 11,037 million.

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

- ERDF: ECU 13,886 million,
- ESF: ECU 3,084 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, 24 July 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 4 August 1997

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

(Only the French text is authentic)

(97/776/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 4 December 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Franche-Comté; 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 Franche-Comté 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 in France;

the main priorities are:

⁽⁷⁾ OJ L 356, 31. 12. 1977, p. 1.

⁽⁸⁾ OJ L 240, 7. 10. 1995, p. 12.

1. development and diversification of productive activities,
 2. developing human resources,
 3. planning, restructuring and development 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	17,978
1998	18,688
1999	19,506
Total	56,172

Article 4

The assistance from the Structural Funds granted to the single programming document amounts to a maximum of ECU 56,172 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 million for the public 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 47,710 million,
- ESF: ECU 8,462 million.

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

- ERDF: ECU 15,158 million,
- ESF: ECU 2,820 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, 4 August 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

COMMISSION DECISION

of 4 August 1997

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

(Only the French text is authentic)

(97/777/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 1,832 million of the corresponding single programming document covering the period 1994 to 1996, pursuant to Commission Decision C(96) 3161 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 French Government has submitted to the Commission on 16 December 1996 the single programming document as referred to in Article 5 (2) of Regulation (EEC) No 4253/88 for the region of Midi-Pyrénées; 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 action constituting the measure C5 of this programming document is subject, on the part of the Commission and the Member State, to examination of a public contract award within the framework of the procedure provided for in Article 169 of the treaty; whereas consequently the financial commitments should be reduced by the amount corresponding to this measure, until the closure of this procedure.

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,

⁽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 Midi-Pyrénées 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 in France;

the main priorities are:

1. consolidation of company structure,
2. strengthening of technological innovation,
3. upgrading of the territory,
4. economic 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:

ECU million (1997 prices)

1997	16,37
1998	17,01
1999	17,76
Total	51,14

2. To this global maximum allocation is added an amount of ECU 1,832 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 52,972 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 68,2 million for the public sector and ECU 54,1 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 42,972 million,

— ESF: ECU 10,000 million.

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

— ERDF: ECU 12,185778 million,

— ESF: ECU 3,115000 million.

In accordance with the rules laid down in Article 7, these commitments do not include the amounts relating to the action constituting the measure C5 actually subject to examination within the framework of the procedure provided for in Article 169 of the treaty. The corresponding commitments will be made after the closure of this procedure.

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 with regard to the outcome of the current procedure concerning the action referred to in the measure C5 of the single programming document, and consequently, the commitments which result from the implementation of the aforesaid action shall be reduced by the amount corresponding to this measure until the closure of the current procedure.

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) 1035/1.

Article 11

This Decision is addressed to the French Republic.

Done at Brussels, 4 August 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission
