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II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 21 December 1973

granting assistance from the European Social Fund, as provided for in Article 125 of the Treaty, to the Kingdom of Belgium for expenditure on vocational retraining operations carried out by the 'Office National de l'Emploi (ONEM)'

(ESF file Nos 72016, 72063, 72072, 72073)

(Only the French and Dutch text are authentic)

(74/175/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 125 thereof;

Having regard to Council Regulation (EEC) No 2396/71⁽¹⁾ of 8 November 1971 implementing the Council Decision of 1 February 1971 on the reform of the European Social Fund, and in particular Article 12 thereof;

Whereas in its applications of 19 May, 30 June, 21 November and 22 December 1972 the Kingdom of Belgium requested assistance from the European Social Fund, as provided for in Article 125 of the Treaty, for expenditure on vocational retraining operations amounting to a total of Bfrs 79 271 701;

Whereas, pursuant to Article 12 of Regulation (EEC) No 2396/71, such assistance is granted for operations initialled before 1 May 1972, the date in which that Regulation entered into force, and terminated before 1 July 1972, and whereas the applications for assistance submitted must be examined pursuant to the provisions of Council Regulation No 9⁽²⁾ of 25 August 1960, as last amended by Council Regulation No 37/67/EEC⁽³⁾, and to the provisions adopted pursuant to that Regulation;

Whereas, in accordance with Articles 1 and 3 of Regulation No 9, the applications referred to above from the Kingdom of Belgium relate to vocational retraining operations carried out on the responsibility and at the expense of the Office National de l'Emploi (ONEM), a body which has been included in the list of public law bodies referred to in Article 18 of Regulation No 9;

Whereas the applications containing the information required under Article 20 of Regulation No 9 and relating to operations terminated during the period 1 July 1970 to 30 June 1971 inclusive, were properly submitted within the time limit laid down in Article 19 of Regulation No 9;

Whereas the examination of those applications and the checking of their material and financial aspects, carried out pursuant to the provisions of Commission Regulation No 113/63/EEC⁽⁴⁾ on the detailed rules for the examination and checking of applications for assistance submitted to the European Social Fund, revealed that these applications comply with the conditions laid down in the relevant rules;

Whereas, consequently, the Office National de l'Emploi (ONEM) is entitled to receive assistance from

⁽¹⁾ OJ No L 249, 10. 11. 1971, p. 54.

⁽²⁾ OJ No 56, 31. 8. 1960, p. 1189/60.

⁽³⁾ OJ No 33, 24. 2. 1967, p. 526/67.

⁽⁴⁾ OJ No 153, 24. 10. 1963, p. 2563/63.

the Fund for its expenditure and whereas the amount of assistance to be granted by the Fund pursuant to Article 125 of the Treaty is therefore Bfrs 79 271 701.

Whereas in its Opinion of 25 October 1973 the Committee of the European Social Fund reached the same conclusions, for the reasons given above,

HAS ADOPTED THIS DECISION :

Article 1

The application for assistance submitted to the European Social Fund by the Kingdom of Belgium for expenditure by the Office National de l'Emploi (ONEM) on vocational retraining operations terminated during the period 1 July 1970 to 30 June 1971 inclusive, comply with the rules governing the operation of the Fund as regards the sum of Bfrs 79 271 701.

Article 2

The amount of assistance from the European Social Fund to be granted pursuant to Article 125 of the Treaty to the Kingdom of Belgium for the Office National de l'Emploi (ONEM) shall be Bfrs 79 271 701 (equivalent to 1 585 434.02 units of account).

Article 3

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 21 December 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 21 December 1973

granting assistance from the European Social Fund, as provided for in Article 125 of the Treaty, to the Federal Republic of Germany for expenditure on vocational retraining operations carried out by the 'Bundesanstalt für Arbeit (BA)' and the social insurance organizations for workers

(ESF file Nos 72046, 72118, 73020, 73043)

(Only the German text is authentic)

(74/176/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 125 thereof;

Having regard to Council Regulation (EEC) No 2396/71⁽¹⁾ of 8 November 1971 implementing the Council Decision of 1 February 1971 on the reform of the European Social Fund, and in particular Article 12 thereof;

Whereas in its applications of 8 June and 27 December 1972, 14 June and 20 June 1973 the Federal Republic of Germany requested assistance from the European Social Fund, as provided for in Article 125 of the Treaty, for expenditure on vocational retraining operations amounting to a total amount of DM 97 675 415.08;

Whereas, pursuant to Article 12 of Regulation (EEC) No 2396/71, such assistance is granted for operations initiated before 1 May 1972, the date on which the said Regulation entered into force, and terminated before 1 July 1972, and whereas the applications for assistance must be examined pursuant to the provisions of Council Regulation No 9⁽²⁾ of 25 August 1960, as last amended by Council Regulation No 37/67/EEC⁽³⁾, and to the provisions adopted pursuant to the said Regulation;

Whereas, in accordance with Articles 1 and 3 of Regulation No 9, the applications referred to above from the Federal Republic of Germany relate to vocational retraining operations carried out on the responsibility and at the expense of the 'Bundesanstalt für Arbeit (BA)', the 'Landesversicherungsanstalten (LVA)', whereas the total amount requested for those operations is to be allocated as follows:

<i>Body</i>	<i>Amount requested in DM</i>
1. Bundesanstalt für Arbeit (BA)	68 444 708.79
2. Landesversicherungsanstalten (LVA)	
LVA Baden	1 903 921.28
LVA Berlin	870 914.12
LVA Braunschweig	560 346
LVA Hamburg	1 506 211.79
LVA Hannover	2 414 521.88
LVA Hessen	1 781 319.90
LVA Niederbayern-Oberpfalz	668 512.70
LVA Oberbayern	956 558.95
LVA Ober- und Mittelfranken	933 033.56
LVA Oldenburg-Bremen	1 414 723.87
LVA Rheinland-Pfalz	2 041 082.04

⁽¹⁾ OJ No L 249, 10. 11. 1971, p. 54.

⁽²⁾ OJ No 56, 31. 8. 1960, p. 1189/60.

⁽³⁾ OJ No 33, 24. 2. 1967, p. 526/67.

LVA Rheinprovinz	5 302 385.74
LVA Saarland	797 371.44
LVA Schleswig-Holstein	1 710 779.42
LVA Schwaben	347 041.19
LVA Unterfranken	295 439.60
LVA Westfalen	3 092 460.54
LVA Württemberg	2 408 835.59
3. Bundesbahnversicherungsanstalt	67 454.47
4. Seekasse	157 792.21

Whereas the bodies listed above were included in or belonged to a group of bodies added to the list of bodies governed by public law referred to in Article 18 of Regulation No 9 ;

Whereas the applications containing the informations required under Article 20 of Regulation No 9 and relating to operations terminated during the period from 1 January 1970 to 31 December 1971 inclusive, were properly submitted within the time limits laid down in Article 19 of Regulation No 9 ;

Whereas it is necessary to suspend the examination of the part of the applications of the 'Bundesanstalt für Arbeit', which relate to the labour offices under the auspices of which vocational training operations can be undertaken for the benefit of workers from the mining sector, so that the Commission and the Fund Committee can examine the question of principle, namely, to what extent can colliery workers who are affected by the measures within the meaning of Article 56 (2) of the Treaty establishing the European Coal and Steel Community be taken into consideration for the granting of assistance provided for in Article 125 of the EEC Treaty ; whereas because of this the part of the applications relating to the labour offices in Aachen, Bochum, Dortmund, Duisburg, Essen, Gelsenkirchen, Hagen, Hamm, Oberhausen, Recklinghausen, Wesel, Neunkirchen, Saarbrücken und Saarlouis arising in the applications of the 'Bundesanstalt für Arbeit' and coming to a sum total of DM 15 099 697.92 have been put aside for the moment so that they can be examined at a later date ;

Whereas the examination of the remaining applications and the checking of their material and financial aspects, carried out pursuant to the provisions of Commission Regulation No 113/63/EEC ⁽¹⁾ on

the detailed rules for the examination and checking of applications for assistance submitted to the European Social Fund, revealed that these applications comply with the conditions laid down by the relevant rules ;

Whereas, consequently, the bodies referred to above are entitled to receive assistance from the Fund for their expenditure provided that the sum of DM 15 099 697.92 is deducted, and whereas the total amount of assistance to be granted by the Fund pursuant to Article 125 of the Treaty is therefore DM 97 675 415.08 minus DM 15 099 697.92, i.e. DM 82 575 717.16.

Whereas in its Opinion of 25 October 1973 the Committee of the European Social Fund reached the same conclusions for the reasons given above,

HAS ADOPTED THIS DECISION :

Article 1

The applications for assistance submitted to the European Social Fund by the Federal Republic of Germany for the expenditure of the bodies referred to in Article 2 on vocational retraining operations terminated during the period from 1 January 1970 to 31 December 1971 inclusive, comply with the rules governing the operation of the Fund as regards the sum of DM 82 575 717.16. The remainder of these applications will be examined at a later date.

Article 2

The amount of assistance from the European Social Fund to be granted pursuant to Article 125 of the

⁽¹⁾ OJ No 153, 24. 10. 1963, p. 2563/63.

Treaty to the Federal Republic of Germany to the bodies listed below shall be DM 82 575 717·16

(equivalent to 22 561 671·36 units of account). This sum shall be allocated as follows :

<i>Body</i>	<i>Assistance granted in DM</i>
1. Bundesanstalt für Arbeit (BA)	53 345 010·87
2. Landesversicherungsanstalten (LVA)	
LVA Baden	1 903 921·28
LVA Berlin	870 914·12
LVA Braunschweig	560 346
LVA Hamburg	1 506 211·79
LVA Hannover	2 414 521·88
LVA Hessen	1 781 319·90
LVA Niederbayern-Oberpfalz	668 512·70
LVA Oberbayern	956 558·95
LVA Ober- und Mittelfranken	933 033·56
LVA Oldenburg-Bremen	1 414 723·87
LVA Rheinland-Pfalz	2 041 082·04
LVA Rheinprovinz	5 302 385·74
LVA Saarland	797 371·44
LVA Schleswig-Holstein	1 710 779·42
LVA Schwaben	347 041·19
LVA Unterfranken	295 439·60
LVA Westfalen	3 092 460·54
LVA Württemberg	2 408 835·59
3. Bundesbahnversicherungsanstalt	67 454·47
4. Seekasse	157 792·21

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 21 December 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 21 December 1973

granting assistance from the European Social Fund, as provided for in Article 125 of the Treaty, to the French Republic for expenditure on vocational retraining and resettlement operations carried out by the Ministry of Labour, Employment and Population, the Ministry of Agriculture and the Ministry of War Victims

(ESF file Nos 72062, 72083, 72093, 72095, 72105, 72106, 73017, 73035, 73054, 73055)

(Only the French text is authentic)

(74/177/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 125 thereof ;

Having regard to Council Regulation (EEC) No 2396/71 ⁽¹⁾ of 8 November 1971 implementing the Council Decision of 1 February 1971 on the reform of the European Social Fund, and in particular Article 12 thereof ;

Whereas in its applications of 13 July, 7 December, 21 December and 29 December 1972, 12 June, 22 June and 29 June 1973 the French Republic requested assistance from the European Social Fund, as provided for in Article 125 of the Treaty, for expenditure on vocational retraining operations amounting to a total of FF 41 060 835.97 and for resettlement operations amounting to a total of FF 1 987 587.62 ;

Whereas, pursuant to Article 12 of Regulation (EEC) No 2396/71, such assistance is granted for operations initiated before 1 May 1972, the date on which that Regulation entered into force, and terminated before 1 July 1972, and whereas the applications for assistance submitted must be examined pursuant to the provisions of Council Regulation No 9 ⁽²⁾ of 25 August 1960, as last amended by Council Regulation No 37/67/EEC ⁽³⁾, and to the provisions adopted pursuant to that Regulation ;

Whereas, in accordance with Articles 1, 3 and 6 of Regulation No 9, the applications referred to above from the French Republic relate to vocational retraining operations carried out on the responsibility and at the expense of the Ministry of Labour, Employment and Population (requested amount FF 27 369 837.07), the Ministry of Agriculture (requested amount FF 11 964 740) and the Ministry of War Victims (requested amount FF 1 726 258.90)

and to resettlement operations carried out on the responsibility and at the expense of the Ministry of Labour, Employment and Population (requested amount FF 1 529 258.62) and the Ministry of Agriculture (requested amount FF 458 329) ;

Whereas the applications containing the information required under Articles 20 and 21 of Regulation No 9 and relating to operations terminated or carried out during the period 1 January 1970 to 30 June 1972 inclusive, were properly submitted within the time limits laid down in Article 19 of Regulation No 9 ;

Whereas the examination of those applications and the checking of their material and financial aspects, carried out pursuant to the provision of Commission Regulation No 113/63/EEC ⁽⁴⁾ on the detailed rules for the examination and checking of applications for assistance submitted to the European Social Fund, revealed that these applications comply with the conditions laid down in the relevant rules, except, however, that in the applications relating to the Ministry of Labour, Employment and Population (resettlement operations), as a result of an arithmetical error, certain sums were wrongly omitted from the total expenditure ; the correction involves the sum of FF 8 457.58, which is to be added to the amount for which the applications were submitted ;

Whereas, consequently, the abovementioned Ministries are entitled to receive assistance from the Fund for their expenditure, and whereas the amount of assistance to be granted by the Fund pursuant to Article 125 of the Treaty is therefore FF 43 048 423.59 (FF 41 060 835.97 plus FF 1 987 587.62) plus FF 8 457.58, i.e. FF 43 056 881.17 ;

Whereas in its Opinion of 25 October 1973 the Committee of the European Social Fund reached the same conclusions for reasons given above,

⁽¹⁾ OJ No L 249, 10. 11. 1971, p. 54.

⁽²⁾ OJ No 56, 31. 8. 1960, p. 1189/60.

⁽³⁾ OJ No 33, 24. 2. 1967, p. 526/67.

⁽⁴⁾ OJ No 153, 24. 10. 1963, p. 2563/63.

HAS ADOPTED THIS DECISION :

January 1970 to 30 June 1972 inclusive, comply with the rules governing the operation of the Fund as far as the sum of FF 43 056 881·17 is concerned.

Article 1

The applications for assistance submitted to the European Social Fund by the French Republic for expenditure by the Ministries referred to in Article 2 on vocational retraining and resettlement operations terminated and carried out during the period 1

Article 2

The amount of assistance from the European Social Fund to be granted pursuant to Article 125 of the Treaty to the French Republic shall be FF 43 056 881·17 (7 752 144·08 units of account). This sum shall be allocated as follows :

Beneficiary

Assistance granted

	<i>vocational retraining</i>	<i>resettlement</i>
Ministry of Labour, Employment and Population	FF 27 369 837·07 (4 927 781·92 u.a.)	FF 1 537 716·20 (276 856·97 u.a.)
Ministry of Agriculture	FF 11 964 740 (2 154 182·70 u.a.)	FF 458 329 (82 519·50 u.a.)
Ministry of War Victims	FF 1 726 258·90 (310 803 u.a.)	

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 21 December 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 21 December 1973

granting assistance from the European Social Fund, as provided for in Article 125 of the Treaty, to the Republic of Italy for expenditure on vocational retraining and resettlement operations carried out by the Ministry of Labour and National Insurance and several other Italian bodies

(ESF file Nos 71019, 71063, 71070, 71095, 71115, 71116, 72004, 72005, 72006, 72012, 72013, 72015, 72021, 72023, 72024, 72035, 72041, 72042, 72044, 72085, 72061, 72065, 72066, 72067, 72068, 72071, 72074, 72080, 72082, 72084, 72086, 72087, 72090, 72091, 72096, 72097, 72098, 73030)

(Only the Italian text is authentic)

(74/178/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 125 thereof;

Having regard to Council Regulation (EEC) No 2396/71 ⁽¹⁾ of 8 November 1971 implementing the Council Decision of 1 February 1971 on the reform of the European Social Fund, in particular Article 12 thereof,

Whereas in its applications of 6 June 1970, 21 May, 3 July, 21 October, 14 December and 15 December 1971, 21 March, 5 April, 20 May, 6 June, 17 June, 26 June, 1 July, 15 November, 17 November, 24 November, 29 November, 9 December, 11 December, 12 December, 15 December, 18 December, 19 December, 21 December and 22 December 1972 as well as 22 June 1973, the Republic of Italy requested assistance from the European Social Fund, as provided for in Article 125 of the

Treaty, for expenditure on vocational retraining operations amounting to a total of Lit 5 075 023 448 and for resettlement operations amounting to a total of Lit 6 501 520 ;

Whereas, pursuant to Article 12 of Regulation (EEC) No 2396/71, such assistance is granted for operations initiated before 1 May 1972, the date on which that Regulation entered into force, and terminated before 1 July 1972, and whereas the applications for assistance submitted must be examined pursuant to the provisions of Council Regulation No 9 ⁽²⁾ of 25 August 1960, as last amended by Council Regulation No 37/67/EEC ⁽³⁾, and to the provisions adopted pursuant to that Regulation ;

Whereas, in accordance with Articles 1, 3 and 6 of Regulation No 9, the applications referred to above from the Republic of Italy relate to vocational retraining and resettlement operations carried out on the responsibility and at the expense of the authorities and bodies listed below :

<i>Authority or body</i>	<i>Amount requested</i>	
	<i>Vocational retraining (Lit)</i>	<i>Resettlement (Lit)</i>
1. Ministero del Lavoro e della Previdenza Sociale	3 720 246 649	
2. Giunta Provinciale di Bolzano (Landesausschuss Bozen)	8 391 890	
3. Regione autonoma del Friuli e della Venezia-Giulia	16 621 939	
4. Provincia di Trento	59 270 500	
5. Provincia di Treviso	72 718 257	
6. Associazione Nazionale Addestramento Professionale (ANAP)	395 622 314	
7. Associazione nazionale fra mutilati ed invalidi del Lavoro (ANMIL)	18 029 689	

⁽¹⁾ OJ No L 249, 10. 11. 1971, p. 54.

⁽²⁾ OJ No 56, 31. 8. 1960, p. 1189/60.

⁽³⁾ OJ No 33, 24. 2. 1967, p. 526/67.

	Vocational retraining (Lit)	Resettlement (Lit)
8. Camera di commercio, industria ed agricoltura, Roma	4 110 936	
9. Ente Friulano di Assistenza	7 247 060	
10. Ente Minerario Siciliano	32 835 920	
11. Ente nazionale ACLI per l'istruzione professionale (ENAIPI)	12 319 033	
12. Ente Nazionale Addestramento Lavoratori Commercio (ENALC)	34 890 750	
13. Ente Nazionale per l'Assistenza agli Orfani dei Lavoratori italiani (ENAOI)	6 656 954	
14. Ente Partecipazioni e Finanziamento Industria Manifatturiera (EFIM)	100 880 417	
15. Istituto nazionale per l'addestramento ed il perfezionamento dei lavoratori dell'industria (INAPLI)	199 670 166	
16. Istituto Nazionale per l'Istruzione e l'Addestramento nel Settore Artigiano (INIASA)	30 181 829	
17. Istituto per la Ricostruzione Industriale (IRI)	351 772 935	
18. Opera nazionale per gli invalidi di guerra (ONIG)	3 556 210	6 501 520

Whereas, apart from the state department referred to in the above list under No 1, the bodies contained in that list under Nos 2 to 5 are decentralized regional authorities within the meaning of Article 18 of Regulation No 9, and whereas the bodies mentioned under Nos 6 to 18 are all contained in the list of public law bodies referred to in the Article mentioned above ;

Whereas the applications containing the information required under Articles 20 and 21 of Regulation No 9 and relating to operations terminated or carried out during the period 1 January 1969 to 30 June 1972 inclusive, were properly submitted within the time limits laid down in Article 19 of Regulation No 9 ;

Whereas the examination of those applications and the checking of their material and financial aspects, carried out pursuant to the provisions of Commission Regulation No 113/63/EEC⁽¹⁾ on the detailed rules for the examination and checking of applications for assistance submitted to the European Social Fund, revealed that these applications comply with the conditions laid down in the relevant rules, except, however, that in the applications relating to the authority and bodies listed below, certain sums have been wrongly included in or levied out of the total expenditure as a result of a wrong interpretation of Article 5 of Regulation No 9 or as a result of an arithmetical error ; whereas the correction involves the sums mentioned below, which are to be

deducted from or added to the amounts for which the applications were submitted for the authority and bodies concerned ;

(a) Ministero del Lavoro e della Previdenza Sociale	+ 38 498 298,
(b) Ente Minerario Siciliano	— 143 040,
(c) ENALC	— 89 113,
(d) EFIM	— 2 824 224,
(e) IRI	— 13 143,

Whereas, consequently, the authority and the bodies referred to above are entitled to receive assistance from the Fund for their expenditure provided that the sum of Lit 351 549 is added, and whereas the amount of assistance to be granted by the Fund pursuant to Article 125 of the Treaty is therefore Lit 5 081 524 968 (Lit 5 075 023 448 plus Lit 6 501 520) plus Lit 38 498 298 minus Lit 3 069 520 = 5 116 953 746 Lit ;

Whereas in its Opinion of 25 October 1973 the Committee of the European Social Fund reached the same conclusions for the reasons given above,

HAS ADOPTED THIS DECISION :

Article 1

The applications for assistance submitted to the European Social Fund by the Republic of Italy for

⁽¹⁾ OJ No 153, 24. 10. 1963, p. 2563/63.

expenditure by the authorities and the bodies referred to in Article 2 on vocational retraining and resettlement operations terminated or carried out during the period 1 January 1969 to 30 June 1972 inclusive, comply with the rules governing the operation of the Fund as regards the sum of Lit 5 116 953 746.

Article 2

The amount of assistance from the European Social Fund to be granted, pursuant to Article 125 of the Treaty to the Republic of Italy for the authorities and the bodies listed below shall be Lit 5 116 953 746 (equivalent to 8 187 125.99 units of account). This sum shall be allocated as follows :

Authority or body	Amount requested	
	Vocational retraining (Lit)	Resettlement (Lit)
1. Ministero del Lavoro e della Previdenza Sociale	3 758 744 947	
2. Giunta Provinciale di Bolzano (Landesausschuss Bozen)	8 391 890	
3. Regione autonoma del Friuli e della Venezia-Giulia	16 621 939	
4. Provincia di Trento	59 270 500	
5. Provincia di Treviso	72 718 257	
6. Associazione Nazionale Addestramento Professionale (ANAP)	395 622 314	
7. Associazione nazionale fra mutilati ed invalidi del Lavoro (ANMIL)	18 029 689	
8. Camera di commercio, industria ed agricoltura, Roma	4 110 936	
9. Ente Friulano di Assistenza	7 247 060	
10. Ente Minerario Siciliano	32 692 880	
11. Ente nazionale ACLI per l'istruzione professionale (ENAIIP)	12 319 033	
12. Ente Nazionale Addestramento Lavoratori Commercio (ENALC)	34 801 637	
13. Ente Nazionale per l'Assistenza agli Orfani dei Lavoratori italiani (ENAOI)	6 656 954	
14. Ente Partecipazioni e Finanziamento Industria Manifatturiera (EFIM)	98 056 193	
15. Istituto nazionale per l'addestramento ed il perfezionamento dei lavoratori dell'industria (INAPLI)	199 670 166	
16. Istituto Nazionale per l'Istruzione e l'Addestramento nel Settore Artigiano (INIASA)	30 181 829	
17. Istituto per la Ricostruzione Industriale (IRI)	351 759 792	
18. Opera nazionale per gli invalidi di guerra (ONIG)	3 556 210	6 501 520
Total	5 110 452 226	6 501 520
	(8 176 723.56 u.a.)	(10 402.43 u.a.)

Article 3

This Decision is addressed to the Republic of Italy.

Done at Brussels, 21 December 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 21 December 1973

granting assistance from the European Social Fund, as provided for in Article 125 of the Treaty, to the Kingdom of the Netherlands for expenditure on vocational retraining and resettlement operations carried out by the Ministry for Social Affairs

(ESF file Nos 71104, 72010, 72011, 72037, 72038, 72039, 72108, 72109, 72110, 72111, 72112, 72114)

(Only the Dutch text is authentic)

(74/179/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 125 thereof;

Having regard to Council Regulation (EEC) No 2396/71 of 8 November 1971 implementing the Council Decision of 1 February 1971 ⁽¹⁾ on the reform of the European Social Fund, and in particular Article 12 thereof;

Whereas in its applications of 20 December 1971, 12 May, 14 June, and 19 December 1972 the Kingdom of the Netherlands requested assistance from the European Social Fund, as provided for in Article 125 of the Treaty, for expenditure on vocational retraining operations amounting to a total of Fl 6 338 969.12 and resettlement expenses amounting to a total of Fl 48 454.50;

Whereas, pursuant to Article 12 of Regulation (EEC) No 2396/71, such assistance is granted for operations initiated before 1 May 1972, the date in which the said Regulation entered into force, and terminated before 1 July 1972, and whereas the applications for assistance submitted must be examined pursuant to the provisions of Council Regulation No 9 ⁽²⁾ of 25 August 1960, as last amended by Council Regulation No 37/67/EEC⁽³⁾, and to the provisions adopted pursuant to the said Regulation;

Whereas, in accordance with Articles 1, 3 and 6 of Regulation No 9, the applications referred to above from the Kingdom of the Netherlands relate to vocational retraining and resettlement operations carried out under the responsibility and at the expense of the Ministry for Social Affairs;

Whereas the applications containing the information required under Articles 20 and 21 of Regulation No 9 and relating to operations terminated during the period from 8 April 1969 to 30 June 1971 inclusive,

were properly submitted within the time limit laid down in Article 19 of Regulation No 9;

Whereas the examination of those applications and the checking of their material and financial aspects, carried out pursuant to the provisions of Commission Regulation No 113/63/EEC⁽⁴⁾ on the detailed rules for the examination and checking of applications for assistance submitted to the European Social Fund, revealed that these applications comply with the conditions laid down in the relevant rules; except however that certain sums were entered wrongly in the calculation of expenditure to be taken into consideration in accordance with Article 5 (a) of Regulation No 9 in the applications in respect of vocational retraining operations carried out in the centres of the professional Association 'Horeca', as a result of an incorrect interpretation of said Article; whereas the correction of this entry comes to Fl 659.17 which must be deducted from the sum requested;

Whereas it has furthermore been revealed that in applications in respect of retraining operations carried out in government centres, a worker pursued his vocational retraining course during a period in which he benefited from Aid granted under Article 56 (2) of the Treaty establishing the European Coal and Steel Community; whereas the expenditure set out in the applications in respect of the operation cannot be taken into consideration for the granting of assistance from the Fund in accordance with Article 1 (3) of Regulation No 9. Whereas, pursuant to the provisions of Commission Regulation No 113/63/EEC, referred to above, this case comes to the sum of Fl 62 562.38 in the application in question and this amount should therefore be deducted from the sum requested;

Whereas furthermore in the applications in respect of resettlement, a worker was not registered with a labour office before his resettlement as seeking employment as laid down in Article 2 of Regulation No 9; whereas pursuant to the provisions of the said Commission

⁽¹⁾ OJ No L 249, 10. 11. 1971, p. 54.

⁽²⁾ OJ No 56, 31. 8. 1960, p. 1189/60.

⁽³⁾ OJ No 33, 24. 2. 1967, p. 526/67.

⁽⁴⁾ OJ No 153, 24. 10. 1963, p. 2563/63.

Regulation No 113/63/EEC this case comes to the sum of Fl 1 384·35 in the applications in question and it is to be deducted from the amount requested for resettlement operations ;

Whereas, consequently, the Ministry for Social Affairs is entitled to receive assistance from the Fund for its expenditure subject to a deduction of a sum total of Fl 64 605·90 (Fl 659·17 plus 62 562·38 plus 1 384·35) and whereas the amount of assistance to be granted by the Fund pursuant to Article 125 of the Treaty is therefore Fl 6 387 423·62 (Fl 6 338 969·12 plus 48 454·50) minus Fl 64 605·90 equivalent to Fl 6 322 817·72 ;

Whereas in its Opinion of 25 October 1973 the Committee of the European Social Fund reached the same conclusion, for the reasons given above,

HAS ADOPTED THIS DECISION :

Article 1

The applications for assistance submitted to the European Social Fund by the Kingdom of the Netherlands for expenditure by the Ministry for Social Affairs on vocational retraining and resettlement operations terminated or carried out during the period from 8 April 1969 to 30 June 1971 inclusive, comply with

the rules governing the operation of the Fund as regards the sum of Fl 6 322 817·72. The remaining applications do not comply with these provisions.

Article 2

The amount of assistance from the European Social Fund to be granted pursuant to Article 125 of the Treaty to the Kingdom of the Netherlands shall be Fl 6 322 817·72 (equivalent to 1 746 634·73 units of account) and it shall be allocated as follows :

<i>Type of operation</i>	<i>Assistance granted</i>
Vocational retraining	Fl 6 275 747·57 (1 733 631·93 u.a.)
Resettlement	Fl 47 070·15 (13 002·80 u.a.)

Article 3

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 21 December 1973.

For the Commission

The President

François-Xavier ORTOLI

FIFTH COMMISSION DIRECTIVE

of 26 February 1974

amending the Annexes of the Council Directive of 23 November 1970 concerning additives in feedingstuffs

(74/180/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to the Council Directive of 23 November 1970 ⁽¹⁾ concerning additives in feedingstuffs, as last amended by the Fourth Commission Directive of 17 December 1973 ⁽²⁾ ; in particular Article 6 (1) (a) thereof ;

Whereas the provisions of the abovementioned Directive provide for the content of the Annexes to be constantly amended due to the development of scientific and technical knowledge ;

Whereas it is necessary to lay down further usages for virginiamycin in Annex I ; whereas, moreover, the use of tylosin, laid down in Annex II, should be subject to certain conditions of use ;

Whereas lincomycin and also certain uses of zinc-bacitracin, and flavomycin, other than those indicated in Annex I, have been tested with beneficial

results in certain Member States ; whereas, however, it is advisable meanwhile to authorize these at national level, until they are permitted at Community level ;

Whereas the measures provided for in this Directive are in accordance with the Opinion of the Standing Committee for Feedingstuffs,

HAS ADOPTED THIS DIRECTIVE :

Article 1

The Annexes to the Council Directive of 23 November 1970, concerning additives in feedingstuffs, shall be amended as stipulated in the following Articles.

Article 2

The following provisions shall be added to Annex I part A 'Antibiotics' under heading E 711 'virginiamycin' :

EEC No	Additives	Chemical formula, description	Species of animal	Maximum age	Minimum content	Maximum content	Other provisions
					ppm of complete feedingstuffs		
	—	—	Calves	6 months	5 5	20 80	milk feeds only

Article 3

Annex II part A 'Antibiotics' shall be completed as follows :

EEC No	Additives	Chemical formula, description	Species of animal	Maximum age	Minimum content	Maximum content	Other provisions
					ppm of complete feedingstuffs		
6	Tylosin	C ₄₅ H ₇₇ O ₁₇ N (macrolides)	Swine	2 months over 2 months to 6 months	10 5	40 20	
15	Bacitracine-zinc polypeptide containing up to 20 % zinc	C ₆₆ H ₁₀₃ O ₁₆ N ₁₇ S Zn	Laying hens	—	15	20	
16	Flavomycin	C ₇₀ H ₁₂₄ N ₆ O ₄₀ P	Laying hens	—	2	5	
17	Lincomycine	C ₁₈ H ₃₄ N ₂ O ₆ S.HCl	Poultry excluding ducks, geese, laying hens	10 weeks	2	10	

⁽¹⁾ OJ No L 270, 14. 12. 1970, p. 1.

⁽²⁾ OJ No L 30, 4. 2. 1974, p. 21.

Article 4

The Member States shall, not later than 1 June 1974, bring into force the laws, regulations or administrative provisions necessary to comply with this Directive. They shall forthwith notify the Commission thereof.

Article 5

This Directive is addressed to all Member States.

Done at Brussels, 26 February 1974.

For the Commission

The President

François-Xavier ORTOLI

SIXTH COMMISSION DIRECTIVE

of 26 February 1974

amending the Annexes of the Council Directive of 23 November 1970 concerning additives in feedingstuffs

(74/181/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to the Council Directive of 23 November 1970 ⁽¹⁾, concerning additives in feedingstuffs as last amended by the Fifth Commission Directive of 26 February 1974 and particularly Article 6 (1) (a) thereof ;

Whereas the provisions of the abovementioned Directive provide for the content of the Annexes to be constantly amended due to the development of scientific and technical knowledge ;

Whereas Community provisions prohibit, to a large extent, the colouration of feedingstuffs ; whereas in any case colouring agents tolerated in feedingstuffs due to the necessity to denature certain basic compo-

nents should not have an unfavourable effect on the animal products resulting therefrom ;

Whereas, furthermore, there is no reason to oppose the presence of colouring agents in feedingstuffs intended for dogs and cats in the case of additives authorized for the colouration of foodstuffs under Community rules ;

Whereas the measures provided for in this Directive are in accordance with the Opinion of the Standing Committee for Feedingstuffs,

HAS ADOPTED THIS DIRECTIVE :

Article 1

The following text shall be substituted for the text of Annex I part F point 2 of the Council Directive of 23 November 1970, concerning additives in feedingstuffs :

EEC No	Additives	Chemical formula, description	Species of animal	Maximum age	Minimum content	Maximum content	Other provisions
					ppm of complete feedingstuffs		
	2. All other substances authorized for colouring foodstuffs by Community rules		a) All species of animals with the exception of dogs and cats	—	—	—	Permitted in animal feedingstuff only : a) in the processed products of i) waste products of foodstuffs ; ii) cereals or manioc flour denatured by means of permitted and appropriate colouring agents ; or iii) other base substances denatured by means of permitted and appropriate agents or coloured during technical preparation to ensure the necessary identification during manufacture ; and b) in compliance with the conditions laid down in respect of these substances by Community rules.
			b) Dogs and cats	—	—	—	Compliance with the conditions laid down in respect of these substances by Community rules

⁽¹⁾ OJ No L 270, 14. 12. 1970, p. 1.

Article 2

Member States shall, not later than 1 June 1974, bring into force the laws, regulations or administrative provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to all Member States.

Done at Brussels, 26 February 1974.

For the Commission

The President

François-Xavier ORTOLI

SEVENTH COMMISSION DIRECTIVE

of 26 February 1974

amending the Annexes of the Council Directive of 23 November 1970 concerning additives in feedingstuffs

(74/182/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to the Council Directive⁽¹⁾ of 23 November 1970 concerning additives in feedingstuffs, as last amended by the Sixth Commission Directive of 26 February 1974, in particular Article 6 (1) (a) thereof ;

Whereas the provisions of the abovementioned Directive provide for the content of the Annexes to be constantly amended due to the development of scientific and technical knowledge ;

Whereas it has become apparent that dimetridazole and meticlorpindol, currently appearing in Annex II and which therefore may only be used at national level ; correspond, in all respects, to the principles governing the authorization of additives at Community level ;

Whereas it is apparent that dimetridazole, contained at present in Annex II, may be permitted at

Community level under certain conditions ; whereas certain usages of this additive should, nevertheless, be still maintained at national level ;

Whereas it is therefore necessary to amend the Annexes of the abovementioned Directive ;

Whereas the measures provided for in this Directive are in accordance with the Opinion of the Standing Committee for Feedingstuffs,

HAS ADOPTED THIS DIRECTIVE :

Article 1

The Annexes to the Council Directive of 23 November 1970 concerning additives in feedingstuffs shall be amended as stipulated in the following Articles.

Article 2

The following provision shall be added to Annex I part D 'Coccidiostats and other medicinal substances' :

EEC No	Additives	Chemical formula, description	Species of animal	Maximum age	Mini- mum content	Maxi- mum content	Other provisions
					ppm of complete feedingstuffs		
E 754	Dimetridazole	1,2-diméthyl-5-nitroimida- zole	Turkeys guinea-fowl		125	150	Use prohibited from laying age onwards and at least three days before slaughter respectively

Article 3

The following asterisk, referring to additive No 2, shall be added to Annex II part B 'Coccidiostats and other medicinal substances' :

' (*) with the exception of feedingstuffs intended for turkeys and guinea-fowl'.

Article 4

The Member States shall, not later than 1 June 1974, bring into force the laws, regulations or administrative provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof.

Article 5

This Directive is addressed to all Member States.

Done at Brussels, 26 February 1974.

For the Commission
The President
François-Xavier ORTOLI

⁽¹⁾ OJ No L 270, 14. 12. 1970, p. 1.

COMMISSION OPINION

of 6 March 1974

addressed to the Government of the Kingdom of Denmark on two draft laws relating to international goods transport by motor vehicle and to international passenger transport by bus and coach

(74/183/EEC)

In accordance with Article 1 of the Council Decision of 21 March 1962⁽¹⁾ instituting a procedure for prior examination and consultation in respect of certain laws, regulations and administrative provisions proposed by Member States in the field of transport, as amended by the Council Decision of 22 November 1973⁽²⁾, the Danish Government sent the Commission, under cover of a letter of 31 January 1974 from the Office of the Permanent Representative to the European Communities, the text of two draft laws relating to international goods transport by motor vehicle and to international passenger transport by bus and coach.

The Danish Government asked for the application of the urgent procedure provided for in Article 2 (4) of the Decision and informed the other Member States of the draft laws.

The letter from the Office of the Permanent Representative reached the Commission on 4 February 1974. The 15-day period within which the Commission must give its opinion, according to the Council Decision of 21 March 1962, as amended by the Council Decision of 22 November 1973, has been extended to 6 March 1974 in accordance with Article 2 (4) of that Decision.

The Commission has not thought it necessary to call an information meeting with representatives of the Danish Government or to consult with the other Member States in accordance with Article 2 (3) of the Council Decision.

Under Article 2 (1) of the Council Decision of 21 March 1962, as amended by the Council Decision of 22 November 1973, the Commission formulates the following Opinion:

I

1. The Commission notes that the proposed measures would subject international goods and passenger transport to authorization, subject to any contrary requirements flowing in particular from Community measures. The Commission takes the view that the wording of this exception makes it possible to take account not only of common rules freeing from the system of authorizations set up by the law the transport operations covered by such

Community measures, but also of Community measures establishing a Community authorization system.

Two other exceptions envisaged by the two draft laws concern contrary arrangements arising from agreements made between Denmark and one or more foreign states, as well as arrangements drawn up by the Minister of Public Works. The Commission notes that respect for Community law requires that these exceptions should be applied in accordance with that law.

2. The Commission notes also that the draft laws include provisions allowing the authorities to take the necessary steps to apply rules adopted by the European Communities in relation to the international transport of goods and passengers by road, and that the draft law relating to goods transport envisages also the possibility that provisions concerning the application of tariffs should include enforcement arrangements with which transport firms would be required to comply.

In the Commission's view these provisions allow the Danish government to set up all the enforcement arrangements required by Community regulations already in force, particularly the arrangements for enforcement at transport firms' headquarters and on vehicles on the road.

3. The Commission has no comments on the other provisions of the two draft laws.

II

4. In conclusion, the Commission raises no objection to the legislative provisions proposed by the Danish Government.

5. The Commission is informing the other Member States of this Opinion.

Done at Brussels, 6 March 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No 23, 3. 4. 1962, p. 720/62.

⁽²⁾ OJ No L 347, 17. 12. 1973, p. 48.

COMMISSION RECOMMENDATION

of 7 March 1974

addressed to the French Government on measures taken by the latter to implement Council Regulation (EEC) Nos 516/72 and 517/72 of 28 February 1972 (Road passenger transport between Member States)

(74/184/EEC)

1. The Office of the French Permanent Representative to the European Communities has, by letter dated 22 August 1973, forwarded to the Commission a circular which was addressed, on 10 October 1972 to the national control bodies informing them of the contents of Council Regulation (EEC) No 516/72⁽¹⁾ of 28 February 1972 on the introduction of common rules for shuttle services by coach and bus between Member States, and Council Regulation (EEC) No 517/72⁽²⁾ of 28 February 1972 on the introduction of common rules for regular and special regular services by coach and bus between Member States. The circular also names the authority to which applications regarding shuttle services and regular and special regular services should be made and states that that authority is empowered to issue the corresponding authorizations.

In its covering letter the Office of the French Permanent Representative expressed the view that the circular was sufficient and that there was no need to take further steps.

2. That communication to the Commission from the Office of the French Permanent Representative is deemed to be consultation of the Commission within the meaning of Article 24 of Regulation (EEC) No 516/72 and Article 22 of Regulation (EEC) No 517/72.

3. The Commission notes that by issuing the circular in question France took the measures which she considered necessary for the implementation of the aforementioned Community Regulations.

4. Before stating its position regarding the contents of the circular, the Commission would make the following general remark:

Article 24 of Regulation (EEC) No 516/72 and Article 22 of Regulation (EEC) No 517/72, lay down that the Member States shall, before 1 October 1972, and after consulting the Commission, adopt such laws, regulations or administrative positions as may be necessary for the implementation of these Regulations.

⁽¹⁾ OJ No L 67, 20. 3. 1972, p. 13.

⁽²⁾ OJ No L 67, 20. 3. 1972, p. 19.

However, the circular, dated 10 October 1972, was only forwarded to the Commission for consultation on 22 August 1973.

The Commission regrets to record that, in these circumstances, the competent French authorities can have had no opportunity of ascertaining its opinion before adopting the text of the circular and that consequently the aim of the procedure established by the Community provisions referred to above was not realised.

5. With regard to the contents of the circular the Commission makes the following recommendation:

In accordance with its penultimate paragraph, the circular applies only to transport between the original Member States. However, Council Regulation (EEC) No 2442/72 of 21 November 1972, postpones for the new Member States, the application of Regulation (EEC) No 516/72 on the introduction of common rules for shuttle services by coach and bus between Member States and of Regulation (EEC) No 517/72⁽³⁾ on the introduction of common rules for regular and special regular services by coach and bus between Member States and renders Regulation (EEC) Nos 516/72 and 517/72 applicable from 1 July 1973 in the new Member States.

It is therefore recommended to the French Government that it should rectify the circular so that from 1 July 1973 it also becomes applicable to the relevant transport between France and the new Member States.

6. With regard to the transfer of an authorization or of a regular or special regular service, the Commission considers that in order to satisfy the requirements of Article 22 of Regulation No 517/72, it should be explicitly stated in the implementing provisions that, as the interpretation of certain general provisions in force in France indicates, the transfer of an authorization or of a regular or special regular service are prohibited.

It is therefore recommended to the French Government that it should stipulate in the implementing

⁽³⁾ OJ No L 265, 24. 11. 1972, p. 7.

measures that an authorization or the regular service or the special regular service may not be transferred.

7. In all other respects the circular corresponds, both in spirit and in general content, to the requirements of the aforementioned Community Regulations.

Done at Brussels, 7 March 1974.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 13 March 1974

**pursuant to Article 18 of Directive No 72/159/EEC on provisions notified by the
Federal Republic of Germany for the implementation of Directive No
72/159/EEC**

(Only the German text is authentic)

(74/185/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community;

Having regard to Council Directive No 72/159/EEC
of 17 April 1972 on the modernization of farms, and
in particular Article 18 (3) thereof;

Whereas, as required by Article 17 (4) of Directive No
72/159/EEC, the Government of the Federal Republic
of Germany notified the following laws, regulations
and administrative provisions on 19 June 1973;

- outline rules of 20 April 1973 to promote invest-
ment on individual agricultural holdings and
encourage the repopulation of rural areas
- outline rules of 20 April 1973 to promote invest-
ment on agricultural forestry and forestry holdings
- Directives of 1 March 1973 on credit guarantees
for agricultural holdings and joint investment by
several holdings;

Whereas, as required by the second indent of Article
17 (1) and by Article 17 (4) of Directive No
72/159/EEC, the Government of the Federal Republic
of Germany further notified the following laws, regula-
tions and administrative provisions on 23 October
1973:

Schleswig-Holstein:

- Directives of 8 August 1973 to encourage the
rational use of agricultural machinery (machinery
syndicates)
- Directives of 15 May 1970 (as amended on 4
August 1972) to encourage farmers to employ agri-
cultural labourers
- Directives of 1973 to promote the enlargement of
holdings through the purchase or renting of land

- Directives of 1973 to promote the construction of
buildings for cattle- and pig-farming
- Directives of 1973 to encourage draining of indi-
vidual farms

Lower Saxony:

- Directives of 2 May 1972 on subsidies for
machinery syndicates
- Directives of 13 December 1972 to encourage the
pooling of labour resources
- Directives on special measures relating to agricul-
tural holdings in Lower Saxony — phased invest-
ment plan — as amended on 29 August 1973

North Rhine Westphalia:

- Directives of May 1973 to encourage the forma-
tion of machinery syndicates
- Directives of 25 April 1973 to encourage farmers
to employ agricultural labourers
- Directives of 25 June 1973 to encourage farmers
to employ relief milkers

Hesse:

- Directives of 21 December 1972 on the grant of
subsidies by the Land to land development associa-
tions
- Directives of 21 December 1972 on the promotion
of joint land development schemes

Rhineland Palatinate:

- Order of 12 February 1973 to promote the forma-
tion of machinery syndicates and the pooling of
labour resources

Saarland:

- Order of 5 June 1973 to promote inter-farm coop-
eration

Baden-Württemberg:

- Directives of 10 July 1973 to promote the joint
use of machinery through the formation of
machinery syndicates

- Directives of 1 March 1973 on the provision of local female help and farm labourers from land funds
- Order of 1973 on additional measures relating to the Land's regional programme for agriculture

Bavaria:

- Order of 20 March 1973 laying down special conditions for financial assistance under Article 6 (5) of the Law on the promotion of agriculture in Bavaria (machinery syndicates)
- Order of 27 July 1972 laying down general conditions relating to financial assistance for a central service for local female help and farm labourers
- Directives of 12 March 1973 on village improvements;

Whereas Article 18 (3) of Directive No 72/159/EEC requires the Commission to determine whether, having regard to the objectives of the Directive and to the need for a proper connection between the various measures, the drafts of the laws, regulations and administrative provisions comply with the Directive and thus satisfy the conditions for financial contribution by the Community;

Whereas the objective of Directive No 72/159/EEC is to encourage the creation and development of farms which, assuming rational production, are capable of ensuring that persons working on them have an income comparable to that received for non-agricultural work and enjoy acceptable working conditions;

Whereas for these reasons Directive No 72/159/EEC obliges the Member States to introduce selective incentives to farmers who produce a farm development plan showing that on completion of the development period the farm will be capable of attaining as a minimum, for at least one worker, a level of earned income comparable to that received for non-agricultural work;

Whereas Article 14 (2) of Directive No 72/159/EEC specifies that farms which do not meet this requirement qualify for reduced assistance only the interest remaining payable by the beneficiary amounting to not less than 5 % per year;

Whereas the measures to assist farms with a development plan within the meaning of Article 4 of the Directive now notified by the Government of the Federal Republic of Germany, comply with the requirements of the Directive;

Whereas, however the outline rules for the promotion of investment on agriculture forestry holdings and the various other laws, regulations and administrative provisions of the Länder notified make provision for incentives to farms which upon completion of the development plan will not be capable of providing at least one worker with a full earned income from agriculture which are more favourable than Article 14 (2) of the Directive allows and consequently not compatible with the provisions of that Article;

Whereas a decision as to whether the objectives of the Directive are or are not jeopardized by incentives which are not compatible with the Directive largely depends on the manner and extent of their application; whereas such a decision cannot be taken until the incentives have been applied for some time and a detailed report has been submitted by the Government of the Federal Republic of Germany;

Whereas for this reason a Commission Decision pursuant to Article 18 (3) of the Directive can be adopted for a limited period only;

Whereas the EAGGF Committee has been consulted on the financial aspects;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

Article 1

The laws, regulations and administrative provisions for the implementation of Directive No 72/159/EEC, notified by the Government of the Federal Republic of Germany on 19 June 1973 and 23 October 1973 pursuant to the second indent of Article 17 (1) and to Article 17 (4) of the said Directive, satisfy the conditions for financial contribution by the Community to common measures within the meaning of Article 15 of Directive No 72/159/EEC.

Article 2

The Government of the Federal Republic of Germany shall, not later than 31 March 1975, forward to the Commission a detailed report on the application of the outline rules for the promotion of investment on individual agriculture forestry and forestry holdings.

The report provided for in the foregoing paragraph shall indicate, in particular, the number and types of farm receiving incentives, the proportion of income

derived from forestry or from secondary non-industrial activity, the location of the farms and the reasons for granting incentives under the outline rules referred to in the foregoing paragraph. The report shall also specify the extent of budgetary expenditure on these farms and any additional incentives granted under the laws, regulations and administrative provisions adopted by the Länder.

Article 3

Financial contribution by the Community shall be confined to eligible expenditure arising in connection with aids granted in pursuance of decisions taken after 20 April 1973.

Article 4

The statement made in Article 1 will be effective until 31 December 1974.

Article 5

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 13 March 1974.

For the Commission

The President

François-Xavier ORTOLI
