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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 269/79

of 6 February 1979

establishing a common measure for forestry in certain Mediterranean zones of the Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

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

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

Whereas the specific arrangements for aid for forestry measures with which this Regulation is concerned are designed to supplement common agricultural measures relating particularly to the Mediterranean regions of the Community;

Whereas the dry Mediterranean zones of the Community have particular problems concerning erosion, the water-holding capacity of the soil and fire risks;

Whereas forestry measures are generally interconnected and can contribute to:

- the conservation and improvement of the soil, the fauna, the flora and the surface and ground water balance,

- the productivity of agricultural land by forming windbreaks and shelter belts and by effecting local water and weather conditions;

Whereas the forest can help provide for a better use of manpower in agriculture;

Whereas, in order to make afforestation economically more attractive, it is necessary to encourage better forest management;

Whereas it is necessary to require as a condition of Community financial participation that such measures provide an adequate guarantee as to their efficacy;

Whereas measures of this kind which concern relatively large geographical units should normally take the form of multiannual programmes;

Whereas, in order to ensure coordination between Community and national measures, the Member State concerned should have approved the programmes to be financed by the European Agricultural Guidance and Guarantee Fund, hereinafter called 'the Fund', and should contribute to their financing;

Whereas, in order to ensure that the recipients of aid from the Fund comply with the conditions on which it is granted, there should be provision for an efficient control procedure and for the possibility of suspending, reducing or withdrawing aid from the Fund;

Whereas, in view of the special difficulties of these regions, it would be appropriate for the Community to provide aid from the Fund in the form of a capital grant equal to 50 % of the investment;

Whereas it follows from the foregoing considerations that the action described above constitutes a common measure within the meaning of Article 6 of Council

⁽¹⁾ OJ No C 117, 20. 5. 1978, p. 2.

⁽²⁾ OJ No C 182, 31. 7. 1978, p. 59.

⁽³⁾ Opinion delivered on 12 July 1978 (not yet published in the Official Journal).

Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EEC) No 2788/72 ⁽²⁾;

Whereas the programmes submitted by Member States concerned require the approval of the Commission after consultation of the Standing Committee on Agricultural Structure set up by Article 1 of the Council Decision of 4 December 1962 on the coordination of policies on the structure of agriculture ⁽³⁾; whereas consultation of the Fund Committee referred to in Article 11 of Regulation (EEC) No 729/70 should also be provided for;

Whereas the necessary steps should be taken to facilitate the financing of the investments provided for, so as to meet particular urgent needs and to help launch the measures to be undertaken,

HAS ADOPTED THIS REGULATION:

Article 1

In order to raise the standard of living of the agricultural population of certain Mediterranean zones of the Community, a common measure is hereby established to improve, by means of intervention in the forestry sector, the geophysical and cultivation conditions which hamper agriculture particularly as regards soil and water conservation.

The common measure shall involve the financial participation of the Guidance Section of the Fund in forestry measures which meet the conditions laid down in Titles I and II, subject to the conditions and in accordance with the detailed rules laid down in Titles III and IV.

TITLE I

Outline programme

Article 2

The outline programme shall concern afforestation, the improvement of deteriorated forests and other necessary supplementary measures such as the construction of forest roads, terracing and fire protection and indispensable specific studies and experiments:

- in Italy in the Mezzogiorno, Lazio, Toscana, Liguria, Umbria, Marche, Emilia-Romagna and the provinces of Cuneo and Alessandria in the Piemonte and Pavia in Lombardia,
- in France in the regions of Languedoc-Roussillon, Provence-Côte-d'Azur and Corsica and the departments of Ardèche and Drôme.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 295, 30. 12. 1972, p. 1.

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

This outline programme shall be drawn up by the Member State concerned.

Article 3

The outline programme shall:

- (a) indicate the geographical area covered;
- (b) describe the existing situation;
- (c) describe the objectives to be attained and state priorities, in particular with regard to soil and water conservation;
- (d) possibly, describe the preliminary measures proposed such as the collection of data and the appropriate preparatory work;
- (e) state the economic importance of the programme for the agricultural sector in the regions in question, including the consequences for farmers;
- (f) indicate the links with the general regional development programme;
- (g) contain an estimate of the costs and necessary financial resources with, possibly, an indication of the projected rate of expenditure.

Article 4

1. The outline programme and any amendments thereto shall be forwarded to the Commission by the Member State concerned.

2. At the request of the Commission the Member State concerned shall provide additional information on the points listed in Article 3.

Article 5

The outline programme and any amendments thereto shall be approved in accordance with the procedure provided for in Article 15.

TITLE II

Special programmes

Article 6

For the purposes of this Regulation, a special programme shall mean any public multiannual programme relating to forestry measures for one or more specific geographical areas covered by the outline programme or for a large part of such an area. The special programme shall consist of one or more capital investment projects to be implemented on public, semi-public or private land.

Article 7

1. The special programmes must be part of the outline programme and must meet the conditions laid down therein.

Moreover, they must include information on the following :

- (a) the purpose of the programme, describing the existing situation and the objectives to be attained ;
- (b) the area to which the programme relates, giving precise geographical information on the site of the work and of the areas which will benefit from the measures ;
- (c) the resources to be employed, including the description and quantification of equipment, labour and finance ;
- (d) the timetable for the programme, broken down by stages ;
- (e) the areas to be included by categories of land ownership ;
- (f) the economic importance of the programme for the agricultural sector in the regions in question, including the consequences for farmers.

2. The special programmes must :

- (a) provide an adequate guarantee as to their efficacy ;
- (b) contribute to the improvement of agricultural structures and especially of soil and water conservation without detriment to the other aspects of the environment.

3. The special programmes must relate to regions which have special difficulties as regards erosion and the water holding capacity of the soil ; preference shall be given to programmes which are of general concern to an important catchment area. The programmes must include measures to reduce the disadvantages arising from fragmentation of property where such fragmentation is an obstacle to the success of the programme.

TITLE III**Procedure for examining special programmes***Article 8*

1. Applications for aid from the Fund for special programmes shall be submitted through the Member State concerned.

2. To be eligible for aid from the Fund, special programmes shall have been approved by the Member State concerned.

3. Applications for aid shall be accompanied by evidence that the special programme satisfies the conditions laid down in Title II.

4. The form and contents of the applications shall be laid down in accordance with the procedure provided for in Article 15, after consultation of the Fund Committee on the financial aspects.

Article 9

1. The granting of aid from the Fund shall be decided in accordance with the procedure provided for in Article 15, after consultation of the Fund Committee on the financial aspects.

2. The decision shall be notified to the Member State concerned and to the agency responsible for implementing the special programme.

TITLE IV**Financial and general provisions***Article 10*

1. The period envisaged for completion of the common measure shall be five years from the date on which this Regulation is to apply.

2. The estimated cost to the Fund of the common measure for the period proposed in paragraph 1 shall be 184 million European units of account.

3. Three years from the date on which this Regulation is to apply, the state of progress shall be reviewed by the Council on a proposal from the Commission. If this review reveals that the limits for the amount of work to be done as set out in Article 11 are likely to be reached before the expiry of the five-year period provided for in paragraph 1, these limits may be increased by a maximum of 25 % ; there shall be a corresponding increase in the estimated cost to the Fund of the common measure for the five-year period.

4. Before the expiry of the period referred to in paragraph 1, this Regulation shall be reviewed by the Council on a proposal from the Commission.

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

Article 11

1. Aid from the Fund shall consist of capital contributions granted in one or more instalments.

2. Aid from the Fund shall amount to 50 % of the cost of executing the work and the measures referred to in Article 2 within the following limits :

- for afforestation, up to a maximum cost of 2 000 units of account per hectare and up to a total limit of 88 000 hectares,
- for improvement of deteriorated forest in so far as is necessary for soil and water conservation, in particular by conversion and by other measures such as separating forest and pasture, up to a maximum cost of 1 700 units of account per hectare and up to a total limit of 96 000 hectares,
- for associated work such as terracing and other minor soil stabilization operations, up to a maximum cost of 900 units of account per hectare and up to a total limit of 80 000 hectares,
- for fire protection, especially in areas to be afforested and improved, up to a maximum cost of 100 units of account per hectare and up to a total limit of 200 000 hectares,
- for construction of forest roads, up to a maximum cost of 12 000 units of account per kilometre and up to a total limit of 2 400 kilometres,
- for the preparatory work referred to in Article 3 (d), up to a maximum cost of six million units of account for the five years and up to a limit of 5 % of the cost of each programme concerned.

3. The minimum national contribution in public funds shall be 40 % of the costs.

4. The contribution by the owner of the land shall be at least 5 % ; however, where the inclusion of this land in the special programme is in the public interest and where the owner is unlikely to derive any benefit in the foreseeable future from such inclusion, his contribution may be taken over by the competent public authority.

Article 12

1. Advances may be granted on the basis of the presentation of annual work plans for carrying out, as part of a special programme, the forestry operations referred to in Article 2 in accordance with the financing arrangements adopted by the Member State concerned and according to the progress of the work.

2. Advances may not exceed 80 % of the Community contribution to the cost of one year's work on the forestry operations referred to in paragraph 1.

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

Article 13

1. Payments of aid from the Fund shall be made to the agencies designated for the purpose by the Member State concerned.

2. As long as aid continues to be provided by the Fund, the authorities or agencies designated for the purpose by the Member State concerned shall forward to the Commission, at its request, all supporting documents needed to show that the financial and other conditions laid down for each special programme are fulfilled. The Commission may, if necessary, make an inspection visit.

After consultation of the Fund Committee on the financial aspects, a decision may be taken to suspend, reduce or withdraw aid from the Fund in accordance with the procedure provided for in Article 15 :

- if the special programme has not been carried out as planned, or
- if certain of the conditions have not been fulfilled, or
- if the work has not been begun within one year of notification of the decision referred to in Article 9.

Such decision shall be notified to the Member State and to the public agency responsible for carrying out the special programme.

The Commission shall act to recover sums whose payment was not or is no longer justified.

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

Article 14

1. For each special programme which has received aid from the Fund the Member State concerned shall forward to the Commission periodic reports, drawn up by the public agency responsible, on the progress and the financial situation of this programme. These reports shall be submitted within the periods laid down in the decision to grant aid.

2. If the public agency responsible fails to fulfil the obligation laid down in paragraph 1, the decision to grant aid may, after that agency has been given due notice, be amended in whole or in part in accordance with the procedure provided for in Article 15 and after consultation of the Fund Committee on the financial aspects. The amending decision shall be notified to the Member State concerned and to the public agency in question. The Commission shall act to recover, in whole or in part, the sums paid out.

3. The detailed rules for the application of this Article, in particular as regards the information to be included in the reports referred to in paragraph 1, shall be adopted in accordance with the procedure provided for in Article 15, after consultation of the Fund Committee on the financial aspects.

Article 15

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

2. The representative of the Commission shall submit a draft of the measure to be taken. The Committee shall deliver its opinion on such measures within a time limit to be set by the chairman according to the urgency of the questions under consideration. An opinion shall be adopted by a majority of 41 votes, the votes of the Member States being weighted as provided for in Article 148 (2) of the Treaty. The chairman shall not vote.

3. The Commission shall adopt the measures, which shall apply immediately. However, if these

measures are not in accordance with the opinion of the Committee, the Commission shall notify them forthwith to the Council. In that event the Commission may defer their application for not more than one month from the date of such communication.

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

Article 16

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

This Regulation shall apply as soon as the Council has taken a decision on the Commission proposal for amendment to Regulation (EEC) No 729/70.

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

Done at Brussels, 6 February 1979.

For the Council

The President

P. MEHAIGNERIE

COUNCIL REGULATION (EEC) No 270/79
of 6 February 1979
on the development of agricultural advisory services in Italy

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

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

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

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

Whereas, if effective and balanced implementation of the common agricultural policy in Italy is to remedy the serious structural deficiencies and markedly inadequate agricultural productivity in this Member State, a considerable effort must be made to provide farmers with information and advice;

Whereas many regions of Italy at present lack an effective agricultural advisory service;

Whereas, because of economic and budgetary constraints, the Italian Republic does not have sufficient means to make the considerable effort involved in establishing a system comparable to those already highly developed in the other Member States;

Whereas an effective agricultural advisory service in Italy will be in the interest of the Community and will contribute to the attainment of the objectives defined in Article 39 (1) (a) of the Treaty, including the structural changes necessary for the proper functioning of the common market; whereas these measures therefore constitute a common measure within the meaning of Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽⁴⁾;

Whereas the terms should be defined on which the Community will help to finance the planning and operation of an advisory service in the Member State concerned; whereas, while the Italian Republic should be responsible for such planning, account being taken of existing administrative structures,

certain conditions should be laid down to guarantee optimum utilization of the Community's financial contribution;

Whereas the planned service must not only give farmers permanent access to agricultural information and guidance but must also help the individual farmer to use such information and guidance to his own best advantage;

Whereas the provision of an advisory service cannot be treated in isolation but must form part of programmes or measures for the balanced development of agriculture within which advisory work, experimental research and vocational training of farmers and farm workers should be closely coordinated;

Whereas the Community must be able to check that the measures taken by the Italian Republic will help to attain the objectives of the common measure and will fulfil the conditions under which Community financing is granted; whereas a procedure should be laid down whereby the Member States and the Commission will cooperate closely in the Standing Committee on Agricultural Structures set up under the Council Decision of 4 December 1962 on the coordination of policies on the structure of agriculture ⁽⁵⁾, and whereby the Committee of the European Agricultural Guidance and Guarantee Fund provided for in Articles 11 to 15 of Regulation (EEC) No 729/70 will be consulted on financial matters,

HAS ADOPTED THIS REGULATION:

Article 1

1. In order to ensure that farmers in Italy have permanent access to a system of agricultural information and guidance, thereby helping to increase productivity and incomes and contributing to the modernization of farms, a common measure within the meaning of Article 6 of Regulation (EEC) No 729/70 is hereby instituted for the development of an agricultural advisory service in Italy in conjunction with programmes or measures for the balanced development of agriculture.

⁽¹⁾ OJ No C 169, 14. 7. 1978, p. 7.

⁽²⁾ OJ No C 239, 9. 10. 1978, p. 56.

⁽³⁾ Opinion delivered on 19 October 1978 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.

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

2. The Commission may, in accordance with Title IV, grant aid for the common measure by financing through the Guidance Section of the European Agricultural Guidance and Guarantee Fund, hereinafter called 'the Fund', the measures which are necessary for the implementation of the outline plan of agricultural advisory work, as described in Title I, and which fulfil the conditions laid down in Titles II and III.

TITLE I

Outline plan of agricultural advisory work

Article 2

1. The outline plan of agricultural advisory work shall cover:

- (a) the establishment of arrangements for the training of agricultural advisers by an inter-regional agricultural advisory body, hereinafter called 'the inter-regional body', comprising inter-regional training centres, hereinafter called 'centres';
- (b) the use of the trained advisers to carry out programmes or measures for the balanced development of agriculture.

2. The outline plan shall be drawn up by the Italian Republic. Its duration shall be at least the same as that of the common measure. It shall be reviewed at least once every four years.

Article 3

This outline plan shall contain all the information required for its assessment, in particular:

- 1. As regards the training of advisers:
 - (a) the steps taken to determine the number of advisers to be trained or retrained on the basis of the actual advisory needs at regional level and to ensure that the number of advisers trained each year corresponds to these needs;
 - (b) the legal status, the organization, function and detailed rules of operation of the inter-regional body, including the centres, and in particular:
 - the composition, function and detailed rules of operation of the administrative board of the inter-regional body, on which the professional organizations are to be represented,
 - the location of the centres, taking into account the specific advisory needs of the different parts of Italy,

- the numbers and qualifications of the teaching staff envisaged,
- the arrangements for financing the inter-regional body, including the centres;

- (c) the conditions that will have to be met by candidates for admission to basic and advanced training courses for advisory service leaders, general advisers and specialist advisers;
- (d) the principal conditions, content and duration of basic and advanced training courses for advisers;
- (e) measures planned for providing specialized training of the teaching staff.

2. As regards the use of the advisers:

- (a) the programmes or measures for the balanced development of agriculture within the framework of which the advisers shall work;
- (b) the priority areas covered by the programmes or measures referred to in (a);
- (c) the advisory services for which the advisers are intended, and how such services are organized and controlled;
- (d) the steps taken to ensure that the advisers trained under the common measure are actually employed by the services referred to in (c).

Article 4

1. The outline plan and the results of its review shall be forwarded to the Commission by the Italian Republic.

2. At the request of the Commission, the Italian Republic shall supply further details in connection with those required under Article 3.

3. The Commission shall decide whether to approve the outline plan in accordance with the procedure laid down in Article 14, after consulting the Fund Committee on the financial aspects.

TITLE II

Training of agricultural advisers

Article 5

1. The functions of the inter-regional body shall be, in particular:

- (a) to provide basic and advanced training for advisory service leaders, for general advisers and specialist advisers;

- (b) to develop, in close collaboration with appropriate staff involved in research and advisory work and with universities, basic and advanced training programmes for advisers ;
- (c) to organize periodic seminars bringing together advisers and the teaching staff of the inter-regional body to assess the results of advisory work and to propose any consequent adjustments to training courses ;
- (d) to study and develop advisory techniques appropriate to the problems of farmers in different areas, and to assess training requirements in the light of the results achieved by the advisers working within the framework of the programmes or measures referred to in Article 3 (2) (a).

2. The Centres shall have a permanent teaching staff qualified in the fields referred to in Article 7 (1). Where necessary, staff from universities, research stations and other institutions may be called upon temporarily to teach special subjects.

Article 6

The training courses referred to in Article 7 shall be open to candidates having the following qualifications appropriate to agricultural advisory work :

- (a) a university degree in agriculture in the case of advisory service leaders ;
- (b) at least a diploma of higher secondary education in agriculture followed by an appropriate specialist training or equivalent professional experience in the case of specialist advisers ;
- (c) at least a diploma of higher secondary education in agriculture in the case of general advisers.

All candidates shall furthermore be suitably qualified to carry out agricultural advisory work. Professional experience of farming problems shall be preferred. This experience shall be essential for advisory service leaders and the holders of non-university diplomas.

Article 7

1. The training referred to in Article 5 (1) (a) shall enable persons meeting the requirements set out in Article 6 to acquire adequate knowledge corresponding to their tasks, particularly of the following subjects :

- agricultural advisory techniques,
- farm management techniques,
- preparation of development plans within the meaning of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms⁽¹⁾,

- preparation and execution of the programmes or measures referred to in Article 3 (2) (a) and other subjects connected therewith,
- psychology and rural sociology.

2. The basic courses must comprise at least nine months of theoretical and practical training.

3. The Italian Republic shall take all necessary steps to ensure that the knowledge of advisers trained in this way is constantly updated.

TITLE III

Use of the agricultural advisers

Article 8

1. The Italian Republic shall ensure that at least 60 % of the advisers trained in accordance with Article 7 (1) are used in the Mezzogiorno.

2. The advisers shall be used under annual advisory plans for carrying out the programmes or measures referred to in Article 3 (2) (a).

3. The annual plans may cover all or some of the areas referred to in Article 3 (2) (b), or part of one of them.

4. The annual plans shall indicate :

- (a) the programmes or measures referred to in paragraph 2, their aims, and the delimitation of the areas in which they are to apply ;
- (b) the advisory services to which the advisers will be assigned ;
- (c) the way in which the advisory service shall contribute to carrying out these programmes or measures and in particular the specific advisory projects planned to this end ;
- (d) the current situation as regards advisory work in the areas concerned ;
- (e) the kind of advisory work required and the number of general advisers, specialized advisers and advisory service leaders decided upon ;
- (f) the steps being taken to ensure that the activities of the advisers are wholly devoted to the provision of agricultural advice, to the exclusion of any administrative or other tasks unrelated to this purpose ;

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

- (g) the coordination established between the advisory service, the department for the provision of socio-economic guidance to farmers, and agricultural research, experimentation and training.

Article 9

1. The annual plans shall be forwarded to the Commission by the Italian Republic at the beginning of each year.
2. At the request of the Commission, the Italian Republic shall supply further details in connection with those required under Article 8.
3. The Commission shall decide whether to approve the annual plans in accordance with the procedure laid down in Article 14, after consulting the Fund Committee on the financial aspects.

TITLE IV

General and financial provisions

Article 10

1. The period envisaged for the implementation of the common measure shall be 12 years from the date on which this Regulation is to apply.
2. The total estimated cost of the common measure to the Fund shall be 66 million European units of account.
3. Article 6 (5) of Regulation (EEC) No 729/70 shall apply to this Regulation.

Article 11

1. The Fund shall participate in expenditure incurred by the Italian Republic for the training of agricultural advisers referred to in Title II up to a maximum amount of six million units of account and within the following limits :
 - (a) in an initial phase of up to two years, 150 000 units of account for the specialized training of teachers and 50 000 units of account for the running expenses of the inter-regional body ;
 - (b) subsequently, for a period of 10 years :
 - 180 000 units of account per annum for the running expenses of the inter-regional body, including the centres,
 - 400 000 units of account per annum for expenditure incurred by way of the course attendance allowance, subject to a limit of 2 000 units of account per student.

Unused funds may be carried over to the following years.

2. The Italian Republic shall reimburse the Fund for its contribution to the allowance referred to in the second indent of paragraph 1 (b) above in the case of advisers who do not actually carry out for at least three years the tasks for which they were trained.

3. In the context of the annual advisory plans referred to in Article 8, the Fund shall reimburse the Italian Republic for the cost of using the advisers in accordance with the following conditions: the maximum eligible amount per adviser paid directly or indirectly by public authorities and trained in accordance with Article 7 (1), shall be 10 000 units of account. The rate of reimbursement shall be 50 % in the case of advisers employed in the Mezzogiorno and 40 % for others. Fund aid shall extend over a maximum period of six years of work by the adviser. In order to apply a progressive reduction to the amount reimbursed per adviser, hereinafter referred to as 'the annual premium', the following coefficients shall be used: 1.25 for the first year, 1.15 for the second year, 1.05 for the third year, 0.95 for the fourth year, 0.85 for the fifth year and 0.75 for the sixth year.

At the end of each three-year period, the Council, acting on a proposal from the Commission, shall examine the above amount and decide whether to adjust it in the light of real wage increases in Italy.

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

Article 12

1. Applications for reimbursement of the expenditure referred to in Article 11 (2) shall relate to the expenditure incurred by the Italian Republic during a calendar year and shall be submitted to the Commission before 1 July of the following year.
2. Advances may be granted by reference to the arrangements established by the Italian Republic for the financing of the inter-regional body, including the centres.
3. Applications for payment of the annual premium referred to in Article 11 (3) shall be submitted by the Italian Republic before 16 March of each year in respect of the advisers employed on 1 January of that year. Applications for premiums for advisers beginning work after 1 January shall be made with the applications for the following year; a premium proportional to the duration of their service shall be paid for these latter advisers.

4. Decisions to grant aid from the Fund shall be made in accordance with Article 7 (1) of Regulation (EEC) No 729/70.

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

Article 13

Before 1 August of each year the Commission shall submit to the European Parliament and the Council a report on the implementation of the common measure provided for in this Regulation. The Italian Republic shall provide the Commission with all the documentation needed for this purpose.

Article 14

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

2. The representative of the Commission shall submit a draft of the measures to be adopted. The Standing Committee on Agricultural Structures shall

deliver its opinion on those measures within a time limit set by the chairman according to the urgency of the matter. An opinion shall be adopted by a majority of 41 votes, the votes of the Member States being weighted as laid down in Article 148 (2) of the Treaty. The chairman shall not vote.

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

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

Article 15

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

This Regulation shall apply as soon as the Council has taken a decision on the Commission proposal for an amendment to Regulation (EEC) No 729/70.

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

Done at Brussels, 6 February 1979.

For the Council

The President

P. MEHAIGNERIE

COMMISSION REGULATION (EEC) No 271/79**of 13 February 1979****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1254/78⁽²⁾, and in particular
Article 13 (5) thereof,

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2724/78⁽³⁾ and subsequent amending
Regulations ;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 2724/78 to the

offer prices and today's quotations known to the
Commission that the levies at present in force should
be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products listed in
Article 1 (a), (b) and (c) of Regulation (EEC) No
2727/75 are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 14 February
1979.

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

Done at Brussels, 13 February 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 329, 24. 11. 1978, p. 1.

ANNEX

to the Commission Regulation of 13 February 1979 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(u.a./tonne)

CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	85.28
10.01 B	Durum wheat	134.52 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	86.07 ⁽⁶⁾
10.03	Barley	95.02
10.04	Oats	90.31
10.05 B	Maize, other than hybrid maize for sowing	79.80 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	4.72
10.07 B	Millet	77.74 ⁽⁴⁾
10.07 C	Grain sorghum	80.79 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	131.03
11.01 B	Rye flour	132.12
11.02 A I a)	Durum wheat groats and meal	219.53
11.02 A I b)	Common wheat groats and meal	140.44

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.50 u.a./tonne.

⁽²⁾ Where maize originating in the ACP or OCT is imported into the French overseas departments the levy is reduced by 6 u.a./tonne as provided for in Regulation (EEC) No 706/76.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.50 u.a./tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.50 u.a./tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 272/79**of 13 February 1979****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organ-
ization of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1254/78 ⁽²⁾, and in particular
Article 15 (6) thereof,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2725/78 ⁽³⁾ and subsequent amending Regulations ;

Whereas, on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in
force, which are to be added to the levies, should be

altered as shown in the tables annexed to this Regula-
tion,

HAS ADOPTED THIS REGULATION :

Article 1

The scale of the premiums to be added, pursuant to
Article 15 of Regulation (EEC) No 2727/75, to the
import levies fixed in advance in respect of cereals
and malt is hereby fixed as shown in the tables
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 14 February
1979.

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

Done at Brussels, 13 February 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 329, 24. 11. 1978, p. 4.

ANNEX

to the Commission Regulation of 13 February 1979 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(u.a./tonne)

CCT heading No	Description	Current 2	1st period 3	2nd period 4	3rd period 5
10.01 A	Common wheat, and meslin	0	3.22	3.22	6.54
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	6.69
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0.15	0.15	0.15
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	3.04	3.04	4.56
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	4.51	4.51	9.15

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	5.73	5.73	11.64	11.64
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	4.28	4.28	8.70	8.70
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 6 February 1979

on the programme for the acceleration and guidance of collective irrigation works in Corsica

(79/173/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

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

Whereas certain Mediterranean regions of the Community are in an unfavourable situation as regards agricultural incomes and suffer from under-employment not only in agriculture but also generally;

Whereas these problems are particularly evident in Corsica;

Whereas the active agricultural population forms a considerable proportion of the total active population in this region;

Whereas action should be concentrated on basic aspects of the structural development of these regions which will have rapid and lasting effects on agricultural incomes;

Whereas agricultural production in Corsica is seriously affected by a severely unbalanced water-supply situation; whereas the capacity of the existing reservoirs and main channels is much greater than that of the irrigation networks;

Whereas the provision of such irrigation networks must be speeded up by means of Community aid;

Whereas the conditions and limits laid down in Articles 13 and 19 of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms ⁽³⁾ are not well suited, as regards irrigation, to the special structural situation in Corsica;

Whereas the opportunity should be taken to reorientate agricultural production in the areas concerned in these regions;

Whereas these objectives should be pursued by means of a measure covering certain areas concerned in Corsica within the framework of a programme extending over several years;

Whereas it follows from the foregoing that the measures referred to above constitute a common

⁽¹⁾ OJ No C 200, 22. 8. 1978, p. 3.

⁽²⁾ OJ No C 239, 9. 10. 1978, p. 61.

⁽³⁾ OJ No L 96, 23. 4. 1972, p. 1.

measure within the meaning of Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EEC) No 2788/72 ⁽²⁾;

Whereas it is the task of the Commission, after receiving the opinion of the Standing Committee on Agricultural Structure, to approve a programme submitted by the French Republic,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. With a view to increasing agricultural incomes in Corsica by improving basic agricultural structures, thereby contributing to the modernization of farms, a common measure shall be introduced to accelerate collective irrigation operations from reservoirs and main channels and thus to facilitate the introduction of development plans within the meaning of Articles 2 and 4 of Directive 72/159/EEC in the areas to be irrigated, while adapting production to market requirements.

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

Article 2

1. The conditions and limits laid down in Articles 13 (2) and 19 (2) and (3) of Directive 72/159/EEC shall not apply to collective irrigation operations which are the subject of this common measure.

2. The financial contribution of the Community may only be used in the context of a programme covering all the areas to be irrigated.

This programme shall be submitted to the Commission by the French Republic.

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

Article 3

The programme referred to in Article 2 shall include in particular the following information:

(a) in the case of collective irrigation works:

- the geographical areas covered by the programme which can be equipped with an

irrigation network using existing reservoirs and main channels,

- the number of hectares of the irrigation areas to be equipped with irrigation networks, and their location,
- the description of the work necessary and the timetable for the work,
- the average cost per hectare of agricultural area and the estimated total cost of the programme;

(b) in the case of the orientation of production:

- the measures designed to orientate production in particular towards fodder crops (maize, barley, lucerne, clover, field beans, sorghum, soya, etc.) and the development of livestock raising,
- the measures proposed to ensure that the Community's financial contribution to investments in the processing and marketing of agricultural products, provided for by Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural products are processed and marketed ⁽³⁾, as amended by Regulation (EEC) No 1361/78 ⁽⁴⁾, can be used in the first instance in respect of production from the irrigated areas,
- the measures to exclude the areas devoted to vines for wine-making from the collective works proposed by the programme.

Article 4

1. Expenditure incurred by the French Republic under the programme referred to in Article 2 for collective irrigation works up to a maximum of 12 000 hectares and 24 000 000 units of account shall be eligible for aid from the Guidance Section of the Fund.

2. The Guidance Section of the Fund shall reimburse 50 % of the eligible expenditure to the French Republic. However, the amount of eligible expenditure may not exceed 3 000 units of account per hectare irrigated.

Article 5

1. The duration of the measure shall be five years from the date on which this Directive is to apply.

2. The total estimated cost of the common measure to be borne by the Fund shall be 12 000 000 European units of account for the entire period.

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

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 295, 30. 12. 1972, p. 1.

⁽³⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽⁴⁾ OJ No L 166, 23. 6. 1978, p. 9.

Article 6

When the programme referred to in Article 2 (3) is being approved, the Commission shall, in agreement with the French Republic, lay down the detailed rules by which it shall be kept regularly informed of the progress of the programme. The French Republic shall at the same time designate the agencies responsible for the technical execution of the programme.

Article 7

1. Requests for reimbursement shall relate to expenditure incurred by the French Republic during a single calendar year and shall be presented to the Commission before 1 July of the following year.

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

3. The Fund may make advance payments in accordance with the financing arrangements adopted by the French Republic and according to the progress of the projects.

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

Article 8

This Directive will apply as soon as the Council has taken a decision on the Commission proposal for an amendment to Regulation (EEC) No 729/70.

Article 9

This Directive is addressed to the French Republic.

Done at Brussels, 6 February 1979.

For the Council

The President

P. MEHAIGNERIE

COUNCIL DIRECTIVE
of 6 February 1979
concerning the flood protection programme in the Hérault Valley
(79/174/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

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

Whereas certain Mediterranean regions of the Community are in an unfavourable situation as regards agricultural incomes and suffer from under-employment not only in agriculture but also generally; whereas the Hérault Valley is one of these regions;

Whereas action should be concentrated on basic aspects of the structural development of these regions which will have rapid and lasting effects on agricultural incomes;

Whereas agricultural production in the Hérault Valley is seriously affected by flooding;

Whereas the provision of the necessary flood protection measures must be speeded up by means of Community aid, thereby facilitating in this area the conversion of areas under vines within the framework of the programme to accelerate the restructuring and conversion of vineyards in certain Mediterranean regions of France;

Whereas these objectives should be pursued by way of a measure covering this area as part of a programme extending over several years;

Whereas it follows from the foregoing that the measures referred to above constitute a common

measure within the meaning of Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 2788/72 ⁽⁴⁾;

Whereas it is the task of the Commission, after receiving the opinion of the Standing Committee on Agricultural Structure, to approve a programme presented by the French Republic,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. In order to improve the agricultural situation in the lower and middle areas of the Hérault Valley by means of hydraulic engineering to prevent flooding, a common measure shall be introduced to protect this area from flooding, by the construction of a barrage and dams, and thus to bring about the conditions necessary for the conversion of vineyards, and to facilitate the reorientation of production to market requirements and the introduction of development plans within the meaning of Articles 2 and 4 of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms ⁽⁵⁾.

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

Article 2

1. The financial contribution of the Community may be used only in the context of a programme applying to all the measures for flood protection in the area referred to in Article 1.

This programme shall be submitted to the Commission by the French Republic.

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

⁽¹⁾ OJ No C 197, 18. 8. 1978, p. 4.

⁽²⁾ OJ No C 239, 9. 10. 1978, p. 61.

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁴⁾ OJ No L 295, 30. 12. 1972, p. 1.

⁽⁵⁾ OJ No L 96, 23. 4. 1972, p. 1.

3. The programme may be approved only after authorization of the programme provided for in Article 2 of Council Directive 78/627/EEC of 19 June 1978 on the programme to accelerate the restructuring and conversion of vineyards in certain Mediterranean regions of France⁽¹⁾.

Article 3

The programme referred to in Article 2 shall include in particular the following information:

- (a) the delimitation and the location of the area affected by flooding;
- (b) the delimitation of the vineyards located in the area referred to in (a) and the number of hectares of vines for which conversion to other types of production is planned, together with the measures anticipated for reorientating production towards, in particular, fodder crops (maize, barley, lucerne, clover, field beans, sorghum, soya, etc.) and the development of livestock raising;
- (c) a description and plan of the work necessary for flood protection, and a timetable for the programme;
- (d) the estimated cost of each of the measures and the total cost of implementing the programme.

Article 4

No Community or national aid for the restructuring of vineyards shall be granted in the area protected under this common measure.

Article 5

1. Expenditure incurred by the French Republic under the programme referred to in Article 2, up to a total of 23 000 000 units of account and relating to the construction of

- (a) a barrage,
- (b) dams,

shall be eligible for aid from the Guidance Section of the Fund.

2. The Guidance Section of the Fund shall reimburse to the French Republic 35 % of the expenditure eligible in accordance with paragraph 1.

Article 6

1. The period of duration of the measure shall be seven years from the date on which this Directive is to apply.

2. The total estimated cost of the common measure to be borne by the Fund shall be 9 000 000 European units of account for the entire period.

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

Article 7

When the programme referred to in Article 2 is being approved, the Commission shall, in agreement with the French Republic, lay down the detailed rules by which it shall be kept informed of the progress of the programme. The French Republic shall at the same time designate the agencies responsible for the technical execution of the programme.

Article 8

1. Requests for reimbursement shall relate to expenditure incurred by the French Republic during a single calendar year and shall be submitted to the Commission before 1 July of the following year.

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

3. The Fund may grant advances in accordance with the financing arrangements adopted by the French Republic and according to the progress of the projects.

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

Article 9

This Directive will apply as soon as the Council has taken a decision on the Commission proposal for an amendment to Regulation (EEC) No 729/70.

Article 10

This Directive is addressed to the French Republic.

Done at Brussels, 6 February 1979.

For the Council

The President

P. MEHAIGNERIE

⁽¹⁾ OJ No L 206, 29. 7. 1978, p. 1.