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Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 1820/80 of 24 June 1980 for the stimulation of agricultural development in the less-favoured areas of the west of Ireland** 1
- ★ **Council Regulation (EEC) No 1821/80 of 24 June 1980 on the development of sheep farming in Greenland** 9

II *Acts whose publication is not obligatory*

European Parliament

80/657/EEC, Euratom, ECSC:

- ★ **Decision of the European Parliament of 23 May 1980 on the discharge to be granted to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its budget for the financial years 1976, 1977 and 1978, and on the reports of the Audit Board and of the Court of Auditors** 13

Resolution containing the comments accompanying this Decision granting a discharge to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions in respect of its revenue and expenditure accounts for the financial years 1976, 1977 and 1978 15

80/658/EEC, Euratom, ECSC:

- ★ **Decision of the European Parliament of 23 May 1980 on the discharge to be granted to the Commission of the European Communities in respect of the activities of the first, second and third European Development Funds for the 1978 financial year** 17

(Continued overleaf)

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.
The titles of all other Acts are printed in bold type and preceded by an asterisk.

Contents (continued)

80/659/EEC, Euratom, ECSC:

- ★ **Decision of the European Parliament of 23 May 1980 on the discharge to be granted to the Commission of the European Communities in respect of the utilization of the appropriations of the fourth European Development Fund for the 1978 financial year** 18

80/660/EEC, Euratom, ECSC:

- ★ **Decision of the European Parliament of 23 May 1980 on the discharge to be granted to the Commission in respect of the implementation of the budget of the European Communities for the 1978 financial year and the supplementary and amending budgets and the report of the Court of Auditors** 19

Resolution containing the comments accompanying the Decision granting a discharge on the implementation of the budget of the European Communities for the 1978 financial year 21

Council

80/661/EEC:

- ★ **Council Decision of 18 June 1980 appointing a member of the Advisory Committee on Freedom of Movement for Workers** 26

80/662/EEC:

- ★ **Council Decision of 18 June 1980 replacing a member of the Advisory Committee on Vocational Training** 27

80/663/EEC:

- ★ **Council Decision of 18 June 1980 replacing a deputy member of the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions** 28

80/664/EEC:

- ★ **Council Decision of 18 June 1980 replacing two members of the Committee of the European Social Fund** 29

80/665/EEC:

- ★ **Council Directive of 24 June 1980 on the control of potato ring rot** 30

80/666/EEC:

- ★ **Council Directive of 24 June 1980 amending Directive 75/268/EEC on mountain and hill farming and farming in certain less-favoured areas** 34

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1820/80**of 24 June 1980****for the stimulation of agricultural development in the less-favoured areas of the west of Ireland**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission ⁽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 account should be taken of the social structure of agriculture and the structural and natural disparities between the various agricultural regions in working out the common agricultural policy;

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

Whereas in the less-favoured areas of the west of Ireland within the meaning of Council Directive 75/272/EEC of 28 April 1975 concerning the Community list of less-favoured areas within the meaning of Directive 75/268/EEC ⁽⁴⁾ there is much underemployment in agriculture;

Whereas the percentage of the active population engaged in farming is relatively high and, as a result, the level of farm incomes is low;

Whereas the rural infrastructure of these areas, including such public amenities as electricity, drinking-water supplies, farm and local roads, is very inadequate; whereas the provision or improvement of such amenities is an important prerequisite to the improvement of agricultural structure;

Whereas on mountain and hill areas the development of pastures now held in common ownership is a basic prerequisite to the initiation of programmes for the improvement of farming in such areas;

Whereas the rational development of such mountain and hill pastures should be undertaken in conjunction with that of the lowland areas of the farms concerned; whereas such development shall be possible only if the communal pastures are subdivided into individual parcels and subsequently fenced in, reseeded and fertilized;

Whereas the fencing, reseeding and fertilizing of hill pastures already held in individual ownership, as well as the reclamation of lowland pastures through the removal of superfluous walls, fences and ditches and the subsequent pasture development through reseeding and fertilizing is of equal importance in this context;

Whereas, in order to achieve the objectives of the common agricultural policy referred to in Article 39 (1) (a) and (b) of the Treaty the afforestation of lands which are marginal for agriculture and the planting of shelter belts should form an important component part of an agricultural development programme for these areas because these forestry measures can contribute to:

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

⁽¹⁾ OJ No C 124, 17. 5. 1979, p. 12.

⁽²⁾ OJ No C 85, 8. 4. 1980, p. 57.

⁽³⁾ OJ No C 53, 3. 3. 1980, p. 22.

⁽⁴⁾ OJ No L 128, 19. 5. 1975, p. 68.

— help to provide for a better use of manpower in agriculture by creating additional employment opportunities in initial planting and maintenance activities, for those not in full-time agricultural employment;

Whereas the lack of non-agricultural employment opportunities, allied to the relatively low level of agricultural productivity, has led to a progressive emigration of the younger and more active members of the farm population; whereas the level of education of those remaining on the land in these circumstances is very low; whereas there is need to improve the educational infrastructure of the region through the provision of suitably equipped training centres or the expansion and renovation of those already existing;

Whereas the foregoing measures can be implemented to maximum advantage only within the context of an agricultural development programme aimed at promoting the orientation of farm production and the farm techniques and practices best suited to the physical, economic and structural conditions of agriculture in the region or of an area within it;

Whereas such a development programme should, among other things, ensure that investments undertaken within the framework of various Community and national measures which influence agricultural development are utilized to maximum advantage and in a coordinated fashion in promoting the improvement of farming in the region;

Whereas experience to date in the implementation of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms ⁽¹⁾, as last amended by Directive 78/1017/EEC ⁽²⁾, shows that relatively few farmers in the region, because of their existing low income levels, are capable of implementing development plans aimed at attaining the level of comparable income referred to in Article 4 (1) of that Directive;

Whereas in such circumstances the development of farms through the initiation of physical improvement plans is particularly important;

Whereas, because of the existing deficient market structure and inefficient marketing organization for farm products and for farm inputs, the improvement of processing and marketing facilities is an important precondition for the development of agriculture in the region; whereas, however, the difficult finan-

cial situation in agriculture necessitates special terms of financing under 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⁾;

Whereas the agricultural advisory service has a leading role to play in the formation of a specific action aimed at the development of agricultural production, of integrating the farm improvement measures therein, and in ensuring that such actions are fully coordinated at area and at regional level; whereas in these circumstances the provision of training facilities and specialized support services for advisers is essential;

Whereas, because of the extent and nature of the farm income problem in the west of Ireland, the implementation of a fully coordinated programme for agricultural development will require a substantial amount of investment aid; whereas, because of economic and budgetary constraints, Ireland does not have sufficient means to make the considerable effort required to finance such a programme and in the circumstances Community financial aid will be required;

Whereas it follows that the foregoing measures constitute a common measure within the meaning of Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽⁵⁾, as last amended by Regulation (EEC) No 929/79 ⁽⁶⁾;

Whereas it is the task of the Commission, after receiving the opinion of the Standing Committee on Agricultural Structure, to decide whether to approve the programme submitted by the Irish Government,

HAS ADOPTED THIS REGULATION:

TITLE I

Measures aimed at stimulating the development of agriculture in certain areas of Ireland

Article 1

1. In order to stimulate the development of agriculture in certain areas of Ireland, a common mea-

⁽¹⁾ OJ No L 96, 24. 4. 1972, p. 1.

⁽²⁾ OJ No L 349, 13. 12. 1978, p. 32.

⁽³⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽⁴⁾ OJ No L 166, 23. 6. 1978, p. 9.

⁽⁵⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁶⁾ OJ No L 117, 12. 5. 1979, p. 4.

sure, within the meaning of Article 6 (1) of Regulation (EEC) No 729/70, to be implemented by Ireland, is hereby introduced for the purpose of bringing about a significant improvement in agricultural structures and in agricultural production possibilities in the areas concerned.

2. The common measure shall apply to the less-favoured areas of the western region of Ireland within the meaning of Directive 75/272/EEC, hereinafter referred to as 'the western region'.

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

- (a) the improvement of public amenities in rural areas;
- (b) land improvement;
- (c) the introduction of a specific development action aimed at the orientation of farm production;
- (d) the improvement of processing and marketing facilities;
- (e) forestry development;
- (f) the provision of training facilities, specialized support services for advisers, and the coordination of the specific action referred to under (c).

4. The measures referred to in paragraph 3 (a), (b), (c), (e) and (f) shall be undertaken within the framework of a programme to be drawn up by the Government of Ireland and approved by the Commission.

Article 2

1. The programme referred to in Article 1 (4) shall comprise:

- (a) a description of the separate measures included therein, as outlined in Titles II to VI, including the cost of and detailed arrangements for financing them;
- (b) the priority to be given to the separate measures and the time scale envisaged for the implementation of each measure;
- (c) the provisions for coordination with any other programmes or measures which may influence the development of agriculture in the western region;

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

2. The programme shall also include the information referred to in Articles 5, 7, 9, 13, 15 and 18. The Irish Government shall also supply any additional information that may be required by the Commission for the assessment of the programme.

3. All measures referred to in the common measure must fall within the framework of the regional development programme when Ireland is obliged to forward it to the Commission under Article 6 of Council Regulation (EEC) No 724/75 of 18 March 1975 establishing a European Regional Development Fund ⁽¹⁾.

4. The duration of the programme shall be at least the same as that of the common measure. It shall be reviewed every four years. It may relate to the entire western region or to any area within that region.

Article 3

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

2. The programme and any amendments thereto shall be approved in accordance with the procedure provided for in Article 25, after consulting the Fund Committee on the financial aspects.

TITLE II

Public amenities

Article 4

The improvement of public amenities referred to in Article 1 (3) (a) shall include:

- (a) the provision of electricity and drinking water supplies for farms and villages or parts of villages whose inhabitants are dependent principally on agriculture; and
- (b) the construction and improvement of farm roads and local roads used mainly for agriculture and forestry.

⁽¹⁾ OJ No L 73, 21. 3. 1975, p. 1.

Article 5

1. The programme referred to in Article 1 (4) shall include data on the farm and non-farm population and an estimate of the number of farms to be supplied with electricity and drinking water, as well as the length in kilometres of farm roads and local roads to be constructed or improved in accordance with Article 4, in addition to information on the sources of finance for the different projects.

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

TITLE III

Land improvement*Article 6*

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

- (a) the subdivision of land held in common ownership and the fencing and improvement of pasture on such land;
- (b) the fencing and pasture improvement of mountain and hill pasture held in individual ownership, without prejudice to the provisions concerning the joint use of pastures set out in Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas ⁽¹⁾, as last amended by Directive 76/400/EEC ⁽²⁾;
- (c) the removal of superfluous fences, ditches and walls, and land reclamation in the lowland area of farms.

In the case of land falling within the scope of (a) and (b), pasture improvement includes soil preparation, the initial application of lime and fertilizers, reseeding and land reclamation where necessary.

Article 7

The following information shall be included in the programme referred to in Article 1 (4):

- (a) the total land area, number of individual farmers, average area to be fenced in per farm and the length in kilometres of the fencing involved in accordance with Article 6 (a);
- (b) the length in kilometres of fencing, the total area to be fenced in, and average area to be fenced in per farm in accordance with Article 6 (b);
- (c) the total area of land to be improved in accordance with Article 6 (c) and the number of farms involved in this operation.

TITLE IV

Orientation of agricultural production*Article 8*

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

2. The aims of the specific action shall be:

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

3. Attainment of the aims of the specific action will necessitate the collaboration of both technico-economic and socio-economic advisory personnel as well as professional staff from the training centres referred to in Article 14 and from the development centre referred to in Article 16.

Article 9

The following information shall be included in the programme referred to in Article 1 (4):

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

⁽¹⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽²⁾ OJ No L 108, 26. 4. 1976, p. 21.

specific action and, in particular, the specific advisory projects planned to this end;

- (c) the link to be established between the advisory service and the development centre referred to in Article 16 for the attainment of the aims of the specific action;
- (d) the provisions for the carrying out of the improvement plan referred to in Article 10 (1) (d).

Article 10

1. Within the framework of the specific action, aid for investment shall be granted to farmers who:

- (a) satisfy the conditions of Article 2 (1) (a) and (b) of Directive 72/159/EEC;
- (b) are not capable of attaining the level of earned income laid down in Article 4 of Directive 72/159/EEC;
- (c) are not yet eligible for the annuities provided for in Article 2 (1) of Council Directive 72/160/EEC of 17 April 1972 concerning measures to encourage the cessation of farming and the reallocation of utilized agricultural area for the purposes of structural improvement ⁽¹⁾;
- (d) draw up a plan for the physical improvement of their farm emphasizing in particular the breeding of cattle for meat production and/or sheep farming;
- (e) keep simplified accounts from the introduction of the improvement plan.

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

Article 11

1. The aids referred to in Article 10 (1) shall be granted subject to Article 8 (2) of Directive 72/159/EEC, taking account of Article 9 (1) of Directive 75/268/EEC. However, the maximum amount of the investment which shall be eligible for aid, as referred to in Article 8 (2) of Directive 72/159/EEC, shall be reduced to 18 135 ECU per farm. This amount shall be additional to that provided for in Article 6 of this Regulation.

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 9.

2. Where the improvement plan provides for a re-orientation of production in favour of sheep farming, the aid for investment may also apply to the provision of sheep dipping and shearing facilities held in common ownership as well as to the provision of special winter-shelter facilities.

3. Where the improvement plan provides for the orientation of production to an integrated calf to beef system of cattle farming, provision shall be made for the payment on request of the interest on a loan amounting to 151 ECU per calf over a two-year period in respect of each calf born or purchased at the beginning of the first and second year of application of the plan, provided that the animal is maintained on the farm during at least two years.

TITLE V

Forestry development

Article 12

Forestry development as referred to in Article 1 (3) (e) shall be complementary to the other measures referred to in Article 1 (3) and shall contribute to the achievement of the objectives referred to in Article 39 (1) (a) and (b) of the Treaty. Forestry development shall include:

- (a) the afforestation of land marginal for agriculture but suitable for forestry;
- (b) the planting of shelter belts;
- (c) associated measures including:
 - preparation of ground, drainage and fertilization,
 - fencing,
 - fire protection and maintenance for a period of four years from the year of planting.

Article 13

The following information shall be included in the programme referred to in Article 1 (4):

- (a) the number of farms on which marginal agricultural land will be afforested;
- (b) an estimate of the total area to be afforested;
- (c) an estimate of the average area of shelter belts per farm;
- (d) an estimate of the total area of shelter belts.

TITLE VI

Agricultural training facilities, advisers, specialized support services for advisers and coordination of the various measures undertaken within the framework of the specific development action*Article 14*

1. The improvement of the agricultural training facilities referred to in Article 1 (3) (f) shall include the construction of local agricultural training centres, hereinafter referred to as 'training centres' and, where necessary, the expansion of regional centres already existing.

2. The main objective of the training centres referred to in paragraph 1 shall be to organize training courses as defined in Title II of Council Directive 72/161/EEC of 17 April 1972 concerning the provision of socio-economic guidance for and the acquisition of occupational skills by persons engaged in agriculture ⁽¹⁾.

Article 15

The following information shall be included in the programme referred to in Article 1 (4):

- (a) the number of training centres already in existence and to be established;
- (b) the number of regional centres where existing accommodation is to be expanded;
- (c) the size and type of facilities envisaged;
- (d) the number of additional participants to be accommodated in the centres referred to in (a) and (b) respectively;
- (e) the link to be established between training programmes undertaken in these centres and the specific development action;
- (f) the estimated financial cost of the measures undertaken under (a) and (b) respectively.

Article 16

1. In order to ensure that advisers engaged in the promotion of the specific development action have access to appropriate in-service training and retraining facilities, are supported in their work by competent advisory specialists and in addition that the

specific action has optimum impact on the development of agriculture in the western region, a resources development centre shall be established at regional level.

2. The functions of the resources development centre referred to in paragraph 1, hereinafter referred to as 'the development centre', shall be:

- (a) to provide in-service training, retraining and specialized support services for members of the advisory services at all levels of activity;
- (b) to coordinate at regional level the separate measures undertaken within the framework of the specific action;
- (c) to study in depth and on a continuous basis the problems facing the farming and rural population in the western region and to indicate possible solutions to them;
- (d) to conduct pilot feasibility studies to test, refine, adapt and gain experience in advisory techniques appropriate to agricultural and forestry development at farm, area and regional level, and ultimately to apply tested and proven approaches to advisory work in the western region;
- (e) to assess the training requirements of advisers in the light of experience gained by them in the operation of the specific action and in the light of that gained as a result of the feasibility studies referred to in (d).

Article 17

The development centre shall have a permanent professional staff qualified to service the training and advisory needs appropriate to the successful implementation of the programme referred to in Article 1 (4).

Article 18

The following information shall be included in the programme referred to in Article 1 (4):

- (a) the location of the development centre;
- (b) the number and qualification of professional staff employed therein;
- (c) the conditions to be met by advisers admitted to in-service training courses;

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 15.

- (d) the content and duration of the training courses referred to in (c);
- (e) the measures planned for providing specialized training for the professional staff of the development centre;
- (f) the type of specialist support service that is to be provided for advisers engaged in the specific action;
- (g) the manner in which the development centre undertakes the coordinating role assigned to it under Article 16 (2) (b).

Article 21

1. In the case of investments undertaken under Article 4, with the exception of those relating to the provision of electricity and to local roads, the financial contribution of the beneficiary must be at least 10 %.
2. The aid provided for in Article 6 may not exceed 70 % of the cost of the work concerned.
3. In the case of the measures referred to in Article 12 relating to the afforestation of private land, the financial contribution of the beneficiary must be at least 15 %.

TITLE VII

Improvement of processing and marketing facilities*Article 19*

1. The following provisions of Regulation (EEC) No 335/77 shall also apply to the western region:

- Article 17a (1) (a), first indent and (1) (b), first indent,
- Article 17a (2) (a), first indent in the case of projects financed in the financial year 1980,
- Article 17a (2) (a), second indent in the case of projects financed in the financial year 1981.

2. The estimated cost of this aspect of the common measure financed by the Fund from 1 January 1980 to 31 December 1982 under the provisions of paragraph 1 is 24 million European units of account.

TITLE VIII

Financial and general provisions*Article 20*

1. The period of time envisaged for the implementation of the common measure is 10 years.
2. The total contribution by the Fund to the cost of the common measure, including that envisaged under Title VII, is estimated at 224 million European units of account.
3. Article 6 (5) of Regulation (EEC) No 729/70 shall apply to this Regulation.

Article 22

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

2. The fund shall reimburse the Irish Government the following percentage of its actual expenditure:

- (a) 50 % under Article 4: however, this amount may not exceed 40 % of the total cost, with a maximum eligible amount of:
 - 24.2 million ECU for electricity supplies,
 - 72.6 million ECU for drinking-water supplies,
 - 72.6 million ECU for farm roads and local roads;
- (b) 50 % for the other measures, with a maximum eligible amount of:
 - 544 ECU per hectare under Article 6 (a) and (b),
 - 363 ECU per hectare under Article 6 (c); however, this amount may be increased to 786 ECU per hectare up to a total area of 20 000 ha,
 - 12.1 million ECU under Articles 14 and 16; as regards Article 16 the eligible amount shall relate only to the creation of the development centre;
 - 77.4 million ECU under Article 11 (1);

— 1 210 ECU per hectare up to a maximum total expenditure of 27.2 million ECU under Article 12;

— 12 million ECU under Article 11 (3).

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

Article 23

When the programme referred to in Article 1 (4) is approved the Commission shall determine, in agreement with Ireland, the manner in which it is to be periodically informed of the progress of the specific development action.

Article 24

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

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

3. Advance payments may be granted by the Fund in accordance with the rules of financing adopted by Ireland and in accordance with the progress of the programme.

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

Article 25

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 the 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 had adopted by 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 26

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

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

Done at Luxembourg, 24 June 1980.

For the Council

The President

S. FORMICA

**COUNCIL REGULATION (EEC) No 1821/80
of 24 June 1980**

on the development of sheep farming in Greenland

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

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

Whereas the extreme south of Greenland comprises one of the few agricultural regions of that country; whereas the region is economically underdeveloped; whereas the proportion of the working population engaged in agriculture is high;

Whereas sheep farming is the main agricultural activity in the region;

Whereas because of very severe climatic conditions in winter the mortality of sheep flocks on pasture is occasionally extremely high;

Whereas, in addition, the lack of suitable winter fodder is a further factor limiting increased sheep production; whereas imported fodder has to be used to make up for the deficiency in home-grown fodder;

Whereas the general level of sheep production is not sufficient to meet the domestic demand for sheep-meat;

Whereas an increase in the production of home-grown fodder necessitates the reclamation and

development of new pastures; whereas the provision of suitable agricultural infrastructure including both local and farm roads is a basic prerequisite for such development;

Whereas, in addition, because of the rugged nature of the terrain, access to certain farms and pastures is possible only from the sea;

Whereas the prevailing climatic conditions limit the possibility of obtaining good-quality hay in the open air;

Whereas the construction of shelters, sheep pens, and farm buildings is also essential for the success of the programme;

Whereas the creation of new farms, including the provision of new farm dwellings on reclaimed pastures is necessary to support the increased numbers of sheep;

Whereas the existing abattoir is not directly accessible to all farms and the necessary extension of slaughtering capacity in Greenland may not to be taken into account in the implementation of the general provisions of 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 ⁽⁴⁾, as amended by Regulation (EEC) No 1361/78 ⁽⁵⁾;

Whereas additional slaughter capacity is necessary to cater for the anticipated increase in sheep production;

Whereas these objectives should be furthered by means of a development programme covering the farming areas of southern Greenland and extending over 10 years;

Whereas the measures referred to above accordingly constitute a common measure within the meaning of Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common

⁽¹⁾ OJ No C 124, 17. 5. 1979, p. 13.

⁽²⁾ OJ No C 85, 8. 4. 1980, p. 57.

⁽³⁾ OJ No C 53, 3. 3. 1980, p. 22.

⁽⁴⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 166, 23. 6. 1978, p. 9.

agricultural policy ⁽¹⁾, as last amended by Regulation (EEC) No 929/79 ⁽²⁾;

Whereas it is the task of the Commission, after receiving the opinion of the Standing Committee on Agricultural Structures, to decide whether to approve a programme submitted by the Kingdom of Denmark,

HAS ADOPTED THIS REGULATION:

Article 1

1. In order to stimulate the development of sheep farming in certain areas of Greenland, a common measure within the meaning of Article 6 (1) of Regulation (EEC) No 729/70 to be implemented by the Kingdom of Denmark shall be undertaken for the purpose of bringing about a significant improvement in sheep production in Greenland.

2. The conditions and limits of Article 14 (2) of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms ⁽³⁾, as last amended by Directive 78/1017/EEC ⁽⁴⁾, shall not apply to the measures which are the subject of this common measure.

Article 2

1. The Commission may, in accordance with Title II, grant aid for the common measure by financing, through the Guidance Section of the European Agricultural Guidance and Guarantee Fund, hereinafter called 'the Fund', specific measures relating to:

- (a) the construction of fencing and the reclamation and development of additional fodder areas, including initial soil preparation, fertilizing, liming and seeding and, if necessary, the construction of shelters in those areas;
- (b) the creation of an agricultural infrastructure to provide access to the reclaimed fodder areas referred to in (a), through the development of local and farm roads;
- (c) where access to the reclaimed areas referred to in (a) is not possible by land, the creation of landing stages;

- (d) the improvement and construction of buildings;
- (e) the acquisition of equipment for haymaking, transport of hay and for the barn-drying of hay;
- (f) the purchase of additional breeding stock;
- (g) the improvement of the agricultural advisory service;
- (h) the extension of slaughter capacity.

2. The specific measures referred to in paragraph 1 must be compatible with the principles of environmental protection and shall be undertaken within the framework of a development programme drawn up by the Kingdom of Denmark and approved by the Commission.

Article 3

1. The development programme referred to in Article 2 (2) shall include the following information in particular:

- the number of hectares of fodder area in existence and their normal livestock carrying capacity,
- the length, in kilometres, of fencing, the total area to be fenced in and the average area to be fenced in per farm,
- the number of hectares of fodder area to be reclaimed and to be improved through reseeding and fertilization and their livestock carrying capacity,
- the number of kilometres of local and farm roads to be constructed or improved,
- justification and description of the landing stages to be created,
- the number of shelters to be established or improved,
- the number of breeding ewes to be purchased,
- the number of farms on which buildings are to be improved or constructed,
- the type and capacity of the individual buildings concerned and justification in the case of new buildings,
- the number of farms on which equipment for the barn-drying of hay is to be provided and the capacity of the equipment concerned,
- the number of advisers and the content of advisory programmes on sheep production and soil and botanic research currently in progress,

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 117, 12. 5. 1979, p. 4.

⁽³⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽⁴⁾ OJ No L 349, 13. 12. 1978, p. 32.

— the additional slaughter capacity.

2. The programme shall also include information on the priority accorded to the specific measures referred to in Article 2 (1) and the time scale envisaged for the initiation and completion of each activity.

3. The Kingdom of Denmark shall supply any additional information that may be requested by the Commission for the assessment of the programme.

4. All the measures covered by the common measure must fall within the framework of the regional development programme when Denmark is obliged to forward it to the Commission in accordance with Article 6 of Council Regulation (EEC) No 724/75 of 18 March 1975 establishing a European Regional Development Fund ⁽¹⁾.

5. The duration of the programme shall be at least equal to that of the common measure. It shall be subject to review every four years.

Article 4

1. The programme and the results of the review thereof shall be forwarded to the Commission by the Kingdom of Denmark.

2. The Commission shall decide whether to approve the programme in accordance with the procedure laid down in Article 8 after consulting the Fund on its financial aspects.

3. On approval of the programme the Commission shall, in agreement with the Kingdom of Denmark, determine the manner in which it is to be informed of the progress of the common measure.

Article 5

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

2. The total contribution from the Fund to the cost of the common measure is estimated at 8.2 million European units of account.

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

⁽¹⁾ OJ No L 73, 21. 3. 1975, p. 1.

Article 6

1. The expenditure incurred by the Kingdom of Denmark for the purpose of the common measure shall be eligible for assistance from the Fund up to a maximum amount of:

— 5.3 million ECU under Article 2 (1) (a), (b), (c), (g) and (h),

— 11.4 million ECU under Article 2 (1) (d), (e) and (f).

The Fund shall reimburse the Kingdom of Denmark 50 % of eligible expenditure. However, for specific measures referred to in Article 2 (1) (b) and (c), this percentage shall be fixed at 40 %.

2. 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 7

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

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

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

Article 8

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 the chairman either on his own initiative or at the request of the representative of a Member State.

2. The representative of the Commission shall submit a draft of the measures to be taken. The Standing Committee on Agricultural Structures shall deliver its opinion on those measures within a time limit set by the chairman according to the urgency of the matter. It shall act 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 by 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 9

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

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

Done at Luxembourg, 24 June 1980.

For the Council

The President

S. FORMICA

II

(Acts whose publication is not obligatory)

EUROPEAN PARLIAMENT**DECISION OF THE EUROPEAN PARLIAMENT**

of 23 May 1980

on the discharge to be granted to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its budget for the financial years 1976, 1977 and 1978, and on the reports of the Audit Board and of the Court of Auditors

(80/657/EEC, Euratom, ECSC)

THE EUROPEAN PARLIAMENT,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 206b thereof,

Having regard to the revenue and expenditure accounts of the European Foundation for the Improvement of Living and Working Conditions for the financial years 1976, 1977 and 1978,

Having regard to the report of the Audit Board on the 1976 accounts and to the reports of the Court of Auditors on the 1977 ⁽¹⁾ and 1978 ⁽²⁾ accounts,

Having regard to the report of the Committee on Budgetary Control (Doc. 1-726/79),

- (a) keenly aware of the importance which attaches to the prompt consideration of the granting of the discharge as soon as possible after the report of the Court of Auditors thereon has been furnished to the discharge authority;
- (b) recalling that the Treaty of 22 July 1975, duly ratified by all the Member States, conferred on the European Parliament final responsibility in relation to the grant of discharge in respect of the general budget of the European Communities;

1. notes the following figures for the accounts of the European Foundation for the Improvement of Living and Working Conditions:

⁽¹⁾ OJ No C 313, 30. 12. 1978 (contains summary).

⁽²⁾ OJ No C 326, 31. 12. 1979 (contains summary).

		Financial year		
		1976 u.a.	1977 u.a.	1978 EUA
REVENUE				
from the Commission part of the budget		874 944	2 020 009	1 742 482
bank interest, etc.		11 243	56 300	52 685
other		—	5 437	459
	Total	886 187	2 081 746	1 795 626
EXPENDITURE				
budget appropriations		1 200 000	2 600 000	2 300 000
commitments		886 187	2 081 746	1 795 626
appropriations unused		313 813	518 254	504 374
payments		134 223	1 212 740	1 135 822
appropriations brought forward from previous year		—	751 964	615 965
payment from appropriations brought forward		—	473 000	609 724
unused appropriations brought forward		—	278 964	6 241
appropriations carried forward		751 964	869 006	659 804

2. grants a discharge to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions, on the basis of the reports of the Audit Board and the Court of Auditors, in respect of the accounts for the financial years 1976, 1977 and 1978;

3. draws attention to its resolution embodying the comments accompanying this decision granting a discharge and asks the Commission to report to it on the measures taken following those comments;

4. instructs its President to communicate this decision and the attached comments to the Commission and to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions, to forward them to the other institutions, and to arrange for their publication in the 'L' series of the Official Journal.

Strasbourg, 23 May 1980.

The Secretary-General

H.-J. OPITZ

The President

Simone VEIL

RESOLUTION

containing the comments accompanying the Decision granting a discharge to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions in respect of its revenue and expenditure accounts for the financial years 1976, 1977 and 1978

THE EUROPEAN PARLIAMENT,

1. Asks the Commission, the Council and the European Foundation for the Improvement of Living and Working Conditions to take the necessary measures to comply with the following comments and calls on the Commission to submit a written report by 1 November next on the follow-up to these comments:

Grant of discharge

2. Considers that the principle reflected in Article 206b of the EEC Treaty, as amended by the Treaty of 22 July 1975, which confers on the European Parliament responsibility for the final grant of discharge in respect of the general budget of the European Communities, applies also to those appropriations entered in the budget at Article 359, and, therefore, asks the Commission to put forward proposals, without further delay, designed to bring the financial provisions applicable to the European Foundation for the Improvement of Living and Working Conditions, in so far as they relate to the arrangements for the grant of discharge, into line with the provisions set out at Article 85 of the Financial Regulation applying to the general budget of the European Communities;

Approval of transfers

3. Observes that the provisions in relation to the approval of transfers from one chapter to another do not provide for *a priori* Parliamentary control and asks the Commission to put forward the necessary proposals designed to bring these provisions into line with those set out at Article 21 (2) of the Financial Regulation applying to the general budget of the European Communities, considering that a complete ban on transfers would be too rigid;

Social security system

4. Is given to understand that the social welfare provisions applicable to the staff of the European Foundation for the Improvement of Living and Working Conditions have a destabilizing effect on the staff concerned and, therefore, asks the Council to expedite examination of the proposals for reform

in respect of these provisions that have been transmitted to it by the Commission, so that this particular anomaly within the Community may be removed and so that a more standard social security system may obtain;

Recruitment of staff

5. Believes that the staff of the European Foundation for the Improvement of Living and Working Conditions should, henceforth, be recruited in accordance with the general Staff Regulations applicable to the officials of the European Communities and that, in future, all recruits at all grades should be drawn from the lists of those who were successful in Community institution competitions for the relevant grades or seconded from those serving in the institutions and calls on the Commission to put forward the necessary amending proposals forthwith;

Recommendations for improvements in the operations of the European Foundation for the Improvement of Living and Working Conditions aimed at effecting savings and improving its operations

6. Calls on the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions to ensure that the meetings of the various organs of the Foundation are scheduled annually one year in advance so as to ensure that the possibilities for increasing revenues from lettings of the Foundation's conference facilities are maximized;

7. Notes that the procedure whereby decisions on the publication of the results of expensive studies undertaken by the European Foundation for the Improvement of Living and Working Conditions appears to require unanimity which leads to extensive delays, increased costs and a consequential waste of resources; and recommends that the system of majority voting, as envisaged at Article 6 (6) of the founding Regulation⁽¹⁾ on the adoption of reports be applied, with, if considered necessary, the publication of supplementary reports setting out minority views;

⁽¹⁾ OJ No L 139, 30. 5. 1975, p. 1.

8. Suggests a free initial issue of reports, to an agreed circulation list, of the Foundation's publications with the setting of a charge for further copies;

9. Expects that a substantial output of pertinent material will begin to flow from the Foundation in the near future which will vindicate the extensive Community investment involved;

Role of the Council

10. Asks the Council to examine promptly, in future, the annual accounts of all spending agencies with a view to ensuring that the necessary recommendations are transmitted to Parliament, in good time, so that it may pronounce on the grant of dis-

charge within the stipulated time limit of 16 months from the end of the financial year;

General

11. Draws the attention of all institutions to the economies effected by the European Foundation for the Improvement of Living and Working Conditions through the contracting out of translation work and asks the Commission to examine the scope for wider Community use of this possibility.

12. Suggests that the Foundation be represented at meetings of Parliamentary Committees when its estimates and work programme are being discussed.

DECISION OF THE EUROPEAN PARLIAMENT**of 23 May 1980****on the discharge to be granted to the Commission of the European Communities in respect of the activities of the first, second and third European Development Funds for the 1978 financial year**

(80/658/EEC, Euratom, ECSC)

THE EUROPEAN PARLIAMENT,

Having regard to the report of the Court of Auditors on the accounts for the 1978 financial year and the answers of the Institutions to the report (Doc. 1-567/79),

Having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (Doc. 1-150/80) and Annexes,

Considering that the Treaty of 22 July 1975, which, notably, conferred on Parliament the power of discharge in respect of the implementation of the annual budget applied to the accounts for the 1978 financial year, including of course the financial operations of that year in regard to the activities of the first, second and third European Development Funds;

1. grants a discharge to the Commission in respect of the financial management of the first, second and third EDFs during the 1978 financial year;
2. instructs its President to communicate this decision to the Commission, to forward it to the other institutions and to arrange for its publication in the 'L' series of the Official Journal.

Strasbourg, 23 May 1980.

The Secretary-General

H.-J. OPITZ

The President

Simone VEIL

DECISION OF THE EUROPEAN PARLIAMENT**of 23 May 1980****on the discharge to be granted to the Commission of the European Communities in respect of the utilization of the appropriations of the fourth European Development Fund for the 1978 financial year****(80/659/EEC, Euratom, ECSC)**

THE EUROPEAN PARLIAMENT,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 206b thereof,

Having regard to the ACP-EEC Convention of Lomé,

Having regard to the internal agreement on the financing and administration of Community aid,

Having regard to the revenue and expenditure account, the balance sheet and the report on the activities of the fourth European Development Fund (Doc. 1-138/80),

Having regard to the report of the Court of Auditors on the accounts for the 1978 financial year and the answers of the institutions to the report (Doc. 1-567/79),

Having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (Doc. 1-150/80) and Annexes,

1. grants a discharge to the Commission in respect of the following amounts shown in the revenue and expenditure accounts for the 1978 financial year:

— revenue: amounting to 147 300 535·89 EUA,

— expenditure (payments): amounting to 319 791 308·98 EUA;

2. instructs its President to communicate this decision to the Commission, to forward it to the other institutions and to arrange for its publication in the 'L' series of the Official Journal.

Strasbourg, 23 May 1980.

The Secretary-General

H.-J. OPITZ

The President

Simone VEIL

DECISION OF THE EUROPEAN PARLIAMENT

of 23 May 1980

on the discharge to be granted to the Commission in respect of the implementation of the budget of the European Communities for the 1978 financial year and the supplementary and amending budgets and the report of the Court of Auditors

(80/660/EEC, Euratom, ECSC)

THE EUROPEAN PARLIAMENT,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 78g thereof,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 206b thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 180b thereof,

Having regard to the revenue and expenditure accounts and the financial statements for the accountancy procedures in respect of the budget for the 1978 financial year,

Having regard to the report of the Court of Auditors on the accounts for the 1978 financial year and the answers of the institutions to the report (Doc. 1-567/79),

Having regard to the Council recommendation on the granting of a discharge to the Commission in respect of the implementation of the budget and of the amending and supplementary budgets for the 1978 financial year (Doc. 1-77/80),

Having regard to the report of the Committee on Budgetary Control, the annexed working documents on the various Community policy sectors, and the opinion of the Committee on Development and Cooperation (Doc. 1-150/80) and Annexes,

	EUA	EUA
1. Notes that:		
(a) estimates of revenue for the 1978 financial year totalled		12 362 654 592.00
made up as follows:		
own resources	6 896 000 000.00	
contributions provided for in the Decision of 21 April 1970	5 341 382 366.00	
other	125 272 226.00	
(b) estimates of expenditure for the 1978 financial year totalled		12 362 654 592.00
2. Notes that:		
the surplus of the 1978 financial year to be carried forward ⁽¹⁾ amounted to		41 618 638.39
comprised as follows:		
revenue collected in respect of 1978	12 181 666 326.45	
payments made against appropriations for 1978	10 733 847 301.50	

⁽¹⁾ In accordance with Article 15 of Regulation (EEC, Euratom, ECSC) No 2891/77 (OJ No L 336, 27. 12. 1977, p. 1).

	EUA	EUA
appropriations for 1978 carried forward	1 527 721 076.53	
net amount resulting from cancellations of appropriations carried forward from previous financial years	166 581 492.06	
deficit arising on conversion of the balance sheet at 31 December 1977 into EUA on 1 January 1978	45 060 802.09	
3. Grants a discharge to the Commission in respect of the following amounts shown in the revenue and expenditure accounts:		
(a) revenue:		
— entitlements established for the 1978 financial year	12 188 984 757.72	
— entitlements collected at 31 December 1978	11 884 191 574.11	
broken down as follows:		
1. amounts collected from the entitlements for the financial year	12 181 666 326.45	
broken down as follows:		
own resources	6 674 219 710.84	
contributions under the Decision of 21 April 1970	5 340 296 846.66	
other	167 149 768.95	
2. amounts collected from entitlements carried forward from the preceding financial year	(297 474 752.34)	
made up as follows:		
own resources	16 991 387.60	
contributions provided for under the Decision of 21 April 1970	(364 466 139.94)	
other	50 000 000.00	
(b) expenditure (payments shown in the accounts for the financial year)	10 733 847 301.50	

4. Draws attention to its resolution embodying the comments accompanying the decision granting a discharge and requests the institutions to report on the measures taken following those comments in accordance with Article 85 of the Financial Regulation;

5. Instructs its President to communicate this decision and the attached comments to the Commission and to forward them to the other institutions and to arrange for their publication in the 'L' series of the Official Journal.

Strasbourg, 23 May 1980.

The Secretary-General

H.-J. OPITZ

The President

Simone VEIL

RESOLUTION**containing the comments accompanying the Decision granting a discharge on the implementation of the budget of the European Communities for the 1978 financial year**

THE EUROPEAN PARLIAMENT,

1. Calls upon all the institutions to take the necessary measures to comply with the following comments and asks them to submit a written report on these measures, pursuant to the provisions of the third paragraph of Article 85 of the Financial Regulation;

2. Believes that it is necessary to ensure continuity in the matter of the follow-up to the comments set out in the present resolution and will consider a report on the matter at its November 1980 part-session;

3. Notes the comments which accompanied the Council's recommendation in regard to the 1978 discharge and welcomes the evidence of a more positive attitude by the other arm of the budgetary authority towards its responsibility in regard to the control of the Community budget;

4. Deplores the fact that, once again, most of Parliament's amendments to the payments appropriations were implemented in a totally inadequate way and finds this virtual non-implementation unacceptable;

5. Finds that the reasons for this failure are two-fold: firstly, there was a lack of political courage on the part of the Commission in not implementing amendments that were of the utmost significance to the well-being of Europe and, secondly, there was an inadequate response by the Council and by the administration of the Member States;

6. Lays special emphasis on the view, stated by Parliament on numerous occasions, that the programme or management committees may have only an advisory role, which must not impede the Commission in the exercise of its decision-making powers; points out in particular that, in regard to the implementation of the budget, the Commission is answerable to the budgetary authority alone;

7. Demands that, henceforth, the Commission acts in a far more positive way in regard to the amendments effected by Parliament to the budget;

8. Observes that transfers within and between chapters during the course of the financial year have

the effect of grossly distorting the budget as adopted;

9. Considers that the levels of carry-overs from one financial year to another drastically distort the accounts, take from transparency and clarity, and frustrate the intentions of Parliament as reflected in the annual budget, as adopted;

As regards the general accounts

10. Notes that, on the basis of the report of the Court of Auditors, the general accounts are in an unsatisfactory state and asks the Commission to report to Parliament on proposals for across-the-board improvements in the transparency, management and presentation of the budget;

As regards agricultural stocks

11. Is disturbed (a) at the high level of stocks of certain commodities carried at significant cost to the Community budget, (b) at the lack of clarity as to the precise ownership of these stocks, and (c) that the amounts of the stocks had not always been physically verified;

12. Considers that it is essential that a comprehensive study be made of all aspects of these stocks with a view to establishing the full financial facts and implications and requests that a report be made to Parliament in the matter before the end of 1980;

Revenue

13. Instructs its Committee on Budgetary Control to investigate whether the present rules and implementation procedure can guarantee the fair and uniform collection of revenue, particularly in view of the recent ruling of the Court of Justice in regard to the Rotterdam-Roubaix-Como Case No 267/78;

14. Urges the Council to act as soon as possible on the Commission's proposals for strengthening its powers in the fields of information, control and the collection of amounts due;

15. Suggests that the number of professionally qualified staff responsible for the control of Community revenue as well as for the management of Community expenditure should be increased;

16. Asks the Commission to inform it, as soon as possible, of the results of investigations into matters relating to the uniform application of Community rules on the assessment of customs value and the effects of the new system which enters into force in the second half of 1980;

Administrative expenditure and staff

17.. Recommends that the institutions should consider jointly the most appropriate permanent structure to ensure a continuing review of their management methods and staff deployment (the Commission participating simply to make some of the expertise of their existing department available to the other institutions);

18. Asks the Commission to submit a report on the action it has taken on the proposals for reform of the Commission and its services (report of Mr Spierenburg);

19. Urges the Commission, in the interests of greater clarity and budgetary transparency, (a) to give effect to the main recommendations of the Court of Auditors in its report on the 1978 financial year in regard to transport; (b) to ensure that the contract for supply is open to competitive tender at least once every three years; and (c) that the report called for in Doc. 1-537/79 be made available as soon as possible; notes that a precise procedure for the use of air-taxis is now in operation following the discussions between the Commission, the Parliament and the Court of Auditors;

20. Observes that the provisions of the Financial Regulation applying to the settling of advances on staff mission expenses are often not being respected and urges that adjustments to salaries should be made promptly in future cases;

21. Urges that a simpler and speedier system of reviewing the level of staff subsistence allowances be adopted;

22. Commends the Commission's recent endeavours to coordinate the mission activities of its directorates-general and urges that (a) representation at meetings outside the normal work places of

the Community be kept to the minimum level that is consistent with the efficient discharge of the Commission's role and (b) a single official on mission should act on behalf of more than one directorate-general where this is practicable and expects the other institutions to follow the Commission's practice;

23. Considers that where missions outside normal work places of the Community are authorized they should be followed up, where appropriate, by a report enabling a check on the results achieved and a sharing of the information gained with other relevant officials;

24. Deplores the absence of up-to-date standardized implementing rules for the Financial Regulation because this makes control harder to operate and could give rise to variations between the systems operated in the different institutions of the Community and urges that this matter be set right by the end of 1980;

25. Urges that the opportunity be taken when the Financial Regulation is next amended to find practical solutions to the end-of-year accounting problems which have arisen;

26. Instructs its Committee on Budgetary Control to look at the procedures and arrangements for making grants to societies and associations benefiting from Community financial assistance;

27. Recommends that, where possible, the information offices of the Commission and the Parliament should be housed in the same building so that they can share common facilities such as a library, publications stores, conference room and telex equipment;

28. Calls upon the Commission to put forward draft amendments to the implementing provisions of the Staff Regulations to reinforce the exceptional nature of the payment of family allowances for adult dependants and that, in the meantime, it should confine its discretionary power in the grant of this allowance to genuinely exceptional cases;

29. Calls upon the other institutions to work with the Commission in preparing similarly amended implementing provisions and to follow the same policy, in the meantime, in the award of the allowance;

30. Instructs the Committee on Budgetary Control to review the situation regarding the payment of the allowance for arduous working conditions to officials in the field of nuclear science at a later date and urges the Commission to exercise strict control over the payment of this allowance at all its research centres;

Research, investment, energy and industrial policy

31. Notes a considerable degree of underspending, which, in the case of energy in particular, may be attributed to the delays in the adoption of Regulations by the Council, and to the nature of some of the Regulations, under which the Council must approve each individual project;

32. Calls for strengthening of internal control and stricter rules concerning:

- the JRC as regards inventory checks, stock accounts and the calculation of charges for contracts for research or the supply of services,
- indirect action as regards the percentage participation in and advances paid on cost-sharing research contracts;

33. Considers that in regard to research it is necessary to establish closer links between direct and indirect action, improve the administrative coordination of research as a whole, concentrate indirect action on specific themes, rationalize the advisory system and further improve evaluation of research;

34. Takes the view that, as regards energy and research: greater budgetary discipline is called for; increased budgetary and accounting transparency is required; the possibility should be investigated of simplifying the procedures for the conclusion of contracts;

35. Will consider an ad hoc report on the budgetary accounting and control aspects of the JRC on the basis of a report prepared by its Committee on Budgetary Control;

36. Condemns the low level of utilization of the appropriations earmarked for industrial policy, technological research and training programmes;

European Social Fund

37. Regrets that, despite the increase in unemployment, the Commission has been hindered in implementing the Social Fund by the slowness of the Member States to submit applications for assistance and requests the Council to take the necessary steps

to ensure that the national authorities in the States concerned improve the situation;

Aid to disaster victims in the Community

38. Calls on the Commission to develop Community measures guaranteeing that the money made available to help disaster victims reaches the people concerned as quickly as possible and with the minimum of bureaucratic complications;

39. Emphasizes the need for the recipients of payments, when they accept the aid, to submit to checks by the Commission or by the Court of Auditors and to hold themselves accountable for the use of such aid;

European Regional Development Fund

40. Stresses the importance of speeding up the flow of payments so that Fund aid can be more effective and deplores the fact that delays have occurred and calls on the Council to take the necessary corrective measures;

41. Expresses its dissatisfaction at the delays and inefficiencies on the part of Member States in transmitting to the Commission the statistical data needed to gauge the impact of Fund expenditure;

42. Asks that the Court of Auditors should carry out more on-the-spot control visits and should inform the European Parliament of the results;

43. Asks, also, that the Court of Auditors should check that funded projects form part of a systematic development plan;

44. Draws attention to the principle of additionality and insists that contributions from the Fund should complement, rather than replace, national expenditure on regional development; and asks that an assessment be made by the Commission as to how far the principle is, in fact, being observed;

EAGGF

45. Whilst appreciating the difficulties, deplores the inexactitude of estimation of agricultural expenditure;

46. Believes, furthermore, that there is need for greater coordination between the agricultural price review and the budgetary estimating procedure so as to ensure more accurate estimates of agricultural appropriations;

47. Urges the Commission to prevent overlapping between different items in Titles 6 and 7 and to desist from creating random financial reserves which delay measures likely to restrain the growth of agricultural spending;

48. Considers that the Member States should endeavour to adhere to the deadlines laid down for the transmission of justifying documents and asks the Commission to report regularly to the Parliament in this matter;

49. Points to the risks of possible speculation in the agricultural sector and insists that the Commission takes all possible measures to close off opportunities for market manipulation;

50. Demands that the budgetary authority be informed before any decision is taken concerning the sale of substantial amounts of agricultural products subsidized by refunds likely to lead to an exceeding of the budgetary cover;

51. Underlines the problems confronting the auditing authorities in the combat against fraud and irregularities and instructs the Committee on Budgetary Control to organize a meeting to which should be invited representatives from the national audit bodies, national administrations and the Court of Auditors to study these difficulties and to suggest remedies;

EDF, Stabex and food aid

52. Observes that the fact that the EDF is not yet budgetized presents many technical disadvantages and is, politically, abnormal and unacceptable and calls once again for its budgetization;

53. Will consider a separate report on the functioning, effectiveness, mechanisms and control procedures for Stabex;

54. Considers that the problems concerning the implementation of food aid raised by the Court of Auditors should be solved as a matter of urgency, particularly the lack of transparency; affirms that, as regards food aid, priority should be given to humanitarian and development aspects over agricultural policy aspects and awaits (a) the report which is being drawn up by the Court of Auditors and (b) the report of the Committee on Development and Cooperation on this subject in order to be able to

pronounce on the matter, as early as possible, in a well-informed manner;

55. Notes that there have been considerable delays in implementing financial and commercial cooperation with the non-associated developing countries resulting in the need to reinscribe 36 million EUA following the failure of the Council to take decisions in good time causing hesitation on the part of the Commission to implement the appropriations provided in the budget;

Decentralized agencies, autonomous organizations and satellite bodies

56. Accepts that the complicated role of the Community entails, of necessity, the setting up of a number of specialized agencies and the granting of a degree of autonomy to certain administrative units but considers that a close watch should be kept on such bodies and the justification for their continued existence should be reviewed from time to time;

57. Considers that the financial regulations governing such bodies should be standardized as far as possible and discharge for them should be a matter for Parliament;

58. Believes that cost-effectiveness yardsticks should be applied to these bodies and their management standards should be examined with a view to ensuring that best value is obtained for the Community outlay involved;

59. Expresses a formal reserve in respect of the discharge for the European Schools and will consider the issues further in the light of a report from the Committee on Budgetary Control;

Borrowing and lending

60. Attaches a special priority to the need to have the borrowing and lending policies of the Community brought fully within the framework of the budgetary procedures and is of the opinion that the present system of budgetization, as used in the 1978 budget, provides a totally inadequate basis for control by the political bodies of the Community over the Commission's management policy and points out that only a part of the Community's borrowing and lending activities are actually entered in the budget;

61. Notes that, although the Community enjoys an excellent reputation as a borrower on the world market, Parliament considers that it has had too little information to fully assess the management aspect of the 1978 budget in this context, and expresses its wish to receive much more adequate information in respect of future financial years;

62. Stresses that the sharing of responsibility for management and implementation of overall Community policy in this sphere makes a coordination of policy decisions highly important;

63. Instructs the Committee on Budgetary Control to exercise effective control not only over the borrowing and lending operations managed by the Commission but also over the activities managed by the EIB using Community funds, as regards both the policy pursued and the economic results achieved;

64. Asks the Commission to present a detailed report, if necessary on a confidential basis, on borrowing and lending activities in a manner which will

satisfy the requirements of the specialized committees of Parliament;

65. Proposes that greater use should be made of interest rebates to ensure that investments correspond more effectively to political objectives;

66. Instructs its Committee on Budgetary Control to draft a report on a system of centralized political responsibility for borrowing and lending activities;

67. Requests the Court of Auditors to comment on borrowing and lending operations in its next annual report;

As regards institutions other than the Commission

68. Stresses the need for respect by all the institutions of the Community for the provisions of the Financial Regulation in regard to the post of financial controller;

69. Urges all the institutions to ensure that the provisions of the Staff Regulations are fully observed in the matter of the recruitment of staff.

COUNCIL

COUNCIL DECISION

of 18 June 1980

appointing a member of the Advisory Committee on Freedom of Movement for Workers

(80/661/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1612/68 of 15 October 1968 on freedom of movement for workers within the Community ⁽¹⁾, and in particular to Article 27 thereof,

Having regard to the Council Decision of 17 March 1980 appointing, for the period ending 16 March 1982, members and alternate members of the Advisory Committee on Freedom of Movement for Workers,

Whereas the Council decided on that occasion to appoint at a later date one person to fill a member's seat allocated to a French national in the employers' representatives category;

Having regard to the nomination submitted on 23 May 1980,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Raymond Lenoble is hereby appointed a member of the Advisory Committee on Freedom of Movement for Workers for the remainder of the Committee's term of office, which runs until 16 March 1982.

Done at Luxembourg, 18 June 1980.

For the Council

The President

C. FRACANZANI

⁽¹⁾ OJ No L 257, 19. 10. 1968, p. 2.

COUNCIL DECISION
of 18 June 1980
replacing a member of the Advisory Committee on Vocational Training
(80/662/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Council Decision of 18 December 1963 laying down the Rules of the Advisory Committee on Vocational Training ⁽¹⁾, as amended by the Decision of 9 April 1968 ⁽²⁾, and in particular Article 4 thereof,

Having regard to the Council Decision of 16 October 1978 appointing members and alternate members of the Advisory Committee on Vocational Training for the period ending 15 October 1980,

Whereas one seat for a member of the abovementioned committee in the government representatives category has fallen vacant following the resignation of Mr Jørgensen, of which the Council was informed on 29 May 1980,

Having regard to the nomination submitted on 29 May 1980,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Niels Hummeluhr is hereby appointed a member of the Advisory Committee on Vocational Training in place of Mr Jørgensen for the remainder of the latter's term of office, which runs until 15 October 1980.

Done at Luxembourg, 18 June 1980.

For the Council
The President
C. FRACANZANI

⁽¹⁾ OJ No 190, 30. 12. 1963, p. 3090/63.

⁽²⁾ OJ No L 91, 12. 4. 1968, p. 26.

COUNCIL DECISION**of 18 June 1980****replacing a deputy member of the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions****(80/663/EEC)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1365/75 of 26 May 1975 on the creation of a European Foundation for the Improvement of Living and Working Conditions ⁽¹⁾, and in particular Article 6 thereof,Having regard to the Council Decision of 14 March 1980 appointing, for the period ending 16 March 1983, the members of the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions ⁽²⁾,

Whereas the Council was informed on 2 June 1980 that a seat as deputy member of the Administrative Board of the abovementioned Foundation in the workers' representatives category had become vacant as a result of the resignation of Mr Meis,

Having regard to the nomination submitted on 2 June 1980,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr L. Rech is hereby appointed a deputy member of the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions in place of Mr Meis for the remainder of the latter's term of office, which runs until 16 March 1983.

Done at Luxembourg, 18 June 1980.

*For the Council**The President*

C. FRACANZANI

⁽¹⁾ OJ No L 139, 30. 5. 1975, p. 1.⁽²⁾ OJ No L 78, 25. 3. 1980, p. 17.

COUNCIL DECISION
of 18 June 1980
replacing two members of the Committee of the European Social Fund
(80/664/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2396/71 on the European Social Fund ⁽¹⁾,

Having regard to the Rules of the Committee of the European Social Fund ⁽²⁾, as amended by the Council Decision of 9 April 1968 ⁽³⁾, and in particular Article 7 thereof,

Having regard to the Council Decision of 17 April 1978 appointing members and alternate members of the Committee of the European Social Fund for the period ending 16 April 1980,

Whereas two seats as members of the abovementioned committee in the government representatives category have fallen vacant following the resignation of Mr O'Riordan and Mr Hodgkins of which the Council was informed on 5 June 1980;

Whereas the term of office of members of this committee will continue until the Council has renewed the Committee;

Having regard to the nominations submitted on 5 June 1980,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr. P. Leonard and Mr. W. R. B. Robinson are hereby appointed members of the Committee of the European Social Fund in place of Mr O'Riordan and Mr Hodgkins until such time as the Committee is renewed.

Done at Luxembourg, 18 June 1980.

For the Council

The President

C. FRACANZANI

⁽¹⁾ OJ No L 249, 10. 11. 1971, p. 54.

⁽²⁾ OJ No 56, 31. 8. 1960, p. 1201/60.

⁽³⁾ OJ No L 91, 12. 4. 1968, p. 25.

COUNCIL DIRECTIVE
of 24 June 1980
on the control of potato ring rot

(80/665/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

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

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

Whereas potato production occupies an important place in Community agriculture; whereas the potato yield is constantly threatened by harmful organisms;

Whereas, through the protection of potato cultivation against such harmful organisms, not only should productive capacity be maintained but also agricultural productivity increased;

Whereas protective measures to prevent the introduction of harmful organisms into the territory of a Member State would have only a limited effect if such organisms were not controlled simultaneously and methodically throughout the Community and were not prevented from spreading;

Whereas one of the organisms most harmful to potatoes is *Corynebacterium sepedonicum* (Spieck. et Kotth.) Skapt. et Burkh., the pathogenic agent of the bacterial potato ring rot disease; whereas this disease has occurred in some part of the Community and some limited sources of infection still exist;

Whereas there is a permanent risk to potato cultivation throughout the Community if effective measures are not taken to prevent this disease from occurring, to locate it, to control it with the aim of eradicating it and to prevent it from spreading;

Whereas in order to ensure this, minimum measures must be taken for the Community; whereas Member States must in addition be able to take additional or stricter measures where necessary;

Whereas the minimum measures have to take into account that the disease can remain latent and unobserved in the growing crop and in stored tubers and so can be effectively prevented only by production and use of seed potatoes free from infection, that systematic official surveys are necessary to locate it; whereas there is little if any spread of the disease within the growing crop, that the disease can exist through the winter in self-sown (volunteer) potato plants; whereas the disease is spread mainly by contact of potatoes with planting, harvesting and handling equipment or transport and storage containers, contaminated with the disease by previous contact with infected potatoes; whereas such contaminated objects can remain infectious for some time after such contamination; whereas spread of the disease can be reduced or prevented by disinfection of such objects;

Whereas for the determination of the details of such minimum measures as well as for those other measures taken by Member States to prevent the introduction of the disease into their territory it is desirable for Member States to cooperate closely with the Commission within the Standing Committee on Plant Health set up by Decision 76/894/EEC ⁽³⁾,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive concerns the minimum measures to be taken within the Member States against potato ring rot caused by *Corynebacterium sepedonicum* (Spieck. et Kotth.) Skapt. et Burkh., in order:

- to prevent its occurrence,
- to locate it,

⁽¹⁾ OJ No C 175, 23. 7. 1977, p. 2.

⁽²⁾ OJ No C 266, 7. 11. 1977, p. 45.

⁽³⁾ OJ No L 340, 9. 12. 1976, p. 25.

- to control it with the aim of eradicating it,
- to prevent its spread.

Article 2

1. Member States shall conduct systematic official surveys for potato ring rot on tubers of potato (*Solanum tuberosum* L.) which are harvested, stored or marketed in their territory.

These surveys shall involve at least official visual inspection of selected lots from which samples of tubers shall be taken and cut open.

2. Member States shall ensure that the suspected occurrence and the established presence of potato ring rot in growing potatoes or harvested, stored or marketed tubers shall be reported to their official plant protection organization, which shall determine, at least by visual inspection which includes the cutting of tubers, whether further investigation is necessary.

3. Where symptoms of the presence of potato ring rot are found or suspected in the inspections provided for in paragraphs 1 and 2, official testing shall be carried out in accordance with appropriate methods to confirm whether or not this disease is present in potatoes or tubers referred to in paragraph 2.

4. If the occurrence of potato ring rot is suspected in a Member State, appropriate steps shall be taken by that Member State to prevent any spread of the disease pending confirmation or otherwise of the suspicion.

5. The field, store, consignment or lot shall be considered to be contaminated if tests confirm the presence of the disease in a single seed potato or tuber.

6. The extent of the contamination shall be determined by the official plant protection organization of the Member State concerned having regard to sound scientific principles and the biology of the disease.

7. Member States shall inform the other Member States and the Commission immediately of any confirmed contamination and at least once a year of the results of the surveys provided for in paragraph 1.

The details of this information shall be confidential. They may be submitted to the Committee in accord-

ance with the procedure laid down in Article 16 of Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of harmful organisms of plants or plant products ⁽¹⁾.

8. The following provisions may be adopted in accordance with the procedure provided for in Article 16 of Council Directive 77/93/EEC:

- the details of the surveys and inspections provided for in paragraph 1 and to be carried out in accordance with sound scientific and statistical principles,
- the appropriate methods for the official testing provided for in paragraph 3,
- the criteria and principles to be taken into consideration when determining, in accordance with paragraph 6, the extent of the contamination,
- the details of the information provided for in paragraph 7.

Article 3

1. Member States shall prescribe that, where contamination which might affect their potato production has been confirmed in accordance with Article 2 (5), seed potatoes may not be certified under Council Directive 66/403/EEC of 14 June 1966 on the marketing of seed potatoes ⁽²⁾ unless they derive in direct line from material found free of potato ring rot in tests carried out either officially or under official control according to appropriate methods.

The aforesaid tests shall be carried out:

- either on the plants of the initial clonal selection, where the contamination affects the seed potato production of the Member State or Member States concerned,
- or, in other cases, on representative samples of the basic seed potatoes or earlier propagations.

2. The following provisions may be adopted in accordance with the procedure provided for in Article 16 of Directive 77/93/EEC:

- the decision for the total or partial dispensation of individual Member States from the requirements laid down in paragraph 1,
- the period of application of the requirements laid down in paragraph 1,

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No 125, 11. 7. 1966, p. 2320/66.

- the appropriate methods for the tests provided for in paragraph 1,
- the detailed rules of application of the first indent of the second subparagraph of paragraph 1,
- the representative samples provided for in the second indent of the second subparagraph of paragraph 1,
- the precautions necessary to ensure that seed potatoes which derive from tested plants are not affected by the disease.

Article 4

Member States shall prescribe that, where a field, store, consignment or lot is considered to be contaminated, inspections and testing shall be carried out in accordance with Article 2 (2) and (3) upon:

- any seed potato cultures which are clonally related to the culture involved in the contaminated unit and which are suspected because of their clonal relationship to that culture of contamination from basic seed potatoes,
- any seed potato cultures that may have become contaminated through contact with objects which may also have been contaminated.

The inspections and testing provided for seed potato cultures referred to in the first indent of the first subparagraph shall be carried out on as many such seed potato cultures preferably in order of degree of risk and, if necessary, in the subsequent year, as are needed to determine the probable primary source of the extent of the contamination from basic seed potatoes.

Article 5

1. Member States shall prescribe that potatoes from a field, store, consignment or lot considered to be contaminated may not be grown and that, under the control of their official plant-protection organizations, they shall be handled or used in such a way as to prevent the spread of disease or else destroyed.

Potatoes grown on a holding where any field, store, consignment or lot is considered to be contaminated, and which are present when such contamination is found to exist, may not be used as seed potatoes either on that holding or elsewhere.

2. Member States shall prescribe that, in a field considered to be contaminated, no potatoes shall be

grown during the two growing periods following the recorded contamination or for as long as volunteer potato seedlings are present in the field.

3. Member States shall prescribe that, on holdings where any field, store, consignment or lot is considered to be contaminated, the following shall be banned in the growing period following the appearance of potato ring rot:

- the planting of potatoes for the growing of seed potatoes,
- the planting of potatoes other than officially certified seed potatoes grown on another holding.

4. Member States shall prescribe that any buildings, containers, packaging materials, vehicles, handling, grading or preparing appliances and any other objects that may have come into contact with potatoes from the contaminated unit during the previous six months shall be destroyed, or else cleansed and disinfected under the supervision of their official plant-protection organizations, before coming into contact with other potatoes.

5. Member States shall prescribe that their official plant-protection organizations shall, for at least three years after the last recorded contamination, demarcate a zone covering the area within which a spread of potato ring rot is possible owing to the organization of production conditions within that area.

In the zone referred to in the preceding subparagraph Member States shall:

- ensure supervision by their official plant-protection organization of the holding or holdings growing, storing or handling potatoes,
- prohibit the cutting of seed potatoes,
- prohibit the use of pricker-type planting machines,
- prohibit the transporting of potato plants or tubers, unless such plants or tubers have been found free of potato ring rot in inspections and testing carried out in accordance with Article 2 (2) and (3),
- take all other measures that are necessary to control potato ring rot with the aim of eradicating it and preventing its spread.

Member States shall take all measures that are necessary to control potato ring rot with the aim of

eradicating it within the zone and preventing its spread beyond the zone.

6. The following provisions may be adopted in accordance with the procedure provided for in Article 16 of Directive 77/93/EEC:

- details of the zone demarcation referred to in paragraph 5,
- the 'other measures' mentioned in paragraph 5.

7. In accordance with the procedure laid down in Article 17 of Directive 77/93/EEC, a Member State may be authorized at its request to permit derogations from the prescriptions referred to in the first indent of paragraph 3 in respect of certain parts of a holding, provided that there would appear to be no danger of the disease spreading.

Article 6

Member States shall prohibit the holding of cultures of *Corynebacterium sepedonicum* (Spieck. et Kotth.) Skapt. et Burkh.

Article 7

Without prejudice to Article 14 (1) (c) (i) of Directive 77/93/EEC, Member States may authorize derogations from the measures referred to in Articles 4, 5 and 6 for experimental or scientific purposes, and work on varietal selection, provided that such derogations do not prejudice the control of potato ring rot and create no risk of spread of this disease.

Article 8

Member States may adopt such additional or stricter measures as may be required to combat potato ring rot or to prevent it from spreading.

Done at Luxembourg, 24 June 1980.

Article 9

1. Where a Member State considers that there is an imminent danger of the introduction into its territory of potato ring rot from another Member State, it may temporarily take any additional measures necessary to protect itself from that danger.

A Member State may also take such measures where another Member State informs it of confirmed contamination in accordance with Article 2 (7).

In both cases the Member States concerned shall immediately inform the other Member States and the Commission of the measures taken and indicate the reasons for them.

2. Under the procedure laid down in Article 17 of Directive 77/93/EEC, it shall be decided whether the measures taken by a Member State under paragraph 1 should be rescinded or amended. Until a decision has been taken either by the Council or by the Commission under the aforesaid procedure, the Member State concerned may maintain the measures that it has implemented.

Article 10

Member States shall bring into force the measures necessary to comply with this Directive by 1 March 1981 at the latest and shall forthwith inform the Commission thereof.

Article 11

This Directive is addressed to the Member States.

For the Council

The President

S. FORMICA

COUNCIL DIRECTIVE**of 24 June 1980****amending Directive 75/268/EEC on mountain and hill farming and farming in certain less-favoured areas****(80/666/EEC)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

Whereas, having regard to the large number of very small farms, the minimum figure of three hectares for the utilized agricultural area of farms qualifying for the compensatory allowance provided for in Title II of Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas ⁽³⁾ as last amended by Directive 76/400/EEC ⁽⁴⁾ is too high for the Mezzogiorno, including the islands, and the overseas departments; whereas it should be reduced to two hectares;

Whereas having regard to trends in purchasing power since Directive 75/268/EEC was adopted, an increase in the maximum compensatory allowance is justified;

Whereas in view of the evolution of cattle raising in the less-favoured regions of Italy during recent years a limitation of the compensatory allowance to a certain number of dairy cows is not justified;

Whereas the 25 % reimbursement rate for eligible expenditure in respect of farmers submitting a development plan, provided for in Article 15 of Directive 75/268/EEC, does not appear sufficient to permit effective application in the less-favoured areas of

the Mezzogiorno, including the islands, and the western region of Ireland of the measures concerning the modernization of farms provided for in Directive 72/159/EEC ⁽⁵⁾; whereas it should therefore be fixed at 50 %;

Whereas the measures referred to in Article 11 of Directive 75/268/EEC are particularly important in the Mezzogiorno, including the islands; whereas the rate of reimbursement of the relevant expenditure does not appear sufficient to permit effective application of these measures; whereas the rate of reimbursement should be fixed at 50 % and the maximum Community contribution at 48 358 ECU per joint investment scheme and 242 ECU per hectare of pasture or mountain grazing land improved or provided with equipment;

Whereas the present reimbursement rate of 35 % for eligible expenditure in respect of the compensatory allowance, provided for in Article 15 of Directive 75/268/EEC, does not appear sufficient to permit effective application of this measure in Italy and Ireland; whereas it should be fixed at 50 %,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 75/268/EEC shall be amended as follows:

1. In Article 2 (3) the figure '0.5 %' shall be replaced by '1.5 %';
2. The following subparagraph is inserted after the first subparagraph of Article 6 (1):

'However, in the Mezzogiorno, including the islands, and in the overseas departments, the minimum utilized agricultural area per farm shall be two hectares.';
3. In Article 7 (1) (a) and (b) the words '50 units of account' shall be replaced by '97 ECU';

⁽¹⁾ OJ No C 124, 17. 5. 1979, p. 3.

⁽²⁾ OJ No C 85, 8. 4. 1980, p. 57.

⁽³⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽⁴⁾ OJ No L 108, 26. 4. 1976, p. 21.

⁽⁵⁾ OJ No L 96, 23. 4. 1972, p. 1.

4. In Article 7 (1) (a) shall be supplemented by the following subparagraph:
'The foregoing two subparagraphs do not apply in the hill areas of Italy which form part of the areas referred to in Article 3 (4) and (5).'
5. Article 15 of Directive 75/268/EEC shall be replaced by the following:

Article 15

1. Expenditure by Member States in respect of measures taken under Articles 5 to 11 shall be eligible for assistance from the Guidance Section of the EAGGF, as provided for in Article 19 of Directive 72/159/EEC.

In the Mezzogiorno, including the islands, and in the western region of Ireland the rate of reimbursement for expenditure incurred in respect of measures taken under Article 8 (2) and Article 10 of Directive 72/159/EEC, as supplemented by Article 9 of this Directive, shall be 50 %. In the Mezzogiorno, including the islands, the rate of reimbursement for expenditure in respect of measures taken under Article 11 shall be 50 %.

2. The Community contribution towards expenditure eligible for the aid provided for in Article 11 may not exceed 24 179 ECU per joint investment scheme and 121 ECU per hectare of pasture or mountain grazing land improved or provided with equipment.

In the Mezzogiorno, including the islands, the Community contribution may not exceed 48 358 ECU per joint investment scheme and 242 ECU per hectare of pasture or mountain grazing land improved or provided with equipment.

3. The Guidance Section of the EAGGF shall reimburse to Member States 25 % of eligible expenditure in respect of the compensatory allowance provided for in Title II.

In Italy and Ireland the rate of reimbursement shall be 50 %.

However, expenditure in respect of the compensatory allowance shall not be eligible for reimbursement where the farmer receives a retirement pension.'

Article 2

1. The amendment set out in Article 1 (2) shall take effect from 1 January 1980.
2. The amendments set out in Article 1 (4) shall apply only to aid granted for 1979 and onwards.

Article 3

This Directive is addressed to the Member States.

Done at Luxembourg, 24 June 1980.

For the Council

The President

S. FORMICA
