

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(89) 479 final

Brussels, 9 October 1989

Proposal for a
COUNCIL REGULATION (EEC)
amending, as regards Spain, Regulation (EEC) No 4007/87 extending the
period referred to in Articles 90(1) and 257(1) of the Act of Accession
of Spain and Portugal

(presented by the Commission)

Com 479 f.

EXPLANATORY MEMORANDUM

1. Articles 90(1) and 257(1) of the Act of Accession in the case of Spain and Portugal respectively, provide for a period during which the Commission may adopt transitional measures which may appear necessary to facilitate the switchover from the arrangements existing in Spain and Portugal before accession to those resulting from the application of the common organization of the markets under the conditions laid down in the Act, in particular if such implementation at the date laid down (1 March 1986) meets with appreciable difficulties for certain products.

The date of expiry of that period, fixed at 31 December 1987 in the Act, was extended by Council Regulation (EEC) No 4007/87 of 22 December 1987, as amended by Regulation (EEC) No 4074/88, to 31 December 1989 for Spain and 31 December 1990 for Portugal. The measures adopted on the legal basis referred to above will cease to apply as of that date.

During that period the Commission has adopted measures required for many groups of products, namely oils and fats, cereals, sugar, eggs, beef and veal, pigmeat and wine.

2. As regards Spain, despite the progress made and developments occurring since accession and in spite of the application of the transitional measures adopted on that basis, difficulties remain and cannot be overcome by 1 January 1990. Thus for example in the oils and fats sector, the extension of these measures is necessary to permit the gradual introduction of olive oil producer organizations with a view to managing production aid and storage measures.

The possible need to cope with appreciable market difficulties specific to Spain cannot be ruled out from the outset as regards the management of other (market) organizations as well.

3. It should moreover be noted that Article 90 has facilitated the execution of the EEC/USA agreement on imports of maize and grain sorghum into Spain. Accompanying measures comparable to those adopted in recent years could still prove necessary to meet the Community's commitments.

To conclude, the validity of a general provision which authorizes the application of transitional measures limited to the territory of a new Member State on the basis of objective criteria relating to that State should be extended.

Proposal for a
COUNCIL REGULATION (EEC) No

of

amending, as regards Spain, Regulation (EEC) No 4007/87 extending the period referred to in Articles 90(1) and 257(1) of the Act of Accession of Spain and Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 90(2) thereof,

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

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

Whereas Articles 90(1) and 257(1) of the Act of Accession provide for a period during which transitional measures may be adopted to facilitate the switchover from the arrangements existing in Spain and in Portugal before accession to those resulting from the application of the common organization of the markets under the conditions laid down in the Act and in particular to cope with appreciable difficulties in implementing the new arrangements at the date laid down; whereas the date of expiry of that period, set at 31 December 1987 in the Act of Accession, was extended by Council Regulation (EEC) No 4007/87 of 22 December 1987 (3), as amended by Regulation (EEC) No 4074/88 (4), to 31 December 1989 for Spain and 31 December 1990 for Portugal;

(1) OJ No

(2) OJ No

(3) OJ No L 378, 31.12.1987, p. 1.

(4) OJ No L 359, 28.12.1988, p. 3.

Whereas, in the case of Spain, despite progress made in recent years, these difficulties cannot be overcome in certain sectors by 31 December 1989; whereas the period in question for that country should therefore be extended to 31 December 1990,

HAS ADOPTED THIS REGULATION:

Article 1

In the first paragraph of Article 1 of Regulation (EEC) No 4007/87, the date "31 December 1989" is hereby replaced by "31 December 1990".

Article 2

This Regulation shall enter into force on 1 January 1990.
This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at

For the Council
The President

FINANCIAL STATEMENT

Date :

1. BUDGET HEADING :

APPROBIATIONS :

2. TITLE : Council Regulation amending, as regards Spain, Regulation (EEC) N° 4007/87 extending the period referred to in Articles 90 (1) and 257(1) of the Act of Accession of Spain and Portugal

3. LEGAL BASIS : Article 90(2) of the Act of Accession

4. AIMS OF PROJECT : To allow the extension of transitional measures applicable to certain products, in particular oils and fats

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR ()	FOLLOWING FINANCIAL YEAR ()
5.0 EXPENDITURE			
- CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)			
- NATIONAL ADMINISTRATION			
- OTHER			
5.1 RECEIPTS			
- OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES)			
- NATIONAL			
5.0.1 ESTIMATED EXPENDITURE			
5.1.1 ESTIMATED RECEIPTS			

5.2 METHOD OF CALCULATION

6.0 CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET ?

YES/NO

6.1 CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET ?

YES/NO

6.2 IS A SUPPLEMENTARY BUDGET BE NECESSARY ?

YES/NO

6.3 WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY ?

YES/NO

OBSERVATIONS : *cf Annex*

Annex to the Financial Statement

This draft aims to extend the legal basis required to continue applying various transitional measures in respect of certain market organizations.

Given the nature of the general legal basis in question, it is not possible a priori to assess the financial implication of this framework proposal.

However, a financial statement will be drawn up and attached to each proposal for specific transitional measures.

FICHE D'IMPACT SUR LA COMPETITIVITE ET L'EMPLOI

I. Quelle est la justification principale de la mesure ?

Permettre la prolongation de mesures transitoires nécessitées pour faciliter le passage à la 2ème phase de l'adhésion, en ce qui concerne L'Espagne.

II. Caractéristiques des entreprises concernées. En particulier :

(a) Y a-t-il un grand nombre de PME ?

(b) Note-t-on des concentrations dans des régions

i. éligibles aux aides régionales des Etats membres ?

ii. éligibles au Feder ?

III. Quelles sont les obligations imposées directement aux entreprises ?

Néant

IV. Quelles sont les obligations susceptibles d'être imposées indirectement aux entreprises via les autorités locales ?

Néant

V. Y a-t-il des mesures spéciales pour les PME ? Aucune Lesquelles ?

VI. Quel est l'effet prévisible

a) sur la compétitivité des entreprises ? Néant

b) sur l'emploi ? Néant

VII. Les partenaires sociaux ont-ils été consultés ? Non, Quels sont leurs avis ?

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