



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 17.03.1997  
COM(97)109 final

97/0104 (CNS)

Proposal for a

COUNCIL REGULATION (EC)

amending Regulation No 79/65/EEC setting up a network for the collection of  
accountancy data on the incomes and business operation of agricultural holdings in the  
European Economic Community

(presented by the Commission)



## **EXPLANATORY MEMORANDUM**

The purpose of this proposal is to amend Article 15(1) of Regulation 79/65/EEC of the Council setting up a network for the collection of accountancy data on the incomes and the business operation of agricultural holdings in the European Economic Community.

Article 15(1) of that Regulation prohibits the use, for taxation purposes, of any individual accountancy data from agricultural holdings or other individual details obtained in implementation of that Regulation.

It is proposed to reinforce those provisions in order to prohibit any use or divulgence of data supplied by farmers except for the purposes referred to in Article 1 of that Regulation, in other words, for the annual determination of incomes on agricultural holdings coming within the field of the survey and for a business analysis of agricultural holdings.

The reinforcement is needed because there have been attempts to use the data for purposes other than taxation and counter to the interests of the individual farmers participating in the network.

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amending Regulation No 79/65/EEC setting up a network for the collection of  
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THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>1</sup>,

Whereas Regulation No 79/65/EEC of the Council of 15 June 1965 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Economic Community<sup>2</sup>, as last amended by Regulation (EC) No 2801/95<sup>3</sup>, lays down certain restrictions on the use of accountancy data from agricultural holdings and other individual details obtained in implementation of that Regulation; whereas, given the risk that information supplied by a farmer could be used for purposes other than those provided for in the above Regulation, the prohibition on any unauthorised use of such information should be reinforced; whereas, therefore, Regulation No 79/65/EEC should be amended,

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<sup>1</sup> Opinion delivered on .....

<sup>2</sup> OJ No 109, 23.6.1965, p. 1859/65.

<sup>3</sup> OJ No L 291, 6.12.1995, p. 3.

HAS ADOPTED THIS REGULATION:

Article 1

Article 15(1) of Regulation No 79/65/EEC is hereby replaced by the following:

“1. It shall be prohibited to use for taxation purposes any individual accountancy data or other individual details obtained in implementation of this Regulation or to divulge or use such data for a purpose other than those specified in Article 1.”

Article 2

This Regulation shall enter into force on the seventh 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 Brussels,

For the Council

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