

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(92) 103 final

Brussels, 30 March 1992

Proposal for a  
COUNCIL REGULATION (EEC)

authorizing an enhanced aid system for the formation of  
producers' organizations in the French overseas departments,  
in the Canary Islands, in Madeira and in the Azores

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(presented by the Commission)

EXPLANATORY MEMORANDUM

The Council has adopted as part of an overall policy covering all the remoter regions (the French overseas departments, the Canary Islands, the Azores and Madeira) appropriate programmes for applying common policies in each of those regions - the programmes of options specific to their remote and insular nature (POSEI).

On 22 December 1989 the Council adopted, by Decision 89/687/EEC, the Poseidom programme (for the French overseas departments) and on 26 June 1991, by Decisions 91/314/EEC and 91/315/EEC, the Poseican (Canary Islands) and Poseima (Azores and Madeira) programmes respectively.

The special status of the Canary Islands, agreed at the time of Spain's accession to the Community, was modified simultaneously by Council Regulation (EEC) No 1911/91 of 26 June 1991. From 1 July 1991, therefore, the provisions of Community law apply to the Canary Islands under the conditions laid down in that Regulation.

The Council Decisions setting up Poseican and Poseima contain specific measures for fisheries, in particular a reinforced system of aid for producers' organizations.

In the context of the implementation of the agricultural measures contained in the Poseidom programme, the French authorities have requested officially that the same type of aid be granted to the French overseas departments.

In view of the fact that all transactions on the fisheries market are handled of necessity by producers' organizations, exceptional arrangements for the grant of enhanced aid to encourage the formation of such organizations would facilitate the operation of the market organization in those regions.

These exceptional arrangements, introduced by Article 6 of Regulation (EEC) No 3687/91 on the common organization of the market in fishery products, have already been applied, notably in the context of the Treaty of Accession of Spain and Portugal to the Community, and of German unification.

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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,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas the programmes of options specific to the remote and insular  
nature of the French overseas departments (POSEIDOM), of the Canary  
Islands (Poseican) and of Madeira and the Azores (Poseima), established  
by Council Decisions 89/687/EEC<sup>(1)</sup>, 91/314/EEC<sup>(2)</sup> and 91/315/EEC<sup>(3)</sup>  
respectively, aim to create an appropriate framework for the  
application of common policies for each of the ultra-peripheral regions  
concerned; whereas, in order to promote the economic and social  
development of the regions in question, these specific programmes  
introduce measures to improve conditions for the production and  
marketing of fishery products;

Whereas Article 6 of Council Regulation (EEC) No 3687/91 of 28 November  
1991 on the common organization of the market in fishery products<sup>(4)</sup>  
provides that the Member States may make available aid to encourage the  
formation and facilitate the operation of producers' organizations;

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(1) OJ No L 399, 30.12.1989, p. 39.

(2) OJ No L 171, 29.6.1991, p. 5.

(3) OJ No L 171, 29.6.1991, p. 10.

(4) OJ No L 354, 23.12.1991, p. 1.

Whereas, in view of the above, France, Spain and Portugal should be permitted to make available, for a transitory period in the French overseas departments in the Canary Islands, in Madeira and in the Azores respectively, enhanced aid for the formation and operation of producers' organizations,

HAS ADOPTED THIS REGULATION:

Article 1

1. Notwithstanding Article 6(2) of Regulation (EEC) No 3687/91, France, Spain and Portugal are hereby authorized to make available the aid provided for in Article 6(1) of that Regulation during the five years following the date of their recognition, to producers' organizations which are formed in the French overseas departments, in the Canary Islands, in Madeira and in the Azores respectively, for a period of five years from the entry into force of this Regulation.
2. The aid shall be granted according to the following conditions:
  - The aid shall amount for the first, second, third, fourth and fifth years to not more than 5%, 4%, 3%, 2% and 1% respectively of the value of production marketed under the auspices of the producers' organization.
  - It may not, however, exceed 80%, 70%, 60%, 40% and 20% of the organizations' administrative expenses for the first, second, third, fourth and fifth years respectively.
  - Payment of the aid shall be made within seven years of the date of recognition.

Article 2

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 Brussels,

For the Council  
The President

# FINANCIAL STATEMENT

DATE :

1. BUDGET LINE CONCERNED : B<sub>2</sub>-933

2. ACTION : Draft Council Regulation (EEC) n° of 1992 authorizing an enhanced aid system as established in Regulation (EEC) n° 3687/91 for the formation of producers' organizations in the French overseas departments, in the Canary Islands, in Madeira and in the Azores

3. LEGAL BASIS : Articles 42 and 43 of Treaty ; Regulation (CEE) n° 3687/91

4. OBJECTIVES : To promote the establishment and operation of the POs in these extremely peripheral regions

5. FINANCIAL CONSEQUENCE	FOR THE MARKETING YEAR	CURRENT FINANCIAL YEAR	FOLLOWING FINANCIAL YEAR
5.0 EXPENDITURE		( )	( )
-CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)	220.000 Ecus		
-CHARGED TO NATIONAL ADMINISTR.			
-CHARGED TO OTHER NATIONAL GROUPS			
5.1 RECEIPTS			
-OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES)			
-NATIONAL			

YEAR ..<sup>93</sup>..... YEAR ..... YEAR .....

5.0.1 PLURIANNUAL PATTERN OF EXPENDITURE

5.1.1 PLURIANNUAL PATTERN OF RECEIPTS

5.2 METHOD OF CALCULATION : Method of calculation estimate in line with the following consideration : value of the product sold management costs, aid granted to a PO of the same size, set up in Spain and Portugal

6.0 FINANCING POSSIBLE WITH CREDITS INSCRIBED IN RELEVANT CHAPTER OF CURRENT BUDGET ? YES/NO

6.1 FINANCING POSSIBLE BY TRANSFER BETWEEN CHAPTERS OF CURRENT BUDGET ? ~~YES~~/NO

6.2 NECESSITY FOR A SUPPLEMENTARY BUDGET ? ~~YES~~/NO

6.3 CREDITS TO BE WRITTEN INTO FUTURE BUDGETS ? YES/NO

COMMENTS :

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# DOCUMENTS

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