

COMMISSION OF THE EUROPEAN COMMUNITIES

COM (78) 576 final

Brussels, 27 October 1978

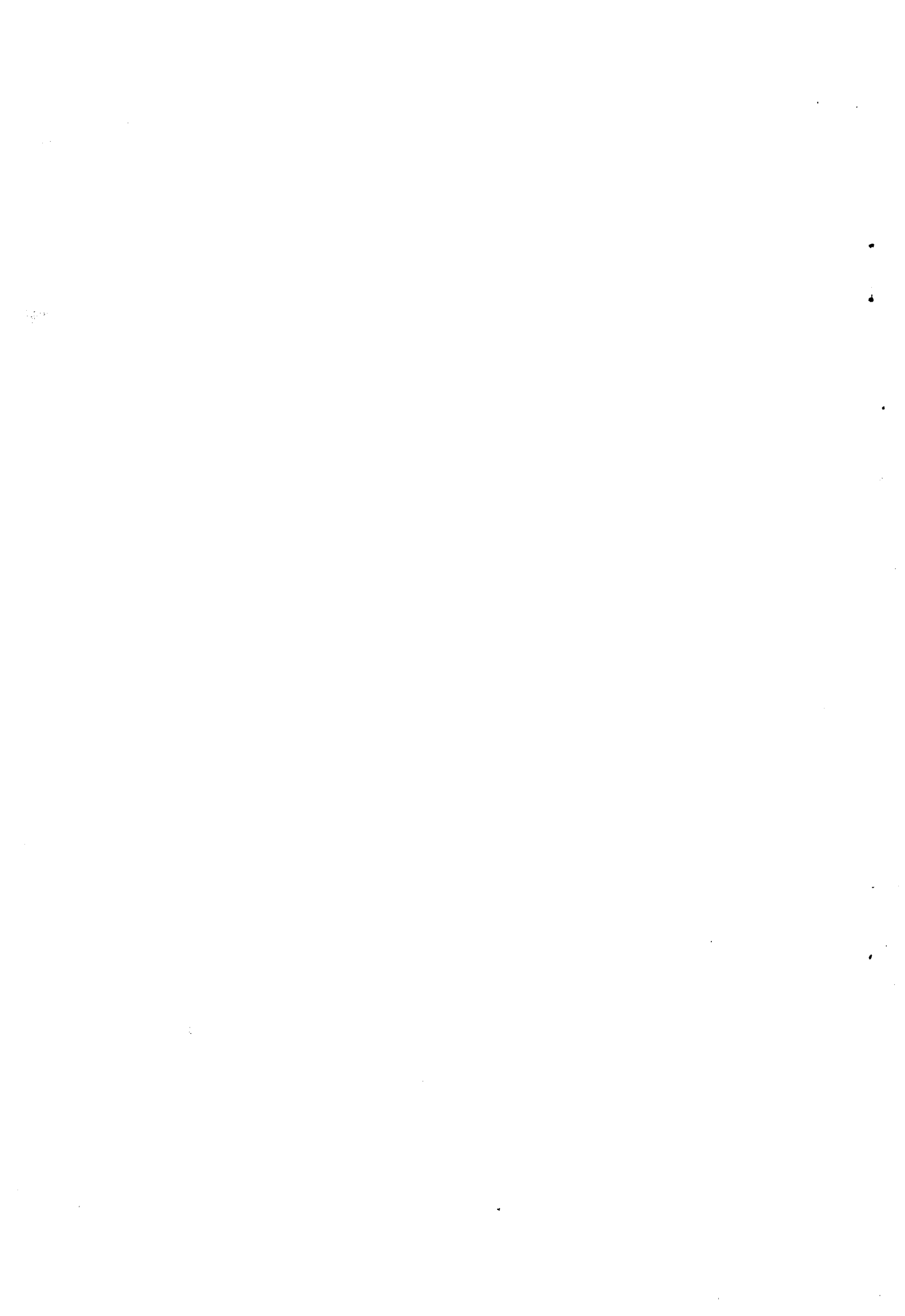
JAN 10 1979

PROPOSAL FOR A COUNCIL DIRECTIVE

on the programme for promotion of drainage in catchment
areas on both sides of the border between Ireland and
Northern Ireland

(Submitted by the Commission to the Council)

COM (78) 576 final



EXPLANATORY MEMORANDUM

Agriculture in the border areas between Ireland and Northern Ireland is severely handicapped by the situation as regards drainage.

The structural conditions, and hence agricultural incomes in these areas can be improved only by regulating the drainage conditions.

In these border areas the improvement of the watercourses whose catchment areas lie on both sides of the border between Ireland and Northern Ireland is of special importance.

A common measure to create adequate arterial drainage in the cross-border catchment areas should enable Ireland and Northern Ireland to obviate this natural handicap, with rapid and lasting effects on agricultural incomes.

The desired effects on the improvement of production structures can be achieved only by a common programme which encompasses the parts of the catchment areas situated on either side of the border. The Community's financial contribution can therefore be used only in the context of a programme presented jointly by Ireland and the United Kingdom.

THE COUNCIL OF THE EUROPEAN COMMUNITIES ,

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

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

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

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

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 agricultural regions in determining the common agricultural policy;

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

Whereas certain regions on both sides of the border between Ireland and Northern Ireland are in an unfavourable situation as regards agricultural income;

Whereas action should be concentrated on a basic aspect of the structural development of these regions to ensure rapid and lasting effects on agricultural incomes;

Whereas the agricultural production conditions in these border areas are severely handicapped by drainage problems, due to the lack of an adequate arterial drainage;

(1) OJ No C...

(2) OJ No C...

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Whereas Community aid is needed to promote the establishment of an adequate arterial drainage system in the catchment areas on both sides of the border.

Whereas the conditions and limits set out in Articles 14 and 19 of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms⁽¹⁾ are not well suited, as regards drainage, to the special structural situation of these areas;

Whereas aid from Community Funds should be restricted to works which serve to establish an adequate arterial drainage system for this entire cross-border catchment area;

Whereas it is therefore necessary to ensure coordination as regards the execution of the works, their timetable and the provision of financial means on both sides of the border;

Whereas these objectives should be furthered by a common measure concerning the establishment of an adequate arterial drainage system in certain catchment areas including land on both sides of the border between Ireland and Northern Ireland, under a special programme extending over several years:

Whereas it follows from the foregoing that the measures referred to constitute a common measure within the meaning of Article 6 of Council Regulation No (EEC) 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽²⁾, as last amended by Regulation (EEC) No 2788/72⁽³⁾;

HAS ADOPTED THIS DIRECTIVE :

(1) OJ No L 96 of 23.4.1972, p. 1
(2) OJ No L 94 of 28.4.1970, p. 13
(3) OJ No L 295 of 30.12.1972, p. 1

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Article 1

In order to increase agricultural incomes in areas along the border between Ireland and Northern Ireland by improving basic structures in these areas, thus contributing to the modernization of farms, a common measure within the meaning of Article 6(1) of Regulation (EEC) No 729/70, to be jointly implemented by Ireland and the United Kingdom, shall be introduced for the purpose of coordinating arterial drainage operations in catchment areas which include land on both sides of the border.

Article 2

1. The conditions and limits laid down in Articles 14(2) and 19(1) and (3) of Directive 72/159/EEC shall not apply to drainage operations forming the subject of this common measure.
2. The financial contributions of the Community shall be used only in the framework of a joint programme established by Ireland and the United Kingdom and covering provision of arterial drainage in catchment areas of certain border-crossing rivers. This programme shall be submitted to the Commission jointly by Ireland and the United Kingdom.
3. The programme and any adjustments thereto shall be examined and approved, after consultation of the European Agricultural Guidance and Guarantee Fund (hereinafter referred to as "the Fund") Committee, on the financial aspects thereof, in accordance with the procedure laid down in Article 18(2) and (3) of Directive 72/159/EEC.

Article 3

1. The programme referred to in Article 2 shall in particular include the following information:
 - the extent of the catchment area where arterial drainage operations are provided for under the programme,

- the number of hectares of agricultural area whose hydrological conditions will be improved as a result of arterial drainage,
 - the location of and timetable for the above works,
 - the timetable for the works in each catchment area and the coordination of operations on both sides of the border,
 - the estimated costs of the arterial drainage works for each catchment area concerned,
 - the financial planning and the distribution of this finance during the operation of the programme in each catchment area.
2. Information shall moreover be forwarded indicating if and to what extent the measures under this programme are consistent with the regional development programmes.

Article 4

1. Expenditure by Ireland and the United Kingdom under the programme referred to in Article 2 up to a maximum of 15,1 million u.a. shall be eligible for aid from the Guidance Section of the Fund.
2. The Guidance Section of the Fund shall reimburse 50% of the eligible expenditure to Ireland and the United Kingdom.

Article 5

1. The duration of the common measure shall be five years starting from the date of approval of the programme referred to in Article 2(3) which shall not in any case be later than 1 July 1981.
2. Before the period referred to in paragraph 1 expires, this Directive shall be reviewed by the Council acting on a proposal from the Commission.
3. The total provisional Fund share of the cost of the common measure shall be 8 million European units of account for the entire period.

Article 6

When the programme is approved in accordance with Article 2(3), the Commission shall determine, in agreement with Ireland and the United Kingdom, the manner in which it is to be informed periodically of the progress of the programme. Ireland and the United Kingdom shall at the same time designate, where appropriate, the body responsible for the technical execution of the programme.

Article 7

1. Requests for reimbursement shall relate to expenditure incurred by Ireland and the United Kingdom 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 on the basis of the financial arrangements adopted by Ireland and the United Kingdom and in the light of the progress in carrying out the programme.
4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 8

This Directive is addressed to Ireland and the United Kingdom.

Done at

For the Council

FINANCIAL STATEMENT

DATE : 3.10.1978

1. BUDGET LINE CONCERNED : 8441

CREDITS :

2. ACTION : Council Directive relating to a programme to promote the drainage of catchment areas common to both Ireland and Northern Ireland

3. LEGAL BASIS : Article 6 of Regulation 729/70

4. OBJECTIVES : To accelerate and coordinate the drainage of cross-border catchment areas and thereby to improve the agricultural productivity of these zones

5. FINANCIAL CONSEQUENCE	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR (78)	FOLLOWING FINANCIAL YEAR (79)
5.0 EXPENDITURE			
-CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)		-	0,8
-CHARGED TO NATIONAL ADMINSTR.		-	1
-CHARGED TO OTHER NATIONAL GROUPS		-	-
5.1 RECEIPTS			
-OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES)		-	-
-NATIONAL		-	-

	YEAR ...1979.....	YEAR ...1980.....	YEAR ...1981.....
5.0.1 PLURIANNUAL PATTERN OF EXPENDITURE	0,8 MEUA	1,6	2,35
5.1.1 PLURIANNUAL PATTERN OF RECEIPTS	-	-	-

5.2 METHOD OF CALCULATION

See annex

6.0 FINANCING POSSIBLE WITH CREDITS INSCRIBED IN RELEVANT CHAPTER OF CURRENT BUDGET ? YES/

6.1 FINANCING POSSIBLE BY TRANSFER BETWEEN CHAPTERS OF CURRENT BUDGET ? YES/

6.2 NECESSITY FOR A SUPPLEMENTARY BUDGET ? /NO

6.3 CREDITS TO BE WRITTEN INTO FUTURE BUDGETS ? /NO

COMMENTS :

Calculation of costs

1. The total eligible costs are limited to 15,1 million of units of account (Green Rate).

2. The exchange rates used in the calculation are :

- Green Rate : - UK Pound : £ 0,634204 = 1 UCV (22.5.78)
- Irish Pound : £ 0,786912 = 1 UCV (22.5.78)
- European Rate : - UK Pound : £ 0,669415 = 1 UCE (2.10.78)
- Irish Pound : £ 0,669416 = 1 UCE (2.10.78)

3. The rate of reimbursement of eligible expenditure is 50%.

4. It is assumed that the costs in millions of units of account are equally divided between the 2 Member States.

5. Calculation of costs to EAGGF Guidance Section :

$$\left(\frac{15,1}{2} \times \frac{0,634204}{0,669415} \right) + \left(\frac{15,1}{2} \times \frac{0,786912}{0,669416} \right) = 16,028$$

$$16,028 \times 50 \% = 8,014 \text{ MEUA}$$

Total cost to EAGGF Guidance Section : 8 MEUA.

6. Timetable of costs

Year	MEUA	
	Commitment appropriations	Payment appropriations
1	1	0,8
2	1,75	1,6
3	2,5	2,35
4	1,75	1,9
5	1	1,15
6	-	0,2
Total	8	8

8.