

► COMMISSION OF THE EUROPEAN COMMUNITIES

COM(83) 234 final

Brussels, 3 May 1983

Proposal for a

COUNCIL REGULATION (EEC)

► amending Regulation (EEC) No 565/80 on the advance payment of
export refunds in respect of agricultural products

(submitted to the Council by the Commission)

COM(83) 234 final

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Explanatory memorandum

The purpose of this proposal is to amend Council Regulation (EEC) N° 565/80 on the advance payment of export refunds in respect of agricultural products in order to allow non-Annex II goods to benefit from advance payment of export refunds when such goods are intended for export after processing. The possibility of advance payment of export refunds exist already for agricultural products intended for export after processing and the proposal would therefore result in equal treatment of agricultural products and non-Annex II goods.

Furthermore, the proposal will ensure that the notional quantities used for the calculation of the export refund for products incorporated in the goods listed in Annex C to Regulation (EEC) N° 3035/80 also are used as rate of yield when the competent authorities are carrying out their control with the manufacture.

Proposal for a
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amending Regulation (EEC) No 565/80 on the advance payment
of export refunds in respect of agricultural products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals (1), as last amended by Regulation (EEC) No 1451/82(2), and in particular Article 16 (5) thereof, and the corresponding provisions of the other Regulations establishing a common organization of the market in agricultural products,

Having regard to the proposal from the Commission,

Whereas Article 2 of Council Regulation (EEC) No 565/80 (3) defines basic products as products covered by a market organization which after processing are intended to be exported; whereas basic products may be eligible for advance payment of export refunds;

Whereas the goods covered by Council Regulation (EEC) No 3035/80 (4), as last amended by Regulation (EEC) No 764/82 (5), are not at present included in the definition of basic products;

Whereas such goods should be included in that definition in order to ensure that they are treated in the same way as products covered by the market organization;

Whereas Article 4(3) of Regulation (EEC) No 565/80 provides that the rate of yield applicable for processing shall be that applicable in respect of inward processing; whereas refunds are paid on notional quantities of products used in the manufacture of goods listed in Annex C to Regulation (EEC) No 3035/80, whereas these notional quantities should be used as rate of yield in respect of those goods,

HAS ADOPTED THIS REGULATION :

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- (1) OJ No L 281, 1.11.1975, p. 1
(2) OJ No L 164, 14. 6.1982, p. 1
(3) OJ No L 62, 7. 3.1980, p. 5
(4) OJ No L 323, 29.11.1980, p. 27
(5) OJ No L 87, 1. 4.1982, p. 4

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Article 1

Regulation (EEC) No 565/80 is hereby amended as follows :

1. Article 2 is replaced by the following :

"Article 2

For the purposes of this Regulation :

(a) 'products' means the products referred to in Article 1, 'basic products' means products intended to be exported after processing into processed products or into goods;

(b) 'processed products' means products :

- obtained from the processing of basic products,
- and
- to which an export refund is applicable;

(c) 'goods' means the goods listed in Annexes B and C to Regulation (EEC) No 3035/80.

Goods intended to be exported after processing shall also be considered as basic products".

2. Article 4(3) is replaced by the following :

"3. As regards control procedures and the rate of yield, the basic products shall be subject to the same rules as apply in respect of inward processing to products of the same nature.

However, the rates of yield to be applied for basic products used in the the manufacture of the goods listed in Annex C to Regulation (EEC) No 3035/80 shall be those indicated in that Annex unless the goods have been manufactured partly from products covered by inward processing arrangements and partly from products complying with the terms of Article 9 (2) of the Treaty."

Article 2

This Regulation shall enter into force on 1 July 1983.

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

Done at Brussels,

For the Council

FINANCIAL STATEMENT

Date : 12 April 1983

1. BUDGET HEADING : B 251

APPROPRIATIONS : 275 mio ECU

2. TITLE : Draft Council Regulation amending Regulation (EEC) No 565/80 on the payment prior to exportation of an amount equal to the export refunds for agricultural products

3. LEGAL BASIS : Council Regulation (EEC) No 2727/75

4. AIMS OF PROJECT : To extend Regulation (EEC) No 565/80 to non-Annex II products

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR	FOLLOWING FINANCIAL YEAR
		(83)	(84)
5.0 EXPENDITURE	Does not entail any additional expenditure but could bring forward expenditure by several million ECU		
- 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

The proposal does not create any additional expenditure. In view of the fact that the basic products (used, where applicable, under the IPT arrangements) may already qualify for the system of advance financing of the refund, the grant of advances on the refund in respect of non-Annex II products could bring forward EAGGF - Guarantee expenditure by several million ECU at most.

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

~~6.1 CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET ?~~ ~~YES/XX~~

~~6.2 WILL SUPPLEMENTARY BUDGET BE NECESSARY ?~~ ~~YES/XX~~

6.3 WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY ? YES/XX

OBSERVATIONS :