

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(83) 30 final

Brussels, 19th January 1983

PROPOSAL FOR A COUNCIL REGULATION (EEC)

amending Council Regulation (EEC) N° 2744/80 establishing
supplementary measures in favour of the United Kingdom

(presented by the Commission to the Council)

COM(83) 30 final

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Explanatory Memorandum

1. In accordance with the Council conclusions of 30 May, 1980, supplementary measures in favour of the United Kingdom have been established by means of Council Regulation (EEC) No. 2744/80 of 27 October, 1980.
2. These supplementary measures have been implemented by means of financial assistance for achieving investment in different categories of infrastructure during the United Kingdom budgetary exercises of 1980/81 and 1981/82; each of these categories consists of sub-programmes forming part of special programmes submitted by that country.
3. Seven of these eight special programmes relate to regions wholly or partially covered by areas eligible for State regional aid. The eighth special programme concerns road infrastructure linking these regions and linking the United Kingdom with the other Community countries.
4. These investments, undertaken by public authorities, have all contributed to the economic and social development of the aforementioned regions and of the United Kingdom, to the diversified development of the economic and social infrastructure of the country, and to Community integration. According to the United Kingdom government's own statements, some of these investments could not have been achieved within the same time schedules without the aforementioned supplementary measures.
5. It is important, however, to emphasise the efforts made, in accordance with the mandate of 30 May, 1980, to solve the problem by means of structural changes which could be achieved especially by applying and developing Community structural policies, in such a way as to render the supplementary measures superfluous. The measures in the field of energy policy seemed to be the most appropriate from the standpoint of contributing to such an evolution which can only be regarded as a progressive approach.

6. There is a need, therefore, in accordance with the Council conclusions of 26 October, 1982, to extend and adapt the supplementary measures for a new exercise but for a smaller financial outlay, taking account of the simultaneous establishment of specific measures of Community interest related to energy strategy which will also apply to the United Kingdom.
7. The proposed regulation, which extends and amends Regulation No. 2744/80 already mentioned, takes account of this evolution towards measures having a more Community character.

Proposal for a
COUNCIL REGULATION (EEC) No /83
of
amending Council Regulation (EEC) No 2744/80
establishing supplementary measures
in favour of the United Kingdom

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Article 235 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 Court of Auditors (3),

Whereas, in accordance with the Council conclusions of 30 May 1980 (4)
payments in favour of the United Kingdom relating to the years 1980 and
1981 have been made by means of the supplementary measures established
by Council Regulation (EEC) No 2744/80 (5);

Whereas, in accordance with the said Council conclusions of 30 May 1980,
the Community is pledged to resolve the problem for 1982 by means of
structural changes; whereas, in the absence of such a solution, the said
conclusions provide that the Commission will make proposals along the
lines of the 1980 to 1981 solution;

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- (1) OJ No. C ... of 19.., p. ...
(2) OJ
(3) OJ
(4) OJ No C 158 of 27.06.1980, p. 1
(5) OJ No L 284 of 29.10.1980, p. 4

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Whereas it is important, however, to emphasise the efforts made to solve the problem by means of structural changes which could be achieved by applying and developing Community structural policies; whereas the measures and projects in the field of energy policy seemed to be the most appropriate from the standpoint of contributing to such an evolution which can only be regarded as a progressive approach;

Whereas, in a separate regulation, specific measures of Community interest related to energy strategy are established which will also apply to the United Kingdom;

Whereas, in accordance with the Council conclusions of 28 October 1982, the solution for the year 1982 continues within the framework laid down for the years 1980 and 1981, which includes the amended financial mechanism and supplementary measures, there is also a need to take account of the amount used for the implementation of the aforementioned energy measures for the United Kingdom;

Whereas it is consequently appropriate to adapt and to extend Regulation (EEC) No 2744/80; whereas the Treaty has not provided for the specific powers of action required to this end,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2744/80 is hereby amended as follows:

1) Article 1 shall be replaced by the following:

"Article 1

In addition to the amounts which will be transferred to the United Kingdom under application of Council Regulation (EEC) No 1172/76 of 17 May 1976 establishing a financial mechanism (1), as amended by Regulation (EEC) No 2743/80 (2), this Regulation provides for supplementary Community measures relating to the years 1980, 1981 and 1982.";

(1) OJ No L 131, 20.05.1976, p. 7

(2) OJ No L 284, 29.10.1980, p. 1

2) Article 2(2) shall be supplemented by the following:

"For the supplementary measures relating to the year 1982, the regions concerned shall as a general rule be those covered, on 1 January 1982, wholly or in part, by areas eligible for State regional aid.";

3) The following sentence shall be added to Article 4(3):

"As regards the supplementary measures relating to the year 1982, the Commission shall take into consideration the payments made and estimated by the public authorities in the United Kingdom as from 1 April 1982.";

4) The following shall be added to Annex II:

"5. On the basis of the Commission's estimate (1,530 million ECU), net compensation for the United Kingdom for 1982 is fixed at 850 million ECU. Gross compensation to the United Kingdom amounts to 1,092 million ECU.*. However, for supplementary measures, it is necessary to deduct from this latter amount the sum _____ which will be used for the implementation of specific measures of Community interest related to energy strategy for the United Kingdom.

"6. Corrections to be made for 1980 and 1981 in the light of the actual figures will be taken into account when defining the subsequent solution.

"7. At that time, adjustments will be made if the actual figure proves to be higher or lower than the 1982 base referred to at point 5 above.

If the actual figure is higher than 1,530 million ECU but lower than 1,580 million ECU, the net compensation to the United Kingdom shall remain unchanged. If the actual figure is higher than 1,580 million ECU but lower than 1,730 million ECU, the net compensation shall be increased by 50% of the difference between the actual figure and 1,580 million ECU. If the actual figure is higher than 1,730 million ECU, the net compensation shall be increased by 75 million ECU, plus 75% of the difference between the actual figure and 1,730 million ECU.

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*) However, should the financial mechanism yield any payment to the United Kingdom for 1982, the amount of such payment will be deducted from payments to the United Kingdom under the supplementary measures.

If the actual figure is lower than 1,530 million ECU, but higher than 1,480 million ECU, the net compensation to the United Kingdom shall remain unchanged. If the actual figure is lower than 1,480 million ECU, the net compensation to the United Kingdom shall be reduced by an amount equal to 75% of the difference between the actual figure and 1,480 million ECU."

8. Any adjustment of the gross figure in point 5 above to take account of the correction provided for in point 7 will be entered in the budget of the European Communities for the 1983 financial year.

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