

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 414 final

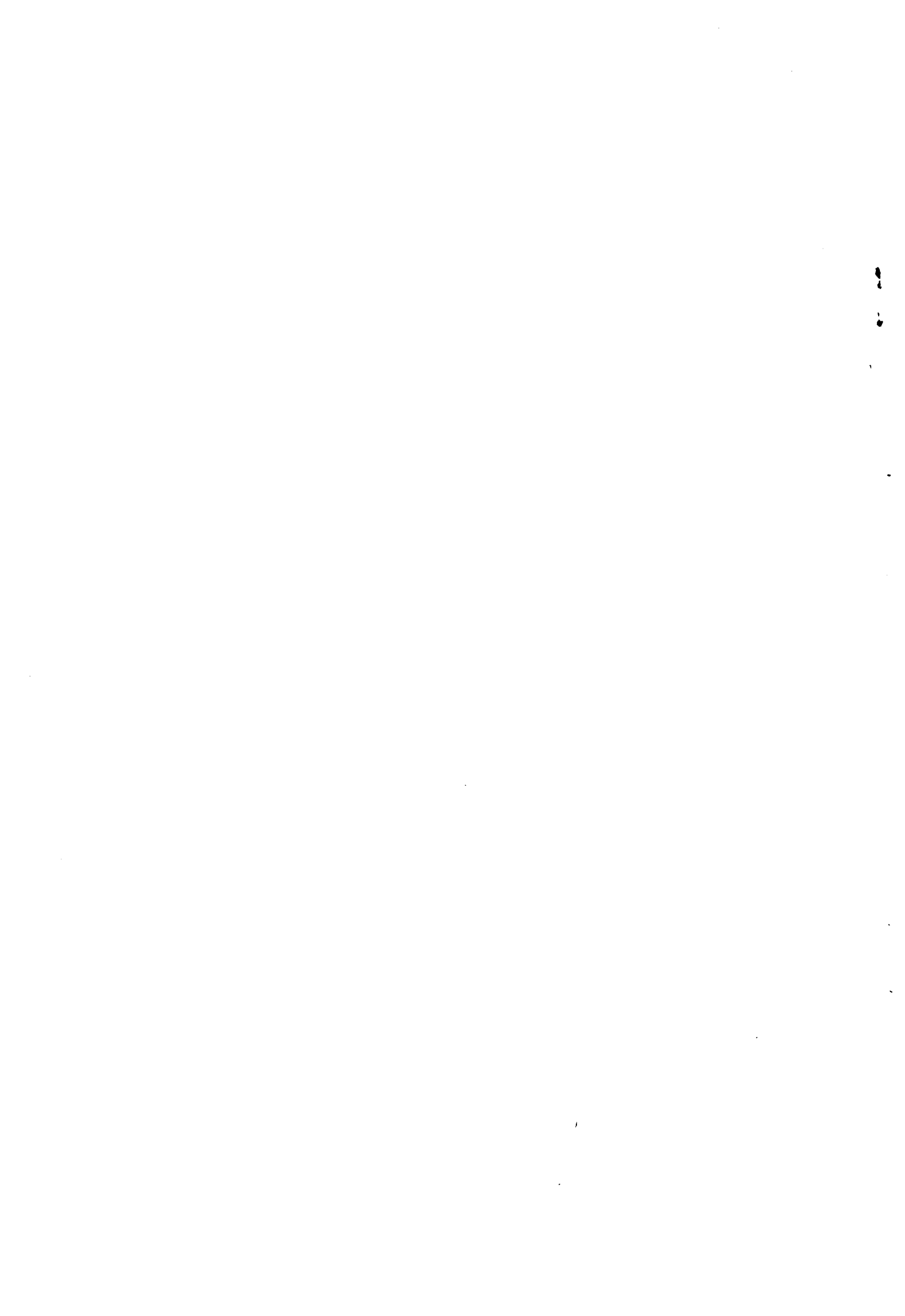
Brussels, 11 September 1978

Proposal for a
COUNCIL DIRECTIVE

amending Directive 72/159/EEC on the modernization
of farms

(submitted by the Commission to the Council)

COM(78) 414 final



VI/3933/78-EN
Orig. FR

PROPOSAL
for a
COUNCIL DIRECTIVE

amending Directive 72/159/EEC on the modernization of farms

EXPLANATORY MEMORANDUM

Article 14 (2) (a) of Directive 72/159/EEC on the modernization of farms authorizes Member States, in derogation from the time when the Directive takes effect, to grant temporary investment aids, which, however, may not be granted on more favourable terms than those laid down in Article 8 of Directive 72/159/EEC, to farms which are not capable of attaining the level of earned income laid down under Article 4 of this Directive and which are not yet eligible for the annuities provided for in Article 2 (1) of Council Directive 72/160/EEC.

Some Member States have made use of this opportunity and at present apply measures which must be discontinued or adjusted on the expiry of the stated period on 17 April 1977.

Under Article 16 (2) of the Directive in question the common measures within the meaning of Article 15 of the Directive and consequently also the rules of Article 14 (2) must be re-examined by the Council upon a proposal from the Commission five years after the Directive takes effect.

This reexamination was commenced during 1977. While awaiting the outcome of the reexamination, Member States were authorised by Directive 77/390/EEC, to apply these measures on a temporary basis until 31st December 1977.

Since the reexamination is still in progress, it seems appropriate to prolong this extension until 31st December 1978.

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,

Having regard to the opinion of the European Parliament (1),

Whereas under Article 14 (2) of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms (2), as last amended by Council Directive 77/390/EEC (3), Member States may, during a period of five years from the time when the Directive takes effect, grant temporary aids to farmers who are not capable of attaining the level of earned income laid down under Article 4 of that Directive and who are not yet eligible for the annuities provided for in Article 2 (1) of Council Directive 72/160/EEC of 17 April 1972 concerning measures to encourage the cessation of farming and the reallocation of utilized agricultural area for the purposes of structural improvement (4);

Whereas, pending completion of the reexamination of Directive 72/159/EEC provided for in Article 16 of that Directive, the period of application of this measure was extended until 31 December 1977 by Directive 77/390/EEC ;

Whereas, since this reexamination is still in progress, it would seem appropriate to authorize the Member States to continue to apply until 31 December 1978 the measures in force on 15 March 1977 under Article 14(2)(a) of the said Directive 72/159/EEC,

HAS ADOPTED THIS DIRECTIVE :

(1) OJ No.

(2) OJ No L 96, 23. 4.1972, p. 1

(3) OJ No L 145, 13.6.1977, p. 43

(4) OJ No L 96, 23. 4.1972, p. 2

Article 1

The period laid down in Article 14 (2) (a) of Directive 72/159/EEC shall be extended until 31 December 1978 as regards the measures under that Article in force in the Member States on 15 March 1977.

Article 2

This Directive is addressed to the Member States.

Done at

For the Council

The President