

COMMISSION OF THE EUROPEAN COMMUNITIES

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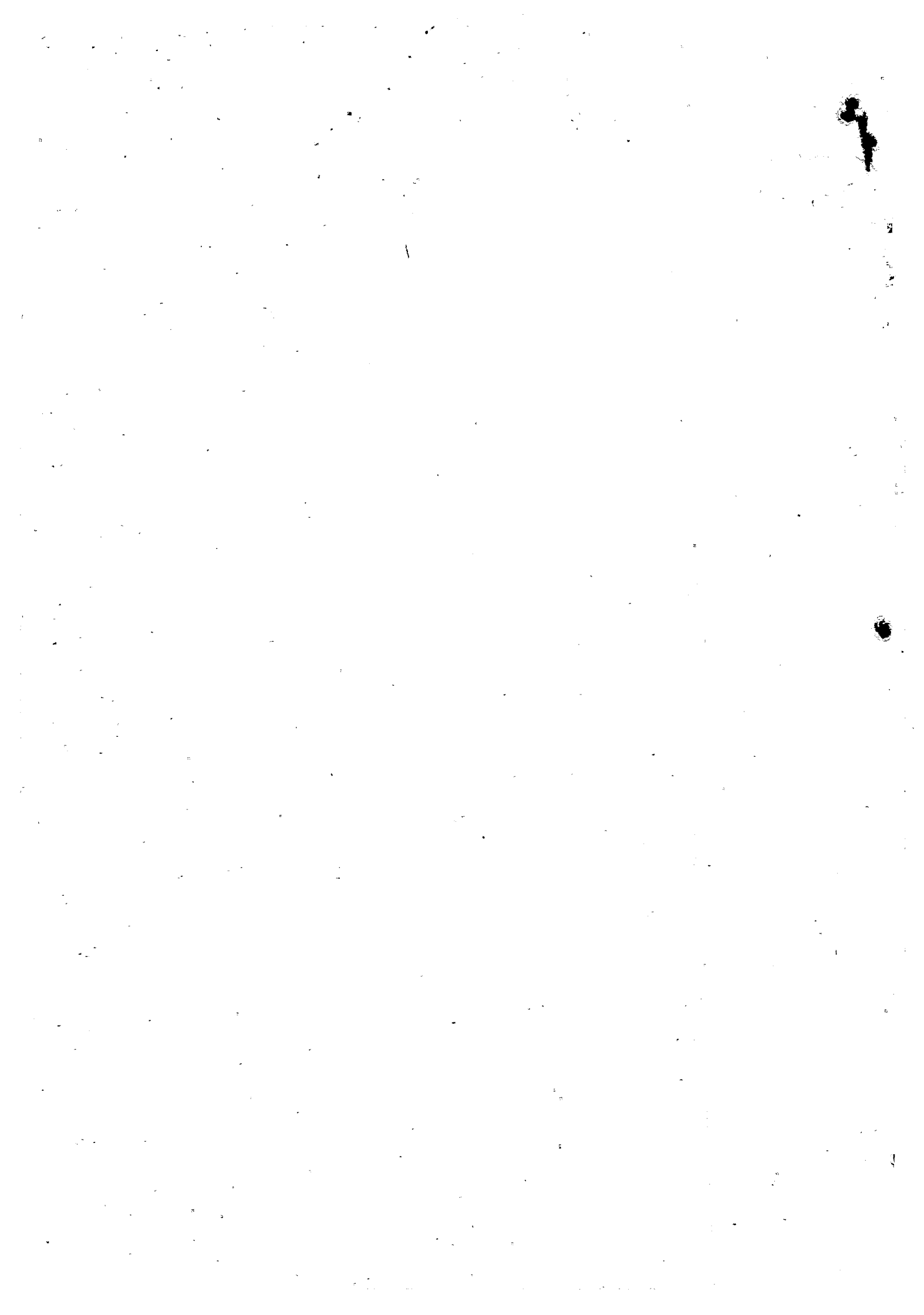
Proposal for a

COUNCIL DIRECTIVE

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

(submitted to the Council by the Commission)

COM(79) 688 final/



Explanatory memorandum

Article 14(2)(a) of Directive 72/159/EEC on the modernization of farms allows the Member States to derogate from the principle of selectivity, during a period of five years from the date on which the Directive took effect, by granting temporary aid, on conditions which may not however be more favourable than those laid down in Article 8 of Directive 72/159/EEC, to farmers who are not capable of attaining the level of comparable earned income within the meaning of Article 4 of the Directive and who are not yet eligible for the annuities provided under Directive 72/160/EEC to farmers who cease farming.

Several Member States have made use of this option and are at present applying provisions which could have been withdrawn or amended at the end of the period in question, i.e. 17 April 1977.

Article 16(2) of the Directive provides that, at the end of five years from the date on which the Directive took effect, the Council, acting on a proposal from the Commission, should re-examine the common measures defined in Article 15 of the Directive, which embrace the measures provided for in Article 14(2) of the Directive.

This re-examination began in 1977, and it was on 25 December of that year that the Commission presented to the Council new proposals on agricultural structure. These have, since then, undergone amendments and additions; the latest of which was presented on 20 March 1979.

Pending the outcome of this re-examination and a decision on the new proposals on agricultural structure policy, the Member States have been authorised, by Directives 77/390/EEC and 78/1017/EEC, to continue to apply these existing measures until 31 December 1979.

As the re-examination has still not yet been completed and no decision on the abovementioned proposals of the Commission has been taken it seems advisable to extend this authorization until not later than 31 December 1980.



Proposal for a

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of farms

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 Parliament¹,

Whereas under Article 14(2)(a) of Council Directive 72/159/EEC²,
as last amended by Directive 78/1017/EEC³, Member States may,
during a period of five years from the time when the said Directive
takes effect, grant temporary aid 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/EEC⁴,

Whereas such period expired on 17 April 1977,

¹ OJ No
² OJ No L 96, 23. 4. 1972, p. 1
³ OJ No L 349, 13. 12. 1978, p. 32
⁴ OJ No L 96, 23. 4. 1972, p. 9

Whereas, pending the re-examination of Directive 72/159/EEC provided for in Article 16 thereof, the period of application of such provision to the measures in force in the Member States at the end of this five-year period was extended until 31 December 1979 by Directives 77/390/EEC⁵ and 78/1017/EEC;

Whereas, since such re-examination is still in progress and a decision on the agricultural structure policy proposals submitted by the Commission to the Council on 20 March 1979 providing inter alia for the amendment and prolongation of the provisions of Article 14(2)(a) of Directive 72/159/EEC has not yet been taken, it would seem advisable to authorize the Member States to continue, until such re-examination has been completed or until 31 December 1980, whichever is the earlier date, to apply those measures in force at the end of the five-year period that fall within the scope of Article 14(2)(a) of the Directive;

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Article 14(2)(a) of Directive 72/159/EEC, the words "until 31 December 1979" shall be replaced by "until the re-examination provided for in Article 16 of this Directive has been completed or until 31 December 1980, whichever is the earlier date".

Article 2

This Directive is addressed to the Member States.

Done at

For the Council
The President

⁵ OJ No L 145, 13.6.1977, p. 43