

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(94) 3 final

Brussels, 18 January 1994

Proposal for a

COUNCIL REGULATION (EC)

amending Regulation (EEC) No 4007/87 extending the period referred to in Articles 90(1) and 257(1) of the Act of Accession of Spain and Portugal

(presented by the Commission)

[REDACTED]

EXPLANATORY MEMORANDUM

1. Articles 90(1) and 257(1) of the Act of Accession in the case of Spain and Portugal respectively, provide for a period during which the Commission may adopt transitional measures which may appear necessary to facilitate the switchover from the arrangements existing in Spain and Portugal before accession to those resulting from the application of the common organization of the markets under the conditions laid down in the Act, in particular if such implementation at the date laid down (1 March 1986) meets with appreciable difficulties for certain products.

The date of expiry of that period, fixed at 31 December 1987 in the Act, was extended by Council Regulation (EEC) No 4007/87 of 22 December 1987, as amended by Regulation (EEC) No 3876/92 to 31 December 1993 for Spain and for Portugal. The measures adopted on the legal basis referred to above will cease to apply as of that date.

During that period the Commission has adopted the necessary measures in the various sectors of the common market organizations, namely in the oils and fats, cereals, sugar, eggs, beef and veal, pigmeat and wine sectors.

2. In the wine sector, specific technical difficulties continue to exist in Spain and Portugal relating to the production structures and conditions and to consumption habits (minimum acidity of the wine, the practice of coupage of table wines, ...). It will not be possible to overcome these difficulties in the short term and this justifies further limited transitional measures.
3. To conclude, the term of validity of the text in point, a general provision which authorizes the application of transitional measures limited to the territory of a new Member State on the basis of objective criteria relating to that State should be extended for both Member States by one year.

Adoption as soon as possible is necessary with retroactive effect to 1 January 1994, since the measures adopted on that legal basis cease to apply at that date.


COUNCIL REGULATION (EEC) No

of

amending Regulation (EEC) No 4007/87 extending the period referred to in
Articles 90(1) and 257(1) of the Act of Accession of Spain and Portugal

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular
Articles 90(2) and 257(2) thereof,

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

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

Whereas Articles 90(1) and 257(1) of the Act of Accession provide for a period during which transitional measures may be adopted to facilitate the passage from the arrangements existing in Spain and Portugal before accession to those resulting from the application of the common organization of the markets under the conditions laid down in the Act of Accession and in particular to cope with appreciable difficulties in implementing the new arrangements at the date laid down; whereas the date of expiry of that period, set at 31 December 1987 in the Act of Accession, was extended by Regulation (EEC) No 4007/87⁽³⁾, as amended by Regulation (EEC) No 3876/92⁽⁴⁾, to 31 December 1993 for Spain and Portugal;

(1) OJ No L

(2)

(3) OJ No L 378, 31.12.1987, p. 1.

(4) OJ No L 391, 31.12.1992, p. 2.

[REDACTED] [REDACTED] [REDACTED]

Whereas the period in question should be extended by one year for Spain and for Portugal in order to counter in particular the specific technical difficulties in the application of the rules in the wine sector in those Member States,

HAD ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 4007/87 is hereby amended as follows:

1. In the first subparagraph, "31 December 1993" for Spain is replaced by "31 December 1994";
2. In the second subparagraph, "31 December 1993" for Portugal is replaced by "31 December 1994".

Article 2

This Regulation shall enter into force on the day following its publication in the Official Journal of the European Communities.

It shall apply from 1 January 1994.

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

Done at Brussels,

For the Council

FINANCIAL STATEMENT

DATE: 20 / 12 / 1993

1. BUDGET HEADING: 16

APPROPRIATIONS: 1.567 Mio Ecu

2. TITLE: Council Regulation amending Regulation (EEC) No 4007/87 extending the period referred to in Articles 90(1) and 257(1) of the Act of Accession of Spain and Portugal

3. LEGAL BASIS: Articles 90(2) of the Act of Accession.
257(2)

4. AIMS OF PROJECT: To allow the extension of transitional measures applicable in certain market sectors.

FINANCIAL IMPLICATIONS	Period of 12 months	Current Financial Year	Following Financial Year:	
	19	1994	1995	
5.0 EXPENDITURE				
- CHARGED TO THE EC BUDGET				
- (REFUNDS/INTERVENTION)				
- NATIONAL ADMINISTRATION				
- OTHER				
5.1 REVENUE				
- OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES)				
- NATIONAL				
	1996	1997	1998	1999
5.0.1 ESTIMATED EXPENDITURE				
5.1.1 ESTIMATED REVENUE				

5.2 METHOD OF CALCULATION.

6.0 CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET? YES/NO

6.1 CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET? YES/NO

6.2 WILL A SUPPLEMENTARY BUDGET BE NECESSARY? YES/NO

6.3 WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY? YES/NO

REMARKS:

Annex to the Financial Statement

The purpose of this draft is to extend the legal basis required to continue applying various transitional measures in respect of certain market organizations.

Given the nature of the general legal basis in question, it is not possible a priori to assess the financial implication of this framework proposal.

However, a financial statement will be drawn up and attached to each proposal for specific transitional measures.

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DOCUMENTS

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