

## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EEC) No 2395/79  
of 30 October 1979**

**concerning assistance from the Guidance Section of the European Agricultural Guidance and Guarantee Fund in respect of emergency measures to reconstitute the agricultural areas of the French overseas departments damaged by hurricanes 'David' and 'Frederick'**

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 <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Whereas hurricanes 'David' and 'Frederick' caused considerable damage to agriculture in Martinique and Guadeloupe ;

Whereas it is fitting that the Community contribute towards repairing this damage ;

Whereas measures to benefit agriculture in these areas further the aims defined in Article 39 (1) (a) of the Treaty ; whereas they therefore constitute a common measure within the meaning of Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy <sup>(3)</sup>, as last amended by Regulation (EEC) No 929/79 <sup>(4)</sup> ;

Whereas Community aid must be concentrated on the worst areas affected ;

Whereas the procedure for granting and paying the aid must be the most rapid possible without, however, the need for sound management of the Community's financial resources being neglected,

HAS ADOPTED THIS REGULATION :

*Article 1*

1. A common measure within the meaning of Article 6 (1) of Regulation (EEC) No 729/70 for the

purpose of reconstituting the agricultural areas of the French overseas departments damaged by hurricanes 'David' and 'Frederick' shall be instituted.

2. Expenditure incurred after 30 August 1979 relating to the restoration of destroyed crops, in particular the banana plantations, and the repair of installations necessary for crop growing shall be eligible for charging to the Guidance Section of the EAGGF.

*Article 2*

1. The French Republic shall submit an application for aid to the Commission before 15 November 1979.

2. The Commission shall decide on the granting of aid from the Guidance Section of the EAGGF by 31 December 1979.

3. The Commission shall as far as possible consult the Standing Committee on Agricultural Structures, at the periodic meetings of that Committee, on the draft Decision without such consultation preventing its adoption within the time period stated above ; failing this, the Commission shall inform the Committee as soon as possible of the decision which it has taken.

*Article 3*

The application for aid shall include at least the following information :

- a brief description of the general situation, particularly with regard to the damage caused to agriculture ;
- description of the work to be carried out, in particular the number of hectares concerned, the nature of the work and the geographical extent of the work ;

<sup>(1)</sup> OJ No C 269, 24. 10. 1979, p. 5.

<sup>(2)</sup> Opinion delivered on 26 October 1979 (not yet published in the Official Journal).

<sup>(3)</sup> OJ No L 94, 28. 4. 1970, p. 13.

<sup>(4)</sup> OJ No L 117, 12. 5. 1979, p. 4.

- an estimate of the cost by category of work ;
- the schedule envisaged for the work and the expenditure ;
- the amount of aid provided for by the French Government ;
- the amount of aid requested from the Guidance Section of the EAGGF.

*Article 4*

1. Assistance from the Guidance Section of the EAGGF may not exceed :

- an amount equal to the aid granted by the French Republic ;
- 12.2 million ECU for the restoration of destroyed crops, including 10.6 million ECU for the banana plantations ; however, the contribution by the Community towards the reconstitution of a

banana plantation shall be limited to 40 % of the total cost of such reconstitution ;

- 0.6 million ECU for the repair of installations indispensable to crop growing.

2. Advances may be granted of up to 80 % of the Community aid provided for.

3. The balance will be paid only on production of a statement justifying the expenditure and of a report on the execution of the work, to be submitted no later than 1 October 1980.

4. The anticipated cost of the measure is 12 million European units of account.

*Article 5*

This Regulation shall enter into force on the third day following 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 Luxembourg, 30 October 1979.

*For the Council*

*The President*

J. GIBBONS

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