

COMMISSION REGULATION (EEC) No 3368/82

of 15 December 1982

**amending for the second time Regulation (EEC) No 2660/80 laying down
detailed rules for applying the premium for sheepmeat producers**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1837/80 of 27 June 1980 on the common organization
of the market in sheepmeat and goatmeat⁽¹⁾, as last
amended by Regulation (EEC) No 1195/82⁽²⁾, and in
particular Article 5 (8) thereof,

Having regard to Council Regulation (EEC) No 878/77
of 26 April 1977 on the exchange rates to be applied
in Agriculture⁽³⁾, as last amended by Regulation (EEC)
No 2792/82⁽⁴⁾,

Whereas Article 7 of Commission Regulation (EEC)
No 2660/80⁽⁵⁾, as amended by Regulation (EEC) No
1237/82⁽⁶⁾, lays down the conversion rate to be
applied for payment of the premium; whereas follo-
wing the amendment to Regulation (EEC) No 1837/80
the said Article 7 should be amended so as to indicate
the conversion rate to be applied for the various
payment operations relating to the premium;

Whereas pursuant to Article 4 (2) of Council Regu-
lation (EEC) No 1134/68⁽⁷⁾ the sums due are to be paid
on the basis of the conversion rate which obtained at
the time when the transaction or part transaction was
carried out; whereas pursuant to Article 6 of the same
Regulation, the time when a transaction is carried out
is to be considered as being the date on which occurs
the event, as defined by Community rules or, in the
absence of and pending adoption of such rules, by the
rules of the Member State concerned, on which the
amount involved in the transaction becomes due and
payable; whereas, however, by virtue of Article 4 (3) of
Regulation (EEC) No 878/77, the abovementioned
provisions may be waived;

Whereas where, in accordance with Article 5 of Regu-
lation (EEC) No 1837/80, a premium is to be granted
to offset the loss of income on the part of producers,

the amount of the premium cannot be established
definitely until the end of the marketing year in ques-
tion; whereas it is therefore justified to take as the
conversion rate the representative rate in force on the
last day of the said marketing year; whereas, however,
in the case of the advance established on the basis
solely of a foreseeable loss of income, the rate adopted
should be that in force on the first day of the same
marketing year;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Management
Committee for Sheep and Goats,

HAS ADOPTED THIS REGULATION:

Article 1

Article 7 of Regulation (EEC) No 2660/80 is hereby
replaced by the following:

Article 7

1. The conversion rate to be applied
 - to the estimated amount of the premium, as
referred to in the first subparagraph of Article 5
(4) of Regulation (EEC) No 1837/80, and
 - the advance referred to in Article 1 of this
Regulation

shall be the representative rate in force on the first
day of the marketing year for which the premium
is granted.

2. The conversion rate to be applied
 - to the revised amount of the premium at the
end of the marketing year, as referred to in
Article 5 (5) of Regulation (EEC) No 1837/80,
 - the balance of the premium, as referred to in
the second subparagraph of Article 1 (1) of this
Regulation,
 - the total revised amount mentioned in the
second subparagraph of Article 5 (5) of Regula-
tion (EEC) No 1837/80 in the case of a carry-
over to the following marketing year,

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 22.

⁽³⁾ OJ No L 106, 29. 4. 1977, p. 27.

⁽⁴⁾ OJ No L 295, 21. 10. 1982, p. 6.

⁽⁵⁾ OJ No L 276, 20. 10. 1980, p. 16.

⁽⁶⁾ OJ No L 143, 20. 5. 1982, p. 9.

⁽⁷⁾ OJ No L 188, 1. 8. 1968, p. 1.

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- the amount of the deduction referred to in Article 3 (1) of Regulation (EEC) No 2643/80, and
- shall be the representative rate in force on the last day of the marketing year in respect of which the premium is granted.
- the total amount of the balances, as referred to in the third subparagraph of Article 1 (1) of this Regulation, in the case of the payment being carried over to the following marketing year,

Article 2

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 Brussels, 15 December 1982.

For the Commission

Poul DALSA GER

Member of the Commission
