

COMMISSION REGULATION (EEC) No 3206/91

of 31 October 1991

on applications for commitment of, advances on and payment of the balance of aid granted by the EAGGF Guidance Section for operational programmes involving investments to improve the conditions under which agricultural and forestry products are processed and marketed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 866/90 of 29 March 1990 on improving the processing and marketing conditions for agricultural products⁽¹⁾, as amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 23 thereof,

Whereas, pursuant to Article 1 of Council Regulation (EEC) No 867/90 of 29 March 1990 on improving the processing and marketing conditions for forestry products⁽³⁾, the common measure introduced by Regulation (EEC) No 866/90 is extended to cover the development or rationalization of the marketing and processing of forestry products;

Whereas applications for commitment of, advances on and payment of the balance submitted by the competent authorities to the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, must contain certain data to make it easier to ascertain whether expenditure complies with the provisions of the operational programmes concerned and Regulations (EEC) No 866/90 and (EEC) No 867/90;

Whereas, with a view to standardizing payment applications, the Commission should make a computerized system available to the competent authorities;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Agricultural Structures and Rural Development,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for commitment of an annual instalment and for payment of a first annual advance in respect of operational programmes pursuant to Regulations (EEC) No 866/90 and (EEC) No 867/90 must be presented to the Commission by the competent authority in accord-

ance with Annex II hereto. However the first annual instalment shall be committed and the first advance on that instalment shall be paid automatically when the decision approving the operational programme is adopted.

2. Each quarter the competent authority shall forward to the Commission a statement of payments made to recipients during the preceding quarter in accordance with Annex III.

3. The Commission shall pay the second advance on an annual instalment automatically where the quarterly statement shows that at least 50 % of the first advance on the same instalment has been used.

However the sum of the two advances must not exceed 80 % of the expenditure forecast for that instalment.

4. After receipt of the second quarterly statement relating to an annual instalment, the Commission shall, at the request of the competent authority or of the Member State, commit the following annual instalment and the first advance thereon in so far as budgetary resources allow.

5. In accordance with Annex IV, the competent authority shall forward the application for payment of the balance of an annual instalment no later than the time of presentation of the quarterly statement showing that at least 50 % of the first advance on the following instalment has been used. In the absence of such a statement, the application must be forwarded in any case before 30 June of the year following the end of the year of execution of that instalment.

The amounts paid by the Commission which remain available to the competent authority shall be taken into account when the following advance is paid.

Article 2

1. No later than when it sends the first quarterly statement, the competent authority shall forward to the Commission, the forms on which the recipients submit their payment applications. The forms must include at least a description of the methods for financing the investment, a summary of expenditure effected and a comparative table of investments planned and investments made, on the basis of quantitative and physical indicators in accordance with point 3 of Annex I. It shall

⁽¹⁾ OJ No L 91, 6. 4. 1990, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 91, 6. 4. 1990, p. 7.

inform the Commission, within the same time limit, of the verification methods and national implementing provisions, in so far as such information has not been forwarded previously pursuant to Article 5 (2) of Regulation (EEC) No 866/90, together with any other document on the administrative implementation of the measure. It shall also notify subsequent updatings of the documents referred to in this paragraph.

2. The competent authority shall forward the report on the execution of an annual instalment in accordance with Annexes Va and Vb no later than 30 June of the year following the end of the year of execution of the instalment in question.

Article 3

The data in Annexes II to Vb shall in principle be forwarded by means of a computerized system. The

Commission shall decide on the necessary software to be made available to each competent authority. The Commission may also undertake to make equipment available and train a certain number of users.

Article 4

The commitment and payment applications and the quarterly statements must take account of the introductory remarks contained in Annex I.

These applications and statements shall be sent to the Commission by the competent authority, either directly or via the Member State.

Article 5

This Regulation shall enter into force on the day of 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, 31 October 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Applications for commitment and payment of advances and quarterly statements relating to operational programmes pursuant to Regulations (EEC) No 866/90 and (EEC) No 867/90

Introductory remarks*1. Provisions on the submission of applications and other documents*

Applications for commitment and payment, quarterly statements and all additional information must be submitted in two copies to:

Commission of the European Communities,
Directorate-General for Agriculture,
EAGGF Guidance Section (VI-G-5),
rue de la Loi 200,
B-1049 Brussels.

2. Data in respect of regions and areas

Column A in Annex Va must contain the NUTS III code corresponding to the:

- 'arrondissement' in Belgium and the Netherlands,
- COROP-Regio in the Netherlands,
- 'Kreis' in Germany,
- 'département' in France,
- 'county/local authority region' in the United Kingdom,
- 'planning region' in Ireland,
- 'amt' in Denmark,
- 'provincia' in Italy,
- 'nomos' in Greece,
- 'provincia' in Spain,
- 'grupo de conselhos' in Portugal.

The Objective 5 (b) areas must also be indicated clearly by means of an asterisk.

3. Quantitative and physical indicators

The quantitative and physical indicators may be in particular:

- number,
- length,
- area,
- volume,
- capacity.

ANNEX II

APPLICATION FOR COMMITMENT AND PAYMENT OF THE FIRST ADVANCE ON THE ... ANNUAL INSTALMENT (n) (19./20.) FOR AN OPERATIONAL PROGRAMME PURSUANT TO REGULATION (EEC) No 866/90 OR (EEC) No 867/90 (1)

Operational programme NO	
Eligible cost (2) for instalment No	ECU
Amount of commitment applied for	ECU
Advance (3)	ECU

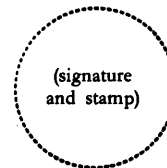
Declaration

Pursuant to Article 17 (1) of Regulation (EEC) No 866/90, it is hereby confirmed by(4), the authority designated pursuant to Article 14 (1) of Regulation (EEC) No 4253/88, that :

1. 60 % of the total eligible cost relating to the last instalment (n — 1) and 100 % of the total eligible cost relating to the last instalment but one (n — 2) have been spent by the final recipients ;
2. verifications have been conducted in accordance with the control methods notified to the Commission ;
3. the bank particulars are as follows :
 - Name of bank :
 - Address of branch/code :
 - Telephone/telefax, telex, electronic address :
 - Account No :
 - Account holder :

Drawn up at, on

For the designated authority



(1) Delete as appropriate.
 (2) This amount must reflect the eligible costs laid down in the operational programme initially approved or, where applicable, the costs as adjusted by the Monitoring Committee/Commission.
 (3) Maximum of 50 % of the commitment applied for.
 (4) Name of the designated authority.

ANNEX III

QUARTERLY STATEMENT RELATING TO OPERATIONAL PROGRAMMES FOR WHICH THE EAGGF GUIDANCE SECTION HAS MADE A PAYMENT PURSUANT TO REGULATION (EEC) No 866/90 OR (EEC) No 867/90 (*)

Quarter 1 / ... / 19... to ... / ... / 19... (Period 'n')

A	B	C	D (*)	E	F = D + E
Operational programme No	Total eligible costs foreseen (†)	Combined payments received from the EAGGF, Guidance Section (second column)	Combined payments made to recipients on behalf of the EAGGF Guidance Section until the end of period n-1 (second column)	Payments made to recipients on behalf of the EAGGF Guidance Section during period n (second column)	Combined payments made to recipients on behalf of the EAGGF Guidance Section until the end of period n-1 (second column)
	ECU	ECU	ECU/NC (‡)	ECU/NC (‡)	ECU/NC (‡)
Total					

(*) A separate statement must be drawn up by regulation.
 (†) This column must reflect the eligible costs laid down in the operational programme originally approved or, where applicable, the costs as adjusted by the Monitoring Committee/Commission.
 (‡) Indicate the currency unit used.
 (§) Corresponds to column F of the previous statement.

ANNEX IV

**APPLICATION FOR PAYMENT OF THE BALANCE OF THE .. ANNUAL
INSTALMENT (19..J20..) FOR AN OPERATIONAL PROGRAMME PURSUANT TO
REGULATION (EEC) No 866/90 OR (EEC) No 867/90**

Operational programme No		
Total payments made to recipients on behalf of EAGGF Guidance Section ⁽¹⁾	ECU	/NC ⁽²⁾
Total payments received from the EAGGF Guidance Section ⁽³⁾	ECU	/NC ⁽²⁾
Balance applied for	ECU	/NC ⁽²⁾

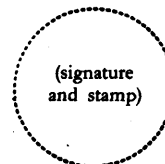
DECLARATION CONCERNING THE BALANCE OF THE ... ANNUAL INSTALMENT

Pursuant to Article 17 (1) of Regulation (EEC) No 866/90, it is hereby confirmed by⁽⁴⁾, the authority designated pursuant to Article 14 (1) of Regulation (EEC) No 4253/88, that:

1. the supporting documents and the forms on which the recipients apply for payment of aid from the EAGGF Guidance Section have been verified as regards accuracy;
2. the financial contributions provided for in Article 16 (3) and (4) or, where applicable, (5), of Regulation (EEC) No 866/90 or (EEC) No 867/90 ⁽²⁾ have been verified and found to comply;
3. the payments made reflect progress in the making of the investments planned;
4. each investment for which the final balance has been paid, has been the subject of an on-the-spot check;
5. the objectives and special conditions of the operational programmes are complied with;
6. the checks have been carried out in accordance with the control methods notified to the Commission;
7. the detailed account relating to this declaration has been verified and deemed to comply;
8. the bank particulars are as follows:
 - Name of bank:
 - Address of branch/code:
 - Telephone/telefax, telex, electronic address:
 - Account number:
 - Account holder:

Drawn up at, on

For the designated authority



⁽¹⁾ This amount is equal to the total in column G of Annex Va hereto.
⁽²⁾ Delete where appropriate.
⁽³⁾ Excluding any payment relating to the following instalment (n + 1).
⁽⁴⁾ Name of the designated authority.

ANNEX Va

ANNUAL REPORT ON THE EXECUTION OF OPERATIONAL PROGRAMME No PURSUANT TO REGULATION (EEC) No 866/90 OR (EEC) No 867/90
SITUATION AT 31 DECEMBER 19...

National currency/ecu (1)

Region (2)	Investment No	Total eligible costs anticipated (3)	Eligible expenditure actually incurred by the beneficiary	Own funds E - D - F - G	National aids paid to beneficiaries F	Community aids paid to beneficiaries G	Remarks
A	B	C	D	E - D - F - G	F	G	H
Total							

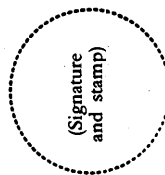
(1) Indicate the currency unit used.

(2) See point 2 of Annex I.

(3) This column must reflect the eligible costs laid down in the operational programme originally approved or, where applicable, the costs as adjusted by the Monitoring Committee/Commission:

Drawn up at, on

For the designated authority



ANNEX Vb

ANNUAL REPORT ON THE EXECUTION OF OPERATIONAL PROGRAMME No PURSUANT TO REGULATION (EEC) No 866/90 OR (EEC) No 867/90
SITUATION AT 31 DECEMBER 19.../2....

Sector code (¹)	Investment No	Execution of work						Remarks
		Scheduled dates		Actual dates		Rate of execution (%) (²)		
		Commencement	End	Commencement	End			
A	B	C	D	E	F	G	H	

(¹) See Annex VI.

(²) The rate of execution is the result of the cost of work carried out divided by the total cost of work originally planned or, where appropriate, the adjusted cost.

Drawn up at, on

For the designated authority



ANNEX VI

SECTOR CODES — PROCESSING AND MARKETING BRANCH
 (Regulations (EEC) No 866/90 and (EEC) No 867/90)

Main sector	Code	Sector	Code	Sub-sector	Code				
Forestry products	1000	Forestry products	1010	Timber	1011				
				Cork	1012				
				Other forestry products	1019				
Animal products	2000	Meat	2010	Slaughtering and cutting	2011				
				Processing	2012				
				Non-edible products	2013				
				Other meats	2019				
		Milk and milk products	2020	Milk collection	2021	Liquid milk	2022		
						Milk products	2023		
						Other dairy products	2029		
						Eggs and poultry	2030		
		Eggs and poultry	2030	Eggs	2031	Poultry	2032		
						Other (including rabbits)	2039		
						Sundry animals	2990	Livestock markets	2991
								Honey	2992
								Other animal products	2999
Vegetable products	3000	Cereals	3010	Cereals (excluding rice)	3011				
				Rice	3012				
		Sugar	3020	Oil seeds	3030	Olive oil	3031		
						Oil-bearing seeds	3032		
						Other oil seeds	3039		
		Protein plants	3040						
		Wine and alcohol	3050						
		Fruit and vegetables	3060	Fresh fruit and vegetables	3061	Processed fruit and vegetables	3062		
						Other fruit and vegetables	3069		
						Flowers and plants	3070		
		Seeds	3080						
		Potatoes	3090	Unprocessed potatoes	3091	Processed potatoes	3092		
		Tobacco	3100						
Sundry vegetables	3990								
Various products	4000	Multi-purpose markets and distribution	4010	Animal feedingstuffs	4020				
				Other	4990				
				Miscellaneous marketing and processing	9990				