

## REGULATION (EEC) No 728/70 OF THE COUNCIL

of 21 April 1970

on additional provisions for the financing of the common agricultural policy

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43, 200 (3) and 209 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament<sup>1</sup>;

Having regard to the Opinion of the Economic and Social Committee<sup>2</sup>;

Whereas the definitive arrangements provided for in Article 2 (2) of Regulation No 25<sup>3</sup> on the financing of the common agricultural policy will be applicable from the entry into force of the Decision of 21 April 1970<sup>4</sup> on the replacement of financial contributions from Member States by the Communities' own resources;

Whereas application of most of the provisions which have governed the financing of the common agricultural policy was limited to the transitional period, which expired on 31 December 1969; whereas the continuity of that financing should be ensured by extending the period of application of those provisions until the definitive arrangements are applied and by adapting them so as to facilitate the transition to these arrangements;

Whereas the scale for the financial contributions from Member States to the expenditure of the European Agricultural Guidance and Guarantee Fund must be adapted, account being taken of the provisions applied during the transitional period and of those concerning the Communities' own resources;

Whereas, in order that from 1970 there may be transition to an accounting period that will coincide with the budget year, provision should be made for a special accounting period for the second half of 1969, the budgetary consequences of which, in particular those concerning credits available for the Guidance Section, must be specified;

Whereas the provisions at present force do not lay down all the detailed rules concerning the financing of the expenditure for the second half of 1969;

Whereas, because of delays in the decisions on granting aid from the European Agricultural Guidance and Guarantee Fund, provision should be made for a supplementary interim payment for the 1967/68 and 1968/69 accounting periods;

HAS ADOPTED THIS REGULATION:

## TITLE I

## Arrangements for the second half of 1969

*Article 1*

Article 4 (1) of the Financial Regulation<sup>5</sup> on the European Agricultural Guidance and Guarantee Fund shall be supplemented by the following subparagraph:

'The "second half of 1969" accounting period shall extend from 1 July to 31 December 1969.'

*Article 2*

1. For the 'second half of 1969' accounting period, the following shall be taken into consideration for calculation of the financial contributions from Member States and the aid

<sup>1</sup> OJ No C 2, 8.1.1970, p. 25.

<sup>2</sup> OJ No C 12, 30.1.1970, p. 9.

<sup>3</sup> OJ No 30, 20.4.1962, p. 991/62.

<sup>4</sup> OJ No L 94, 28.4.1970, p. 19.

<sup>5</sup> OJ No 34, 27.2.1964, p. 599/64.

granted from the Guarantee Section of the European Agricultural Guidance and Guarantee Fund:

- expenditure by Member States and receipts within the meaning of Article 11 (1) and (2) of Council Regulation No 130/66/EEC<sup>1</sup> of 26 July 1966 on the financing of the common agricultural policy;
- expenditure to be effected and receipts to be collected for operations carried out before 1 January 1970, irrespective of the date of payment or collection.

2. Detailed rules for the application of paragraph 1 shall be adopted, where necessary, according to the procedure laid down in Article 26 of Council Regulation No 17/64/EEC<sup>2</sup> of 5 February 1964 on the conditions for granting aid from the European Agricultural Guidance and Guarantee Fund.

#### Article 3

1. Article 9 (2) of Regulation No 17/64/EEC shall be supplemented by the following:

'2a. For the "second half of 1969" accounting period Member States shall submit to the Commission:

- (a) before 1 June 1970, an application for an interim payment in respect of expenditure incurred during that accounting period and eligible for aid from the Guarantee Section of the Fund;
- (b) before 1 December 1970, an application for reimbursement of the expenditure incurred during that accounting period and eligible for aid from the Guarantee Section of the Fund.'

2. In paragraphs 3 and 3a of that Article the words 'and in paragraph 2a' shall be added after the words 'in paragraph 2'.

#### Article 4

Article 10 (5) of Regulation No 17/64/EEC shall be supplemented by the following:

'5a. For the "second half of 1969" accounting period the Commission shall decide, on the basis of the applications provided for in Article 9 (2a):

- (a) before 31 July 1970, on an interim payment for aid from the Fund equal to 75% of the expenditure which can be taken into consideration for that period;
- (b) before 1 October 1971, on aid from the Fund, after consulting the Fund Committee.'

#### Article 5

Article 5 (2) of Regulation No 25 shall be supplemented by the following subparagraph:

'For the "second half of 1969" accounting period, the contribution from the Fund to expenditure eligible for aid under Article 3 (1) (d), determined in accordance with the first subparagraph, may not exceed an amount of 142.5 million units of account.'

### TITLE II

#### Arrangements for 1970

#### Article 6

Article 4 (1) of the Financial Regulation on the European Agricultural Guidance and Guarantee Fund shall be supplemented by the following subparagraph:

'The 1970 accounting period shall coincide with the calendar year.'

#### Article 7

The expenditure of the Guarantee and the Guidance Sections of the European Agricultural Guidance and Guarantee Fund for the 1970 accounting period shall be covered by financial contributions from Member States, calculated according to the following scale:

Belgium	8.25
Germany	31.70
France	28.00
Italy	21.50
Luxembourg	0.20
Netherlands	10.35

#### Article 8

1. For the 1970 accounting period, expenditure by Member States for operations carried out between 1 January and 31 December 1970 shall for purposes of

<sup>1</sup> OJ No 165, 21.9.1966, p. 2965/66.

<sup>2</sup> OJ No 34, 27.2.1964, p. 586/64.

aid from the Guarantee Section of the European Agricultural Guidance and Guarantee Fund be taken into consideration irrespective of the date of payment.

2. Detailed rules for the application of paragraph 1 shall be adopted, where necessary, according to the procedure laid down in Article 26 of Regulation No 17/64/EEC.

#### Article 9

Article 9 (2) of Regulation No 17/64/EEC shall be supplemented by the following:

'2b. For the 1970 accounting period Member States shall submit to the Commission:

- (a) before 1 October 1970, an application for an interim payment in respect of expenditure eligible for aid from the Guarantee Section of the Fund for the first half of the year;
- (b) before 1 April 1971, an application for an interim payment in respect of expenditure eligible for aid from the Guarantee Section of the Fund for the second half of the year;
- (c) before 1 August 1971, an application for reimbursement of expenditure eligible for aid from the Guarantee Section of the Fund for the whole of the accounting period.'

#### Article 10

Article 10 (5) of Regulation 17/64/EEC shall be supplemented by the following:

'5b. For the 1970 accounting period the Commission shall decide, on the basis of the applications provided for in Article 9 (2b):

- (a) before 15 December 1970 and 30 June 1971, on an interim payment of aid from the Fund equal to 75% of the expenditure which can be taken into consideration for the first half and the second half respectively of that accounting period;
- (b) before 30 June 1972, on aid from the Fund, after consulting the Fund Committee.'

### TITLE III

#### General provisions

#### Article 11

On the basis of applications from Member States for interim payments, submitted to the Commission

before 31 December 1969 in view of the decisions on interim payments provided for in Article 10 (4) (a) and (5) (a) of Regulation No 17/64/EEC, the Commission shall decide, before 15 October 1970 and after consulting the Committee for the European Agricultural Guidance and Guarantee Fund, on an additional interim payment calculated in such a way that the interim payments for expenditure which can be taken into consideration by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund for the 1967/68 and 1968/69 accounting periods reach a total of 90%.

#### Article 12

The first subparagraph of Article 4 (1) of the Financial Regulation on the European Agricultural Guidance and Guarantee Fund shall be supplemented by the following:

'For the "second half of 1969" and the 1970 accounting periods:

- the credits in respect of expenditure eligible for aid under the Guarantee Section shall be entered in the budget for the 1970 financial year;
- the credits for the Guidance Section shall be entered in the budget for the 1971 financial year.'

#### Article 13

In Article 10 (6) of Regulation No 17/64/EEC the words 'of paragraph 4 (a), 5 (a), 5a (a) or 5b (a)' shall be substituted for the words 'of paragraph 4 (a) or 5 (a).'

#### Article 14

Articles 3 to 8 of Regulation No 25, Regulations No 17/64/EEC and No 130/66/EEC, the Financial Regulation on the European Agricultural Guidance and Guarantee Fund and the provisions adopted for their application shall continue to apply to the financing of the common agricultural policy for the last accounting period covered by this Regulation and for the preceding accounting periods.

#### Article 15

1. If the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources has not entered into force by 1 January 1971, the scale laid down in Article 7 shall remain in force and all the provisions referred to in Article 14 shall continue to apply until the entry into force of the Decision.

2. In that event the Council acting by a qualified majority on a proposal from the Commission and taking the provisions of Articles 6, 8, 9, 10 and 12 as a basis, shall decide on the procedure for financing the common agricultural policy which shall apply until the entry into force of the Decision referred to in paragraph 1.

*Article 16*

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, 21 April 1970.

*For the Council*

*The President*

P. HARMEL

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