

COUNCIL REGULATION (EEC) No 3620/84
of 19 December 1984
on a specific measure in the field of transport infrastructure

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Par-
liament⁽¹⁾,

Having regard to the opinion of the Economic and
Social Committee⁽²⁾,

Whereas a specific financial support measure concern-
ing transport infrastructure should be implemented
in order to use the whole of the appropriations
included for this purpose in the 1983 and 1984
budgets;

Whereas the projects eligible for this measure must
satisfy certain criteria as regards their interest to the
Community;

Whereas, in order to follow up the conclusions of the
European Council at its meeting of 17 to 19 June
1983, a special financial effort should be made (under
the 1984 budget) to modernize the main transport
routes in Greece;

Whereas ceilings for the Community financial support
per project should be fixed for the 1983 and 1984
programmes;

Whereas the methods of carrying out this Regulation
should be defined,

HAS ADOPTED THIS REGULATION:

Article 1

Within the limits of the appropriations available under
the 1983 budget, and on the terms set out in Articles
3, 4 and 5, the Community shall grant financial
support for transport infrastructure projects by contri-
buting towards the cost of the following projects:

France

Modernization of the railway junction at Mulhouse-
Nord

Ireland

Construction of the Wexford by-pass

Greece

Evzoni-Volos road — improvement of the section
between Axios and the Gallikos bridge

Luxembourg

Construction of the Potaschbiert / German border
section of the Luxembourg-Trier motorway

Article 2

1. Within the limits of the appropriations available
under the 1984 budget, and on the terms set out in
Articles 3, 4 and 5, the Community shall grant finan-
cial support for transport infrastructure projects which,
within the framework of the harmonious development
of a balanced infrastructure network, guarantee socio-
economic benefit to the Community and comply with
one of the following criteria:

- elimination of notorious bottlenecks within the
Community or straddling its external frontiers,
- improvement of major traffic links between all
Member States.

2. The projects referred to in paragraph 1 are listed
below:

1. **Urgent measures**

1.1. *Italy*

New alignment of the Chiasso to Milan
railway line

1.2. *France*

Access to Mont Blanc (new road Le Fayet-les
Houches)

1.3. *Community*

Border infrastructure

2. **Greek memorandum**

2.1. *Greece*

Evzoni-Athens-Kalamata trunk road, Varibo-
bi-Schimatari section

2.2. *Greece*

Larissa-Plati railway line

3. **Other priority measures**

3.1. *Ireland*

Shankill-Bray by-pass

3.2. *Germany*

Nuremberg marshalling yard

3.3. *United Kingdom*

Motorway around London (M25)

— Leatherhead-Reigate section

— M4/M40 section

⁽¹⁾ OJ No C 10, 16. 1. 1984, p. 83.

⁽²⁾ OJ No C 341, 19. 12. 1983, p. 4.

3.4. *United Kingdom*

Sidcup by-pass (A20)

3.5. *United Kingdom*

Rail access to the port of Harwich (Colchester-Harwich line)

3.6. *Belgium-France*

Improvement of the Lys waterway

3.7. *Netherlands*

Dordrecht railway bridge

Article 3

The financial support granted under this Regulation to the projects chosen in accordance therewith may not exceed 25 % of the total cost of each project or of the particular stage of the project to be supported.

Under no circumstances shall contributions from all Community sources exceed 50 % of the total cost of a given project.

Article 4

1. For the purpose of granting the Community financial support referred to in Articles 1 and 2, the Commission shall take the necessary steps for the application of this Regulation, in agreement with the Member States involved and taking into account the amounts estimated to be necessary.

2. With regard to the projects referred to in section 1.3 of Article 2 (2), the Member States shall send draft projects to the Commission within 30 days of the entry into force of this Regulation. Within 75 days, the Commission shall consult the Committee on Transport Infrastructures set up by Decision 78/174/EEC (¹), take a decision and notify the Council thereof.

Within 30 days of this notification, any Member State may refer the matter to the Council. The Council, acting on a qualified majority, may take a different decision within 45 days. If the matter is not referred to the Council by any Member State, or if the Council does not act within the above period of time, the decision of the Commission shall become final.

The decision of the Commission or the Council shall be published in the *Official Journal of the European Communities*.

(¹) OJ No L 54, 25. 2. 1978, p. 16.

3. On conclusion of the work which has received Community support, the Commission shall submit a report to the Council.

Article 5

1. Where a project which has received financial support has not been carried out as planned, or where the conditions laid down are not fulfilled, the financial support may be reduced or cancelled by a decision adopted by the Commission.

Any sum paid incorrectly shall be repaid to the Community by the recipient concerned within 12 months following the date of notification of such decision.

2. Without prejudice to checks carried out by the Member States in accordance with national laws, regulations or administrative provisions, and without prejudice to the provisions of Article 206a of the Treaty or any inspection arranged on the basis of Article 209 (c) of the Treaty, on-the-spot checks or enquiries in respect of projects receiving financial support shall be carried out by the competent authorities of the Member State concerned and by representatives of the Commission, or other persons authorized for this purpose by the latter. The Commission shall determine deadlines for the performance of checks and inform the Member State in advance in order to obtain all the necessary assistance.

3. The purpose of these on-the-spot checks or enquiries relating to operations receiving financial support shall be to ascertain:

- (a) the conformity of administrative practices with Community rules;
- (b) the existence of supporting documents and whether they correspond to the projects receiving financial support;
- (c) the conditions under which operations are executed and checked;
- (d) the conformity of the execution of projects with the conditions for granting the financial support.

4. The Commission may suspend payment of aid in respect of an operation if a check reveals irregularities, or an important change in the nature or conditions of the operation for which the Commission's approval has not been sought.

Article 6

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, 19 December 1984.

For the Council

The President

J. BRUTON
