

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Regulation on the implementation in relation to food of alternative operations in place of food aid*COM(83) 695 final**(Submitted by the Commission to the Council on 30 November 1983)*

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community, and in particular
Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European
Parliament,

Whereas, as part of its efforts to help combat hunger
in the world, the Community should do everything
possible to encourage developing countries to
embark, with determination, upon a food strategy;

Whereas it should provide substantial support to that
end;

Whereas such support can be stepped up by making
food aid more flexible, and in particular by replacing
some food-aid operations by financial support for
agricultural and food operations;

Whereas the measures to be taken in order to
implement these alternative operations should be
defined;

Whereas a procedure should be laid down for the
management of this aid; whereas Article 8 of Council
Regulation (EEC) No 3331/82 ⁽¹⁾ lays down an
appropriate procedure;

Whereas the Treaty does not provide the specific
powers required for this purpose,

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with the criteria and procedures laid
down in this Regulation the Community shall
implement, for the benefit of developing countries,

operations in the form of financial and technical aid
to replace food aid.

Article 2

Operations in place of food aid may be implemented
on their request in favour of developing countries
which are eligible for Community food-aid operations
under Regulation (EEC) No 3331/82 for a part or all
of the amounts of food aid that have been or could
be allocated to them, taking into account in particular
developments in relation to production and
consumption and the level of stocks in the country as
well as the food situation of the population.

Article 3

The alternative operations shall comprise the
financing of development operations in the field of
agriculture and food in the country concerned, and
shall cover the financing of *inter alia*:

- the supply of essential inputs for such production,
- rural credit operations,
- storage by individual farmers, or at village, local,
national or regional level,
- marketing, transport, distribution or processing of
locally produced foodstuffs,
- applied research and on-the-job training,
- projects to develop food production,

and all other operations aimed at greater self-
sufficiency in food.

Article 4

Aid shall be granted by the Community either
autonomously or by means of co-financing with
Member States or with specialized organizations.

⁽¹⁾ OJ No L 352, 14. 12. 1982, p. 1.

Article 5

The aid from the Community shall be in the form of grants.

Article 6

1. The aid may cover both external expenditure and the local expenditure necessary for implementation of the operations, including maintenance and operating expenses.

Taxes, duties and charges shall be excluded from the Community financing.

2. Any counterpart funds that may result from the actions listed in Article 3 shall be used in accordance with the objectives laid down in this Regulation and in agreement with the Community.

Article 7

Participation in calls for tenders, invitations to tender and purchasing and other contracts shall be open on equal terms to all natural or legal persons of Member States or of the recipient country. Such participation may be extended to other developing countries receiving Community aid, particularly in cases of co-financing or in order to prevent the cost of the operations from increasing unduly as a result of distance, transport difficulties or delivery times.

Such participation by other developing countries shall be of an exceptional nature and shall be authorized on a case-by-case basis in accordance with the procedure laid down in Article 8.

Article 8

Decisions granting aid shall be taken by the Commission following consultation of the Committee

provided for in Article 7 of Regulation (EEC) No 3331/82 and in accordance with the procedure laid down in Article 8 of that Regulation.

The Committee may examine any other matter relating to the implementation of the operations in place of food aid put to it by the chairman on his own initiative or at the request of a representative of a Member State.

Article 9

In accordance with decisions taken pursuant to Article 8, the Commission shall decide on the conditions governing supply of the aid.

Article 10

The Commission shall report to the Council and to the European Parliament on the application of this Regulation.

Article 11

1. The Commission shall take all the necessary steps to ensure proper implementation of operations in place of food aid.

2. The Member States shall give the Commission every assistance and shall provide it with all the necessary information for the proper implementation of these operations.

Article 12

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.

Proposal for a Council Regulation establishing special measures of Community interest relating to transport infrastructure

COM(83) 697 final

(Submitted by the Commission to the Council on 2 December 1983)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas conditions incompatible with the proper functioning of the Community could arise when a Member State's economy, whilst in a special situation, is forced to bear a disproportionate burden in the financing of the Community budget;