COMMISSION DECISION

of 21 December 1973

granting assistance from the European Social Fund, as provided for in Article 125 of the Treaty, to the Federal Republic of Germany for expenditure on vocational retraining operations carried out by the 'Bundesanstalt für Arbeit (BA)' and the social insurance organizations for workers

(ESF file Nos 72046, 72118, 73020, 73043)

(Only the German text is authentic)

(74/176/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 125 thereof ;

Having regard to Council Regulation (EEC) No 2396/71 [1] of 8 November 1971 implementing the Council Decision of 1 February 1971 on the reform of the European Social Fund, and in particular Article 12 thereof ;

Whereas in its applications of 8 June and 27 December 1972, 14 June and 20 June 1973 the Federal Republic of Germany requested assistance from the European Social Fund, as provided for in Article 125 of the Treaty, for expenditure on vocational retraining operations amounting to a total amount of DM 97 675 415·08 ;

Whereas, pursuant to Article 12 of Regulation (EEC) No 2396/71, such assistance is granted for operations initiated before 1 May 1972, the date on which the said Regulation entered into force, and terminated before 1 July 1972, and whereas the applications for assistance must be examined pursuant to the provisions of Council Regulation No 9 [2] of 25 August 1960, as last amended by Council Regulation No 37/67/EEC [3], and to the provisions adopted pursuant to the said Regulation ;

Whereas, in accordance with Articles 1 and 3 of Regulation No 9, the applications referred to above from the Federal Republic of Germany relate to vocational retraining operations carried out on the responsibility and at the expense of the 'Bundesanstalt für Arbeit (BA)', the 'Landesversicherungsanstalten (LVA)', whereas the total amount requested for those operations is to be allocated as follows :

Body	*Amount requested in DM*
1. Bundesanstalt für Arbeit (BA)	68 444 708·79
2. Landesversicherungsanstalten (LVA)	
LVA Baden	1 903 921·28
LVA Berlin	870 914·12
LVA Braunschweig	560 346
LVA Hamburg	1 506 211·79
LVA Hannover	2 414 521·88
LVA Hessen	1 781 319·90
LVA Niederbayern-Oberpfalz	668 512·70
LVA Oberbayern	956 558·95
LVA Ober- und Mittelfranken	933 033·56
LVA Oldenburg-Bremen	1 414 723·87
LVA Rheinland-Pfalz	2 041 082·04

[1] OJ No L 249, 10. 11. 1971, p. 54.

[2] OJ No 56, 31. 8. 1960, p. 1189/60.
[3] OJ No 33, 24. 2. 1967, p. 526/67.

LVA Rheinprovinz	5 302 385·74
LVA Saarland	797 371·44
LVA Schleswig-Holstein	1 710 779·42
LVA Schwaben	347 041·19
LVA Unterfranken	295 439·60
LVA Westfalen	3 092 460·54
LVA Württemberg	2 408 835·59
3. Bundesbahnversicherungsanstalt	67 454·47
4. Seekasse	157 792·21

Whereas the bodies listed above were included in or belonged to a group of bodies added to the list of bodies governed by public law referred to in Article 18 of Regulation No 9 ;

Whereas the applications containing the informations required under Article 20 of Regulation No 9 and relating to operations terminated during the period from 1 January 1970 to 31 December 1971 inclusive, were properly submitted within the time limits laid down in Article 19 of Regulation No 9 ;

Whereas it is necessary to suspend the examination of the part of the applications of the 'Bundesanstalt für Arbeit', which relate to the labour offices under the auspices of which vocational training operations can be undertaken for the benefit of workers from the mining sector, so that the Commission and the Fund Committee can examine the question of principle, namely, to what extent can colliery workers who are affected by the measures within the meaning of Article 56 (2) of the Treaty establishing the European Coal and Steel Community be taken into consideration for the granting of assistance provided for in Article 125 of the EEC Treaty ; whereas because of this the part of the applications relating to the labour offices in Aachen, Bochum, Dortmund, Duisburg, Essen, Gelsenkirchen, Hagen, Hamm, Oberhausen, Recklinghausen, Wesel, Neunkirchen, Saarbrücken und Saarlouis arising in the applications of the 'Bundesanstalt für Arbeit' and coming to a sum total of DM 15 099 697·92 have been put aside for the moment so that they can be examined at a later date ;

Whereas the examination of the remaining applications and the checking of their material and financial aspects, carried out pursuant to the provisions of Commission Regulation No 113/63/EEC [1] on the detailed rules for the examination and checking of applications for assistance submitted to the European Social Fund, revealed that these applications comply with the conditions laid down by the relevant rules ;

Whereas, consequently, the bodies referred to above are entitled to receive assistance from the Fund for their expenditure provided that the sum of DM 15 099 697·92 is deducted, and whereas the total amount of assistance to be granted by the Fund pursuant to Article 125 of the Treaty is therefore DM 97 675 415·08 minus DM 15 099 697·92, i.e. DM 82 575 717·16.

Whereas in its Opinion of 25 October 1973 the Committee of the European Social Fund reached the same conclusions for the reasons given above,

HAS ADOPTED THIS DECISION :

Article 1

The applications for assistance submitted to the European Social Fund by the Federal Republic of Germany for the expenditure of the bodies referred to in Article 2 on vocational retraining operations terminated during the period from 1 January 1970 to 31 December 1971 inclusive, comply with the rules governing the operation of the Fund as regards the sum of DM 82 575 717·16. The remainder of these applications will be examined at a later date.

Article 2

The amount of assistance from the European Social Fund to be granted pursuant to Article 125 of the

[1] OJ No 153, 24. 10. 1963, p. 2563/63.

Treaty to the Federal Republic of Germany to the bodies listed below shall be DM 82 575 717·16 (equivalent to 22 561 671·36 units of account). This sum shall be allocated as follows :

Body	*Assistance granted in DM*
1. Bundesanstalt für Arbeit (BA)	53 345 010·87
2. Landesversicherungsanstalten (LVA)	
LVA Baden	1 903 921·28
LVA Berlin	870 914·12
LVA Braunschweig	560 346
LVA Hamburg	1 506 211·79
LVA Hannover	2 414 521·88
LVA Hessen	1 781 319·90
LVA Niederbayern-Oberpfalz	668 512·70
LVA Oberbayern	956 558·95
LVA Ober- und Mittelfranken	933 033·56
LVA Oldenburg-Bremen	1 414 723·87
LVA Rheinland-Pfalz	2 041 082·04
LVA Rheinprovinz	5 302 385·74
LVA Saarland	797 371·44
LVA Schleswig-Holstein	1 710 779·42
LVA Schwaben	347 041·19
LVA Unterfranken	295 439·60
LVA Westfalen	3 092 460·54
LVA Württemberg	2 408 835·59
3. Bundesbahnversicherungsanstalt	67 454·47
4. Seekasse	157 792·21

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 21 December 1973.

For the Commission

The President

François-Xavier ORTOLI