COMMISSION DECISION

of 23 February 1989

on the payment of advances and the fixing of the Community contribution towards permanent abandonment premiums granted in respect of vine-growing areas

(89/166/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1442/88 of 24 May 1988 on the granting, for the 1988/89 to 1995/96 wine years, of permanent abandonment premiums in respect of vine-growing areas [1], and in particular Article 16 (3) thereof,

Whereas applications for the payment of advances and the statements of permanent abandonment premiums paid intended for the fixing each year of the Community's contribution, to be presented by the Member States to the Guidance and Guarantee Sections of the European Agricultural Guidance and Guarantee Fund (EAGGF), should contain certain information so that an examination can be made of the conformity of the expenditure with the provisions of Regulation (EEC) No 1442/88 and of Commission Regulation (EEC) No 2729/88 [2], as last amended by Regulation (EEC) No 3445/88 [3];

Whereas, in order to permit effective checks, Member States should keep the supporting documents at the disposal of the Commission for a period of three years from the date on which the Community contribution is fixed;

Whereas it is necessary, in order to effect payment of the advances provided for in Articles 14 (3) and 15 (1) of Regulation (EEC) No 1442/88, to lay down the relevant detailed rules and procedures;

Whereas the measures provided for in the Decision are in accordance with the opinion of the European Agricultural Guidance and Guarantee Fund Committee,

HAS ADOPTED THIS DECISION:

Article 1

Applications for advances drawn up in respect of expenditure eligible for reimbursement from the Guarantee and Guidance Sections of the European Agricultural Guidance and Guarantee Fund, referred to in Articles 14 (3) and 15 (1) of Regulation (EEC) No 1442/88, shall be in conformity with the tables set out in Annexes I, I.1 and I.2.

Article 2

1. Advances from the Guarantee and Guidance Sections of the European Agricultural Guidance and Guarantee Fund shall not be more than the amount of the Community contribution towards the financing of the expenditure planned during the reference year.

2. Advances which are not expended during the year in respect of which they are paid shall be deducted from advances to be paid in respect of the following year.

3. Advances for the following year shall be paid only after the statement of the permanent abandonment premiums paid referred to in Article 3 (1) has been sent to the Commission.

Article 3

1. The statement of the permanent abandonment premiums paid during a year referred to in Article 16 (1) of Regulation (EEC) No 1442/88 shall be in conformity with the tables set out in Annexes II, II.1, II.2 and III.

2. Member States shall forward to the Commission, with the first statement of the permanent abandonment premiums paid, the texts of the national implementing provisions and of the administrative instructions, and the forms or any other documents concerning the administrative application of the scheme.

Article 4

Member States shall keep available to the Commission, for a period of three years from the date on which the Community contribution was last fixed, all the supporting documents or certified copies thereof which are in their possession, on the basis of which premiums provided for in Regulation (EEC) No 1442/88 were granted and the applications for advances and statements of premiums were drawn up.

Article 5.

This Decision is addressed to the Member States.

Done at Brussels, 23 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

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[1] OJ No L 132, 28. 5. 1988, p. 3.
[2] OJ No L 241, 1. 9. 1988, p. 108.
[3] OJ No L 302, 5. 11. 1988, p. 21.

ANNEX I

APPLICATION FOR PAYMENT OF AN ADVANCE FOR 19.. PURSUANT TO REGULATION (EEC) No 1442/88 ON THE GRANTING OF PERMANENT ABANDONMENT PREMIUMS ON RESPECT OF VINE-GROWING AREAS

Summary table

Type of premium	Expected number of beneficiaries	Total amount of eligible expenditure planned by Member State (national currency)	Amount of advance applied for by Member State (1) (national currency)
(1)	(2)	(3)	(4)
Single premium (total of Annex I.1)			
Annual premium (total of Annex I.2)			
TOTAL			
		Advance not expended, carried over from the previous year	
		Amount of advance applied for	

(1) Amount equal to a maximum of 70 % of the amount in column (3)

ANNEX I.1

Aid granted in the form of a single premium in accordance with Article 2 (1), (2) and (4) of the Regulation

Administrative unit (1)	Expected number of beneficiaries	Expected area (in ha, a and ca)	Total amount of eligible expenditure planned by Member State (2) (national currency)	Amount of advance applied for by Member State (3) (national currency)
(1)	(2)	(3)	(4)	(5)
TOTAL				

(1) The administrative units should be grouped by region as defined in the Annex to Council Regulation (EEC) No 2052/88 (OJ No L 185, 15. 7. 1988, p. 9).

(2) Account has been taken of deductions from or increases in the premiums, if any, provided for in Articles 7 (1) and 2 (2) of Regulation (EEC) No 1442/88.

(3) Amount equal to a maximum of 70 % of the amount in column (4)

ANNEX I.2

Aid granted in the form of an annual premium in accordance with Article 9 of the Regulation

Administrative unit (1)	Expected number of beneficiaries	Expected area (in ha, a and ca)	Total amount of eligible expenditure planned by Member State (national currency)	Amount of advance applied for by Member State (2) (national currency)
(1)	(2)	(3)	(4)	(5)
TOTAL				

(1) The administrative units should be grouped by region as defined in the Annex to Regulation (EEC) No 2052/88.
(2) Amount equal to a maximum of 70 % of the amount in column (4).

It is hereby confirmed that:

(a) the applications for the grant of the permanent abandonment premium in respect of vine-growing areas were submitted on or before 31 December of the previous year and contain the particulars and supporting documents provided for in Article 4 (1) of Regulation (EEC) No 2729/88, and the procedure for the appraisal of the aid applications is in conformity with the provisions of Article 4 (2) and (3) and Article 6 of that Regulation;

(b) the advance applied for is in respect of vine-growing areas intended for the types of production or cultivation referred to in Article 1 (1) of Regulation (EEC) No 1442/88;

(c) the grant of the premium is subject to the conditions laid down in Articles 1 (2), 3 and 4 (3) of Regulation (EEC) No 1442/88;

(d) applicants have given the undertaking referred to in Article 4 (2) of Regulation (EEC) No 1442/88;

(e) the amounts of the premiums provided for are in accordance as appropriate, with the amounts referred to in Article 2 (1) and (2) of Regulation (EEC) No 1442/88 or, in the case of Spain, with the amounts referred to in Annex II to Regulation (EEC) No 2729/88;

(f) for permanent abandonment premiums granted in the form of annual premiums, the amounts and conditions for the grant thereof are those laid down in Article 9 of Regulation (EEC) No 1442/88;

(g) the permanent abandonment premiums paid in advance to vine-growers are granted in accordance with the conditions laid down in Article 5 of Regulation (EEC) No 2729/88 ;

(h) the appropriations necessary for the national financial contribution are available and will be paid for the beneficiaries during the year in respect of which the advances are applied for ;

(i) the advances from the EAGGF will be made available to the beneficiaries before the end of the year. Beneficiaries will be informed in an appropriate manner, at the time of payment of the permanent abandonment premium, of the appropriations coming from the Community (an information memo on the procedure laid down for this purpose is attached to this application).

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(Stamp and signature of competent authority)

ANNEX II

STATEMENT OF PERMANENT ABANDONMENT PREMIUMS PAID

Report on the use of advances paid for 19.. pursuant to Regulation (EEC) No 1442/88 on the granting of permanent abandonment premiums in respect of vine-growing areas

Summary table

Type of premium	Expected number of beneficiaries	Total amount of eligible expenditure incurred by Member State (national currency)	EAGGF contribution applied for (1) (national currency)
(1)	(2)	(3)	(4)
Single premium (Total of Annex II.1)			
Annual premium (Total of Annex II.2)			
TOTAL			
		Total amount of aadvance available for the year	
		Amount of advance not expended to be carried over to the following year/or amount of balance still to be reimbursed	

(1) Amount equal to a maximum of 70 % of the amount in column (3)

ANNEX II.1

Aid granted in the form of a single premium in accordance with Article 2 (1), (2) and (4) of the Regulation

Administrative unit (1)	Number of beneficiaries	Area concerned (in ha, a and ca)	Total amount of eligible expenditure incurred by by Member State (2) (national currency)	EAGGF contribution applied for (3) (national currency)
(1)	(2)	(3)	(4)	(5)
TOTAL				

(1) The administrative units should be grouped by region as defined in the Annex to Council Regulation (EEC) No 2052/88 (OJ No L 185, 15. 7. 1988, p. 9).

(2) Account has been taken of deductions from or increases in the premiums, if any, provided for in Articles 7 (1) and 2 (2) of Regulation (EEC) No 1442/88.

(3) Amount equal to a maximum of 70 % of the amount in column (4)

ANNEX II.2

Aid granted in the form of an annual premium in accordance with Article 9 of the Regulation

Administrative unit (1)	Number of beneficiaries	Area concerned (in ha, a, and ca)	Total amount of eligible expenditure incurred by Member State (national currency)	EAGGF contribution applied for (2) (national currency)
(1)	(2)	(3)	(4)	(5)
TOTAL				

(1) The administrative units should be grouped by region as defined in the Annex to Regulation (EEC) No 2052/88.
(2) Amount equal to a maximum of 70 % of the amount in column (4).

It is hereby confirmed that:

(a) the premium has been granted for the permanent abandonment of vine-growing areas used for the types of production or cultivation referred to in Article 1 (1) of Regulation (EEC) No 1442/88;

(b) the permanent abandonment premium has not been granted for the vine-growing areas referred to in Article 3 of Regulation (EEC) No 1442/88;

(c) the grant of the premium is subject to the conditions laid down in Article 1 (2) of Regulation (EEC) No 1442/88;

(d) the Member State has verified compliance with the undertakings and conditions provided for in Article 4 (2) and (3) of Regulation (EEC) No 1442/88;

(e) in the case of premiums granted for vine-growing areas planted with wine grape varieties, the yield per hectare has been determined in accordance with Article 2 (3) of Regulation (EEC) No 1442/88, and subsequently attested by an official declaration;

(f) the premiums granted pursuant to Article 2 (1) (c) of Regulation (EEC) No 1442/88 concern the varieties referred in Annex I to Regulation (EEC) No 2729/88; the premiums granted in respect of associated crop areas are expressed as provided for in Article 5 of Regulation (EEC) No 1442/88; where premiums are granted to wine cooperatives or associations of vine-growers, the rules laid down in Article 7 (1) of Regulation (EEC) No 1442/88 have been observed;

(g) the aid applications were lodged on or before 31 December of the wine year concerned and were examined in accordance with Article 4 (2) and (3) and Article 6 of Regulation (EEC) No 2729/88 ;

(h) the amounts of the premiums are in accordance, as appropriate, with the amounts provided for in Article 2 (1) and (2) of Regulation (EEC) No 1442/88 ; in the case of Spain, the premiums are in accordance with the amounts set out in Annex II to Regulation (EEC) No 2729/88 ;

(i) where the permanent abandonment premium is granted in the form of an annual premium, the amount of that premium and the conditions for the grant thereof are in accordance with Article 9 of Regulation (EEC) No 1442/88 ;

(j) the permanent abandonment premium is paid not later than the end of the calendar year following that in which the application for the premiums was submitted, provided that the applicant shows that he has carried out the grubbing-up ; permanent abandonment premiums paid in advance to vine-growers are granted in accordance with the conditions laid down in Article 5 of Regulation (EEC) No 2729/88.

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Stamp and signature of competent authority

ANNEX III

Recovery during the 19.. calendar year of premiums paid pursuant to Regulation (EEC) No 1442/88

Administrative unit	Number of holdings concerned	Where appropriate, references pursuant to Regulation (EEC) No 283/72	Areas concerned (1) (in ha, a and ca)	Eligible expenditure recovered (1) (national currency)
(1)	(2)	(3)	(4)	(5)

(1) For cases which have been the subject of a communication pursuant to Council Regulation (EEC) No 283/72 (OJ No L 36, 10. 2. 1972, p. 1), this information is to be given on an itemized basis.