II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 23 February 1989

on applications for reimbursement and the payment of advances in respect of aids granted pursuant to Council Regulation (EEC) No 1402/86

(Only the English text is authentic)

(89/188/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1402/86 of 6 May 1986 introducing a common action for the encouragement of agriculture in the Scottish islands off the northern and western coasts with the exception of the Western Isles (Outer Hebrides) [1], and in particular Article 7 (4) thereof,

Whereas applications for reimbursement and applications for the payment of advances to be presented by the United Kingdom to the Guidance Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) must include certain items of information making it possible to verify that the expenditure complies with the provisions of Regulation (EEC) No 1402/86 and the programme presented by the United Kingdom, endorsed by the Commission in accordance with Article 3 (3) of that Regulation;

Whereas, to allow for effective verification, the United Kingdom must hold all supporting documentation at the disposal of the Commission for a period of three years after payment of the last reimbursement;

Whereas to enable payment of the advances provided for in Article 7 (3) of Regulation (EEC) No 1402/86 to be implemented, rules relating to procedures in this connection must be laid down;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The reimbursement applications referred to in Article 7 (1) of Regulation (EEC) No 1402/86 must comply with the tables given in Annexes I to III.

2. The United Kingdom shall submit to the Commission, with the first reimbursement application, texts of the national implementing and verification provisions and of the administrative instructions, and the forms and all other documents relating to the administrative implementation of the measure.

Article 2

The United Kingdom shall hold at the disposal of the Commission for three years after payment of the last reimbursement all the supporting documents or certified copies thereof in its possession on the basis of which the aids provided for by Regulation (EEC) No 1402/86 were approved, and also the applications for reimbursement and advances established.

Article 3

The applications for advances referred to in Article 7 (3) of Regulation (EEC) No 1402/86 must comply with the tables given in Annexes IV and V.1.1 to V.6.

[1] OJ No L 128, 14. 5. 1986, p. 9.

Article 4

1. The EAGGF Guidance Section advances may not exceed 80 % of the Community contribution to the financing of the expenditure provided for during the reference year.

2. Advances not disbursed during the year for which they have been paid shall be deducted from the advance to be paid in respect of the following year.

3. Advances in respect of the following year may not be paid before the following documents have been submitted to the Commission :

— either a report drawn up in accordance with the Table in Annex VI reviewing the progress of the operations during the preceding year for which advances were paid,

— or the final application for reimbursement established in accordance with Article 1 (1).

Article 5

This Decision is addressed to the United Kingdom.

Done at Brussels, 23 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

APPLICATION FOR REIMBURSEMENT OF EXPENDITURE EFFECTED DURING 19.. PURSUANT TO REGULATION (EEC) No 1402/86 INTRODUCING A COMMON ACTION FOR THE ENCOURAGEMENT OF AGRICULTURE IN THE SCOTTISH ISLANDS OFF THE NORTHERN AND WESTERN COASTS WITH THE EXCEPTION OF THE WESTERN ISLES

(£)

(1)	(2)	(3)	(4)	(5)	(6)
Type of measure	Expenditure effected by the United Kingdom	Eligible expenditure effected by the United Kingdom	Reimbursement applied for to the EAGGF	Advance already paid by the EAGGF	Balance to be reimbursed
— Farm development (general) (totals of Annexes II.1.1 to II.1.4) — Buildings for tourism and related activities (totals of Annex II.1.5) — Environmental management payments (totals of Annex II.1.6)					
Livestock development (totals of Annexes II.2.1 to II.2.5)					
Fish farming (totals of Annexes II.3.1 and II.3.2)					
Infrastructure (totals of Annex II.4)					
Croft housing (totals of Annex II.5)					
Project team (totals of Annex II.6)					
TOTAL					
Recoveries (totals of Annex III)					
NET TOTAL					

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(Date, stamp and signature of the competent authority)

Declaration to be presented with the application for reimbursement of expenditure effected pursuant to Regulation (EEC) No 1402/86 [1]

It is confirmed that:

(a) the work and expenditure for which reimbursement is requested has been carried out in accordance with the provisions laid down in the programme endorsed by the Commission;

(b) the United Kingdom has proper facilities for effective monitoring of the elements used to calculate the aids eligible for reimbursement from the fund;

(c) the measures have been implemented in the Scottish islands off the northern and western coasts with the exception of the Western Isles (Outer Hebrides)

(d) no reimbursement is applied for in respect of investments or work which benefit from aid under other common measures within the meaning of Article 6 (1) of Council Regulation (EEC) No 729/70 [2] or from aid under the European Regional Development Fund or under the European Social Fund;

(e) the eligible expenditure which is the subject of an application for reimbursement relates to aids the decisions to grant which were made after 8 March 1988;

(f) the aid beneficiaries have been informed, as appropriate, of the percentage of the appropriations coming from the Community;

(g) where there is public procurement, Community rules relating to the opening of public works and supply contracts mentioned in Council Directives 71/305/EEC [3] and 77/62/EEC [4] have been complied with;

(h) no reimbursement is applied for in respect of aids for the purchase of second-hand tractors and machinery;

(i) the eligible expenditure on environmental management in respect of which reimbursement is claimed relates to payments not exceeding the real net losses or profits foregone by the beneficiaries due to the real net losses or profits foregone by the beneficiaries due to the management restrictions agreed;

(j) no reimbursement is applied for in respect of aid in the form of working capital for fish-farming projects;

(k) no reimbursement is applied for in respect of aids granted on a unit of production basis;

(l) where reimbursement is claimed in respect of eligible expenditure on jetties, slipways and associated facilities, such facilities are for the use of agricultural communities involved in pluriactivity;

(m) the eligible expenditure on the project team in respect of which reimbursement is claimed excludes costs relating to the staff of the public administration.

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(Date, stamp and signature of the competent authority)

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[1] The information provided for in Article 6 of the Regulation must also be sent to the Commission.
[2] OJ No L 94, 28. 4. 1970, p. 13.
[3] OJ No L 185, 16. 8. 1971, p. 5.
[4] OJ No L 13, 15. 1. 1977, p. 1.

ANNEX II

APPLICATION FOR REIMBURSEMENT OF EXPENDITURE EFFECTED DURING 19 . . UNDER ARTICLE 1 (3) OF REGULATION (EEC) No 1402/86 (1)

ANNEX II.1.1

Farm development: Land improvement

(£)

(1)	(2)	(3)		(4)	(5)	(6)	(7)
Measure	Number of beneficiaries	Works completed		Total cost of work	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
		Length in metres	Number of hectares				
Reseeding, reconditioning, laying pasture		—					
Drainage			—				
Fencing		—	—				
Bracken control, dune restoration		—					
Dyking and hedging			—				
Shelter belts		—					
TOTAL	—	—	—				

(1) Per island group.

ANNEX II.1.2

Farm development: Farm building works (1)

(€)

(1)	(2)	(3)	(4)	(5)	(6)
Island group	Number of beneficiaries	Total cost of work	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
Systems for farm waste					
Other works					
TOTAL					

(1) Exclude buildings for tourism, crafts and related activities — see Annex II.1.5.

ANNEX II.1.3

Farm development: Machinery

(€)

(1)	(2)	(3)	(4)	(5)	(6)
Island group	Number of beneficiaries	Total cost	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
TOTAL					

ANNEX II.1.4

Farm development: Management premium

(€)

(1)	(2)		(3)		(4)		(5)
Island group	Number of beneficiaries		Expenditure by the United Kingdom		Eligible expenditure		Reimbursement applied for to the EAGGF
	First instalment	Second instalment	First instalment	Second instalment	First instalment	Second instalment	
TOTAL							

ANNEX II.1.5

Farm development: Buildings for tourism, crafts and related activities

(€)

(1)	(2)	(3)	(4)	(5)	(6)
Island group	Number of beneficiaries	Total cost of work	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
TOTAL					

ANNEX II.1.6

Farm development: Environmental management payments

(£)

(1)	(2)	(3)	(4)	(5)	(6)
Island group	Number of beneficiaries	Number of hectares concerned	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
Winter keep schemes					
Inby land					
Hill land					
TOTAL					

ANNEX II.2.1

Livestock development: Beef cattle improvement measure

(£)

(1)	(2)		(3)		(4)		(5)		(6)
Island group	Number of beneficiaries		Number of heifers		Expenditure incurred by the United Kingdom		Eligible expenditure		Reimbursement applied for to the EAGGF
	First instalment	Second instalment	First instalment	Second instalment	First instalment	Second instalment	First instalment	Second instalment	
Home-bred heifers									
Purchased heifers									
Purchased in-calf heifers									
TOTAL									

ANNEX II.2.2

Livestock development: Sheep development measure

(£)

(1)	(2)		(3)		(4)		(5)		(6)
Island group	Number of beneficiaries		Number of gimmers		Expenditure incurred by the United Kingdom		Eligible expenditure		Reimbursement applied for to EAGGF
	First instalment	Second instalment	First instalment	Second instalment	First instalment	Second instalment	First instalment	Second instalment	
Home-bred gimmers									
Purchased gimmers									
TOTAL									

ANNEX II.2.3

Livestock development: Stock health measure

(£)

(1)	(2)		(3)	(4)	(5)	(6)
Island group	Number of beneficiaries		Number of animals	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
	Old	New				
Sheep						
Goats						
Deer						
TOTAL						

ANNEX II.2.4

Livestock development: Bull and ram supply

(€)

(1)	(2)		(3)	(4)	(5)	(6)	(7)
Island group	Number of beneficiaries		Number of bulls/rams	Total cost of eligible work concerned	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
	Old	New					
Bulls							
Rams							
TOTAL							

ANNEX II.2.5

Livestock development: Veterinary scheme

(€)

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Number of visits	Nature of expenditure	Total cost of eligible work concerned	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
TOTAL						

ANNEX II.3.1

Fish farming : Fin fish

(€)

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Number of projects by species	Total cost of work	Amount of loans concerned	Interest subsidy granted	Capital subsidy granted	Reimbursement applied for to the EAGGF
TOTAL						

ANNEX II.3.2

Fish farming : Shellfish

(€)

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Number of projects by species	Total cost of work	Amount of loans concerned	Interest subsidy granted	Capital subsidy granted	Reimbursement applied for to the EAGGF
TOTAL						

ANNEX II.4

Infrastructure : Jetties, slipways and associated facilities

(€)

(1)	(2)	(3)	(4)	(5)	(6)
Island group	Number of projects	Total cost of work	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
TOTAL					

ANNEX II.5

Croft housing

(€)

(1)	(2)	(3)	(4)	(5)	(6)
Island group	Number of beneficiaries	Total cost of work	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
TOTAL					

ANNEX II.6

Project team

(£)

(1)	(2)	(3)	(4)	(5)
Nature of expenditure	Total cost	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
TOTAL				

ANNEX III

RECOVERIES DURING 19.. FOR AIDS GRANTED PURSUANT TO REGULATION (EEC) No 1402/86

(€)

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Beneficiary's code number	National aid recovered	Eligible aid recovered	Amount to be deducted from EAGGF contribution	Measure concerned and reason for recovery	Where appropriate, code number of communication pursuant to Council Regulation (EEC) No 283/72 (1) (2)
TOTAL						

(1) OJ No L 36, 10. 2. 1972, p. 1.

(2) The presentation of this table does not exclude the submission of the documents provided for in Articles 3 and 5 of Regulation (EEC) No 283/72 concerning irregularities and the recovery of sums wrongly paid in connection with the financing of the common agricultural policy and the organization of an information system in this field.

Accordingly, if the recovery is connected with a case of an irregularity notified pursuant to the abovementioned Regulation, the number under which the case has been notified must be given.

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(Date, stamp and signature of the competent authority)

ANNEX IV

APPLICATION FOR ADVANCE PAYMENTS IN RESPECT OF 19 . . PURSUANT TO REGULATION (EEC) No 1402/86 INTRODUCING A COMMON ACTION FOR THE ENCOURAGEMENT OF AGRICULTURE IN THE SCOTTISH ISLANDS OFF THE NORTHERN AND WESTERN COASTS WITH THE EXCEPTION OF THE WESTERN ISLES

(€)

(1)	(2)	(3)	(4)	(5)
Type of measure	Estimated expenditure by the United Kingdom	Estimated eligible expenditure by the United Kingdom	Reimbursement to be applied for the EAGGF	Advance applied for the EAGGF
— Farm development (general) (totals of Annexes V.1.1. to V.1.4) — Buildings for tourism and related activities (totals of Annex V.1.5) — Environmental management payments (totals of Annex V.1.6)				
Livestock development (totals of Annexes V.2.1 to V.2.5)				
Fish farming (totals of Annexes V.3.1 and V.3.2)				
Infrastructure (totals of Annex V.4)				
Croft housing (totals of Annex V.5)				
Project team (totals of Annex V.6)				
TOTAL				

It is confirmed that:

(a) the work and expenditure planned are in accordance with the provisions laid down in the programme endorsed by the Commission;

(b) the costs shown in columns 2 and 3 correspond to expenditure to be effected during the year for which the advances have been applied for;

(c) appropriations to cover the national financial contribution are available and will be paid during the year for which the advances have been applied for;

(d) the advances will be placed at the disposal of the agencies and farmers bearing the financial cost of the work during the year for which the advances have been applied for;

(e) the beneficiaries referred to above will be informed in an appropriate manner, on payment of aids, of the percentage of the appropriations coming from the Community (an information memorandum on the procedure laid down for this purpose is attached to this application);

(f) where there is public procurement, Community rules relating to the opening of public works and supply contracts mentioned in Council Directives 71/305/EEC and 77/62/EEC have been complied with.

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(Date, stamp and signature of the competent authority)

ANNEX V

APPLICATION FOR ADVANCE PAYMENTS IN RESPECT OF 19.. UNDER REGULATION (EEC) No 1402/86 (1)

ANNEX V.1.1

Farm development: Land improvement

(€)

(1)	(2)	(3)		(4)	(5)	(6)	(7)	(8)
Measure	Number of beneficiaries	Works planned		Estimated total cost of work	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
		Length in metres	Number of hectares					
Reseeding reconditioning, laying pasture		—						
Drainage			—					
Fencing			—					
Bracken control, dune restoration		—						
Dyking and hedging			—					
Shelter belts		—						
TOTAL	—	—	—					

(1) Per island group.

ANNEX V.1.2

Farm development: Farm building works (1)

(€)

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Number of beneficiaries	Estimated total cost of work	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement total applied for to the EAGGF	Advance applied for to the EAGGF
Systems for farm waste						
Other works						
TOTAL						

(1) Exclude buildings for tourism, crafts and related activities — see Annex V.1.5.

ANNEX V.1.3

Farm development: Machinery

(€)

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Number of beneficiaries	Estimated total cost of work	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
TOTAL						

ANNEX V.1.4

Farm development: Management premium

(€)

(1)	(2)		(3)		(4)		(5)	(6)
Island group	Number of beneficiaries		Estimated expenditure by the United Kingdom		Estimated eligible expenditure		Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
	First instalment	Second instalment	First instalment	Second instalment	First instalment	Second instalment		
TOTAL								

ANNEX V.1.5

Farm development: Buildings for tourism crafts and related activities

(€)

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Number of beneficiaries	Estimated total cost of work	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
TOTAL						

ANNEX V.1.6

Farm development: Environmental management payments

(£)

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Number of beneficiaries	Estimated number of hectares concerned	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
Winter keep schemes						
Inby land						
Hill land						
TOTAL						

ANNEX V.2.1

Livestock development: Beef cattle improvement measure

(£)

(1)	(2)		(3)		(4)		(5)		(6)	(7)
Island group	Number of beneficiaries		Number of heifers		Estimated expenditure by the United Kingdom		Estimated eligible expenditure		Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
	First instalment	Second instalment	First instalment	Second instalment	First instalment	Second instalment	First instalment	Second instalment		
Home-bred heifers										
Purchased heifers										
Purchased in-calf heifers										
TOTAL										

ANNEX V.2.2

Livestock development: Sheep development measure

(£)

(1)	(2)		(3)		(4)		(5)		(6)	(7)
Island group	Number of beneficiairies		Number of gimmers		Estimated expenditure by the United Kingdom		Estimated eligible expenditure		Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
	First instalment	Second instalment	First instalment	Second instalment	First instalment	Second instalment	First instalment	Second instalment		
Home-bred gimmers										
Purchased gimmers										
TOTAL										

ANNEX V.2.3

Livestock development: Stock health measure

(£)

(1)	(2)		(3)	(4)	(5)	(6)	(7)
Island group	Number of beneficiaries		Number of animals	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
	Old	New					
Sheep							
Goats							
Deer							
TOTAL							

ANNEX V.2.4

Livestock development: Bull and ram supply

(€)

(1)	(2)		(3)	(4)	(5)	(6)	(7)	(8)
Island group	Number of beneficiaries		Number of bulls/rams	Estimated cost of eligible work concerned	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
	Old	New						
Bulls								
Rams								
TOTAL								

ANNEX V.2.5

Livestock development: Veterinary scheme

(€)

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Island group	Number of visits	Nature of expenditure	Estimated total cost of eligible work concerned	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
TOTAL							

ANNEX V.3.1

Fish farming : Fin fish

(€)

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Island group	Number of projects by species	Estimated total cost of work	Estimated amount of loans concerned	Estimated interest subsidy to be granted	Estimated capital subsidy to be granted	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
TOTAL							

ANNEX V.3.2

Fish farming : Shellfish

(€)

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Island group	Number of projects by species	Estimated total cost of work	Estimated amount of loans concerned	Estimated interest subsidy to be granted	Estimated capital subsidy to be granted	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
TOTAL							

ANNEX V.4

Infrastructure : Jetties, slipways and associated facilities

(£)

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Number of projects	Estimated total cost of work	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
TOTAL						

ANNEX V.5

Croft housing

(£)

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Number beneficiaries	Estimated total cost of work	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
TOTAL						

ANNEX V.6

Project team

(£)

(1)	(2)	(3)	(4)	(5)	(6)
Nature of expenditure	Estimated total cost	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
TOTAL					

ANNEX VI

REPORT CONCERNING THE USE OF THE ADVANCES PAID IN RESPECT OF 19 . . PURSUANT TO REGULATION (EEC) No 1402/86

(€)

(1)	(2)			(3)			(4)			(5)		
Island group	Total cost of operations			Total expenditure by the United Kingdom			Total eligible expenditure			Advances		
	Planned	Outcome	%	Planned	Outcome	%	Planned	Outcome	%	Received	Paid	%
	(1)	(2)	(5)	(1)	(2)	(5)	(1)	(2)	(5)	(3)	(4)	(5)
— Farm development (general) — Buildings for tourism and related activities — Environmental management payments												
Livestock development												
Fish farming												
Infrastructure												
Croft housing												
Project team												
TOTAL												

(1) Figures in Annexes IV, V.1.1 to V.6.
(2) During the year for which the advance was granted.
(3) Advances received on the part of the EAGGF.
(4) Advances paid to the beneficiaries bearing the financial cost of the operations.
(5) If the percentage is less than 80 or more than 120, attach an explanation on a separate sheet.

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(Date, stamp and signature of the competent authority)