II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 6 February 1979

on the programme for the acceleration and guidance of collective irrigation works in Corsica

(79/173/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Whereas Article 39 (2) (a) of the Treaty provides that, in working out the common agricultural policy, account should be taken of the social structure of agriculture and the structural and natural disparities between the various agricultural regions;

Whereas, in order to achieve the objectives of the common agricultural policy set out in Article 39 (1) (a) and (b), special measures appropriate to the production conditions in the least-favoured agricultural areas should be adopted at Community level;

Whereas certain Mediterranean regions of the Community are in an unfavourable situation as regards agricultural incomes and suffer from under-employment not only in agriculture but also generally;

Whereas these problems are particularly evident in Corsica;

Whereas the active agricultural population forms a considerable proportion of the total active population in this region;

Whereas action should be concentrated on basic aspects of the structural development of these regions which will have rapid and lasting effects on agricultural incomes;

Whereas agricultural production in Corsica is seriously affected by a severely unbalanced water-supply situation; whereas the capacity of the existing reservoirs and main channels is much greater than that of the irrigation networks;

Whereas the provision of such irrigation networks must be speeded up by means of Community aid;

Whereas the conditions and limits laid down in Articles 13 and 19 of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms (3) are not well suited, as regards irrigation, to the special structural situation in Corsica;

Whereas the opportunity should be taken to reorientate agricultural production in the areas concerned in these regions;

Whereas these objectives should be pursued by means of a measure covering certain areas concerned in Corsica within the framework of a programme extending over several years;

Whereas it follows from the foregoing that the measures referred to above constitute a common

(1) OJ No C 200, 22. 8. 1978, p. 3.
(2) OJ No C 239, 9. 10. 1978, p. 61.
(3) OJ No L 96, 23. 4. 1972, p. 1.

measure within the meaning of Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy [1], as last amended by Regulation (EEC) No 2788/72 [2];

Whereas it is the task of the Commission, after receiving the opinion of the Standing Committee on Agricultural Structure, to approve a programme submitted by the French Republic,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. With a view to increasing agricultural incomes in Corsica by improving basic agricultural structures, thereby contributing to the modernization of farms, a common measure shall be introduced to accelerate collective irrigation operations from reservoirs and main channels and thus to facilitate the introduction of development plans within the meaning of Articles 2 and 4 of Directive 72/159/EEC in the areas to be irrigated, while adapting production to market requirements.

2. The measures provided for in this Directive constitute a common measure within the meaning of Article 6 (1) of Regulation (EEC) No 729/70.

Article 2

1. The conditions and limits laid down in Articles 13 (2) and 19 (2) and (3) of Directive 72/159/EEC shall not apply to collective irrigation operations which are the subject of this common measure.

2. The financial contribution of the Community may only be used in the context of a programme covering all the areas to be irrigated.

This programme shall be submitted to the Commission by the French Republic.

3. The programme and any amendments thereto shall be examined and approved after consultation of the Committee of the European Agricultural Guidance and Guarantee Fund, hereinafter called 'the Fund', on the financial aspects thereof, in accordance with the procedure laid down in Article 18 (2) and (3) of Directive 72/159/EEC.

Article 3

The programme referred to in Article 2 shall include in particular the following information:

(a) in the case of collective irrigation works:

— the geographical areas covered by the programme which can be equipped with an irrigation network using existing reservoirs and main channels,

— the number of hectares of the irrigation areas to be equipped with irrigation networks, and their location,

— the description of the work necessary and the timetable for the work,

— the average cost per hectare of agricultural area and the estimated total cost of the programme;

(b) in the case of the orientation of production:

— the measures designed to orientate production in particular towards fodder crops (maize, barley, lucerne, clover, field beans, sorghum, soya, etc.) and the development of livestock raising,

— the measures proposed to ensure that the Community's financial contribution to investments in the processing and marketing of agricultural products, provided for by Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural products are processed and marketed [3], as amended by Regulation (EEC) No 1361/78 [4], can be used in the first instance in respect of production from the irrigated areas,

— the measures to exclude the areas devoted to vines for wine-making from the collective works proposed by the programme.

Article 4

1. Expenditure incurred by the French Republic under the programme referred to in Article 2 for collective irrigation works up to a maximum of 12 000 hectares and 24 000 000 units of account shall be eligible for aid from the Guidance Section of the Fund.

2. The Guidance Section of the Fund shall reimburse 50 % of the eligible expenditure to the French Republic. However, the amount of eligible expenditure may not exceed 3 000 units of account per hectare irrigated.

Article 5

1. The duration of the measure shall be five years from the date on which this Directive is to apply.

2. The total estimated cost of the common measure to be borne by the Fund shall be 12 000 000 European units of account for the entire period.

3. Article 6 (5) of Regulation (EEC) No 729/70 shall apply to this Directive.

[1] OJ No L 94, 28. 4. 1970, p. 13.
[2] OJ No L 295, 30. 12. 1972, p. 1.
[3] OJ No L 51, 23. 2. 1977, p. 1.
[4] OJ No L 166, 23. 6. 1978, p. 9.

Article 6

When the programme referred to in Article 2 (3) is being approved, the Commission shall, in agreement with the French Republic, lay down the detailed rules by which it shall be kept regularly informed of the progress of the programme. The French Republic shall at the same time designate the agencies responsible for the technical execution of the programme.

Article 7

1. Requests for reimbursement shall relate to expenditure incurred by the French Republic during a single calendar year and shall be presented to the Commission before 1 July of the following year.

2. Aid from the Fund shall be decided upon in accordance with Article 7 (1) of Regulation (EEC) No 729/70.

3. The Fund may make advance payments in accordance with the financing arrangements adopted by the French Republic and according to the progress of the projects.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 8

This Directive will apply as soon as the Council has taken a decision on the Commission proposal for an amendment to Regulation (EEC) No 729/70.

Article 9

This Directive is addressed to the French Republic.

Done at Brussels, 6 February 1979.

For the Council

The President

P. MEHAIGNERIE