COUNCIL REGULATION (EEC) No 1105/88

of 25 April 1988

amending Regulation (EEC) No 2036/82 adopting general rules concerning special measures for peas, field beans and sweet lupins

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins (1), as last amended by Regulation (EEC) No 1104/88 (2), and in particular Article 3a (5) thereof,

Having regard to the proposal from the Commission (3),

Whereas the coefficient referred to in Article 3a (3) of Regulation (EEC) No 1431/82 should be determined in order to establish the reduction of the aid for peas, field beans and sweet lupins which arises from the application of the system of maximum guaranteed quantities; whereas the rules for determining this coefficient should be incorporated into Regulation (EEC) No 2036/82 (4), as last amended by Regulation (EEC) No 3527/86 (5);

Whereas, in certain circumstances, the amount of the aid can be established only on a provisional basis; whereas the amount must be finalized before the aid is paid,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2036/82 is hereby amended as follows:

1. The following Article is inserted:

   'Article 3b

   The coefficient referred to in Article 3a (3) of Regulation (EEC) No 1431/82 shall be equal:

   — for the 1988/89 marketing year: 0,45 %,

   — for subsequent marketing years: to 0,50 %,

   for each production tranche of 1 % of the maximum guaranteed quantity which, over and above the said quantity, is attained by the estimated production.'

2. In Article 10, the following subparagraph is added:

   'The aid shall be paid once the amount thereof has been finalized.'

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 July 1988.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 25 April 1988.

For the Council

The President

H.-D. GENSCHER

(1) OJ No L 162, 12. 6. 1982, p. 28.
(2) See page 16 of this Official Journal.
(3) OJ No C 84, 31. 3. 1988, p. 15.
(4) OJ No L 219, 28. 7. 1982, p. 1.
(5) OJ No L 326, 21. 11. 1986, p. 1.