COMMISSION REGULATION (EC) No 812/1999

of 19 April 1999

amending Regulation (EEC) No 1102/89 laying down certain measures for implementing Council Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1101/89 of 27 April 1989 on structural improvements in inland waterway transport ([1]), as last amended by Commission Regulation (EC) No 742/98 ([2]), and in particular Articles 6 and 10(3) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 1102/89 of 27 April 1989 laying down certain measures for implementing Council Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport ([3]), as last amended by Regulation (EC) No 2433/97 ([4]), the Commission establishes the practical arrangements for implementing these scrapping schemes;

Whereas the objective of reducing overcapacity in the tanker fleet has been attained with the financial resources available; whereas there is no longer any justification for maintaining the annual contribution by the trade for tanker vessels in 1999; whereas, consequently, the contribution for tanker vessles is abolished for 1999 and may be refunded;

Whereas Commission Regulation (EEC) No 3690/92 ([5]) added Article 6(6)(a) and (b) introducing a permanent scrapping scheme based on a quarterly list of applications for scrapping premiums;

Whereas to enable the surplus funds from the structural improvement schemes to be placed in the reserve fund set up by Council Regulation (EC) No 718/1999 of 29 March 1999 on a Community fleet capacity policy to promote inland waterway transport ([6]), submission of new applications for scrapping premiums under Article 6(6)(a) and (b) must remain suspended until Regulation (EEC) No 1101/89 expires; whereas the quarterly mechanism for applying for premiums from the Scrapping Funds, as provided for in Article 6(6)(a) and (b) of Regulation (EEC) No 1102/89, as amended, therefore remains suspended until the above-mentioned Regulation expires;

Whereas the Member States and the Group of Experts on Structural Improvements in Inland Waterway Transport set up under Article 12 of Regulation (EEC) No 1102/89 have been consulted on the proposed amendments,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1102/89 is hereby amended as follows:

1. the following paragraph 4 is added to Article 3:

   '4. For 1999 the rates of the annual contributions for tanker vessels referred to in paragraph 1 shall be set at zero and the 1999 annual contributions for tanker vessels shall be refunded by the Scrapping Funds for these vessels.';

2. for 1999, paragraph 6 of Article 6 shall be deleted.

Article 2

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

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

Done at Brussels, 19 April 1999.

For the Commission

Neil KINNOCK

Member of the Commission

([1]) OJ L 116, 28.4.1989, p. 25.
([2]) OJ L 103, 3.4.1998, p. 3.
([3]) OJ L 116, 28.4.1989, p. 30.
([4]) OJ L 337, 9.12.1997, p. 10.
([5]) OJ L 374, 22.12.1992, p. 22.
([6]) OJ L 90, 2.4.1999, p. 1.