II

(Preparatory Acts)

COMMISSION

Proposal for a Council Directive amending Directives 72/159/EEC, 72/160/EEC and 72/161/EEC in relation to agricultural structures

COM(83) 746 final

(Submitted by the Commission to the Council on 5 January 1984)

(84/C 18/06)

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,

Having regard to the opinion of the European Parliament,

Whereas Article 16 of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms [1], Article 7 of Council Directive 72/160/EEC of 17 April 1972 concerning measures to encourage the cessation of farming and the reallocation of utilized agricultural area for the purposes of structural improvement [2] and Article 9 of Council Directive 72/161/EEC of 17 April 1972 concerning the provision of socio-economic guidance for, and the acquisition of, occupational skills by persons engaged in agriculture [3], all three Directives, as last amended by Directive 82/436/EEC [4], provide for the estimated time required for carrying out the common measures referred to in those Directives to run until 31 December 1983;

Whereas, on 10 October 1983, the Commission sent the Council proposals for improving the efficiency of agricultural structures, designed to replace the measures referred to in the abovementioned Directives;

Whereas, in accordance with Article 6 (2) (c) of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy [5], the target date for completing these common measures should be deferred to 30 June 1984 in order to ensure the necessary continuity until the proposed measures are applicable, whilst account be taken of some aspects of these proposed measures;

Whereas the Government of the Federal Republic of Germany has pointed at difficulties in the application of Directive 72/160/EEC in that country; whereas it is thence indicated to authorize the Federal German Government to suspend the application of the said Directive,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. Article 16 (1) of Directive 72/159/EEC is hereby replaced by the following:

   '1. The estimated time required for carrying out the common measures shall run until 30 June 1984.'

2. The first subparagraph of Article 7 (1) of Directive 72/160/EEC is hereby replaced by the following:

   ' The estimated time required for carrying out the common measures shall run until 30 June 1984.'

3. Article 9 (1) of Directive 72/161/EEC is hereby replaced by the following:

   '1. The estimated time required for carrying out the common measures shall run until 30 June 1984.'

(1) OJ No L 96, 23. 4. 1972, p. 1.
(2) OJ No L 96, 23. 4. 1972, p. 9.
(3) OJ No L 96, 23. 4. 1972, p. 15.
(4) OJ No L 193, 3. 7. 1982, p. 37.
(5) OJ No L 94, 28. 4. 1970, p. 13.

Article 2

Member States are authorized to replace the development plan provided for in Article 2, 4 and 8 of Directive 72/159/EEC by a farm improvement plan that must show, by means of specific calculations, that the investments therein are profitable and that they will bring about a lasting improvement in the economic results of the undertaking.

Article 3

The Federal Republic of Germany is authorized not to implement the measures provided for in Directive 72/160/EEC.

Article 4

This Directive is addressed to the Member States.

Proposal for a Council Regulation on suspension of aids for investments in the field of dairy production

COM(83) 746 final

(Submitted by the Commission to the Council on 5 January 1984)

(84/C 18/07)

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,

Having regard to the opinion of the European Parliament,

Whereas Article 1 of Council Regulation (EEC) No 1946/81 of 30 June 1981 restricting investment aids for milk production [1] authorizes Member States to grant aids to investments in the field of dairy production;

Whereas with a view to attaining the Community's objectives in regard to production, in particular the objective of re-establishing market balance for the Community's milk products, all aids for investments directly related to milk production should be temporarily suspended;

Whereas, however, the suspension of investment aid should take account of particular conditions of production in difficult regions where other production alternatives do not exist, such as those in mountain areas within the meaning of Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas [2], or those regions for which specific measures provide for the structural development of beef-rearing,

HAS ADOPTED THIS REGULATION:

Article 1

By derogation to the provisions of Regulation (EEC) No 1946/81, the granting of all aid to investments directly concerning the field of dairy production is prohibited for the period to 30 June 1984.

However, Member States shall be authorized to grant investment aid for milk production in the case of holdings located in areas within the meaning of Article 3 (3) of Directive 75/268/EEC, or in regions which are the subject of common measures in the sense of Regulation (EEC) No 729/70 and for which special measures aimed at improving structural development of beef-rearing are envisaged, provided that:

— the specific conditions of these common measures are respected,

— the investment does not increase the dairy herd to more than 40 cows per holding,

— at least 50 % of the holding's UAA consists of forage area.

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.

---

[1] OJ No L 197, 20. 7. 1981, p. 32.
[2] OJ No L 128, 19. 5. 1975, p. 1.