

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(89) 460 final

Brussels, 4 October 1989

Proposal for a
COUNCIL DECISION

amending Decision 87/279/EEC on Community financial participation
with regard to the facilities for the monitoring and
supervision of fishing activities in waters
falling under the sovereignty or within the
jurisdiction of Portugal

(presented by the Commission)

Com 460 f.

EXPLANATORY MEMORANDUM

On 18 May 1987 the Council decided that the Community should contribute financially towards improving Portugal's facilities for the monitoring and supervision of fishing activities in waters falling under its sovereignty or jurisdiction.¹ The decision provided that the Community would reimburse, subject to a maximum of 12 million ECU, 50% of eligible expenditure incurred by Portugal between 1 January 1988 and 31 December 1989. The Community could also grant advances up to a maximum of 25% of eligible expenditure.

On 28 September 1987 Portugal submitted to the Commission a programme for the purchase of equipment for inspection and supervision for the period between 1 January 1988 and 31 December 1989, which, after the receipt of additional information in December 1987, was declared as eligible by the Commission on 25 January 1988, for an amount of ESC 3 740 455 000, or 22 927 522 ECU.²

In November 1988 and January 1989 the Community made advance payments to Portugal for a total amount of 5 731 880 ECU, or 25% of the eligible expenditure.

Implementation of the programme was delayed because of the complexity of the development of the system for monitoring fishing activities, often involving the use of sophisticated equipment and different operating bodies (marine, aviation authorities, etc.) and because of the constraints imposed by the tendering procedures pursuant to Council Directive 77/62/EEC.

1 Decision 87/279/EEC - OJ No L 135, 23.5.1987, p. 33.

2 Decision 88/156/EEC - OJ No L 71, 17.3.1988, p. 53.

Furthermore, much of the programme concerns the building of patrol launches, which, for technical reasons, has to be carried out in stages and cannot be completed within the time laid down in the Council Decision.

Consequently, the time limit laid down in the Council Decision must be extended to 31 December 1991 to allow the programme to be completed and to ensure the Community's financial contribution towards the expenditure incurred. It is also necessary to provide for the possibility of the Commission amending its decision in relation to the observed trend of costs.

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amending Decision 87/279/EEC on Community financial participation
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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, before the accession of Portugal, the Community declared that
Community support for monitoring and supervising waters falling within the
sovereignty or within the jurisdiction of Portugal might be envisaged;³

Whereas Council Decision 87/279/EEC⁴ provides that the Community will participate in
the financing of expenditure incurred by Portugal between
1 January 1988 and 31 December 1989 in respect of operations to supplement,
modernize and improve its facilities for monitoring and supervision with a
view to proper enforcement of the relevant provisions of the common fisheries
policy in waters falling under its sovereignty or jurisdiction;

Whereas the said operations include the building of patrol vessels, the
purchase of equipment for surveillance aircraft and the purchase and
installation of technical and electronic equipment;

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3 OJ No L 302, 15.12.1985, p. 493.

4 OJ No L 135, 23.5.1987, p. 33.

Whereas implementation of the said operations has been delayed because of the complexity of designing equipment which must be particularly sophisticated to ensure total effectiveness in the inspection and surveillance of very large fishing areas;

Whereas the investments planned by Portugal cannot therefore be fully implemented by 1 January 1990; whereas the time limit laid down should be deferred in the Community interest to enable the planned work to be completed and to ensure Community financial participation in the expenditure involved;

Whereas the estimates of eligible expenditure must be adjusted in relation to the observed trend of costs; whereas, therefore, provision should be made for the Commission decision relating to the eligibility of expenditure to be amended,

HAS ADOPTED THIS DECISION:

Article 1

Decision 87/279/EEC is amended as follows:

1. Article 1(2) is replaced by the following:

"2. The Community shall reimburse, at a rate of 50% and subject to a maximum of 12 million ECU, the eligible expenditure incurred by the Portuguese Republic from 1 January 1988 to 31 December 1991."

2. The following sentence is added to point 4 of the Annex:

"The Commission may amend its decision as to the eligibility of expenditure in relation to the observed trend of costs."

Article 2

This Decision is addressed to the Portuguese Republic.

Done at Brussels,

For the Council,
The President

FICHE FINANCIERE

(à établir en Ecu)

1. Ligne(s) budgétaire(s) concernée(s)
4110
2. Montant des crédits inscrits sur cette (ces) ligne(s) pour l'exercice
9.000.000,- ECU
3. Montant des reports autorisés ou demandés (à spécifier)
 - automatiques
 - non automatique demandés : 5.731.880,50 ECU
4. Montant de la dépense découlant de la décision proposée à la Commission
 - a) au titre de l'exercice en cours
 - à l'aide des crédits inscrits aux lignes budgétaires visées
 - à l'aide des reports
 - à l'aide d'autres procédures (1)
(virements, budgets supplémentaires)
 - b) au titre des exercices suivants (éventuellement)
5.731.880,50 ECU
5. Autres incidences financières de la décision (éventuellement)
6. Mode de calcul adopté (expliciter)
Montant déjà inscrit au Budget 1989; le calcul reste inchangé.

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AVIS du Directeur général des budgets :

AVIS FAVORABLE

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(1) Dans cette hypothèse, exceptionnelle, fournir une motivation détaillée.

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DOCUMENTS

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