

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(93) 213 final

Brussels, 17 May 1993

Proposal for a
COUNCIL REGULATION (EEC, EURATOM)

amending Council Regulation No 1552/89 implementing
Decision 88/376/EEC, Euratom on the system of the
Communities' own resources

(presented by the Commission)

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Proposal for a Regulation
amending Council Regulation No 1552/89
implementing Decision 88/376/EEC, Euratom

EXPLANATORY MEMORANDUM

Article 10 of Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops reads: "The compensatory payments for cereals and protein crops, as well as the compensation for the set-aside obligation, shall be paid between 16 October and 31 December next following the harvest".

Pursuant to this article and to Articles 4 and 5 of Council Regulation (EEC) No 729/70 of 21 April 1970, the Member States' authorities must pay this aid in November and December and the Commission must therefore reimburse the Member States in January and February of the following year.

With effect from 1994 these new measures will substantially alter the current profile of EAGGF Guarantee Section expenditure as, when fully applied, they will mean that 40% to 50% of the annual payments made under this head by the Commission will be concentrated in the first two months of the year. This will be well in excess of the Commission's cash resources at that time of the year.

Article 10(2) of Council Regulation (EEC, Euratom) No 1552/89 of 29 May 1989 authorizes the Commission to invite Member States, if necessary, to bring forward by one month the entry in the accounts of own resources other than VAT resources and the additional resource. However, the amount yielded by this early entry, around ECU 1 250 million at present, would still not cover requirements.

The Commission must therefore be empowered to call on Member States, for the specific needs of the EAGGF Guarantee Section, to bring forward the entry of one or two twelfths of VAT and GNP-based own resources.

The proposed amendment is to Article 10 of Regulation No 1552/89 with the appropriate provision being contained in a new subparagraph inserted after the first subparagraph of paragraph 3.

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Proposal for a Regulation
amending Council Regulation No 1552/89
implementing Decision 88/376/EEC, Euratom
on the system of the Communities' own resources

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 209 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 183 thereof,

Having regard to Council Decision 88/376/EEC, Euratom of 24 June 1988 on the system of the Communities' own resources,¹ and in particular Article 8(2) thereof,

Having regard to the proposal from the Commission,²

Having regard to the opinion of the European Parliament,³

Having regard to the opinion of the Court of Auditors,⁴

Whereas the payment of aid resulting from application of Regulation No 1765/92 is mainly concentrated in the opening months of the year; whereas the Commission must have sufficient cash resources to make this payment;

Whereas additional rules need to be laid down governing the arrangements whereby Member States make available to the Commission the own resources due to the Communities,

HAS ADOPTED THIS REGULATION:

Article 1

Council Regulation (EEC, Euratom) No 1552/89 of 29 May 1989 implementing Decision 88/376/EEC, Euratom on the system of the Community's own resources is amended as follows:

Article 10

The following subparagraph is inserted after the first subparagraph of paragraph 3:

"For the specific needs of paying EAGGF Guarantee Section expenditure, Member States may be invited by the Commission to bring forward

1 OJ L 185, 15.7.1988, p.24.

2 OJ C

3 OJ C

4 OJ C

by one or two months the entry of one-twelfth of the amounts in the budget for VAT resources and the additional resource, but excluding own resources to cover the EAGGF (European Agricultural Guidance and Guarantee Fund) monetary reserve, [the reserve for loan guarantees and the reserve for emergency aid]. The sixth subparagraph concerning the amount to be entered in January each year and the seventh subparagraph applicable if the budget has not been finally adopted before the beginning of the financial year shall apply to these advance entries."

Article 2

This Regulation shall enter into force on the day following its publication in the Official Journal of the European Communities.
[It shall apply from 1 November 1993.]

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

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DOCUMENTS**EN****01**

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