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Report

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drawn up on behalf of the Committee on Agriculture

on the proposal from the Commission of the European Communities to the Council (Doc. 64/73) for a directive extending the time-limit for implementation of the Council's directives of 17 April 1972 on the reform of agricultural structures

Rapporteur: Mr H. FREHSEE

PF 33.122/fin.

By letter of 16 May 1973 the President of the Council of the European Communities requested the European Parliament, pursuant to Article 43 of the EEC Treaty, to deliver an opinion on the proposal from the Commission of the European Communities to the Council for a directive extending the time limit for implementation of the Council Directives of 17 April 1972 on the reform of agricultural structure.

The President of the European Parliament referred this proposal to the Committee on Agriculture as the committee responsible and to the Committee on Social Affairs and Employment for its opinion.

At its meeting of 16 and 17 May 1973 the Committee on Agriculture appointed Mr Frehsee rapporteur.

It discussed the proposal at its meeting of 22 May 1973. At the same meeting the committee approved the motion for a resolution by thirteen votes to one with three abstentions.

The following were present: Mr Houdet, chairman; Mr Vetrone, vice-chairman; Mr Frehsee, rapporteur; Mr Baas, Mr Bourdellès (deputizing for Mr Lefèbvre), Mr Cifarelli, Mr Cipolla, Mr Héger, Mr John Hill, Mr Hilliard, Mr Hunault, Mr Jakobsen, Mr Ligios, Mr Liogier, Mr Martens, Lord St. Oswald, Mr Scott-Hopkins.

The opinion of the Committee on Social Affairs and Employment is annexed to this report.

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The Committee on Agriculture hereby submits to the European Parliament the following motion for a resolution, together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a directive extending the time limit for implementation of the Council Directives of 17 April 1972 on the reform of agricultural structure

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council (Doc. COM(73) 533 fin.),
 - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 64/73),
 - having regard to the report of the Committee on Agriculture and the opinion of the Committee on Social Affairs and Employment (Doc. 84/73),
1. Regrets that Parliament was not consulted on this directive until after the expiry of the time limit for taking implementing measures in the Member States, as laid down in the directives on the reform of agricultural structure, thus creating a legal vacuum;
 2. Expects the Commission to submit by 1 August 1973 a report explaining in detail the effects of current Community and national measures on the reform of agricultural structure, and in particular, the extent to which procedures for enforcing the necessary national measures have been successfully implemented;
 3. Considers it self-evident that the measures envisaged in this directive should become effective immediately in the case of the Member State which has taken measures to comply with the provisions of the directives;
 4. Approves the proposed directive subject to the above observations;
 5. Instructs its President to forward this resolution and the report of its committee to the Council and Commission of the European Communities.

EXPLANATORY STATEMENT

1. The directives¹ on the reform of agricultural structure, which came into force on 17 April 1972, stipulate that the Member States shall, within a specified period of time, bring into force the measures necessary to comply with the provisions of these directives. The procedure to be followed is for each Member State to draw up the laws, regulations and administrative provisions it proposes to adopt to implement the directives in accordance with the forms laid down by its own national legal system and to forward them to the Commission. The Commission must then examine these provisions to determine whether they comply with the aims of the three directives on agricultural structure. The Member State, bearing in mind any comments made by the Commission, must then bring these provisions of national law into force according to its own constitutional legislative procedures. This entire procedure should have been completed within the stipulated period of one year, that is to say, by 20 April 1973. The Commission points out, however, that most Member States were not in a position to comply with this requirement within the stipulated period, and it therefore proposes an extension of the time limit until 31 December 1973.

2. It was only with great difficulty that the Community was able to lay down a common policy on agricultural structure. It was a great step forward therefore in an important area of the common agricultural policy when the breakthrough was made in April last year and the first directives were issued on structural policy measures based on Community criteria and financed partly by Community resources. However, the implementation of these measures is being delayed in almost all Member States by many national difficulties.

3. In considering this directive, the Committee on Agriculture has decided not to hold a full debate on the present position in regard to this policy but for the time being simply to approve the proposed extension of the time limit, in order to fill the legal vacuum created by the delay in consulting Parliament. It gives its approval, however, subject to the express anticipation that the Commission will submit, before 1 August of this year, the annual report provided for in the directives², which can then serve as the basis of a general and wide-ranging discussion with the Commission and Council on the newly introduced common structural policy. This opportunity should also be taken to consider the extent to which the directives have been implemented at national level and the practical difficulties encountered in this connection. The numerous questions which will arise in this context should be examined individually in the course of this debate.

¹ See OJ No. L 96, 23 April 1972, p. 1 ff.

² Article 22 of Directive No. 72/159/EEC; Article 15 of Directive No. 72/160/EEC; Article 16 of Directive No. 72/161/EEC

4. Your committee would like to take this opportunity to point out that there should be no need for any further discussion of the principles underlying the directives, which have been worked out with great care. However, further consideration, e.g. of the question of updating the financial provisions of the directives, must not be ruled out.

5. Your committee presumes that the delay in some Member States in taking the implementing measures necessary to comply with the provisions of these directives will not influence the entry into force of Community and national measures.

6. Your committee recommends that Parliament should approve the proposal for a directive, subject to the observations set out above.

OPINION OF THE COMMITTEE ON SOCIAL AFFAIRS
AND EMPLOYMENT

Letter from the Chairman of the Committee to Mr HOUDET, Chairman of the
Committee on Agriculture

Rome, 23 May 1973

Dear Mr Chairman,

At its meeting of 22 May 1973, the Committee on Social Affairs
and Employment took note of the proposal for a Council Directive
extending the time-limit for implementation of the Council Directives
of 17 April 1972 on the reform of agricultural structure (Doc. COM
(73) 533/fin.).

The members present were of the opinion that there could be no
objection to extending to 31 December 1973 the time-limit specified
in the directives of 17 April 1972 by which Member States should have
taken measures to implement those directives.

The Committee on Social Affairs and Employment has instructed
me to inform you of this view as constituting its opinion.

Yours faithfully,

A. BERTRAND

This opinion was adopted unanimously.

The following were present: Mr Bertrand, chairman; Mr Adams, vice-chairman;
Sir Tufton Beamish, Mr Bernani, Mr Berthoin, Mr Christensen, Mr Girardin,
Mr Van der Gun, Mr Harzschel, Mr Jarrot, Mr Laudrin, Mr Marras, Mr Mursch,
Sir John Peel, Mr Pisoni, Mr Schwabe, Mr Vermeylen, Mr Vernaschi.