

**COUNCIL REGULATION (EEC) No 2992/78
of 19 December 1978**

on the granting of aid from the Guidance Section of the European Agricultural Guidance and Guarantee Fund, in 1978 and 1979, pursuant to Regulation No 17/64/EEC

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⁽¹⁾,

Whereas, in accordance with Article 6 (4) of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽²⁾, as last amended by Regulation (EEC) No 2788/72⁽³⁾, the provisions of Part 2 of Council Regulation No 17/64/EEC of 5 February 1964 on the conditions for granting aid from the European Agricultural Guidance and Guarantee Fund⁽⁴⁾, as last amended by Regulation (EEC) No 3171/75⁽⁵⁾, should cease to apply in 1978, since the expenditure of the Guidance Section of the European Agricultural Guidance and Guarantee Fund on the financing of common measures should exceed the total annual appropriations available to that Section;

Whereas there is still considerable need in the Member States for financial assistance by the Community for certain sectors;

Whereas it seems warranted to permit further temporary Community intervention in these sectors;

Whereas to this end it is particularly appropriate to extend the validity of Regulation No 17/64/EEC;

Whereas certain particular agricultural problems in the Benelux countries could necessitate specific measures which do not fall within conditions laid down in Regulation No 17/64/EEC; whereas it would nevertheless seem appropriate for the Community to participate in financing these measures; whereas it is therefore necessary to provide for the possibility of derogating from certain of the provisions of Regulation No 17/64/EEC,

HAS ADOPTED THIS REGULATION:

Article 1

1. By way of derogation from Article 6 (4) of Regulation (EEC) No 729/70, the provisions of Part 2 of Regulation No 17/64/EEC, with the exception of Articles 14 (1) (a) and 16, shall continue to apply in 1978 and 1979. These provisions shall also continue to apply to the projects in the inshore fishing sector referred to in Article 1 of Regulation (EEC) No 1852/78⁽⁶⁾ which have not been awarded aid owing to insufficient funds being available.

2. By way of derogation from the conditions laid down in Articles 1 (4), 11 (1), 13 (3), 18 and 22 (1) of Regulation No 17/64/EEC and from the condition that measures to be financed must take the form of investments, applications for aid may be admitted in accordance with the procedure laid down in Article 19 (1) of the said Regulation to allow financing by the Guidance Section of the European Agricultural Guidance and Guarantee Fund of special measures to cope with particular agricultural problems in the Benelux countries.

3. Applications for aid for 1978 and 1979 must be submitted to the Commission before 1 January 1979.

4. The Commission shall take a decision on these applications in one or more instalments by 31 December 1979.

5. The total cost of the measures referred to in paragraphs 1 and 2 which is to be met by the Guidance Section of the European Agricultural Guidance and Guarantee Fund shall not exceed 70 million European units of account.

Article 2

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

⁽¹⁾ Opinion delivered on 15 December 1978 (not yet published in the Official Journal).

⁽²⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽³⁾ OJ No L 295, 30. 12. 1972, p. 1.

⁽⁴⁾ OJ No 34, 27. 2. 1964, p. 586/64.

⁽⁵⁾ OJ No L 315, 5. 12. 1975, p. 1.

⁽⁶⁾ OJ No L 211, 1. 8. 1978, p. 30.

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

Done at Brussels, 19 December 1978.

For the Council

The President

J. ERTL
