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*Committee on Agriculture and Rural Development*

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**2010/0256(COD)**

12.7.2011

# **AMENDMENTS 75 - 145**

**Draft report**  
**Gabriel Mato Adrover**  
(PE452.866v02)

on the proposal for a regulation of the European Parliament and of the Council  
laying down specific measures for agriculture in the outermost regions of the  
Union

Proposal for a regulation  
(COM(2010)0498 – C7-0284/2010 – 2010/0256(COD))

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#### **Amendment 75**

**Elie Hoarau, Patrice Tirolien, Stéphane Le Foll, Patrick Le Hyaric, Marielle De Sarnez, Catherine Grèze**

#### **Proposal for a regulation**

##### **Citation 1**

##### *Text proposed by the Commission*

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 42 and Article 43(2) thereof,

##### *Amendment*

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 42, Article 43(2) **and Article 349** thereof,

Or. fr

#### **Amendment 76**

**Maria do Céu Patrão Neves**

#### **Proposal for a regulation**

##### **Recital 3**

##### *Text proposed by the Commission*

(3) The content of the Programmes of Options Specifically Relating to Remoteness and Insularity ('POSEI programmes') which, in accordance with the principle of subsidiarity, must be established by the Member States concerned at the most appropriate geographical level and submitted by the Member States to the Commission for approval, must also be specified.

##### *Amendment*

(3) The content of the Programmes of Options Specifically Relating to Remoteness and Insularity ('POSEI programmes') which, in accordance with the principle of subsidiarity, must be established by the Member States concerned at the most appropriate geographical level and submitted by the Member States to the Commission for approval, must also be specified, ***following internal consultation through regional monitoring committees.***

Or. pt

#### **Amendment 77**

**Elie Hoarau, Patrice Tirolien, Stéphane Le Foll, Marielle De Sarnez, Patrick Le Hyaric,**

Catherine Grèze

**Proposal for a regulation**  
**Recital 4a (new)**

*Text proposed by the Commission*

*Amendment*

***(4a) In order to avoid undermining the efforts to achieve the objectives of the POSEI programmes, the Commission should carry out impact assessments each time an international trade agreement is negotiated which may pose a threat to the sectors supported under the POSEI programmes. Once these impact assessments or prior evaluations have been carried out, the Commission should forward the findings to the European Parliament, the Council and the elected departmental or regional authorities in the outermost regions before the international agreements in question are concluded.***

Or. fr

**Amendment 78**  
**Maria do Céu Patrão Neves**

**Proposal for a regulation**  
**Recital 5**

*Text proposed by the Commission*

*Amendment*

(5) In keeping with the principle of subsidiarity and in order to ensure flexibility, two principles which form the basis of the programming approach adopted for the scheme promoting the Union's outermost regions, the authorities appointed by the Member State may propose amendments to the programme to bring it into line with the reality of the situation in the outermost regions. Also in keeping with this approach, the procedure for amending the programmes must be

(5) In keeping with the principle of subsidiarity and in order to ensure flexibility, two principles which form the basis of the programming approach adopted for the scheme promoting the Union's outermost regions, the authorities appointed by the Member State may, ***after consulting stakeholders within the regional monitoring committee***, propose amendments to the programme to bring it into line with the reality of the situation in the outermost regions. Also in keeping

adapted to reflect the level of relevance of each type of amendment.

with this approach, the procedure for amending the programmes must be adapted to reflect the level of relevance of each type of amendment.

Or. pt

#### **Amendment 79**

**Elie Hoarau, Patrice Tirolien, Stéphane Le Foll, Marielle De Sarnez, Patrick Le Hyaric, Catherine Grèze**

#### **Proposal for a regulation**

##### **Recital 8**

###### *Text proposed by the Commission*

(8) In order to achieve in an effective manner the lowering of prices in the outermost regions **and** mitigating the additional costs of their extreme remoteness, all the while maintaining the competitiveness of **EU** products, aid should be granted for the supply of Community products to the outermost regions. Such aid should take account of the additional cost of **transport** to these regions and the cost of exports to third countries and, in the case of agricultural inputs and products intended for processing, the additional costs of their extreme remoteness, specifically insularity and small surface areas.

###### *Amendment*

(8) In order to achieve in an effective manner the lowering of prices in the outermost regions **by** mitigating the additional costs of their extreme remoteness, all the while maintaining the competitiveness of **their** products, aid should be granted for the supply of Community products to the outermost regions. Such aid should take account of the additional cost **arising from the transportation of the products in question** to these regions and the cost of exports to third countries and, in the case of agricultural inputs and products intended for processing, the additional costs of their extreme remoteness, specifically insularity and small surface areas.

Or. fr

#### **Amendment 80**

**Maria do Céu Patrão Neves**

#### **Proposal for a regulation**

##### **Recital 8**

###### *Text proposed by the Commission*

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###### *Amendment*

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manner the lowering of prices in the outermost regions and mitigating the additional costs of their extreme remoteness, all the while maintaining the competitiveness of EU products, aid should be granted for the supply of Community products to the outermost regions. Such aid should take account of the additional cost of transport to these regions and the cost of exports to third countries and, in the case of agricultural inputs and products intended for processing, the additional costs of their extreme remoteness, specifically insularity and small surface areas.

manner the lowering of prices in the outermost regions and mitigating the additional costs of their extreme remoteness, all the while maintaining the competitiveness of EU products, aid should be granted for the supply of Community products to the outermost regions. Such aid should take account of the additional cost of transport to these regions and the cost of exports to third countries and, in the case of agricultural inputs and products intended for processing, the additional costs of their extreme remoteness, specifically insularity and small surface areas, ***hilly terrain, difficult climate and scattered islands***.

Or. pt

**Amendment 81**  
**Luís Paulo Alves**

**Proposal for a regulation**  
**Recital 8a (new)**

*Text proposed by the Commission*

*Amendment*

***(8a) Whilst diversification is desirable, given the situation of the outermost regions, it is sometimes difficult to achieve.***

Or. pt

**Amendment 82**  
**Rolandas Paksas**

**Proposal for a regulation**  
**Recital 9**

*Text proposed by the Commission*

*Amendment*

(9) In order to avoid speculation which would be harmful to end users in the outermost regions, it is important to specify that the specific supply arrangements may

(9) In order to avoid speculation which would be harmful to end users in the outermost regions, it is important to specify that the specific supply arrangements may

only apply to products of sound, fair and marketable quality.

only apply to products of sound, fair and marketable quality, ***where equivalent conditions have been established for end-users.***

Or. It

**Amendment 83**  
**Juozas Imbrasas**

**Proposal for a regulation**  
**Recital 15**

*Text proposed by the Commission*

(15) With regard to out-of-quota sugar to be supplied to the Azores, Madeira and the Canary Islands, the scheme of exemption from import duties will continue to apply. In particular, the Azores should be also authorised to benefit from the exemption from import duties for raw cane sugar ***within the limit of their forecast supply balance.***

*Amendment*

(15) With regard to out-of-quota sugar to be supplied to the Azores, Madeira and the Canary Islands, the scheme of exemption from import duties will continue to apply. In particular, the Azores should be also authorised to benefit from the exemption from import duties for raw cane sugar, ***with a ceiling equal to 5% of the previous year's imports.***

Or. It

**Amendment 84**  
**Elie Hoarau, Patrice Tirolien, Stéphane Le Foll, Marielle De Sarnez, Patrick Le Hyaric, Catherine Grèze, Maurice Ponga**

**Proposal for a regulation**  
**Recital 17**

*Text proposed by the Commission*

(17) Given that rice constitutes a staple of the diet of Réunion, and since the island does not produce sufficient quantities to meet local requirements, the import of this product to the island should continue to be exempt from any form of import tax.

*Amendment*

(17) Given that rice constitutes a staple of the diet of Réunion ***and that rice processing and polishing industries have been established there for many years,*** and since the island does not produce sufficient quantities ***of rice*** to meet local requirements, the import of this product to the island should continue to be exempt

from any form of import tax.

Or. fr

**Amendment 85**  
**Rolandas Paksas**

**Proposal for a regulation**  
**Recital 18**

*Text proposed by the Commission*

(18) European Union policy to assist local production in the outermost regions has involved a multitude of products and measures for their production, marketing or processing. These measures have proved effective and ensured that agriculture continues and develops. The EU should continue to support these lines of production, which are a key element to ensure the environmental, social and economic equilibrium of the outermost regions. Experience has shown that, as in the case of rural development policy, a closer partnership with local authorities can help to address the particular issues affecting the regions concerned in a more targeted way. Support to promote local production therefore needs to continue by means of the POSEI programmes.

*Amendment*

(18) European Union policy to assist local production in the outermost regions has involved a multitude of products and measures for their production, marketing or processing. These measures have proved effective and ensured that agriculture continues and develops. The EU should continue to support these lines of production, which are a key element to ensure the environmental, social and economic equilibrium of the outermost regions. Experience has shown that, as in the case of rural development policy, a closer partnership with local authorities can help to address the particular issues affecting the regions concerned in a more targeted way. Support to promote local production therefore needs to continue by means of the POSEI programmes, ***structural funding and payments from the agricultural funds (the European Agricultural Guarantee Fund and the European Agricultural Fund for Rural Development)***.

Or. It

**Amendment 86**  
**Luís Paulo Alves**

**Proposal for a regulation**  
**Recital 19**

*Text proposed by the Commission*

(19) In order to support the marketing of products from the outermost regions, aid should be established to assist commercialisation of these products outside of the region in which they are produced.

*Amendment*

(19) In order to support the marketing of products from the outermost regions, aid should be established to assist commercialisation of these products outside of the region in which they are produced, ***taking account of the high additional costs they face as a result of their distance from consumer markets and the need for double storage, which create crucial competitive disadvantages affecting their ability to compete in the internal market. These factors justify the need to increase the financial envelope for the POSEI programme.***

Or. pt

**Amendment 87**

**Maria do Céu Patrão Neves**

**Proposal for a regulation**

**Recital 22**

*Text proposed by the Commission*

(22) Farmers in the outermost regions should be encouraged to supply high-quality products and to prioritise their marketing. Use of the logo introduced by the Union may be useful to this end.

*Amendment*

(22) Farmers in the outermost regions should be encouraged to supply high-quality products and to prioritise their marketing. Use of the logo introduced by the Union may be useful to this end, ***in combination with campaigns to promote the logo aimed at building consumer empathy and making it easier for consumers to recognise products from the outermost regions.***

Or. pt

**Amendment 88**

**Maria do Céu Patrão Neves**

**Proposal for a regulation**  
**Recital 22a (new)**

*Text proposed by the Commission*

*Amendment*

***(22a) Wherever possible, the supply arrangements and measures to assist local production should be geared to high-quality agricultural production and innovative products with added value capable of satisfying demanding markets and market niches.***

Or. pt

**Amendment 89**  
**Luís Paulo Alves**

**Proposal for a regulation**  
**Recital 23a (new)**

*Text proposed by the Commission*

*Amendment*

***(23a) Account should also be taken of the additional costs affecting agricultural production in the outermost regions linked to the small size of farmland plots and their scattered nature, including greater use of agricultural diesel not only by traction machinery but also by other vehicles used to transport various items of farm machinery between farms.***

Or. pt

**Amendment 90**  
**Maria do Céu Patrão Neves**

**Proposal for a regulation**  
**Recital 26**

*Text proposed by the Commission*

*Amendment*

(26) A derogation may be granted from the Commission's consistent policy of not

(26) A derogation may be granted from the Commission's consistent policy of not

authorising State operating aid for the production, processing and marketing of agricultural products covered by Annex I to the Treaty, in order to mitigate the specific constraints on farming in the outermost regions linked to their extreme remoteness, specifically their isolation, insularity, small surface areas, mountainous terrain and climate and their economic dependency on a small number of products.

authorising State operating aid for the production, processing and marketing of agricultural products covered by Annex I to the Treaty, in order to mitigate the specific constraints on farming in the outermost regions linked to their extreme remoteness, specifically their isolation, insularity, small surface areas, mountainous terrain and climate and their economic dependency on a small number of products. ***Agricultural production plays a vital role in revitalising rural areas and encouraging people to stay in them, and the outermost rural areas are particularly affected by population ageing, low population density and in some cases depopulation.***

Or. pt

**Amendment 91**  
**Gabriel Mato Adrover**

**Proposal for a regulation**  
**Recital 27**

*Text proposed by the Commission*

(27) The plant health of agricultural crops in the outermost regions is subject to particular problems associated with the climate and the inadequacy of the control measures hitherto applied there. Programmes should therefore be implemented to combat harmful organisms, including by organic methods. The Union's financial contribution towards such programmes should be defined.

*Amendment*

(27) The plant health of agricultural crops in the outermost regions is subject to particular problems associated with ***the increase in imports***, the climate and the inadequacy of the control measures hitherto applied there. Programmes should therefore be implemented to combat harmful organisms, including by ***sustainable and environmentally sound organic methods, alongside training programmes***. The Union's financial contribution towards such programmes should be defined.

Or. es

**Amendment 92**  
**Luís Paulo Alves**

**Proposal for a regulation**  
**Recital 29**

*Text proposed by the Commission*

(29) The restructuring of the milk sector is not yet complete in the Azores. In line with the high dependence of the Azores on milk production, combined with other handicaps connected with their extreme remoteness and the absence of profitable alternative lines of production, the derogation from certain provisions of Regulation (EC) No 1234/2007 concerning surplus levies on milk and milk products should be maintained.

*Amendment*

(29) The restructuring of the milk sector is not yet complete in the Azores. In line with the high dependence of the Azores on milk production, combined with other handicaps connected with their extreme remoteness and the absence of profitable alternative lines of production, the derogation from certain provisions of Regulation (EC) No 1234/2007 concerning surplus levies on milk and milk products should be maintained. ***Likewise, in order to bring about a more rapid structural recovery that will better prepare the sector for the end of the milk-quota system, it is justified to increase the financial envelope for the POSEI programme by the amounts sufficient to cover the measures which may become necessary, in the light of the studies proposed in this Regulation on the foreseeable impact of the abolition of this scheme.***

Or. pt

**Amendment 93**  
**Maria do Céu Patrão Neves**

**Proposal for a regulation**  
**Recital 29a (new)**

*Text proposed by the Commission*

*Amendment*

***(29a) The decision to abolish milk quotas will have an extremely negative impact on the milk and milk product sector, to which the Commission proposal on contractual relations does not provide a response. This aspect, combined with the increase in***

*production costs and price volatility, has caused a sharp drop in competitiveness, which means that the negative effects must be constantly assessed and specific compensatory measures introduced, through an increase in funding for the POSEI programmes, which will make it possible to guarantee the sustainability of the sector in the outermost regions in which it is established.*

Or. pt

**Amendment 94**  
**Luís Paulo Alves**

**Proposal for a regulation**  
**Recital 29a (new)**

*Text proposed by the Commission*

*Amendment*

*(29a) Given the irreplaceable nature of milk production in the Azores, where it is the main driving force for the economy, social stability, the quality of the environment and occupation of the land, the POSEI programme, whose aim is to adapt the common agricultural policy to the outermost regions, is the best instrument with which to lay down any measures which may be necessary to maintain current levels of production, arising from the production rights allocated.*

Or. pt

**Amendment 95**  
**Elie Hoarau, Patrice Tirolien, Stéphane Le Foll, Marielle De Sarnez, Patrick Le Hyaric, Catherine Grèze, Maurice Ponga**

**Proposal for a regulation**  
**Recital 30**

*Text proposed by the Commission*

(30) Support for the production of cow's milk in Madeira and Réunion has not been sufficient to maintain the balance between domestic and external supply, chiefly because of the serious structural difficulties affecting the sector and its ***poor capacity to adapt*** to new economic environments. Consequently, authorisation to produce UHT milk reconstituted from milk powder of EU origin should continue, in order to cover local consumption more fully. In order to inform the consumer correctly, it should be made compulsory to indicate the method by which UHT milk is reconstituted using milk powder on the sales labelling.

*Amendment*

(30) Support for the production of cow's milk in Madeira and Réunion has not been sufficient to maintain the balance between domestic and external supply, chiefly because of the serious structural difficulties affecting the sector and its ***problems in adapting*** to new economic environments. Consequently, authorisation to produce UHT milk reconstituted from milk powder of EU origin should continue, in order to cover local consumption more fully, ***provided that this does not pose an obstacle to the collection and marketing of all locally produced milk, or hamper efforts to promote the expansion of local production, the medium-term aim being to secure, for Réunion, self-sufficiency in milk production.*** In order to inform the consumer correctly, it should be made compulsory to indicate the method by which UHT milk is reconstituted using milk powder on the sales labelling. ***This provision should also be applicable in Martinique, French Guiana and Guadeloupe, should France make such a request citing the wish of local stakeholders to be covered by it and their ability to develop the milk sector.***

Or. fr

**Amendment 96**

**Maria do Céu Patrão Neves, Nuno Teixeira**

**Proposal for a regulation  
Recital 30a (new)**

*Text proposed by the Commission*

*Amendment*

***(30a) With a view to meeting local consumption needs for milk in Madeira and the Canary Islands, and bearing in mind the surplus that exists in the Azores,***

*the trade dynamic among outermost regions should be fostered through specific measures that will help to activate these trade relations, in particular as regards transport. The conditions necessary for fair and equitable trade should also be guaranteed, in particular as regards the tax burden on trade.*

Or. pt

**Amendment 97**  
**Maria do Céu Patrão Neves, Nuno Teixeira**

**Proposal for a regulation**  
**Recital 32a (new)**

*Text proposed by the Commission*

*Amendment*

*(32a) Traditional livestock farming activities should be supported. In order to meet the local consumption needs of Madeira and the Canary Islands, imports of young male bovine animals, notably from the Azores, should be promoted with a view to strengthening the trade dynamic among the outermost regions. The conditions necessary for fair and equitable trade should also be guaranteed, in particular as regards the tax burden on trade.*

Or. pt

**Amendment 98**  
**Maria do Céu Patrão Neves**

**Proposal for a regulation**  
**Recital 34**

*Text proposed by the Commission*

*Amendment*

(34) Tobacco growing is of historical importance in the Canary Islands. Economically speaking, tobacco

(34) Tobacco growing is of historical importance in the Canary Islands *and the Azores*. Economically speaking, tobacco

preparation continues to be one of the chief industrial activities in the region. In social terms, tobacco cultivation is very labour-intensive and carried out by small farms. Since the crop is not sufficiently profitable, however, it is in danger of dying out. Tobacco is currently cultivated on only a small area on the island of La Palma, for the small-scale manufacture of cigars. Spain should therefore be authorised to continue to grant aid, in addition to EU aid, so that this traditional crop can be maintained with a view to supporting the artisanal activity associated with it. In addition, to maintain the manufacture of tobacco products, imports into the Canary Islands of raw and semi-manufactured tobacco should continue to be exempt from customs duty, up to an annual limit of 20 000 tonnes of stripped raw tobacco equivalent.

preparation continues to be one of the chief industrial activities in the region. In social terms, tobacco cultivation is very labour-intensive and carried out by small farms, ***which, in the case of the Azores, makes crop rotation possible, thereby preventing monoculture and the excessive use of fertilisers.*** Since the crop is not sufficiently profitable, however, it is in danger of dying out. Tobacco is currently cultivated on only a small area on the island of La Palma ***in the Canary Islands***, for the small-scale manufacture of cigars, ***and on the island of São Miguel in the Azores, for the production of cigars and cigarillos.*** Spain ***and Portugal*** should therefore be authorised to continue to grant aid, in addition to EU aid, so that this traditional crop can be maintained with a view to supporting the artisanal activity associated with it. In addition, to maintain the manufacture of tobacco products, imports into the Canary Islands ***and the Azores*** of raw and semi-manufactured tobacco should continue to be exempt from customs duty, up to an annual limit of 20 000 tonnes of stripped raw tobacco equivalent.

Or. pt

#### Amendment 99

Maria do Céu Patrão Neves, Nuno Teixeira

#### Proposal for a regulation

#### Recital 35a (new)

*Text proposed by the Commission*

*Amendment*

***(35a) So that the objectives of this Regulation can be fulfilled, it should be possible for this instrument to avert any negative repercussions of the post-2013 reform of the common agricultural policy and the new CAP should be applied to the outermost regions selectively and progressively, taking account of their***

*specific characteristics.*

Or. pt

#### **Amendment 100**

**Maria do Céu Patrão Neves, Nuno Teixeira**

#### **Proposal for a regulation**

#### **Recital 35b (new)**

*Text proposed by the Commission*

*Amendment*

***(35b) So that the objectives of this Regulation can be fulfilled, it should be possible for this instrument to avert the negative repercussions of bilateral and multilateral agreements at all times, for which purpose an impact assessment should be carried out before the agreements are signed, followed by the corresponding compensatory measures.***

Or. pt

#### **Amendment 101**

**Luís Paulo Alves**

#### **Proposal for a regulation**

#### **Recital 36**

*Text proposed by the Commission*

*Amendment*

(36) Since 2006, requirements in essential products have increased in some outermost regions, particularly in the Azores and in the French overseas departments, as a result of the increasing livestock population and demographic pressure. The ***proportion of the budget which Member States may use for the specific supply arrangements for the regions concerned should therefore be increased.***

(36) Since 2006, requirements in essential products have increased in some outermost regions, particularly in the Azores and in the French overseas departments, as a result of the increasing livestock population and demographic pressure. ***There should therefore be an effective increase in the financial envelope for the specific supply arrangements, in order to avoid compromising current support which is indispensable for local production, the main objective of the***

**Amendment 102**

**Elie Hoarau, Patrice Tirolien, Stéphane Le Foll, Marielle De Sarnez, Patrick Le Hyaric, Catherine Grèze**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point b**

*Text proposed by the Commission*

b) ***preservation*** and development of ***agricultural activities*** in the outermost regions, including the production, processing and the sale of local products.

*Amendment*

b) ***securing the long-term future*** and development of ***the livestock and crop diversification sectors*** in the outermost regions, including the production, processing and the sale of local products, ***while significantly improving the local population's degree of self-sufficiency by increasing domestic production and reducing imports.***

**Amendment 103**

**Maria do Céu Patrão Neves**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point b**

*Text proposed by the Commission*

b) preservation and development of agricultural activities in the outermost regions, including the production, processing and the sale of local products.

*Amendment*

b) preservation and development of agricultural activities in the outermost regions, including the production, processing and the sale of local products, ***in particular the higher transport costs.***

**Amendment 104**

**Elie Hoarau, Patrice Tirolien, Stéphane Le Foll, Marielle De Sarnez, Patrick Le Hyaric,**

Catherine Grèze

**Proposal for a regulation**

**Article 2 – paragraph 1 – point ba (new)**

*Text proposed by the Commission*

*Amendment*

***ba) maintaining the development and strengthening the competitiveness of traditional agricultural activities in the outermost regions, including the production, processing and marketing of local crops and products, whilst ensuring that the revenue generated from the products and by-products of traditional agricultural sectors is shared fairly between producers, processors and distributors.***

Or. fr

**Amendment 105**

**Elie Hoarau, Patrice Tirolien, Stéphane Le Foll, Marielle De Sarnez, Patrick Le Hyaric, Catherine Grèze**

**Proposal for a regulation**

**Article 2 – paragraph 2a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. The objectives set out in paragraph 1 must be achieved by taking a holistic approach to sustainable development which seeks both to safeguard the environment and to guarantee producers and farmers a decent income. This must also involve measures to provide farmers and processors with ongoing training in order to foster the development of high-quality, productive and sustainable agricultural sectors.***

Or. fr

#### Amendment 106

Elie Hoarau, Patrice Tirolien, Stéphane Le Foll, Marielle De Sarnez, Patrick Le Hyaric, Catherine Grèze

#### Proposal for a regulation

#### Article 3 – paragraph 2

*Text proposed by the Commission*

2. The POSEI **programme** shall be established at the geographical level **which the Member State concerned deems** most appropriate. **It shall be prepared by the competent authorities designated by the said Member State, which shall submit it to the Commission for approval in accordance with Article 6 after the competent authorities and organisations at the appropriate regional level have been consulted.**

*Amendment*

2. The POSEI **programmes** shall be established **by the authority or authorities designated by the Member State concerned**, at the geographical level **deemed** most appropriate.

Or. fr

#### Amendment 107

Elie Hoarau, Stéphane Le Foll, Patrice Tirolien, Marielle De Sarnez, Patrick Le Hyaric, Catherine Grèze

#### Proposal for a regulation

#### Article 3 – paragraph 2a (new)

*Text proposed by the Commission*

*Amendment*

**2a. At the geographical level deemed most appropriate, the competent departmental or regional authorities, the relevant organisations and the representative and/or professional organisations involved must be consulted on the draft POSEI programmes before they are submitted to the Commission for approval.**

Or. fr

#### **Amendment 108**

**Elie Hoarau, Stéphane Le Foll, Patrice Tirolien, Marielle De Sarnez, Patrick Le Hyaric, Catherine Grèze**

#### **Proposal for a regulation**

#### **Article 3 – paragraph 3**

*Text proposed by the Commission*

**3. A single POSEI programme may be submitted for each Member State in respect of its outermost regions.**

*Amendment*

**3. The Member States shall submit to the Commission and to all the relevant organisations a clear organisational chart relating to the process of drawing up POSEI programmes.**

Or. fr

#### **Amendment 109**

**Elie Hoarau, Patrice Tirolien, Stéphane Le Foll, Marielle De Sarnez, Patrick Le Hyaric, Catherine Grèze, Maurice Ponga**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 1**

*Text proposed by the Commission*

**1. Measures taken under POSEI programmes must comply with European Union law and be consistent with other EU policies and with the measures taken under such policies.**

*Amendment*

**1. Measures taken under POSEI programmes must comply with European Union law and be consistent with other EU policies and with the measures taken under such policies, *without prejudice to Article 349 of the Treaty on the Functioning of the European Union, which grants the outermost regions special status with a view to fostering their development and their integration on a fair basis into the Union through the implementation of specific programmes and instruments tailored to their situation.***

Or. fr

#### **Amendment 110**

**Elie Hoarau, Patrice Tirolien, Stéphane Le Foll, Marielle De Sarnez, Patrick Le Hyaric, Catherine Grèze**

## Proposal for a regulation

### Article 6 – paragraph 1 – subparagraph 1

#### *Text proposed by the Commission*

1. Member States shall submit a draft POSEI programme to the Commission in the light of the financial allocation referred to in Article 29(2) and (3).

#### *Amendment*

1. Member States shall submit a draft POSEI programme to the Commission in the light of the financial allocation referred to in Article 29(2) and (3). ***The draft programme shall be deemed admissible by the Commission only if it has been notified to the leaders of the elected departmental or regional authorities.***

Or. fr

## Amendment 111

Elie Hoarau, Patrice Tirolien, Stéphane Le Foll, Marielle De Sarnez, Patrick Le Hyaric, Catherine Grèze

## Proposal for a regulation

### Article 6 – paragraph 2

#### *Text proposed by the Commission*

2. Depending on the annual evaluation of the implementation of measures included in the POSEI programmes, the Member States may submit to the Commission proposals for amendments thereto within the context of the financial allocation referred to in Article 29(2) and (3), to bring them more into line with the requirements of the outermost regions and the strategy proposed. The Commission shall adopt by means of an implementing act the uniform measures for the submission of proposals for amendments to the programme.

#### *Amendment*

2. Depending on the annual evaluation of the implementation of measures included in the POSEI programmes, the Member States may, ***after consulting the elected departmental or regional authorities,*** submit to the Commission proposals for amendments thereto within the context of the financial allocation referred to in Article 29(2) and (3), to bring them more into line with the requirements of the outermost regions and the strategy proposed. The Commission shall adopt by means of an implementing act the uniform measures for the submission of proposals for amendments to the programme.

Or. fr

**Amendment 112**  
**Luís Paulo Alves**

**Proposal for a regulation**  
**Article 6 – paragraph 2**

*Text proposed by the Commission*

2. Depending on the annual evaluation of the implementation of measures included in the POSEI programmes, the Member States may submit to the Commission proposals for amendments thereto within the context of the financial allocation referred to in Article 29(2) and (3), to bring them more into line with the requirements of the outermost regions and the strategy proposed. The Commission shall adopt by means of **an** implementing **act** the uniform measures for the submission of proposals for amendments to the programme.

*Amendment*

2. Depending on the annual evaluation of the implementation of measures included in the POSEI programmes, the Member States may, ***after consulting the socioeconomic operators concerned,*** submit to the Commission proposals for amendments thereto within the context of the financial allocation referred to in Article 29(2) and (3), to bring them more into line with the requirements of the outermost regions and the strategy proposed. The Commission shall adopt by means of implementing ***acts*** the uniform measures for the submission of proposals for amendments to the programme.

Or. pt

**Amendment 113**  
**Maria do Céu Patrão Neves**

**Proposal for a regulation**  
**Article 8 – paragraph 1**

*Text proposed by the Commission*

1. Specific supply arrangements are hereby established for the agricultural products listed in Annex I to the Treaty, which are essential in the outermost regions for human consumption, for the manufacture of other products or as agricultural inputs.

*Amendment*

1. Specific supply arrangements are hereby established for the agricultural products listed in Annex I to the Treaty, which are essential in the outermost regions for human consumption, for the manufacture of other products or as agricultural inputs, ***always taking account of the principle of administrative simplification for the administrations and above all for the final beneficiaries, without ever jeopardising effectiveness and the corresponding financial resources allocated to the***

**Amendment 114**

**Michel Dantin**

**Proposal for a regulation**

**Article 9 – paragraph 3a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. Paragraph 3 shall not apply in the case of products processed in French overseas departments from products which have benefited from specific supply arrangements, where these products are dispatched from one French overseas department to another.***

*Justification*

*Article 13(2)(e) opens up the possibility of dispatching from one French overseas department to another products which have been processed from raw materials having benefited from specific supply arrangements, without the benefit being reimbursed. However, Article 9(3) provides that no aid shall be granted for products which have already benefited from the specific supply arrangements in another outermost region.*

**Amendment 115**

**Luís Paulo Alves**

**Proposal for a regulation**

**Article 12 – paragraph 1a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. The Member States shall endeavour to ensure that the economic advantage of the benefits granted under the specific supply arrangements is in fact passed on to the end user, including the application of a more favourable fiscal policy for imported***

*products or for processed products  
incorporating products imported under  
these arrangements.*

Or. pt

**Amendment 116**  
**George Lyon**

**Proposal for a regulation**  
**Article 13 – paragraph 2 – subparagraph 1 – point a**

*Text proposed by the Commission*

a) exported to third countries or dispatched to the rest of the Union within *the* limits of *traditional* exports and *traditional* dispatches. These amounts are established by the Commission by means of an implementing act on the basis of dispatches or export average figures *during 1989, 1990 and 1991*;

*Amendment*

a) exported to third countries or dispatched to the rest of the Union within *agreed* limits of exports and dispatches. These amounts are established by the Commission by means of an implementing act on the basis of *the* dispatches or *the* export average figures *of the three most favourable years between 2001 and 2011*;

Or. en

**Amendment 117**  
**Luís Paulo Alves**

**Proposal for a regulation**  
**Article 13 – paragraph 2 – subparagraph 1 – point ea (new)**

*Text proposed by the Commission*

*Amendment*

*ea) and which have incurred real costs on import that are higher than the benefits enjoyed under the specific supply arrangements, in order to ensure that the outermost regions are better integrated into the internal market. The Commission shall be responsible for granting this authorisation in accordance with the evidence provided.*

Or. pt

**Amendment 118**  
**George Lyon**

**Proposal for a regulation**  
**Article 13 – paragraph 3**

*Text proposed by the Commission*

3. For the purposes of this chapter, ‘regional trade’ shall be understood as trade, for each French overseas department, **with** the Azores and Madeira and the Canary Islands, with third countries ***established by the Commission by means of an implementing act.***

*Amendment*

3. For the purposes of this chapter, ‘regional trade’ shall be understood as trade, for each French overseas department, the Azores and Madeira and the Canary Islands, with third countries ***belonging to the same geographical area as those outermost regions, and with countries with which there are historical trade links. The Commission shall adopt implementing acts concerning the list of those countries, taking into account objective requests made by the Member States following consultation with the sectors concerned. This list may be revised once for each Member State concerned, at its request. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).***

Or. en

*Justification*

*Regular updates of the list of countries should not be possible, as this could result in an unlimited extension of the quantities referred to in Article 13 - paragraph 2 - point a. Allowing the Member States to request a revision only once would be more proportionate and reasonable.*

**Amendment 119**  
**Maria do Céu Patrão Neves**

**Proposal for a regulation**  
**Article 14a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 14a**

***Milk and milk products***

***The production of milk products in the Azores necessitates the importing of various materials that are not available locally, such as wrapping, plastics and UHT packaging, adding to production costs and final consumer prices, which means that this type of material should be taken into account in the support provided under the special supply arrangements.***

Or. pt

**Amendment 120**

**Maria do Céu Patrão Neves**

**Proposal for a regulation**

**Article 18 – paragraph 1**

*Text proposed by the Commission*

1. The POSEI programmes consist of specific measures designed to promote local agricultural production under the scope of Part 3, Title III of the Treaty, necessary in order to ensure the continuity and development of local agricultural production in each outermost region.

*Amendment*

1. The POSEI programmes consist of specific measures designed to promote local agricultural production under the scope of Part 3, Title III of the Treaty, necessary in order to ensure the continuity and development of local agricultural production in each outermost region, ***always taking account of the principle of administrative simplification for the administrations and above all for the final beneficiaries, without ever jeopardising effectiveness and the corresponding financial resources allocated to the POSEI programme.***

Or. pt

**Amendment 121**

**Michel Dantin**

## Proposal for a regulation

### Article 18 – paragraph 2 – point f

*Text proposed by the Commission*

f) the aid amount established for each measure ***or action*** in order to achieve one or more objectives for the programme.

*Amendment*

f) the aid amount established for each measure in order to achieve one or more objectives for the programme.

Or. fr

## Amendment 122

Michel Dantin

## Proposal for a regulation

### Article 18 – paragraph 4 – subparagraph 2 – point c

*Text proposed by the Commission*

c) ***individual*** aid;

*Amendment*

c) ***the unit amount of*** aid;

Or. fr

## Amendment 123

Michel Dantin

## Proposal for a regulation

### Article 23 – paragraph 1

*Text proposed by the Commission*

1. France and Portugal shall submit programmes to the Commission for the control of organisms harmful to plants or plant products in the French overseas departments and the Azores and Madeira respectively. The programmes shall specify in particular the objectives to be achieved, the measures to be carried out, their duration and their cost. ***The programmes submitted pursuant to this Article shall not concern the protection of bananas.***

*Amendment*

1. France and Portugal shall submit programmes to the Commission for the control of organisms harmful to plants or plant products in the French overseas departments and the Azores and Madeira respectively. The programmes shall specify in particular the objectives to be achieved, the measures to be carried out, their duration and their cost.

Or. fr

**Amendment 124**  
**Gabriel Mato Adrover**

**Proposal for a regulation**  
**Article 24 – paragraph 3**

*Text proposed by the Commission*

3. The measures referred to in Articles 103v, 103w and 103y of Regulation (EC) No 1234/2007 shall not apply to the Canary Islands.

*Amendment*

3. The measures referred to in Articles **85g, 85h, 85i, 85j, 85k, 85m**, 103v, 103w and 103y of Regulation (EC) No 1234/2007 shall not apply to the Canary Islands.

Or. es

*Justification*

*Vine-growing is a type of agricultural production that promotes the conservation of rural areas on the Canary Islands. The rapporteur wishes to exempt the Canary Islands from any provision restricting the development of production in this sector in the future, bearing in mind the decline seen in recent years. The impact of a derogation from the provisions on illegal vineyards would be virtually nil for the mainland sector, since only 14.7% of wines consumed in the Canary Islands are locally produced.*

**Amendment 125**  
**Maria do Céu Patrão Neves**

**Proposal for a regulation**  
**Article 24 – paragraph 3a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. In some outermost regions there is also a need to encourage the conservation of the landscape and traditional features of farmland, particularly the conservation of the network of stone walls, especially those supporting terraces: maintaining the traditional landscape and ensuring that land is properly preserved is essential due to the difficult terrain and the nature of the soil. Therefore, in Article 21(1), the flexibility that Madeira currently enjoys as regards the doubling of the maximum***

*annual amounts eligible for European Union aid (as set out in Annex I to Regulation (EC) No 1628/2005) should be extended to other outermost regions.*

Or. pt

**Amendment 126**  
**Maria do Céu Patrão Neves**

**Proposal for a regulation**  
**Article 26 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

Until the local numbers of young male bovines reach a level sufficient to ensure the maintenance and development of local beef production in the French overseas departments and Madeira, the possibility shall be introduced of importing bovine animals from third countries for fattening and consumption in the French overseas departments and Madeira, without applying import duties under the Common Customs Tariff. The Commission shall adopt, by means of *an* implementing *act*, the measures necessary to implement this subparagraph and more specifically the means for introducing the exemption from import duties in respect of the young male bovines introduced into the French overseas departments and Madeira.

*Amendment*

Until the local numbers of young male bovines reach a level sufficient to ensure the maintenance and development of local beef production in the French overseas departments and Madeira, *and taking account of the fact that the Azores produce a surplus and may therefore help to make up the shortfall in the remaining outermost regions*, the possibility shall be introduced of importing bovine animals from third countries for fattening and consumption in the French overseas departments and Madeira, without applying import duties under the Common Customs Tariff. The Commission shall adopt, by means of implementing *acts*, the measures necessary to implement this subparagraph and more specifically the means for introducing the exemption from import duties in respect of the young male bovines introduced into the French overseas departments and Madeira.

Or. pt

**Amendment 127**  
**Maria do Céu Patrão Neves**

**Proposal for a regulation**  
**Article 29 – paragraph 1**

*Text proposed by the Commission*

1. The measures provided for in this Regulation, with the exception of Article 21, shall constitute intervention intended to stabilise the agricultural markets within the meaning of Article 3(1)(b) of Council Regulation (EC) No 1290/2005.

*Amendment*

1. The measures provided for in this Regulation, with the exception of Article 21, shall constitute intervention intended to stabilise the agricultural markets **and guarantee direct payments** within the meaning of Article 3(1)(b) **and (c)** of Council Regulation (EC) No 1290/2005.

Or. pt

**Amendment 128**  
**Luís Paulo Alves**

**Proposal for a regulation**  
**Article 29 – paragraph 1a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. There shall be a minimum effective increase in the annual amount allocated to finance the measures provided for in Chapters III and IV corresponding to the 20% increase in the specific supply arrangements deemed necessary for Portugal and France.***

Or. pt

**Amendment 129**  
**George Lyon**

**Proposal for a regulation**  
**Article 29 – paragraph 2 – introductory part**

*Text proposed by the Commission*

2. In respect of each financial year, the Union shall finance the measures provided for in Chapters III and IV, up to **an** annual

*Amendment*

2. In respect of each financial year, the Union shall finance the measures provided for in Chapters III and IV, up to **a**

sum equivalent to:

**maximum** annual sum equivalent to:

Or. en

**Amendment 130**

**Maria do Céu Patrão Neves**

**Proposal for a regulation**

**Article 29 – paragraph 4a (new)**

*Text proposed by the Commission*

*Amendment*

***4a. The Commission shall submit a report to the European Parliament and the Council assessing the impact that the dismantling of milk quotas will have on producers' incomes. This report shall be accompanied by a legislative proposal concerning due compensation for the losses of income suffered by European producers at any given time.***

Or. pt

**Amendment 131**

**Maria do Céu Patrão Neves**

**Proposal for a regulation**

**Article 29 – paragraph 4b (new)**

*Text proposed by the Commission*

*Amendment*

***4b. The Commission shall submit a report to the European Parliament and the Council assessing the impact on the income of beef and veal producers affected by the possible EU-Mercosur agreement. This report shall be accompanied by a legislative proposal concerning due compensation for the losses of income suffered by European producers at any given time.***

Or. pt

**Amendment 132**

**Maria do Céu Patrão Neves**

**Proposal for a regulation**

**Article 30 – subparagraph 1a (new)**

*Text proposed by the Commission*

*Amendment*

*A common set of monitoring indicators shall be created (employment, revitalisation of the economy, improvement in living standards) with a view to the drawing-up of half-yearly interim reports and a cumulative and comprehensive annual report, in order to safeguard the implementation, outcome and impact of the POSEI programme in the outermost regions and thereby guarantee that the programme produces effective results.*

Or. pt

**Amendment 133**

**Nuno Teixeira, Maria do Céu Patrão Neves**

**Proposal for a regulation**

**Article 30 – subparagraph 1b (new)**

*Text proposed by the Commission*

*Amendment*

*The Member States may not make aid for supply subject to any type of tax or fiscal levy, whether direct or indirect, and aid should be passed on in its entirety to the end user in accordance with the principle laid down in Article 12.*

Or. pt

**Amendment 134**

**Maria do Céu Patrão Neves**

**Proposal for a regulation**  
**Article 30a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 30a**

***Regional monitoring committees***

***Regional monitoring committees shall meet twice a year to assess the effectiveness and level of implementation of each measure, through official, timetabled consultation of stakeholders, up to the six-month period preceding the annual request for changes to the programme.***

Or. pt

**Amendment 135**  
**Luís Paulo Alves**

**Proposal for a regulation**  
**Article 31 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. Not later than 30 June 2015, and thereafter every five years, the Commission shall submit a general report to the European Parliament and the Council showing the impact of the action taken under this Regulation, including in the banana **sector**, accompanied if applicable by appropriate proposals.

3. Not later than 30 June 2015, and thereafter every five years, the Commission shall submit a general report to the European Parliament and the Council showing the impact of the action taken under this Regulation, including in the banana **and milk sectors**, accompanied if applicable by appropriate proposals.

Or. pt

**Amendment 136**  
**Luís Paulo Alves**

**Proposal for a regulation**  
**Article 31 – paragraph 3a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. The Commission shall carry out studies or assessments of the impact on local production of bilateral and multilateral trade negotiations with third countries or trade markets and of significant changes agreed with regard to the common agricultural policy. The Commission shall apply the criteria laid down by the United Nations when drawing up its reports. Where necessary, these studies or assessments shall be accompanied by proposals for a revision of the financial statement and of support measures for local production in the light of changes arising from the trade negotiations or significant changes to the common agricultural policy that have a major impact on the main production sectors in the outermost regions.***

Or. pt

**Amendment 137**

**Luís Paulo Alves**

**Proposal for a regulation**

**Article 31 – paragraph 3b (new)**

*Text proposed by the Commission*

*Amendment*

***3b. Given its significant impact on local production sectors in the outermost regions, the studies or assessments referred to in Article 31(3a) shall include the EU-Mercosur bilateral agreement.***

Or. pt

**Amendment 138**

**Luís Paulo Alves**

**Proposal for a regulation**  
**Article 31 – paragraph 3c (new)**

*Text proposed by the Commission*

*Amendment*

***3c. Given its significant impact on local production sectors in the outermost regions, the studies or assessments referred to in Article 31(3a) shall include the effects of the abolition of the milk-quota system.***

Or. pt

**Amendment 139**  
**Luís Paulo Alves**

**Proposal for a regulation**  
**Article 31 – paragraph 3d (new)**

*Text proposed by the Commission*

*Amendment*

***3d. The Commission shall include a specific chapter in the analyses, studies and assessments it carries out in the context of trade agreements and the common agricultural policy for any topic in which the outermost regions have a particular interest.***

Or. pt

**Amendment 140**  
**Gabriel Mato Adrover, Nuno Teixeira, Maurice Ponga, Maria do Céu Patrão Neves, Luís Paulo Alves, Patrice Tirolien, Juan Fernando López Aguilar, Elie Hoarau**

**Proposal for a regulation**  
**Article 31a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 31a***

***Extensions to the list of outermost regions***

*Any extension to the list of outermost regions of the EU shall be coupled with increased funding for the POSEI programmes.*

Or. fr

#### **Amendment 141**

**Dimitar Stoyanov, Slavi Binev**

#### **Proposal for a regulation**

#### **Article 33 – paragraph 1 – subparagraph 1**

##### *Text proposed by the Commission*

**4.** The power to adopt the delegated acts referred to in this Regulation shall be conferred on the Commission for ***an indeterminate period of time***.

##### *Amendment*

**1.** The power to adopt the delegated acts referred to in this Regulation shall be conferred on the Commission for ***a five-year period. The Commission shall make a report in respect of the delegated powers not later than six months before the end of the five-year period.***

Or. bg

##### *Justification*

*В член 290 от ДФЕС е закрепено изрично, че законодателният акт трябва да посочва цел, съдържание, обхват и продължителност на делегирането. Предложението на Комисията за предоставяне на правомощия по приемане на делегирани актове за неопределен срок противоречи на чл. 290 ДФЕС. Макар неопределеният срок да е все пак начин за конкретизиране на продължителността на делегирането, този подход не отчита възможността за изменение на онези фактическите отношения, които представляват предмета на делегиране. Имайки предвид, че с делегирани актове Комисията изменя или допълва елементи от регламента, е редно на определен период от време Комисията да представя доклад относно приложението на всеки делегиран акт. Само така Парламентът и Съветът, след като преценят ефекта от делегирания акт, ще могат да решат дали да е целесъобразно Комисията да продължи да приема делегирани актове в съответната сфера.*

#### **Amendment 142**

**Dimitar Stoyanov, Slavi Binev**

## Proposal for a regulation

### Article 33 – paragraph 3 – subparagraph 1

*Text proposed by the Commission*

6. The European Parliament and the Council may object to the delegated act within a period of **two** months from the date of notification. At the initiative of the European Parliament or the Council this period shall be extended by one month.

*Amendment*

3. The European Parliament and the Council may object to the delegated act within a period of **three** months from the date of notification. At the initiative of the European Parliament or the Council this period shall be extended by one month.

Or. bg

*Justification*

*The time limit for making objections needs to be increased, in order to enable Parliament and the Council to examine the delegated act in depth and to assess whether its adoption in that form is fitting and correct.*

## Amendment 143

Dimitar Stoyanov, Slavi Binev

## Proposal for a regulation

### Article 33 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

If, on expiry of that period, neither the European Parliament nor the Council has objected to the delegated act, or if, before that date, the European Parliament and the Council have both informed the Commission that they have decided not to raise objections, the delegated act shall enter into force at the date stated in its provisions.

*Amendment*

If, on expiry of that period, neither the European Parliament nor the Council has objected to the delegated act, or if, before that date, the European Parliament and the Council have both informed the Commission that they have decided not to raise objections, the delegated act shall ***be published in the Official Journal of the European Union and*** enter into force at the date stated in its provisions ***or, if no date is indicated, 20 days following its publication in the Official Journal of the European Union.***

Or. bg

**Amendment 144**  
**Dimitar Stoyanov, Slavi Binev**

**Proposal for a regulation**  
**Article 33 – paragraph 3 – subparagraph 3a (new)**

*Text proposed by the Commission*

*Amendment*

***In order to avert any deficiencies in EU legislation, once the reasoned objections to the delegated act are known, the Commission shall draw up a new delegated act, adopted on the same basis as the rejected act and relating to the same non-essential elements of the regulation, but reworked in response to those reasoned objections.***

Or. bg

*Justification*

*След като Европейският парламент или Съветът възразят основателно на делегиран акт, Комисията трябва да съобрази техните мотиви и съответно да измени предложението си. Възражението срещу делегиран акт е различно от оттегляне на делегираните правомощия. Затова е възможно приемането на делегиран акт относно някои елементи на регламента да е задължително с оглед по-доброто уреждане на обществените отношения, но текстът предложен от Комисията да не е достатъчно добър, за постигане ефекта на делегирането. Това съответно ще бъде посочено в мотивите на възражението срещу делегирания акт. За да не остави неуредени обществените отношения, Комисията все пак трябва да приеме делегиран акт в тази сфера, но съобразен със забележките на Парламента или Съвета, посочени във възражението.*

**Amendment 145**  
**Maria do Céu Patrão Neves**

**Proposal for a regulation**  
**Article 35 – subparagraph 2a (new)**

*Text proposed by the Commission*

*Amendment*

***Even though the new Regulation is to enter into force on 1 January 2012, the Member States shall not be required to submit a new programme by 1 August***

*2012 for implementation in 2013, as this would complicate the negotiating process with the Commission services. The stability of programmes is beneficial for all stakeholders, since it safeguards the principle of legal certainty and guarantees sound planning with a view to future investment.*

Or. pt