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*****I**
REPORT

on the proposal for a European Parliament and Council regulation amending Council Regulation (EEC) No 571/88 on the organisation of Community surveys on the structure of agricultural holdings after enlargement (COM(2003) 605 – C5-0477/2003 – 2003/0234(COD))

Committee on Budgets

Rapporteur: Reimer Böge

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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PROCEDURAL PAGE

By letter of 15 October 2003 the Commission submitted to Parliament, pursuant to Articles 251(2) and 285(1) of the EC Treaty, the proposal for a European Parliament and Council regulation on amending Council Regulation (EEC) No 571/88 on the organisation of Community surveys on the structure of agricultural holdings after enlargement (COM(2003) 605 – 2003/0234(COD)).

At the sitting of 20 October 2003 the President of Parliament announced that he had referred the proposal to the Committee on Budgets as the committee responsible and the Committee on Agriculture and Rural Development for its opinion (C5-0477/2003).

The Committee on Budgets appointed Reimer Böge rapporteur at its meeting of 4 November 2003.

The committee considered the Commission proposal and draft report at its meeting(s) of 17 March 2004 .

At the latter/last meeting it adopted the draft legislative resolution by unanimously.

The following were present for the vote: Terence Wynn (chairman, Reimer Böge (vice-chairman), , Ioannis Averoff, Göran Färm, Salvador Garriga Polledo, Jan Mulder, Joaquim Píscarreta, Giovanni Pittella, Per Stenmarck, Brigitte Wenzel-Perillo, Bartho Pronk (for James E.M. Elles...), and Ralf Walter .

The Committee on Agriculture and Rural Development decided on 4 November 2003 not to deliver an opinion.

The report was tabled on 19 March 2004 .

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a European Parliament and Council regulation on amending Council Regulation (EEC) No 571/88 on the organisation of Community surveys on the structure of agricultural holdings after enlargement (COM(2003) 605 – C5-0477/2003 – 2003/0234(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 605)¹,
 - having regard to Articles 251(2) and (285(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0477/2003),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Budgets (A5-0194/2004),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Considers that the financial statement of the Commission as amended, is compatible with the ceiling of heading 3 of the Financial perspective 2000-2006, without restricting existing policies,
 4. Instructs its President to forward its position to the Council and Commission.

¹ Not yet published in OJ.

Amendment 1

Recital 1 bis

Having regard to the Treaty establishing the European Community, and in particular Article 285 thereof:

Having regard to the Treaty establishing the European Community, and in particular Article 285 thereof:

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 57 (2) thereof,

Justification

The first amendment proposed by the Commission is merely a technical adaptation of an existing legal act and as such should be adopted on the basis of Article 57 (2) of the Act of Accession (Council decision by qualified majority). The second amendment, on the other hand, relating to the financial package for the period 2007-2009, does indeed have its legal base in Article 285 of the Treaty. The proposal should therefore be presented as having a dual legal basis.

Amendment 2

ARTICLE 1, POINT 2

Article 14, paragraph 1, subparagraph 3

2. In Article 14, the third sub-paragraph of paragraph 1 is replaced by the following:

"The financial framework for the implementation of this programme, including the appropriations necessary for the management of the Eurofarm project, shall be set at EUR 43.7 million for the period 2004-2006, **and at EUR 29.3 million for the period 2007-2009.**

The amount of EUR 29 300 000 shall be deemed to be confirmed if it is consistent with the financial perspective for the period commencing in 2007.

2. In Article 14, the third sub-paragraph of paragraph 1 is replaced by the following:

"The financial framework for the implementation of this programme, including the appropriations necessary for the management of the Eurofarm project, shall be set at EUR 43.7 million for the period 2004-2006.

.The amount for the period 2007-2009 will be fixed by the budgetary and legislative authority on a proposal from the Commission on the basis of the new

The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective."

financial perspective for the period commencing in 2007

The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective."

Justification

Whilst the proposal is compatible with the existing financial programming for the period 2004-2006, it seems inappropriate to fix now the amount for the the financial programming for the 2007-2009, due the uncertainties concerning the global financial framework not yet decided.

EXPLANATORY STATEMENT

Background

The surveys on the structure of agricultural holdings, carried out at regular - approximately two year intervals - play a key role in agricultural statistics. The Community contribution covers only a small share of the total cost of carrying out the surveys - about 5% of the total costs of a basic survey and about 15% of a sample survey - but is necessary both to partially offset the costs incurred by the Member States in meeting the specific statistical requirements of the Commission and to ensure harmonization of collections methods and of survey characteristics at Community level.

In application of Council Regulation (EC) No: 2467/96, amending Regulation (EC) No. 571/88, one census is planned in 1999/2000 and 3 interim surveys, either censuses or sample surveys, in 2003, 2005 and 2007. Member States are paid €20 per holding for which complete survey results are sent to Eurostat, up to a maximum amount established for each Member State on the basis of the number of holdings to be covered.

Expenditure on the surveys and expenditure on the EUROFARM project - the database containing the results of the structures surveys - is financed from line 05 08 02 - Surveys on the structure of agricultural holdings (B2-5121). The following table shows the commitment appropriations for this line for 2002, 2003 and 2004 and indicates the variance:

(in Euros)

	Implementation 2002		Appropriations 2003		Appropriations 2004		Variance as a % 2004/2003	
	CA	PA	CA	PA	CA	PA	CA	PA
Line	8.519.999,79	7.780.370,19	10.500.000	9.800.000	13.900.000	11.000.000	32,4 %	12,2 %
Reserve	0,00	0,00					0,0 %	0,0 %
Total	8.519.999,79	7.780.370,19	10.500.000	9.800.000	13.900.000	11.000.000	32,4 %	12,2 %

In order to take enlargement into account, appropriations for 2004 can be broken down as follows :

(in Euros)

	EUR - 15		EUR - 10		EUR - 25	
	CE	CP	CE	CP	CE	CP
Ligne	10.000.000	9.500.000	3.900.000	1.500.000	13.900.000	11.000.000
Réserve						
Total	10.000.000	9.500.000	3.900.000	1.500.000	13.900.000	11.000.000

The Commission's proposal

The regulation proposes amending Regulation 571/88 by

a) setting the maximum amounts of the Community contribution towards the expenses incurred for the 2005 and 2007 surveys to be carried out in the accession countries (total maximum contribution €4 525 000)

b) establishing the financial framework for the implementation of the programme ie EU-25 for the 2004-2006 period (€43 700 000) and the 2007-2009 period (€29 300 000), specifying that the latter amount shall be deemed confirmed provided it is consistent with the financial perspective for the post 2007 period.

Conclusion

The setting of the maximum amounts of the Community contribution per country is consistent with the approach adopted for the original regulation for which the amendment is proposed. the setting of the overall financial framework is not.

Whilst it is indeed standard practice to set the overall financial framework for expenditure programmed on a multi-annual basis in the legislative act during the co-decision procedure, there is no justification for doing so beyond the period of the current financial perspective. The rapporteur considers that it would be premature to anticipate the expenditure to be programmed for the period 2007 - 2009 and that the amounts should therefore be deleted.

Furthermore, the rapporteur considers that since the first amendment proposed by the Commission is merely a technical adaptation of a legal act, its correct legal basis is Article 57 (2) of the Act of Accession. The legal basis for the second amendment is nonetheless clearly Article 285 on the Treaty, hence the rapporteur's proposal that the proposal be presented as having a dual legal basis.