

**COMMISSION
OF THE
EUROPEAN COMMUNITIES**

General Secretariat

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ACCESSION NEGOTIATIONS WITH GREECE

Fourth Report

on the examination of Community secondary legislation

(Acts relating to the regional policy sector)

(Commission communication to the Council)

COM(77) 102 final.

1. In continuation of the systematic examination of Community secondary legislation undertaken with the Greek Delegation in accordance with the brief received from the Council, the Commission has examined all the general EEC acts adopted by the Council, the Commission or the Regional Policy Committee in the field of regional policy and which were still in force on 1 November 1976.

The results of that examination are contained in the two annexes attached:

ANNEX I lists the acts not requiring technical adaptations;

ANNEX II lists the acts in respect of which technical adaptations are necessary and, where possible, the wording of those adaptations.

2. The Commission feels obliged to add the following observations in respect of Council Regulation (EEC) No 724/75 of 18 March 1975 establishing a European Regional Development Fund:

(a) One of the adaptations to be made to certain provisions of this regulation (see ANNEX II, point 1(a)) concerns the provision of Article 2(1) on the percentage distribution of the Fund's resources among the Member States.

This adaptation cannot, however, be considered a technical one and the Commission is therefore unable to propose the wording for it at the present stage. Setting the share of the Fund appropriation for Greece's requests for assistance and the consequential changes in the percentages for the other Member States fall within the scope of the substantive negotiations on the terms of accession, for the distribution among the Member States of the Fund appropriation is decided by the Council, upon a proposal from the Commission - this decision does not stem from the automatic application of criteria already established.

(b) the Greek Delegation has been informed that, under Article 2(2) of the said regulation, in 1977 the Commission will, within the framework of the re-examination of that regulation, make the appropriate proposals regarding the Community's regional policy and aid from the Fund for the period following 31 December 1977.

(c) As for the infrastructure investment referred to in Article 4(1)(c), it should be noted that the regulation in question can be implemented only on condition that, and in so far as, the less-favoured agricultural areas in Greece are defined in accordance with Council Directive 75/268/EEC of 28 April 1975 (OJ L 128 of 19 May 1975).

The Commission would also point out that, in the statement entered in the minutes of the Council meeting of 18 March 1975 (R/633/75 of 27 February 1975), the Council has expressed its agreement with the provision in question on condition that the expenditure from the Fund on this item does not exceed 150 million units of account during the period 1975-77 and has decided that this category of investment will be examined specifically at the end of the three-year period as part of the general re-examination of the regulation. Should, when the re-examination is undertaken, such limits be maintained for the period following 31 December 1977, the Commission considers that the Greek Delegation should be informed during the supplementary examination of the acts concerning the sector in question, which should be undertaken before the end of the accession negotiations.

3. The Greek Delegation has informed the Commission that it has already started working out the regional development programmes as required by Article 6 of Council Regulation (EEC) No 724/75, in accordance with the outline adopted by the Regional Policy Committee (OJ C 69 of 24 March 1976, pp. 2-4). Given the progress made, the Greek Delegation does not feel it necessary at present to consider fixing a particular time limit for preparing the development programmes for the Greek regions.

Moreover, the Greek Delegation does not consider it necessary for there to be any deferment, within the transitional period, of the date of application or of the time limit for the putting into effect of any acts adopted in the sector under consideration.

ACTS NOT REQUIRING TECHNICAL ADAPTATIONS
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1. Council Regulation (EEC) No 725/75 of 18 March 1975 on the transfer to the European Regional Development Fund of 150 million units of account out of the appropriations held in reserve by the Guidance Section of the European Agricultural Guidance and Guarantee Fund.

(OJ L 73, 21 March 1975, p. 8)

2. Council Decision of 18 March 1975 setting up a Regional Policy Committee (75/185/EEC).

(OJ L 73, 21 March 1975, pp. 47-48)

3. Council Decision of 18 March 1975 to apply Regulation (EEC) No 724/75 establishing a European Regional Development Fund to the French overseas departments (75/186/EEC).

(OJ L 73, 21 March 1975, p. 49)

4. Rules of Procedure of the European Regional Development Fund Committee.

(Not published in the Official Journal).

ACTS REQUIRING TECHNICAL ADAPTATIONS
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1. Council Regulation (EEC) No 724/75 of 18 March 1975 establishing a European Regional Development Fund.

(OJ L 73, 21 March 1975, pp. 1-7)

(a) Article 2(1):

the name of Greece should be added to those of the other Member States;

adjustments should be made in the percentage breakdown of the Fund's resources to take into consideration the share fixed for Greece and the consequential changes, in terms of percentage, for the other Member States (see remarks at point 3(a) in the report);

(b) Article 12(2):

the number of votes needed to obtain a majority within the Fund Committee should be changed in accordance with the amendments that will have been made to Article 148(2) of the Treaty;

(c) Article 19:

it will be necessary to change the date from which expenditure - incurred or still to be incurred - in connection with investments for which Greece has requested aid can be taken into consideration for assistance from the Fund.

2. Commission Regulation (EEC) No 2364/75 of 15 September 1975 on the calculation of aids in the form of loans at reduced rates of interest or of interest rebates which are not specified in percentage points.

(OJ L 243, 17 September 1975, p.9)

Article 2:

Greece should be added and, against it, the indication of the reference rate with the following wording:

Greece: reference rate fixed by the Greek Monetary Committee "Nomismatiki Epitropi".

3. Rules of Procedure of the Regional Policy Committee (75/761/EEC).

(OJ L 320, 11 December 1975, pp. 17-18)

Article 3(2) and (3):

the number of votes should be changed to 12 from 11.