

Commission Regulation (EC) No 793/2006 of 12 April 2006 laying down certain detailed rules for applying Council Regulation (EC) 247/2006 laying down specific measures for agriculture in the outermost regions of the Union (repealed)

TITLE V

GENERAL AND FINAL PROVISIONS

Article 47

Communications

1 As regards the specific supply arrangements, the competent authorities shall send to the Commission, no later than the 15th day of the month following the end of each quarter, the following data relating to the previous months of the reference calendar year, by product and CN code and, where applicable, by individual destination:

- a the quantities broken down according to whether they are imported from third countries or dispatched from the Community;
- b the amount of aid and the expenditure actually paid by product and, where applicable, by individual destination;
- c the quantities for which licences and certificates have not been utilised, broken down by category of licence or certificate;
- d any quantities re-exported or redispached under Article 16 and the unit amounts and totals of recovered aid;
- e any quantities re-exported or redispached after processing in accordance with Article 18;
- f transfers within an overall quantity for a category of products and amendments to the forecast supply balances during the period;
- g the available balance and the utilisation rate.

The data provided for in the first subparagraph shall be supplied on the basis of the licences and certificates utilised.

2 As regards support for local production, the Member States shall notify the Commission:

- a not later than 31 March of each year, of the aid applications received and the amounts involved for the previous calendar year;
- b not later than 31 July of each year, of the aid applications definitively eligible and the amounts involved for the previous calendar year.

Article 48

Report

1 The report provided for in Article 28(2) of Regulation (EC) No 247/2006 shall contain *inter alia*;

- a any significant changes in the socio-economic and agricultural environment;

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- b a summary of the available physical and financial data on the implementation of each measure, followed by an analysis of the data and, where necessary, a presentation and analysis of the sector to which the measure relates;
- c the progress of the measures and priorities in relation to the specific and general objectives on the date of presentation of the report, using quantified indicators;
- d a brief account of any major problems encountered in managing and implementing the measures;
- e an examination of the results of all the measures, taking account of their reciprocal links;
- f for the specific supply arrangements:
 - data and an analysis relating to price trends and the manner in which the advantage granted was passed on, as well as the measures taken and the checks performed to ensure that it was passed on,
 - taking account of the other aid available, an analysis of the proportionality of the aid in relation to the additional cost of transport to the outermost regions and the prices applied to exports to third countries and, in the case of products intended for processing and agricultural inputs, the additional costs of insularity and distant location;
- g an indication, based on objective indicators, of the extent to which the objectives assigned to each of the measures contained in the programme have been achieved;
- h data on the annual supply balance of the region concerned in terms of, *inter alia*, consumption, headage developments, production and trade;
- i data on the amounts actually granted for the implementation of programme measures on the basis of the criteria defined by the Member States, such as the number of eligible producers, the number of animals covered by the payment, the eligible surface area or the number of holdings concerned;
- j information on the financial implementation of each measure under the programme;
- k statistics on the checks carried out by the competent authorities and any penalties applied;
- l the comments of the Member State concerned on the implementation of the programme.

2 For 2006 the report shall contain an assessment of the impact, on stockfarming and on the agricultural economy in the region concerned, of the aid programme for traditional activities relating to the production of beef and veal, sheepmeat and goatmeat.

[^{F1}Article 49

Amendments to programmes

1 Amendments to the overall programmes approved under Article 24(2) of Regulation (EC) No 247/2006 shall be submitted to the Commission and shall be duly substantiated, in particular giving the following information:

- a the reasons and any implementation problem justifying amendment of the overall programme;
- b the expected effects of the amendment;
- c the implications for financing and verification of commitments.

Except in cases of force majeure or exceptional circumstances Member States shall submit requests for programme amendments not more than once per calendar year and per programme and no later than 30 September of each year.

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If the Commission raises no objections to the amendments requested, those amendments shall apply from 1 January of the year following that in which they were notified.

Such amendments may apply earlier if the Commission confirms in writing to the Member State before the date referred to in the third subparagraph that the notified amendments comply with Community legislation.

If the notified amendment does not comply with Community legislation, the Commission shall inform the Member State thereof and the amendment shall not apply until the Commission receives an amendment that can be declared as compliant.

2 By way of derogation from paragraph 1, for the following amendments, the Commission shall evaluate the Member States' proposals and decide on their approval within four months of their submission at the latest in accordance with the procedure referred to in Article 26(2) of Regulation (EC) No 247/2006:

- a the introduction of new measures or aid schemes into the overall programme; and
- b the increase of the unit level of support already approved for each existing measure or aid scheme by more than 50 % of the amount applicable at the time when the request for amendment is presented.

3 Member States shall be authorised to make the following amendments, without recourse to the procedure set out in paragraph 1 provided that the amendments are notified to the Commission:

- a in the case of forecast supply balances, changes in the individual level of aid up to 20 % or changes in the quantities of the products concerned covered by the supply arrangements and, consequently, the global amount of aid allocated to support each line of products; and
- b in the case of Community support programmes for local production, adjustments up to 20 % of the financial allocation for each individual measure or adjustments up to 20 % of the unit amount of aid above or below the amounts applicable at the time when the request for amendment is presented;
- c amendments following amendments to codes and descriptions laid down in Council Regulation (EEC) No 2658/87⁽¹⁾ used to identify the products benefiting from aid, as long as those amendments do not entail a change of the products themselves.

Such amendments shall not apply before the date on which they are received by the Commission. They may be implemented only once a year except in cases of force majeure or exceptional circumstances, of modification of the quantities of the products covered by the supply arrangements and of modification of the statistical nomenclature and of the Common Customs Tariff codes as provided for in Regulation (EEC) No 2658/87.]

Textual Amendments

- F1** Substituted by [Commission Regulation \(EC\) No 1242/2007 of 24 October 2007 amending Regulation \(EC\) No 793/2006 laying down detailed rules for applying Council Regulation \(EC\) No 247/2006 laying down specific measures for agriculture in the outermost regions of the Union.](#)

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[^{F1}Article 50

Financing of studies, demonstration projects, training or technical assistance measures

The amount required to finance studies, demonstration projects, training and technical assistance measures provided for in a programme approved under Article 24(2) of Regulation (EC) No 247/2006 for the purpose of implementing that programme may not exceed 1 % of the total amount of financing allocated to each programme under Article 23(2) of that Regulation.]

Textual Amendments

- F1** Substituted by [Commission Regulation \(EC\) No 1242/2007 of 24 October 2007 amending Regulation \(EC\) No 793/2006 laying down detailed rules for applying Council Regulation \(EC\) No 247/2006 laying down specific measures for agriculture in the outermost regions of the Union.](#)

Article 51

Additional national measures

Member States shall take all the additional measures required to apply this Regulation.

Article 52

Reduction of advances

Without prejudice to the general rules on budgetary discipline, where the information transmitted by the Member States to the Commission under Articles 47 and 48 is incomplete or the time limit for transmitting that information has not been complied with, the Commission may reduce advances on entry in the accounts of agricultural expenditure on a temporary and flat-rate basis.

[^{F2}Article 52a

Transitional measures

1 The measures adopted to implement Regulations (EC) No 1452/2001, (EC) No 1453/2002 and (EC) No 1454/2001 which are valid beyond 31 December 2005 shall remain applicable until the date on which the Commission notifies the Member State concerned of its approval of the overall programme referred to in Article 24(1) of Regulation (EC) No 247/2006.

2 This Regulation shall cover applications which are lodged under the measures adopted to implement, in respect of 2006, Regulations (EC) No 1452/2001, (EC) No 1453/2001 and (EC) No 1454/2001 and are pending on the date of notification referred to in paragraph 1 of this Article, or are lodged after that date.]

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Textual Amendments

- F2** Inserted by [Commission Regulation \(EC\) No 852/2006 of 9 June 2006 amending Regulation \(EC\) No 793/2006 laying down certain detailed rules for applying Council Regulation \(EC\) No 247/2006 laying down specific measures for agriculture in the outermost regions of the Union.](#)

Article 53

Repeal

Regulations (EEC) No 388/92, (EEC) No 2174/92, (EEC) No 2233/92, (EEC) No 2234/92, (EEC) No 2235/92, (EEC) No 2039/93, (EEC) No 2040/93, (EC) No 1418/96, (EC) No 2054/96, (EC) No 20/2002, (EC) No 1195/2002, (EC) No 43/2003, (EC) No 995/2003, (EC) No 14/2004 and (EC) No 188/2005 are hereby repealed.

References to the repealed Regulations shall be construed as references to this Regulation and are to be read in conjunction with the correlation table in Annex IX.

Article 54

Entry into force

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

It shall apply for each Member State concerned as from the date on which the Commission notifies its approval of the relevant Member State's programme, in accordance with Article 24(2) of Regulation (EC) No 247/2006.

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 793/2006 (repealed), TITLE V. (See end of Document for details)

(1) [^{F1}OJ L 256, 7.9.1987, p. 1.]

Textual Amendments

- F1** Substituted by [Commission Regulation \(EC\) No 1242/2007 of 24 October 2007 amending Regulation \(EC\) No 793/2006 laying down detailed rules for applying Council Regulation \(EC\) No 247/2006 laying down specific measures for agriculture in the outermost regions of the Union.](#)

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