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COUNCIL DIRECTIVE

of 29 May 1995

concerning the Community list of less-favoured farming areas within the meaning of Directive 75/268/EEC (Austria)

(95/212/EC)

(OJ L 137, 21.6.1995, p. 1)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Decision 98/15/EC of 4 December 1997	L 6	27	10.1.1998

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COUNCIL DIRECTIVE

of 29 May 1995

concerning the Community list of less-favoured farming areas within the meaning of Directive 75/268/EEC (Austria)

(95/212/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas [1], and in particular Article 2 (2) thereof,

Having regard to the proposal from the Commission [2],

Having regard to the opinion of the European Parliament [3],

Whereas a significant proportion of the territory of the new Member States suffers from permanent natural handicaps and Declaration No 37 of the 1994 Act of Accession recognizes that the boundaries of the mountain and other less-favoured farming areas within the meaning of Article 3 of Directive 75/268/EEC should be established without delay;

Whereas the permanent natural handicaps in these areas result in higher production costs and prevent farmers in these areas from obtaining a reasonable income from their production at a level similar to that available to comparable farmers in other regions;

Whereas, in accordance with Article 2 (1) of Directive 75/268/EEC, the Austrian Government has sent the Commission a list of municipalities (Gemeinden) liable to appear on the Community list of less-favoured farming areas, together with the information relating to the characteristics of those areas;

Whereas the indices which have been selected are the existence of very difficult climatic conditions, as referred to in the first indent of Article 3 (3) of Directive 75/268/EEC, and a minimum altitude of 700 m (central point of the locality or the average altitude of the municipality) or exceptionally, 600 m, in the Salzburg Alpine foreland and the area bordering the Mur river (Murtal) in Upper Styria;

Whereas the steep slopes referred to in the second indent of Article 3 (3) of Directive 75/268/EEC are defined as being greater than 20 %;

Whereas, where there is a combination of the above two factors, the characteristics selected are a minimum altitude of 500 m and an average slope of at least 15 %;

Whereas a limited number of the proposed municipalities do not fully satisfy the requirements, but nevertheless fully satisfy those of Article 3 (4) of Directive 75/268/EEC; whereas, since their economy is closely linked with that of neighbouring municipalities classified according to Article 3 (3) and their territory forms an enclave within these neighbouring municipalities and is relatively small compared to them, these municipalities may nevertheless be classified among the mountain areas;

Whereas in cases involving the presence of infertile land and where the economic results of farming are appreciably lower than the average, as referred to in Article 3 (4) (a) and (b) of Directive 75/268/EEC, the areas have been defined using a complex index; 'the agricultural comparability index' (Betriebszahl, abbreviated as 'BZ';

Whereas for the less-favoured farming areas the maximum value of the average index has been fixed at 30, this figure corresponding to 70 %

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(1) OJ No L 128, 19. 5. 1975, p. 1. Directive as last amended by the 1994 Act of Accession.
(2) OJ No C 125, 22. 5. 1995, p. 1.
(3) OJ No C 126, 22. 5. 1995.

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of the national average index of 42; whereas, in specific cases, this average index has been fixed at 35 for the less-favoured farming areas where permanent grassland and pasture cover more than 80 % of the usable agricultural area;

Whereas the following indices have been chosen in respect of low or dwindling population as referred to in Article 3 (4) (c) of Directive 75/268/EEG: density of not more than 55 inhabitants per km^2 (the national average is 93) or an annual depopulation rate exceeding 0,5 %, together with the working population engaged in farming forming a significant proportion of the total working population of the municipality;

Whereas, in areas where the average index is below 30, certain municipalities may reach a density of 70 inhabitants per km^2;

Whereas, for the definition of the areas affected by specific handicaps which may be included among the less-favoured areas referred to in Article 3 (5) of Directive 75/268/EEC account is taken of the occurrence of unfavourable natural conditions (BZ) below 30 and of specific permanent handicaps characteristic of:

— an extremely hilly area with pronounced slopes,

— a wet or marshy area,

— an area regularly subject to flooding,

— a border area of the Community;

Whereas the total surface area of the areas referred to in Article 3 (5) of Directive 75/268/EEC does not exceed 4 % of the total surface area of the Member State;

Whereas the nature and level of the above indices selected by the Austrian Government for identifying the types of area notified to the Commission are in conformity with the characteristics of mountain areas, less-favoured areas and the areas affected by specific handicaps respectively, as referred to in Article 3 (3), (4) and (5) of Directive 75/268/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The areas situated in the Republic of Austria which appear in Annexes I, II and III shall form part of the Community list of less-favoured farming areas within the meaning of Article 3 (3), (4) and (5) of Directive 72/268/EEC.

Article 2

This Directive is addressed to the Republic of Austria.

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ANEXO I

Zonas desfavorecidas tal como se definen en el apartado 3 del artículo 3 de la Directiva 75/268/CEE

BILAG I

Ugunstigt stillede områder, jf. artikel 3, stk. 3, i direktiv 75/268/EØF

ANHANG I

Benachteiligte Gebiete im Sinne von Artikel 3 Absatz 3 der Richtlinie 75/268/EWG

ΠΑΡΑΡΤΗΜΑ I

Μειονεκτικές περιοχές κατά την έννοια του άρθρου 3 παράγραφος 3 της οδηγίας 75/268/ΕΟΚ

ANNEX I

Less-favoured areas within the meaning of Article 3 (3) of Directive 75/268/EEC

ANNEXE I

Zones défavorisées au titre de l'article 3 paragraphe 3 de la directive 75/268/CEE

ALLEGATO I

Zone svantaggiate ai sensi dell'articolo 3, paragrafo 3 della direttiva 75/268/CEE

BIJLAGE I

Probleemgebieden in de zin van artikel 3, lid 3, van Richtlijn 75/268/EEG

ANEXO I

Zonas desfavorecidas na acepção do nº 3 do artigo 3º da Directiva 75/268/CEE

LIITE I

Direktiivin 75/268/ETY 3 artiklan 3 kohdan mukaisesti epäsuotuisiksi määritettyjä alueita

BILAGA I

Mindre gynnade områden i enlighet med artikel 3.3 i direktiv 75/268/EEG

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ÖSTERREICH

BURGENLAND

(Berggebiet)

Code	Gemeindename	Gesamte Katasterfläche	LF
10602	Forchtenstein	1 659	469
10613	Sieggraben	1 770	330
10902	Bernstein	3 899	1 233

KÄRNTEN

(Berggebiet)

Code ►M1 (1) ◄	Gemeindename	Gesamte Katasterfläche	LF
20101	Klagenfurt		
	Gemeindeteile:		
20101114	Großbuch	446	389
20101128	Kleinbuch	221	78
20101146	Nagra	201	33
20101174	St. Peter bei Tentschach	247	74
20101183	Tentschach	223	167
20101147	Neudorf	658	420
20101171	St. Peter am Karlsberg	354	135
▼M1			
	Naturräume:		
72110	Goritschitzen	419,2	108,5
72136	Lendorf	229,2	106,0
72116	Großponfeld	93,7	43,5
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20201	Villach	13 482	3 643
20302	Dellach	3 617	1 503
20305	Hermagor-Pressegger See	20 435	7 528
20306	Kirchbach	9 899	3 628
20307	Kötschach-Mauthen	15 455	4 964
20316	Sankt Stefan	6 624	2 037
20320	Gitschtal	5 647	1 129
20321	Lesachtal	19 062	7 516
20402	Ebental		
	Gemeindeteile:		
20402119	Gurnitz	685	36
20402121	Hinterradsberg	634	147
20402132	Kreuth	296	95
20402138	Lippizach	25	20
20402143	Mieger	757	270
20402157	Radsberg	895	218
20402162	Rottenstein	763	200
20403	Feistritz im Rosental	7 172	1 287
20405	Ferlach	11 719	1 758