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►**B**

COUNCIL DIRECTIVE 92/92/EEC

of 9 November 1992

amending Directive 86/465/EEC concerning the Community list of less-favoured farming areas within the meaning of Directive 75/268/EEC (Federal Republic of Germany) 'New Länder'

(OJ L 338, 23.11.1992, p. 1)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Decision 93/226/EEC of 22 April 1993	L 99	1	26.4.1993
►**M2**	amended by Commission Decision 97/172/EC of 10 February 1997	L 72	1	13.3.1997
►**M3**	Commission Decision 95/6/EC of 13 January 1995	L 11	26	17.1.1995

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COUNCIL DIRECTIVE 92/92/EEC

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amending Directive 86/465/EEC concerning the Community list of less-favoured farming areas within the meaning of Directive 75/268/EEC (Federal Republic of Germany) 'New Länder'

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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 Directive 86/465/EEC ([4]) indicates what areas of the Federal Republic of Germany are included in the Community list of less-favoured areas within the meaning of Article 3 (3), (4) and (5) of Directive 75/268/EEC;

Whereas the German Government has submitted a request to the Commission, in accordance with Article 2 (1) of Directive 75/268/EEC, that the Community list of areas annexed to Directive 86/465/EEC be amended;

Whereas the German Government has, pursuant to Article 2 (1) of Directive 75/268/EEC, notified the Commission of the areas considered eligible for inclusion in the Community list of less-favoured farming areas, together with the relevant information on their characteristics;

Whereas the criteria adopted are the existence of very difficult climatic conditions, as mentioned at the first indent in Article 3 (3) of Directive 75/268/EEC, and a minimum altitude of 800 metres (central point of district or average altitude of commune);

Whereas, where there is a combination of poor climate and steep slopes, as mentioned at the third indent in Article 3 (3) of Directives 75/268/EEC, the criteria used are a minimum altitude of 600 metres and slope of at least 18 %;

Whereas areas with infertile land and economic results from farming appreciably lower than the mean, as mentioned at (a) and (b) in Article 3 (4) of Directive 85/268/EEC, have been delimited using a composite criterion, namely the agricultural comparability index (Landwirtschaftliche Vergleichszahl, LVZ); whereas, in the case of cantons (Kreise) considered to qualify in part, the index values submitted are the average for the communes of the Kreis considered to qualify, weighted in proportion to their sizes;

Whereas the maximum average index value for each area as indicated above has been set at 28 for less-favoured farming areas, i.e. 70 % of the national average value (40); whereas, however, this average value has been set at 32,5 for less-favoured farming areas where permanent meadow and pasture makes up more than 80 % of the utilized agricultural area (UAA) and at 32,5 per commune in Mecklenburg-Western Pomerania where 20 % or more of the active population, a rate more than five times higher than the national average, is still engaged in agriculture.

([1]) OJ No L 128, 19. 5. 1975, p. 1. Directive as last amended by Regulation (EEC) No 797/85 (OJ No L 93, 30. 3. 1985, p. 1).

([2]) OJ No C 251, 28. 9. 1992, p. 1.

([3]) Opinion delivered on 30 October 1992 (not yet published in the Official Journal).

([4]) OJ No L 273, 24. 9. 1986, p 1. Last amended by Commission Decision 91/26/EEC (OJ No L 16, 22. 1. 1991, p. 27).

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Whereas, as regards low population density as mentioned at (c) in Article 3 (4) of Directive 75/268/EEC, the index value adopted is for the relatively high level of 130 inhabitants per sq km; whereas the population density in each Kreis was worked out from figures for 1989; whereas, however, since then a reduction of population and inter-regional movement have been observed in the new Länder;

Whereas, for delimitation of areas affected by specific handicaps that can be treated as less-favoured areas, as mentioned in Article 3 (5) of Directive 75/268/EEC, the criterion adopted is the existence of both unfavourable natural production condition (LVZ generally below 25) and coast or landscape protection constraints; whereas the total extent of these areas is not more than 4 % of the areas of the Member State concerned;

Wheras the nature and level of the abovementioned critera used by the German Government to delimit two types of area notified to the Commission correspond respectively to the characteristice of mountain and less-favoured areas as indicated in Article 3 (3) and (4) of Directive 75/268/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The list of less-favoured areas of Germany annexed to Directive 86/465/EEC is hereby supplemented by the list of less-favoured areas in the new Länder annexed hereto.

Article 2

This Directive is addressed to the Federal Republic of Germany.

▼M1
▼M2

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

▼**M2**

Land: SACHSEN

Nummer	Kreis-/Gemeindename	LF (ha)
14171	**Annaberg**	**649**
14171150	Hammerunterwiesenthal	210
14171240	Oberwiesenthal, Kurort, St.	439
14178	**Vogtlandkreis**	**568**
14178250	Klingenthal/SA., Stadt	568
14181	Mittlerer Erzgebirgskreis	524
14181190	Hirtstein	
	Gemarkungen	
	*Gem. Satzung	524
14191	**Aue-Schwarzenberg**	**188**
14191110	Carlsfeld	179
14191250	Raschau	
	Gemarkungen	
	*Gem. Tellerhäuser	9