COUNCIL DIRECTIVE

of 6 February 1979

on a programme to promote drainage in catchment areas including land on both sides of the border between Ireland and Northern Ireland

(79/197/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Whereas Article 39 (2) (a) of the Treaty provides that account should be taken of the social structure of agriculture and the structural and natural disparities between agricultural regions in determining the common agricultural policy ;

Whereas to achieve the objectives of the common agricultural policy set out in Article 39 (1) (a) and (b) of the Treaty, measures appropriate to the production conditions of the least-favoured agricultural areas should be adopted at Community level ;

Whereas certain regions on both sides of the border between Ireland and Northern Ireland are in an unfavourable situation as regards agricultural incomes ;

Whereas action should be concentrated on a basic aspect of the structural development of these regions to ensure rapid and lasting effects on agricultural incomes ;

Whereas agricultural production in these border areas is severely handicapped by drainage problems, due to the lack of adequate arterial drainage ;

Whereas Community aid is needed to promote the establishment of an adequate arterial drainage system in the catchment areas including land on both sides of the border ;

Whereas the conditions and limits set out in Articles 14 and 19 of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms (3), are not entirely appropriate, in the case of drainage, to the special structural situation obtaining in these border areas ;

Whereas Community promotion measures should be restricted to operations carried out in catchment areas on both sides of the border which serve to establish adequate arterial drainage for the entire catchment area ;

Whereas it is therefore necessary to ensure coordination on both sides of the border as regards the execution of the work, the timetable and the provision of financial resources ;

Whereas these objectives should be furthered by a common measure concerning the establishment of an adequate arterial drainage system in certain catchment areas including land on both sides of the border between Ireland and Northern Ireland, and constituting a special programme extending over several years ;

Whereas it follows from the foregoing that the measures referred to constitute a common measure within the meaning of Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy (4), as last amended by Regulation (EEC) No 2788/72 (5),

HAS ADOPTED THIS DIRECTIVE :

Article 1

In order to increase agricultural incomes in areas on both sides of the border between Ireland and Northern Ireland by improving basic structures in these areas, thus contributing to the modernization of farms, a common measure within the meaning of Article 6 (1) of Regulation (EEC) No 729/70, to be jointly implemented by Ireland and the United Kingdom, shall be introduced for the purpose of arterial drainage operations to be carried out in coordinated fashion in catchment areas including land on both sides of the border.

(1) OJ No C 274, 18. 11. 1978, p. 3.
(2) OJ No C 6, 8. 1. 1979, p. 87.
(3) OJ No L 96, 23. 4. 1972, p. 1.
(4) OJ No L 94, 28. 4. 1970, p. 13.
(5) OJ No L 295, 30. 12. 1972, p. 1.