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COUNCIL DIRECTIVE

of 17 April 1972

concerning the provision of socio-economic guidance for and the acquisition of occupational skills by persons engaged in agriculture

(72/161/EEC)

(OJ L 96, 23.4.1972, p. 15)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Council Directive 73/210/EEC of 24 July 1973	L 207	48	28.7.1973
►**M2**	Council Directive 73/358/EEC of 19 November 1973	L 326	17	27.11.1973
►**M3**	Council Directive 81/529/EEC of 30 June 1981	L 197	44	20.7.1981
►**M4**	Council Directive 82/436/EEC of 24 June 1982	L 193	37	3.7.1982
►**M5**	Council Directive 84/140/EEC of 5 March 1984	L 72	24	15.3.1984
►**M6**	Council Directive 84/513/EEC of 23 October 1984	L 285	13	30.10.1984
►**M7**	Council Regulation (EEC) No 797/85 of 12 March 1985	L 93	1	30.3.1985

Amended by:

►**A1**	Act of Accession of Greece	L 291	17	19.11.1979

NB: This consolidated version contains references to the European unit of account and/or the ecu, which from 1 January 1999 should be understood as references to the euro — Council Regulation (EEC) No 3308/80 (OJ L 345, 20.12.1980, p. 1) and Council Regulation (EC) No 1103/97 (OJ L 162, 19.6.1997, p. 1).

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COUNCIL DIRECTIVE

of 17 April 1972

concerning the provision of socio-economic guidance for and the acquisition of occupational skills by persons engaged in agriculture

(72/161/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;

Having regard to the Opinion of the European Parliament;

Whereas the objectives of the common agricultural policy set out in Article 39 (1) (a) and (b) of the Treaty can only be achieved through a reform of agricultural structures;

Whereas such structural reform is a basic factor in the development of the common agricultural policy; whereas it should therefore be based on a Community concept and on Community criteria;

Whereas, because of the diversity of their causes, nature and gravity, structural problems in agriculture may require solutions which vary according to region and are capable of adjustment over a period of time; whereas such solutions must contribute to the overall economic and social development of each region concerned; whereas the best results can be achieved if, acting on the basis of Community concepts and criteria, Member States implement the common measures individually through their own legislative and administrative procedures, and if, in addition, they themselves determine, on the basis of conditions laid down by the Community, the extent to which such measures should be intensified in or concentrated on certain regions;

Whereas agricultural structures cannot be reformed unless a large number of those working in agriculture make a fundamental change in their occupational orientation;

Whereas the choice involved in any change of orientation within agriculture or in any transference to other occupations must be made with full knowledge of existing opportunities and of the consequences of such a choice;

Whereas, at present, in many regions of the Community it is difficult for those working in agriculture to make such a choice, because they do not have the necessary information available to them.

Whereas, if agriculture is to develop and specialise, a considerable rise will be required in the level of general, technical and economic training of the agricultural working population, particularly where, as a result of technical progress and changing market requirements, changes of policy in management, production and marketing have become essential;

Whereas in many regions the inadequacy of vocational training facilities is a bar to the efforts required to turn farmers into modern business managers and in general to provide farmers and their labour, whether hired or family, with occupational skills;

Whereas, in order to meet the needs of a developing agricultural industry, vocational training centres must draw up and adapt their programmes, and set and adjust the level and type of training required of their teaching staff, in accordance with minimum criteria laid down by Member States;

Whereas persons leaving agriculture are generally obliged to acquire new vocational skills and are able to do this only if an income is guaranteed to them during the period which they have to devote to retraining courses;

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Whereas the proposed measures are in the Community's interest and are intended to achieve the objectives set out in by Article 39 (1) (a) of the Treaty, including the structural changes necessary for the proper functioning of the common market; whereas they therefore constitute common measures within the meaning of Article 6 of Council Regulation (EEC) No 729/70 ([1]) on the financing of the common agricultural policy;

Whereas, inasmuch as the Community contributes to the financing of the common measures, it must be in a position to ascertain that the provisions adopted by Member States for the implementation of those measures will contribute towards achievement of the objectives thereof; whereas, to this end, provision should be made for a procedure establishing close cooperation between Member States and the Commission within the Standing Committee on Agricultural Structure set up by Article 1 of the Council Decision of 4 December 1962 ([2]) on the coordination of policies on agricultural structure, and involving, as regards financial aspects, consultation with the EAGGF Committee referred to in Articles 11 to 15 of Regulation (EEC) No 729/70;

Whereas it is desirable that the European Parliament and the Council be able, on the basis of a report submitted by the Commission, to examine annually the effects of the national and Community measures taken, so that they may assess the need to supplement or adapt the system introduced hereunder;

HAS ADOPTED THIS DIRECTIVE:

TITLE I

Provision of socio-economic guidance for the agricultural population

Article 1

1. In order to enable persons engaged in agriculture to take decisions on their future occupations and those of their children with full knowledge of all the relevant facts, Member States shall set up schemes designed to provide farmers and their labour, both hired and family, with a greater degree of socio-economic guidance.

2. Member States may, acting in accordance with the general provisions adopted hereafter by the Council under the procedure laid down in Article 43 of the Treaty:

— vary according to region the financial incentives offered under schemes as provided for in paragraph 1;

— refrain from applying in certain regions all or some of the measures provided for in Article 2.

Article 2

Schemes as provided for in Article 1 shall comprise:

(a) the creation and development of services providing socio-economic guidance, such services to be either public or expressly appointed and approved for that purpose by Member States; or the creation and development within services already existing of special departments for the provision of such guidance;

(b) the bearing by the Member States of the cost of training socio-economic counsellors, including where necessary grants or allowances to cover attendance at courses of instruction or in-service training.

([1]) OJ No L 94, 28.4.1970, p. 13.
([2]) OJ No 136, 17.12.1962, p. 2892/62.

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Article 3

In providing socio-economic guidance, the express aim of the services and special departments referred to in Article 2 (a) shall be:

(a) to inform generally the agricultural population as to the possibilities open to them for improving their socio-economic situation;

(b) to study and examine individual cases with a view to adjustment to changing conditions;

(c) to put persons interested in changes of policy on their farms in contact with the competent advisory service;

(d) to give to those concerned information and advice on the following matters:

continuation of an occupation in agriculture;

choice of an occupation outside agriculture;

retirement from all occupational activity;

(e) to inform those concerned as to the opportunities existing for persons engaged in agriculture to receive further training and as to the prospects for their children in agriculture and in other occupations;

(f) to direct interested persons, according to the decisions contemplated or taken by such persons, to the competent specialised services.

Article 4

1. The training of socio-economic counsellors as referred to in Article 2 (b) must be such as will enable persons with the appropriate background training and sufficient experience in agricultural matters to supplement their technical knowledge and to acquire sufficient knowledge — or improve that which they already possess — with regard to:

— economic and human problems;

— the problems of the region where they are to work;

— the possibilities open to the persons concerned under the relevant legal and social provisions.

2. The minimum requirements which the courses of instruction and training referred to in Article 2 (b) must satisfy before they may be approved shall be laid down by the Member States, and in particular Member States shall:

(a) specify the qualifications for admission to a course;

(b) lay down minimum programmes of training for counsellors;

(c) specify the minimum length of courses;

(d) determine the means whereby the training received is to be attested;

(e) determine the structure of courses, both as regards the quality of training to be given and as regards the cost and amount of such training.

TITLE II

▼M3

Acquisition of occupational skills by persons engaged in agriculture and training of leaders and managers of cooperatives

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Article 5

1. In order to enable persons aged eighteen or over engaged in agriculture to acquire new agricultural skills, or to improve those which they already possess, so that they can integrate into modern agriculture, Member States shall set up schemes to encourage the vocational advancement and adaptation of farmers and hired and family agricultural workers.