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COUNCIL DIRECTIVE

of 25 July 1967

concerning the application of the laws of Member States relating to agricultural leases to farmers who are nationals of other Member States

(67/531/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 54 (2) and (3) thereof;

Having regard to the General Programme for the abolition of restrictions on freedom of establishment,[1] and in particular Title IV F 3 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament[2];

Having regard to the Opinion of the Economic and Social Committee[3];

Whereas the General Programme for the abolition of restrictions on freedom of establishment includes a special timetable for the attainment of such freedom in agriculture, which takes into account the particular nature of agricultural activities; whereas the third series of measures provided for in this timetable entails that, at the beginning of the third year of the second stage, the law of each Member State relating to agricultural leases will be so amended that the relevant provisions are rendered applicable in like manner to farmers operating under that law who are nationals of other Member States and to farmers who are nationals of the Member State concerned;

Whereas beneficiaries under the Council Directive of 2 April 1963 laying down detailed provisions for the attainment of freedom of establishment in agriculture in the territory of a Member State in respect of nationals of other countries of the Community who have been employed as paid agricultural workers in the Member State for a continuous period of two years (63/261/EEC)[4] and beneficiaries under the Council Directive of 2 April 1963 laying down detailed provisions for the attainment of freedom of establishment on agricultural holdings abandoned or left uncultivated for more than two years (63/262/EEC)[5] already enjoy the same treatment as nationals of the Member State concerned as regards the law relating to agricultural leases;

Whereas Title III A of the General Programme includes among the restrictions to be abolished those provisions and practices which, in respect of foreign nationals only, prevent, limit or make subject to conditions enjoyment of the rights arising under agricultural leases;

HAS ADOPTED THIS DIRECTIVE:

Article 1

All Member States, acting in accordance with the following provisions, shall abolish in respect of nationals and companies or firms of other Member States pursuing in their territory activities as self-employed persons in agriculture or establishing themselves for that purpose (hereinafter called 'beneficiaries') all restrictions on the application of the law relating to agricultural leases.

Article 2

1. The provisions of this Directive shall apply to agricultural leases and to the exercise and enjoyment by the tenant of the rights arising thereunder, such as

[1] OJ No 2, 15.1.1962, p. 36/62.
[2] OJ No 23, 5.2.1966, p. 384/66.
[3] OJ No 146, 23.8.1965, p. 2461/65.
[4] OJ No 62, 20.4.1963, p. 1323/63.
[5] OJ No 62, 20.4.1963, p. 1326/63.