COMMISSION DECISION

of 21 December 1973

granting assistance from the European Social Fund, as provided for in Article 125 of the Treaty, to the Kingdom of the Netherlands for expenditure on vocational retraining and resettlement operations carried out by the Ministry for Social Affairs

(ESF file Nos 71104, 72010, 72011, 72037, 72038, 72039, 72108, 72109, 72110, 72111, 72112, 72114)

(Only the Dutch text is authentic)

(74/179/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 125 thereof;

Having regard to Council Regulation (EEC) No 2396/71 of 8 November 1971 implementing the Council Decision of 1 February 1971 [1] on the reform of the European Social Fund, and in particular Article 12 thereof;

Whereas in its applications of 20 December 1971, 12 May, 14 June, and 19 December 1972 the Kingdom of the Netherlands requested assistance from the European Social Fund, as provided for in Article 125 of the Treaty, for expenditure on vocational retraining operations amounting to a total of Fl 6 338 969·12 and resettlement expenses amounting to a total of Fl 48 454·50;

Whereas, pursuant to Article 12 of Regulation (EEC) No 2396/71, such assistance is granted for operations initiated before 1 May 1972, the date in which the said Regulation entered into force, and terminated before 1 July 1972, and whereas the applications for assistance submitted must be examined pursuant to the provisions of Council Regulation No 9 [2] of 25 August 1960, as last amended by Council Regulation No 37/67/EEC[3], and to the provisions adopted pursuant to the said Regulation;

Whereas, in accordance with Articles 1, 3 and 6 of Regulation No 9, the applications referred to above from the Kingdom of the Netherlands relate to vocational retraining and resettlement operations carried out under the responsibility and at the expense of the Ministry for Social Affairs;

Whereas the applications containing the information required under Articles 20 and 21 of Regulation No 9 and relating to operations terminated during the period from 8 April 1969 to 30 June 1971 inclusive, were properly submitted within the time limit laid down in Article 19 of Regulation No 9;

Whereas the examination of those applications and the checking of their material and financial aspects, carried out pursuant to the provisions of Commission Regulation No 113/63/EEC [4] on the detailed rules for the examination and checking of applications for assistance submitted to the European Social Fund, revealed that these applications comply with the conditions laid down in the relevant rules; except however that certain sums were entered wrongly in the calculation of expenditure to be taken into consideration in accordance with Article 5 (a) of Regulation No 9 in the applications in respect of vocational retraining operations carried out in the centres of the professional Association 'Horeca', as a result of an incorrect interpretation of said Article; whereas the correction of this entry comes to Fl 659·17 which must be deducted from the sum requested;

Whereas it has furthermore been revealed that in applications in respect of retraining operations carried out in government centres, a worker pursued his vocational retraining course during a period in which he benefited from Aid granted under Article 56 (2) of the Treaty establishing the European Coal and Steel Community; whereas the expenditure set out in the applications in respect of the operation cannot be taken into consideration for the granting of assistance from the Fund in accordance with Article 1 (3) of Regulation No 9. Whereas, pursuant to the provisions of Commission Regulation No 113/63/EEC, referred to above, this case comes to the sum of Fl 62 562·38 in the application in question and this amount should therefore be deducted from the sum requested;

Whereas furthermore in the applications in respect of resettlement, a worker was not registered with a labour office before his resettlement as seeking employment as laid down in Article 2 of Regulation No 9; whereas pursuant to the provisions of the said Commission

(1) OJ No L 249, 10. 11. 1971, p. 54.
(2) OJ No 56, 31. 8. 1960, p. 1189/60.
(3) OJ No 33, 24. 2. 1967, p. 526/67.
(4) OJ No 153, 24. 10. 1963, p. 2563/63.

Regulation No 113/63/EEC this case comes to the sum of Fl 1 384·35 in the applications in question and it is to be deducted from the amount requested for resettlement operations ;

Whereas, consequently, the Ministry for Social Affairs is entitled to receive assistance from the Fund for its expenditure subject to a deduction of a sum total of Fl 64 605·90 (Fl 659·17 plus 62 562·38 plus 1 384·35) and whereas the amount of assistance to be granted by the Fund pursuant to Article 125 of the Treaty is therefore Fl 6 387 423·62 (Fl 6 338 969·12 plus 48 454·50) minus Fl 64 605·90 equivalent to Fl 6 322 817·72 ;

Whereas in its Opinion of 25 October 1973 the Committee of the European Social Fund reached the same conclusion, for the reasons given above,

HAS ADOPTED THIS DECISION :

Article 1

The applications for assistance submitted to the European Social Fund by the Kingdom of the Netherlands for expenditure by the Ministry for Social Affairs on vocational retraining and resettlement operations terminated or carried out during the period from 8 April 1969 to 30 June 1971 inclusive, comply with the rules governing the operation of the Fund as regards the sum of Fl 6 322 817·72. The remaining applications do not comply with these provisions.

Article 2

The amount of assistance from the European Social Fund to be granted pursuant to Article 125 of the Treaty to the Kingdom of the Netherlands shall be Fl 6 322 817·72 (equivalent to 1 746 634·73 units of account) and it shall be allocated as follows :

Type of operation	*Assistance granted*
Vocational retraining	Fl 6 275 747·57 (1 733 631·93 u.a.)
Resettlement	Fl 47 070·15 (13 002·80 u.a.)

Article 3

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 21 December 1973.

For the Commission

The President

François-Xavier ORTOLI