# COMMISSION DECISION

## of 23 November 1973

## granting assistance from the European Social Fund, as provided for in Article 125 of the Treaty, to the French Republic for expenditure on resettlement operations carried out by the Ministry of Agriculture

(ESF files Nos 71.127, 72.032)

**(Only the French text is authentic)**

(74/69/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 2396/71 [1] of 8 November 1971 implementing the Council Decision of 1 February 1971 [2] on the reform of the European Social Fund, and in particular Article 12 thereof;

Whereas in its applications of 28 December 1971 and 15 June 1972 the French Republic requested assistance from the European Social Fund, as provided for in Article 125 of the Treaty, for expenditure on resettlement operations amounting to a total of FF 233 374·00;

Whereas, pursuant to Article 12 of Regulation (EEC) No 2396/71, such assistance is granted for operations initiated before 1 May 1972, the date on which that 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 [3] of 25 August 1960, as last amended by Council Regulation No 37/67/EEC [4], and to the provisions adopted pursuant to that Regulation;

Whereas, in accordance with Articles 1 and 6 of Regulation No 9, the applications referred to above from the French Republic relate to resettlement operations carried out on the responsibility and at the expense of the Ministry of Agriculture (Centre National pour l'aménagement des Structures des Exploitations Agricoles (CNASEA);

Whereas the applications containing the information required under Article 21 of Regulation No 9 and relating to operations terminated during the period 1 July 1969 to 30 June 1970 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 provision of Commission Regulation No 113/63/EEC [5] 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 as regards the following points:

(a) As a result of an arithmetical error certain sums were wrongly included in or omitted from the total expenditure; the correction involves the sum of FF 9 660·28, which is to be deducted from the amount for which the applications were submitted;

(b) It has also been found that some employees were re-employed after their training period by the national police force where they took part in the exercise of official authority within the meaning of Article 1 of Regulation No 9; these cases are therefore excluded from receiving assistance from the Fund;

Whereas the number of such cases in the applications, the percentage of which (2·94) was calculated on the basis of the results of the survey carried out pursuant to the provisions of Commission Regulation No 113/63/EEC referred to above, involves the sum of FF 1 888·59, which must therefore be deducted from the amount requested and corrected in the way stated above;

Whereas, consequently, the Ministry of Agriculture is entitled to receive assistance from the Fund for its expenditure provided that the sum of FF 11 548·87 is deducted, and whereas the amount of assistance to be granted by the Fund pursuant to Article 125 of the Treaty is therefore FF 233 374·00 — FF 11 548·87 (FF 9 660·28 + FF 1 888·59), i.e. FF 221 825·13;

(1) OJ No L 249, 10. 11. 1971, p. 54.
(2) OJ No L 28, 4. 2. 1971, p. 15.
(3) OJ No 56, 31. 8. 1960, p. 1189/60.
(4) OJ No 33, 24. 2. 1967, p. 526/67.
(5) OJ No 153, 24. 10. 1963, p. 2563/63.

Whereas in its Opinion of 3 May 1973 the Committee of the European Social Fund reached the same conclusions for reasons given above,

HAS ADOPTED THIS DECISION:

*Article 1*

The applications for assistance submitted to the European Social Fund by the French Republic for expenditure by the Ministry of Agriculture on resettlement operations carried out during the period 1 July 1969 to 30 June 1970 inclusive, comply with the rules governing the operation of the Fund as far as the sum of FF 221 825·13 is concerned. The remainder of the expenditure contained in the applications does not comply with those rules.

*Article 2*

The amount of assistance from the European Social Fund to be granted pursuant to Article 125 of the Treaty to the French Republic shall be FF 221 825·13 (equivalent to 39 938·34 u.a.).

*Article 3*

This Decision is addressed to the French Republic.

Done at Brussels, 23 November 1973.

*For the Commission*
***The President***
François-Xavier ORTOLI