II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 22 July 1975

giving a discharge to the Commission in respect of the implementation of the operations of the Development Fund for the overseas countries and territories (1st Fund) for the financial year 1971

(75/491/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to the implementing convention on the association of the overseas countries and territories with the Community, annexed to the Treaty ;

Having regard to Council Regulation No 5 (1) laying down detailed provisions relating to the collection and transfer of financial contributions, the budgeting and administration of the resources of the Development Fund for the overseas countries and territories, and in particular Article 16 thereof ;

Having regard to Council Regulation No 6 (2) relating to the responsibility of authorizing and accounting officers for the resources of the Development Fund for the overseas countries and territories ;

Having regard to the revenue and expenditure accounts, the statement and the summary of the operations of the Development Fund for the overseas countries and territories (1st Fund), as at 31 December 1971 ;

Having regard to the report of the Audit Board on the accounts for the financial year 1971 (3), to which are annexed the Commission's replies to the comments made by the Audit Board, and in particular the second part of this report relating to the Development Funds ;

Having regard to the Opinion of the European Parliament on the discharge to be given to the Commission in respect of the operations of the European Development Funds for the financial year 1971 ;

Recalling that, in accordance with the provisions applicable to the implementation of the Development Fund for the overseas countries and territories (1st Fund), only the Council, acting by a qualified majority, shall give a discharge to the Commission in respect of the financial administration of the Fund ;

Whereas an advance of 45 335 090 units of account has been paid to the European Development Fund (1963) (2nd EDF) ;

Whereas the overall implementation by the Commission of the operations of the First Development Fund during the financial year 1971 was such as to entitle it to be given a discharge in respect of the implementation of these operations,

HAS DECIDED AS FOLLOWS :

Article 1

The views of the Council on Comments No 208 and No 214 (b) of the Audit Board are as set out in the Annex.

Article 2

The Council closes the revenue and expenditure accounts of the Development Fund for the overseas countries and territories as at 31 December 1971 as follows :

(1) OJ No 33, 31. 12. 1958, p. 681/58.
(2) OJ No 33, 31. 12. 1958, p. 686/58.
(3) This report may be obtained from the institutions of the Communities.

Revenue

at the sum of 581 520 065·62 u.a.

Expenditure (payments)

at the sum of 536 184 975·67 u.a.

Article 3

The Council gives a discharge to the Commission in respect of the implementation of the operations of the Development Fund for the overseas countries and territories (1st Fund) for the financial year 1971.

Done at Brussels, 22 July 1975.

For the Council

The President

M. RUMOR

ANNEX

1. **Comment No 208 of the Audit Board concerning delays in liquidating the Development Fund for the overseas countries and territories**

   As in the Discharge Decision for the financial year 1970, the Council requests the Commission to endeavour to observe the time limits for implementing each project, so that the work can be completed in accordance with the original terms and estimates.

2. **Comment No 214 (b): Objectivity of technical controllers and consultancy bureaux — incompatibility of duties**

   The Council requests the Commission to include a clause in the contracts of technical controllers which will prevent supervisory and consultancy functions from being assumed by one and the same person.