COMMISSION DECISION

of 22 December 1976

on the reimbursement by the Guidance Section of the EAGGF to the Kingdom of the Netherlands of expenditure incurred during 1974 on annuities relating to measures to encourage the cessation of farming and the reallocation of utilized agricultural area for the purpose of structural improvement

(Only the Dutch text is authentic)

(77/50/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/160/EEC of 17 April 1972 concerning measures to encourage the cessation of farming and the reallocation of utilized agricultural area for the purposes of structural improvement [1], as last amended by Directive 73/358/EEC [2], and in particular Article 12 (2) thereof,

Whereas the measures taken by the Kingdom of the Netherlands to implement Directive 72/160/EEC were the subject of a favourable Commission Decision pursuant to Article 9 of the said Directive;

Whereas the Kingdom of the Netherlands has made an application for reimbursement of expenditure incurred on annuities granted during 1974 to encourage the cessation of farming and the reallocation of utilized agricultural area for the purposes of structural improvement; whereas the application is complete and has been submitted in due form and in accordance with the provisions of Commission Decision 74/581/EEC of 16 October 1974 concerning applications for reimbursement in respect of aid granted by the Member States pursuant to Directives 72/159/EEC, 72/160/EEC and 72/161/EEC [3], and also with the payments on account which can be agreed;

Whereas an examination of the information provided and especially of the individual information sheets shows that only one of the five beneficiaries has reallocated the utilized agricultural area released in accordance with Article 5 (1) of Directive 72/160/EEC, while the agricultural area released by the other beneficiaries has been disposed of in accordance with Article 5 (3) thereof;

Whereas under Article 10 (1) (a) thereof the Member States can only obtain reimbursement of this eligible expenditure from the EAGGF if the utilized agricultural area released has been disposed of in accordance with Article 5 (1) thereof; whereas, as this proof has not so far been supplied in respect of four of the beneficiaries, the reimbursement can only be based on eligible expenditure amounting to Fl 1 204 incurred in 1974 for one beneficiary; whereas the Guidance Section of the European Agricultural Guidance and Guarantee Fund should therefore reimburse 25 % thereof, i.e. Fl 301 (83·15 u.a.);

Whereas by virtue of Commission Decision 75/742/EEC of 21 November 1975 [4], a payment on account of Fl 1 749·90 has been granted under Article 12 (3) of Directive 72/160/EEC and Article 4 (1) of Decision 74/581/EEC;

Whereas the Fund Committee has been consulted on the financial aspects and in particular as to the funds available,

HAS ADOPTED THIS DECISION:

Article 1

The final contribution by the Guidance Section of the European Agricultural Guidance and Guarantee Fund towards the expenditure incurred by the Kingdom of the Netherlands during 1974 in respect of annuities to encourage the cessation of farming and the reallocation of utilized agricultural area for the purposes of structural improvement shall be Fl 301 (83·15 u.a.).

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 22 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

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(1) OJ No L 96, 23. 4. 1972, p. 9.
(2) OJ No L 326, 27. 11. 1973, p. 17.
(3) OJ No L 320, 29. 11. 1974, p. 1.
(4) OJ No L 314, 4. 12. 1975, p. 22.