COMMISSION DECISION

of 1 December 1980

on the reimbursement by the Guidance Section of the EAGGF to the Federal Republic of Germany of expenditure incurred during 1979 on aid for the less-favoured farming areas

(Only the German text is authentic)

(80/1165/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas (1), as last amended by Directive 80/666/EEC (2), and in particular Article 13 thereof,

Having regard to Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms (3), as last amended by Directive 80/370/EEC (4), and in particular Article 21 (3) thereof,

Whereas the measures taken by the Federal Republic of Germany to implement Directive 75/268/EEC were the subject of a favourable Commission Decision pursuant to Article 13 of the said Directive and to Article 18 of Directive 72/159/EEC ;

Whereas Commission Decision 76/627/EEC of 25 June 1976 concerning applications for reimbursement in respect of aid granted by Member States pursuant to Directive 75/268/EEC (5), as last amended by Commission Decision 80/427/EEC of 28 March 1980 (6), lays down in Article 5 (1) that the Commission, acting on the basis of the particulars contained in the application for reimbursement, shall reimburse up to the full amount requested ;

Whereas the application for reimbursement lodged by the Federal Republic of Germany in respect of aid granted during 1979 for the less-favoured farming areas is complete and has been submitted in due form in accordance with Decision 76/627/EEC ; whereas the total amount of expenditure declared eligible for the year 1979 comes to DM 120 314 503·88, broken down as follows :

— under Title II : DM 118 051 117·76,

— under Title IV : DM 2 263 386·12 ;

whereas the total amount of reimbursement requested comes to DM 30 078 625·97 ;

Whereas there are no immediate objections to the application as regards the accuracy of the particulars which it contains or compliance of the expenditure incurred with the provisions in force ; whereas, therefore, the Guidance Section of European Agricultural Guidance and Guarantee Fund should reimburse 25 % of the declared expenditure under Title II and 25 % of the declared expenditure under Title IV, i.e. a total of DM 30 078 625·97 (as requested) ;

Whereas Decision 76/627/EEC lays down in Article 2 that applications for reimbursement concerning Title III of Directive 75/268/EEC are to be submitted along with applications for reimbursement of expenditure on Directive 72/159/EEC ;

Whereas Commission Decision 76/627/EEC lays down in Article 5 (2) that where an examination of the application for reimbursement shows that the amount specified is not that which is actually due, the situation is to be regularized in accordance with the procedure laid down in the same Article of the said Decision ;

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

HAS ADOPTED THIS DECISION :

Article 1

The contribution by the Guidance Section of the European Agricultural Guidance and Guarantee Fund towards the expenditure incurred by the Federal Republic of Germany during 1979 on aid for the less-favoured farming areas is hereby fixed at DM 30 078 625·97.

(1) OJ No L 128, 19. 5. 1975, p. 1.
(2) OJ No L 180, 14. 7. 1980, p. 34.
(3) OJ No L 96, 23. 4. 1972, p. 1.
(4) OJ No L 90, 3. 4. 1980, p. 43.
(5) OJ No L 222, 14. 8. 1976, p. 37.
(6) OJ No L 102, 19. 4. 1980, p. 24.

Article 2

The amount referred to in Article 1 shall be paid provided that a thorough examination of the application for reimbursement leads to no change in the amount to be reimbursed.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 1 December 1980.

For the Commission

Finn GUNDELACH

Vice-President