COMMISSION DECISION

of 8 February 1984

on the clearance of the accounts presented by the United Kingdom in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1979

(Only the English text is authentic)

(84/213/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy (1), as last amended by Regulation (EEC) No 3509/80 (2), and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the departments and agencies referred to in Article 4 of that Regulation;

Whereas the United Kingdom has transmitted to the Commission the documents required to clear the accounts for 1979; whereas the latter has carried out on-the-spot inspections as provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund, Guarantee Section (3), provides that the Decision to clear the accounts must include the determination of the amount of expenditure incurred in each Member State during the financial year in question recognized as chargeable to the Fund, Guarantee Section, and also the determination of the amount of the Community's financial resources still available in each Member State;

Whereas under Articles 2 and 3 of Regulation (EEC) No 729/70, only refunds on exports to non-member countries and intervention intended to stabilize agricultural markets, respectively granted or undertaken according to Community rules within the framework of the common organization of agricultural markets, may be financed; whereas the inspections carried out show that a part of the expenditure declared amounting to £ 2 552 969,89 does not satisfy the requirements of these provisions and must therefore be disallowed; whereas the Member State has been fully informed of this deduction and has had an opportunity to state its views thereon;

Whereas the disallowed expenditure includes an amount of £ 879 175,26 for aid for peas and field beans; whereas information known to the Commission at present does not, however, exclude the possibility that this expenditure or a part of it may in fact qualify; whereas in order not to delay the present Decision, it is appropriate to provide that this expenditure may still be recognized in the clearance of the accounts for the financial year 1980 on condition that the Member State supplies the necessary evidence justifying Community financing;

Whereas under Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds (4), as last amended by Regulation (EEC) No 1365/80 (5), 60 % of expenditure on those measures is borne by the Guarantee Section of the EAGGF and 40 % by the Guidance Section; whereas the said measures rank as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70 and constitute a 'common measure' within the meaning of Article 6 (1) of that Regulation; whereas the relevant Guidance Section expenditure items must therefore be included when the accounts for guarantee expenditure financed by the EAGGF are cleared; whereas verification has shown that the expenditure

(1) OJ No L 94, 28. 4. 1970, p. 13.
(2) OJ No L 367, 31. 12. 1980, p. 87.
(3) OJ No L 186, 16. 8. 1972, p. 1.
(4) OJ No L 131, 26. 5. 1977, p. 1.
(5) OJ No L 140, 5. 6. 1980, p. 18.

declared as chargeable to the Guarantee Section is to be corrected upwards by an amount of £ 41 168,21 which in fact satisfies requirements and therefore can be charged; whereas the Member State has been informed of this correction and has had an opportunity to state its views thereon,

HAS ADOPTED THIS DECISION

Article 1

1. The expenditure by the United Kingdom recognized as chargeable to the European Agricultural Guidance and Guarantee Fund, Guarantee Section, in respect of the 1979 financial year amounts, in accordance with Annex I, to £ 337 950 334,21.

2. The expenditure recognized as chargeable to the EAGGF pursuant to Regulation (EEC) No 1078/77 amounts, in accordance with Annex II, to £ 12 425 260,80.

Article 2

The financial resources available at the end of 1979 amount, in accordance with Annex I to a negative balance of £ 1 759 140,92 and in accordance with Annex II, to a negative balance of £ 514 961,79.

Article 3

The Decision is addressed to the United Kingdom.

Done at Brussels, 8 February 1984.

For the Commission
Poul DALSAGER
Member of the Commission

ANNEX I

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1979

		(£)	
1.	Funds available after clearance of the accounts for 1978		2 991 193,29
2.	Advances received for 1979		333 200 000,00
3.	Total funds available to cover expenditure for 1979		336 191 193,29
4.	Expenditure recognized for 1979 (1):		
	(a) Expenditure declared	340 503 304,10	
	(b) Expenditure disallowed	2 552 969,89	
	— of which, definitive decision deferred to 1980	879 175,26	
	(c) Expenditure recognized		337 950 334,21
5.	Funds available after clearance of accounts for 1979		– 1 759 140,92

(1) Excluding expenditure on measures under Regulation (EEC) No 1078/77.

ANNEX II

Clearance of the accounts concerning the expenditure financed by the EAGGF under Regulation (EEC) No 1078/77 for 1979

		(£)	
1.	Funds available after clearance of the accounts for 1978		1 210 299,01
2.	Advances received for 1979		10 700 000,00
3.	Total funds available to cover expenditure for 1979		11 910 299,01
4.	Expenditure incurred in 1979		12 384 092,59
	(a) Guarantee Section	7 430 455,56	
	(b) Guidance Section	4 953 637,03	
5.	Supplementary recognized expenditure		41 168,21
6.	Total expenditure chargeable for 1979		12 425 260,80
	(a) Guarantee Section	7 455 156,48	
	(b) Guidance Section	4 970 104,32	
7.	Funds available after clearance of the accounts for 1979		– 514 961,79