COMMISSION DECISION

of 28 August 1985

on the clearance of the accounts presented by the Hellenic Republic in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1981

(Only the Greek text is authentic)

(85/454/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 870/85 (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 authorities and bodies referred to in Article 4 of that Regulation;

Whereas Greece has transmitted to the Commission the documents required to clear the accounts for 1981; 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 and 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 Dr 423 537 043 does not satisfy the requirements of these provisions and therefore cannot be financed; whereas the Member State has been fully informed of this correction and has been able to give its views thereon;

Whereas the present Decision does not prejudge the financial consequences which may be drawn in any subsequent clearance of accounts procedure for national aids in accordance with Article 93 of the Treaty or infringement procedures under Article 169 of the Treaty currently in progress or concluded after the date of 31 March 1985 or as a result of infringements in 1981 or national aids incompatible with the Treaty paid in 1981 having affected the expenditure charged to the EAGGF in any financial year subsequent to that of 1981;

Whereas the present Decision does not prejudge the financial consequences which may be drawn in any subsequent clearance of accounts relating to current investigations, financial losses resulting from irregularities in the meaning of Article 8 of Regulation (EEC) No 729/70 or judgments by the Court of Justice on cases currently under consideration and concerning matters which are also the subject of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

The expenditure by Greece recognized as chargeable to the European Agricultural Guidance and Guarantee Fund, Guarantee Section, in respect of the 1981 financial year amounts, in accordance with the Annex, to Dr 8 561 938 107.

Article 2

The financial resources available at the end of 1981 amount, in accordance with the Annex, to Dr 1 361 147 893.

Article 3

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 28 August 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

(1) OJ No L 94, 28. 4. 1970, p. 13.
(2) OJ No L 95, 2. 4. 1985, p. 1.
(3) OJ No L 186, 16. 8. 1972, p. 1.

ANNEX

Clearance of the accounts concerning the expenditure financed by the EAGGF, Guarantee Section, for 1981

		(Dr)
1. Funds available after clearance of the accounts for 1980		—
2. Advances received for 1981		9 923 086 000
3. Total funds available to cover expenditure for 1981		9 923 086 000
4. Expenditure recognized for 1981:		
(a) Expenditure declared	8 985 475 150	
(b) Expenditure not recognized:	- 423 537 043	
— of which definitive decision deferred to 1982	—	
(c) Elimination of reserves for previous years	—	
(d) Expenditure recognized		8 561 938 107
5. Funds available after clearance of accounts for 1981		1 361 147 893