II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 November 1996

amending Decision 93/311/EC on the clearance of the accounts presented by the Member States in respect of the expenditure for 1992 of the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) and in respect of certain expenditure for 1993

(Only the Spanish, German, Greek and Italian texts are authentic)

(96/701/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 (EC) No 1287/95 [2], and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas before the Commission determines, within the framework of a decision on the clearance of accounts, any financial correction eligible for the conciliation procedure established by Decision 94/442/EC [3], it is necessary that the Member State should be able, if it wishes, to seek recourse to that procedure, and whereas in that case it is necessary that the Commission should examine, prior to its decision, the report drawn up by the conciliation body; whereas the time limits laid down for that procedure had not expired, for all the eligible corrections, on the date of adoption of Commission Decision 96/311/EC [4]; whereas that Decision did not cover the corresponding amounts of expenditure declared by the Member States concerned in respect of 1992; whereas the conciliation procedure has been completed for the major part of the financial corrections concerned; whereas, as a result, the expenditure relating thereto should be cleared by this Decision; whereas the expenditure for which the conciliation procedure has not yet been completed will be cleared at a later date;

Whereas the expenditure declared by Italy in respect of the premiums for the permanent abandonment of areas given over to vines amounting to Lit 31 861 816 140 is not covered by this Decision, since further examination is necessary; whereas, that amount has therefore been deducted from the expenditure declared by that Member State in respect of this financial year and will be cleared at a later date,

HAS ADOPTED THIS DECISION:

Article 1

The parts of Annex I to Decision 96/311/EC relating to Germany, Greece, Spain, and Italy are hereby replaced by the Annex to this Decision.

Article 2

The additional amounts of DM 19 591 000,00, Dr 12 493 466 284, Pta 721 255 271, and Lit 27 846 339 935 arising under point 3 of Annex I and chargeable by virtue of this Decision are to be taken into account as part of the expenditure referred to in Article 4 (1) of Commission Regulation (EC) No 296/96 [5] for November 1996.

[1] OJ No L 94, 28. 4. 1970, p. 13.
[2] OJ No L 125, 8. 6. 1995, p. 1.
[3] OJ No L 182, 16. 7. 1994, p. 45.
[4] OJ No L 117, 14. 5. 1996, p. 19.
[5] OJ No L 39, 17. 2. 1996, p. 5.

Article 3

This Decision is addressed to the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, and the Italian Republic.

Done at Brussels, 20 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

'GERMANY

EAGGF Guarantee Section expenditure Financial year: 1992	DM
1. **Expenditure recognized**	
(a) Expenditure declared by the Member State in respect of the present clearance	9 907 054 451,92
(b) Expenditure declared during the preceding year but excluded from that clearance	0,00
(c) Expenditure declared, excluded from the present clearance	0,00
(d) Expenditure declared, coming under the present clearance (a + b + c)	9 907 054 451,92
(e) Expenditure disallowed	− 52 970 804,61
(f) Total expenditure recognized (d + e)	9 854 083 647,31
2. **Expenditure charged**	
(a) Expenditure charged in respect of the present year	9 960 612 381,39
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	0,00
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0,00
(d) Expenditure charged to a later exercise	0,00
(e) Total expenditure charged, coming under the present clearance (a + b + c − d)	9 960 612 381,39
3. **Expenditure chargeable to or payable to the Member State following clearance of the accounts** (2e − 1f)	106 528 734,08'

'GREECE

EAGGF Guarantee Section expenditure Financial year: 1992	Dr
1. **Expenditure recognized**	
(a) Expenditure declared by the Member State in respect of the present clearance	527 865 079 141
(b) Expenditure declared during the preceding year but excluded from that clearance	132 358 648
(c) Expenditure declared, excluded from the present clearance	0
(d) Expenditure declared, coming under the present clearance (a + b + c)	527 997 437 789
(e) Expenditure disallowed	– 13 114 460 229
(f) Total expenditure recognized (d + e)	514 882 977 560
2. **Expenditure charged**	
(a) Expenditure charged in respect of the present year	527 599 525 489
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	132 358 648
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0
(d) Expenditure charged to a later exercise	0
(e) Total expenditure charged, coming under the present clearance (a + b + c – d)	527 731 884 137
3. **Expenditure chargeable to or payable to the Member State following clearance of the accounts** (2e – 1f)	12 848 906 577'

'SPAIN

EAGGF Guarantee Section expenditure Financial year: 1992	Pta
1. **Expenditure recognized**	
(a) Expenditure declared by the Member State in respect of the present clearance	462 759 884 527
(b) Expenditure declared during the preceding year but excluded from that clearance	636 164 384
(c) Expenditure declared, excluded from the present clearance	0
(d) Expenditure declared, coming under the present clearance (a + b + c)	463 396 048 911
(e) Expenditure disallowed	– 32 743 754 917
(f) Total expenditure recognized (d + e)	430 652 293 994
2. **Expenditure charged**	
(a) Expenditure charged in respect of the present year	462 571 064 842
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	636 164 384
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0
(d) Expenditure charged to a later exercise	0
(e) Total expenditure charged, coming under the present clearance (a + b + c – d)	463 207 229 226
3. **Expenditure chargeable to or payable to the Member State following clearance of the accounts** (2e – 1f)	32 554 935 232'

'ITALY

EAGGF Guarantee Section expenditure Financial year: 1992	Lit
1. **Expenditure recognized**	
(a) Expenditure declared by the Member State in respect of the present clearance	8 032 958 695 897
(b) Expenditure declared during the preceding year but excluded from that clearance	8 203 376 912
(c) Expenditure declared, excluded from the present clearance	– 77 298 063 824
(d) Expenditure declared, coming under the present clearance (a + b + c)	7 963 864 008 985
(e) Expenditure disallowed	– 659 151 310 965
(f) Total expenditure recognized (d + e)	7 304 712 698 020
2. **Expenditure charged**	
(a) Expenditure charged in respect of the present year	8 029 606 857 885
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	8 203 376 912
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	– 77 298 063 824
(d) Expenditure charged to a later exercise	0
(e) Total expenditure charged, coming under the present clearance (a + b + c – d)	7 960 512 170 973
3. **Expenditure chargeable to or payable to the Member State following clearance of the accounts** (2e – 1f)	655 799 472 953'