II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 February 2000

on the clearance of the accounts of Denmark, Germany, Spain and France in respect of expenditure financed by the European Agricultural Guidance and Guarantee Fund (EAGGF) Guarantee Section, for the 1998 financial year and modifying Decision 1999/327/EC

(notified under document number C(2000) 344)

(Only the Spanish, Danish, German and French texts are authentic)

(2000/179/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)(b) thereof,

After consulting the European Agricultural Guidance and Guarantee Fund Committee,

Whereas:

(1) Under Article 5(2)(b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts submitted by the Member States, accompanied by the information required for clearance and a certificate regarding the veracity, completeness, and accuracy of the accounts transmitted clears the accounts of the paying agencies referred to in Article 4(1) of that Regulation.

(2) With regard to Article 7(1) of Commission Regulation (EC) No 296/96 of 16 February 1996 on data to be forwarded by the Member States and the monthly booking of expenditure financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) and repealing Regulation (EEC) No 2776/88 [3], as last amended by Regulation (EC) No 2236/98 [4], account is taken for the 1998 financial year of expenditure incurred by the Member States between 16 October 1997 and 15 October 1998.

(3) The accounts of the paying agencies of EU-Direktoratet in Denmark, Niedersachsen in Germany, Cantabria in Spain and Ofival in France concerning expenditure financed by the EAGGF Guarantee Section for the 1998 financial year which could not be cleared by Commission Decision 1999/327/EC [5] were disjoined from that Decision. For these paying agencies, the annual accounts and the accompanying documents now permit the Commission to take a decision on the veracity, completeness, and accuracy of the accounts submitted. Annex I lists the amounts cleared for each paying agency.

(4) The Commission has checked the information submitted and communicated to the Member States the results of its verifications with the necessary amendments.

[1] OJ L 94, 28.4.1970, p. 13.
[2] OJ L 125, 8.6.1995, p. 1.
[3] OJ L 39, 17.2.1996, p. 5.
[4] OJ L 281, 17.10.1998, p. 9.
[5] OJ L 124, 18.5.1999, p. 28.

(5) The second subparagraph of Article 7(1) of Commission Regulation (EC) No 1663/95 of 7 July 1995 laying down detailed rules for the application of Council Regulation (EEC) No 729/70 regarding the procedure for the clearance of the accounts of the EAGGF Guarantee Section [1], as last amended by Regulation (EC) No 2245/1999 [2], lays down the amounts which are recoverable from, or payable to, each Member State in accordance with Annex II to this Decision are to be deducted from, or added to, advances against expenditure from the second month following that in which the accounts clearance decision is taken.

(6) In accordance with the final subparagraph of Article 5(2)(b) of Regulation (EEC) No 729/70 and Article 7(1) of Regulation (EC) No 1663/95, this Decision, adopted on the basis of accounting information, does not prejudice decisions taken subsequently by the Commission excluding from Community financing expenditure not effected in accordance with Community rules,

HAS ADOPTED THIS DECISION:

Article 1

The accounts of the paying agencies of EU-Direktoratet in Denmark, Niedersachsen in Germany, Cantabria in Spain and Ofival in France concerning expenditure financed by the EAGGF Guarantee Section in respect of the 1998 financial year are cleared as shown in Annex I to the present Decision.

Article 2

The amounts recoverable from or payable to Denmark, Germany, Spain and France concerning expenditure financed by the EAGGF Guarantee Section in respect of the 1998 financial year are determined in Annex II to the present Decision.

Article 3

The entries in Annex III to Decision 1999/327/EC relating to Denmark, Germany, Spain and France are deleted.

Article 4

This Decision is addressed to the Kingdom of Denmark, the Federal Republic of Germany, the Kingdom of Spain and the Republic of France.

Done at Brussels, 14 February 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS — FINANCIAL YEAR 1998

List of paying agencies for which the accounts are cleared as follows:

Member State	Paying agency	Amounts cleared in national currency
DK	EU-Direktoratet	8 666 055 313,89
DE	Niedersachsen	1 082 704 977,77
ES	Cantabria	2 830 711 486,00
F	Ofival	4 684 044 575,33

[1] OJ L 158, 8.7.1995, p. 6.
[2] OJ L 273, 23.10.1999, p. 5.

ANNEX II

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS — FINANCIAL YEAR 1998

Amount to be recovered from or paid to the Member State in N.C.

Member State	Expenditure for the paying agencies for which the accounts are		Total (a) + (b)	Reductions and suspensions for the whole financial year	Total including reductions and suspensions	Advances paid to the Member State for the financial year	Amount to be recovered from (–) or paid to (+) the Member State	Amount recovered from (–) or paid to (+) the Member State under Decision 98/324/EC	Amount to be recovered from (–) or paid to (+) the Member State under this Decision
	cleared	disjoined							
	Expenditure declared in the annual declaration	Total of the expenditure in the monthly declarations							
	(a)	(b)	(c) = (a) + (b)	(d)	(e) = (c) + (d)	(f)	(g) = (e) – (f)	(h)	(i) = (g) – (h)
DK	8 666 055 313,89	0,00	8 666 055 313,89	– 32 646,00	8 666 022 667,89	8 672 113 671,38	– 6 091 003,49	0,00	– 6 091 003,49
D	10 948 524 979,04	0,00	10 948 524 979,04	– 2 029,44	10 948 522 949,60	10 951 822 732,04	– 3 299 782,44	307 325,56	– 3 607 108,00
ES	884 419 615 768,00	0,00	884 419 615 768,00	– 1 058 448,00	884 418 557 320,00	884 638 631 151,00	– 220 073 831,00	– 220 073 831,00	0,00
F	59 520 494 388,36	0,00	59 520 494 388,36	– 12 358 432,47	59 508 135 955,89	59 513 857 775,37	– 5 721 819,48	– 4 444 387,48	– 1 277 432,00

(1) For the calculation of the amount to be recovered from or paid to the Member State the amount taken into account is, the total of the annual declaration for the expenditure cleared (column a) or, the total of the monhtly declarations for the expenditure disjoined (column b).

(2) The reductions and suspensions are those taken into account in the advance system, to which are added in particular the corrections for the non-respect of payment deadlines established in September and October 1998.