COMMISSION

COMMISSION DECISION

of 14 October 2002

amending Decision 1999/187/EC on the clearance of accounts presented by the Member States in respect of the expenditure for 1995 of the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF)

(notified under document number C(2002) 3771)

(Only the Greek text is authentic)

(2002/816/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 Committee of the European Agricultural Guidance and Guarantee Fund,

Whereas:

(1) By Decision 2002/524/EC [3], the Commission imposed a financial correction on Greece because of shortcomings in its system for controlling arable crops in the financial years 1996 to 1999. As the same shortcomings existed before then, a similar financial correction must be imposed for the 1995 financial year. To this end, it is necessary to amend Commission Decision 1999/187/EC of 3 February 1999 on the clearance of the accounts presented by the Member States in respect of the expenditure for 1995 of the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF), as last amended by Decision 2000/448/EC.

(2) This Decision is without prejudice to any financial consequences which may be determined in any subsequent clearance of accounts in respect of State aid or infringements for which the procedures initiated under Articles 88 and 226 of the Treaty are now in progress or were terminated after 15 May 2002.

(3) This Decision is without prejudice to any financial consequences drawn by the Commission during a subsequent accounts clearance procedure from current investigations under way at the time of this Decision, from irregularities within the meaning of Article 8 of Regulation (EC) No 729/70 or from judgments of the Court of Justice in cases pending on 15 May 2002 and relating to matters covered by this Decision,

HAS ADOPTED THIS DECISION:

Article 1

The sections of the Annex to Decision 1999/187/EC relating to Greece are replaced by the Annex to this Decision.

Article 2

The additional amount of GRD – 1 827 922 367 arising under point 3 of the Annex and chargeable by virtue of this Decision shall be taken into account as part of the expenditure referred to in Article 4(1) of Commission Regulation (EC) No 296/96 [4] for the month of August 2002.

Article 3

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 14 October 2002.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ L 94, 28.4.1970, p. 13.
[2] OJ L 125, 8.6.1995, p. 1.
[3] OJ L 170, 29.6.2002, p. 77.
[4] OJ L 39, 17.2.1996, p. 5.

ANNEX

GREECE

EAGGF Guarantee Section expenditure Financial year: 1995	(GRD)
1. **Expenditure recognised**	
(a) Expenditure declared by the Member State in respect of the present clearance	760 186 802 122
(b) Expenditure declared during the preceding year but excluded from that clearance	14 056 031 234
(c) Expenditure declared, excluded from the present clearance	0
(d) Expenditure declared, which is already subject to at clearance decision	0
(e) Expenditure declared, coming under the present clearance ((a) + (b) + (c) + (d))	774 242 833 356
(f) Expenditure disallowed	– 26 082 443 724
(g) Total expenditure recognised ((e) + (f))	748 160 389 632
2. **Expenditure charged**	
(a) Expenditure charged in respect of the present year	758 830 725 324
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	14 056 031 234
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0
(d) Expenditure charged in respect of the present year, which is already subject to a clearence decision	0
(e) Expenditure charged to a later exercice	0
(f) Total expenditure charged, coming under the present clearance ((a) + (b) + (c) + (d) + (e))	772 886 756 558
3. **Expenditure chargeable to or payable to the Member State following clearance of the accounts (2f – 1g)**	24 726 366 926