COMMISSION DECISION

of 29 April 2009

on the clearance of the accounts of the paying agencies of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia concerning expenditure in the field of rural development measures financed by the European Agricultural Guarantee Fund (EAGF) for the 2008 financial year

(notified under document number C(2009) 3199)

(Only the Czech, Estonian, Greek, English, Latvian, Lithuanian, Hungarian, Maltese, Polish, Slovak and Slovenian texts are authentic)

(2009/366/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy [1], and in particular Articles 30 and 39 thereof,

After consulting the Committee on the Agricultural Funds,

Whereas:

(1) On the basis of the annual accounts submitted by the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia concerning expenditure in the field of rural development measures, accompanied by the information required, the accounts of the paying agencies referred to in Article 6(2) of Regulation (EC) No 1290/2005 are to be cleared. The clearance covers the completeness, accuracy and veracity of the accounts transmitted in the light of the reports established by the certification bodies.

(2) The time limits granted to the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia referred to in Article 7(2) of Commission Regulation (EC) No 885/2006 of 21 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the accreditation of paying agencies and other bodies and the clearance of the accounts of the EAGF and of the EAFRD [2] for the submission to the Commission of the documents referred to in Article 8(1)(c) of Regulation (EC) No 1290/2005 and in Article 7(1) of Regulation (EC) No 885/2006, have expired.

(3) The Commission has checked the information submitted and communicated to the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia before 31 March 2009 the results of its verifications, along with the necessary amendments.

(4) For the rural development expenditure covered by Article 7(2) of Commission Regulation (EC) No 27/2004 of 5 January 2004 laying down transitional detailed rules for the application of Council Regulation (EC) No 1257/1999 as regards the financing by the EAGF of rural development measures in the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia [3] the outcome of the clearance decision is to be deducted from or added to subsequent payments made by the Commission.

(5) In the light of the verifications made, the annual accounts and the accompanying documents permit the Commission to take, for certain paying agencies, a decision on the completeness, accuracy and veracity of the accounts submitted. The details of these amounts were described in the Summary Report that was presented to the Fund Committee at the same time as this Decision.

(6) In the light of the verifications made, the information submitted by certain paying agencies requires additional inquiries and their accounts cannot be therefore cleared in this Decision.

(7) For the rural development expenditure covered by Regulation (EC) No 27/2004, the amounts recoverable or payable under the clearance of accounts decision are to be deducted from or added to subsequent payments.

(8) In accordance with Article 30(2) of Regulation (EC) No 1290/2005, this Decision does not prejudice decisions taken subsequently by the Commission excluding from Community financing expenditure not effected in accordance with Community rules,

[1] OJ L 209, 11.8.2005, p. 1.
[2] OJ L 171, 23.6.2006, p. 90.
[3] OJ L 5, 9.1.2004, p. 36.

HAS ADOPTED THIS DECISION:

Article 1

Without prejudice to Article 2, the accounts of the paying agencies of the Member States concerning expenditure in the field of rural development financed by the European Agricultural Guarantee Fund (EAGF) in respect of the 2008 financial year, are hereby cleared.

The amounts which are recoverable from, or payable to, each Member State pursuant to this Decision in the field of rural development measures applicable in the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia are set out in Annex I and Annex II.

Article 2

For the 2008 financial year, the accounts of the Member States' paying agencies in the field of rural development measures applicable in the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, set out in Annex III, are disjoined from this Decision and shall be the subject of a future clearance Decision.

Article 3

This Decision is addressed to the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic.

Done at Brussels, 29 April 2009.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS

FINANCIAL YEAR 2008 — EAGF RURAL DEVELOPMENT EXPENDITURE IN NEW MEMBER STATES

Amount to be recovered from or paid to the Member State

MS		2008 — Expenditure for the paying agencies for which the accounts are		Total a + b	Reductions	Total	Interim payments reimbursed to the Member State for the financial year	Amount to be recovered from (-) or paid to (+) the Member State (*)
		cleared	disjoined					
		= expenditure declared in the annual declaration	= total of interim payments reimbursed to the Member State for the financial year					
		a	b	c = a + b	d	e = c + d	f	g = e - f
CZ	EUR	32 399 539,50		32 399 539,50	0,00	32 399 539,50	0,00	32 399 539,50
EE	EUR	24 148 768,74		24 148 768,74	0,00	24 148 768,74	0,00	24 148 768,74
CY	EUR	17 570 826,20		17 570 826,20	0,00	17 570 826,20	11 388 159,00	6 182 667,20
LV	EUR	46 986 857,87		46 986 857,87	0,00	46 986 857,87	0,00	46 986 857,87
LT	EUR	79 148 259,37		79 148 259,37	0,00	79 148 259,37	0,00	79 148 259,37
HU	EUR	90 290 537,46		90 290 537,46	0,00	90 290 537,46	0,00	90 290 537,46
MT	EUR	0,00	2 699 140,00	2 699 140,00	0,00	2 699 140,00	2 699 140,00	0,00
PL	EUR	121 595 191,28		121 595 191,28	0,00	121 595 191,28	0,00	121 595 191,28
SI	EUR	607 424,53		607 424,53	0,00	607 424,53	0,00	607 424,53
SK	EUR	39 259 760,34		39 259 760,34	0,00	39 259 760,34	0,00	39 259 760,34

MS	Advances paid but still to be cleared for the programme implementation (Article 32 of Regulation (EC) No 1260/1999)	
CZ	EUR	86 848 000,00
EE	EUR	24 080 000,00
CY	EUR	11 968 000,00
LV	EUR	52 496 000,00
LT	EUR	78 320 000,00
HU	EUR	96 368 000,00
MT	EUR	4 304 000,00
PL	EUR	458 624 000,00
SI	EUR	45 056 000,00
SK	EUR	63 536 000,00

(*) As payments have reached 95 % of the financial plan for all Member States, the balances will be settled during the closure of the programme.

Note: In respect of the Czech Republic, the amount cleared for financial year 2008 added to the amounts cleared in previous years; exceeds the maximum EAGGF contribution set out in the the Commission Decision approving the programme. The final EAGGF balance to be paid for the programme will be calculated in compliance with the total EAGGF contribution.

ANNEX II

CLEARED EXPENDITURE BY EAGF RURAL DEVELOPMENT MEASURE FOR EXERCISE 2008 IN NEW MEMBER STATES

Differences between annual accounts and declarations of expenditure

CZECH REPUBLIC

No	Measures	Expenditure 2008 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared for 2008 Annex I column 'e'
		i	ii	iii = i + ii
1	Early retirement	486 177,10		486 177,10
2	Less-favoured areas	– 62 324,19		– 62 324,19
3	Agri-environment	24 415 487,28		24 415 487,28
4	Forestry	768 151,81		768 151,81
5	Producer groups	6 792 047,50		6 792 047,50
6	Technical assistance	0,00		0,00
7	Sapard	0,00		0,00
700	Investments in agricultural holdings, Regulation (EC) No 1268/1999	0,00		0,00
701	Processing and marketing, Regulation (EC) No 1268/1999	0,00		0,00
702	Flood damage 1	0,00		0,00
703	Improving structures for quality	0,00		0,00
704	Land improvement and reparcelling	0,00		0,00
705	Renovation and development of villages	0,00		0,00
706	Flood damage 2	0,00		0,00
707	Development of rural infrastructure	0,00		0,00
708	Development and diversification of activities	0,00		0,00
709	Agricultural production methods to protect	0,00		0,00
710	Improvement of vocational training	0,00		0,00
711	Technical assistance Sapard	0,00		0,00
	Total	32 399 539,50	0,00	32 399 539,50

ESTONIA

No	Measures	Expenditure 2008 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared for 2008 Annex I column 'e'
		i	ii	iii = i + ii
1	Less-favoured areas	– 85 013,95		– 85 013,95
2	Agri-environment	20 416 942,68		20 416 942,68
3	Afforestation of agricultural land	125 877,94		125 877,94
4	Support for semi-substance farms	2 154 035,51		2 154 035,51
5	Meeting standards	1 373 830,87		1 373 830,87
6	Complements in direct payments	4 570,72		4 570,72

No	Measures	Expenditure 2008 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared for 2008 Annex I column 'e'
		i	ii	iii = i + ii
7	Technical assistance	155 007,67		155 007,67
8	Sapard	0,00		0,00
9	Support to areas with environmental restrictions	3 517,30		3 517,30
	Total	24 148 768,74	0,00	24 148 768,74

CYPRUS

No	Measures	Expenditure 2008 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared for 2008 Annex I column 'e'
		i	ii	iii = i + ii
1	Support of investments for management of animal waste	2 160 970,53		2 160 970,53
2	Encouragement of the improvement and the development	3 845 690,82		3 845 690,82
3	Encouragement of the set up of producer groups	391 894,08		391 894,08
4	Promotion of vocational training of farmers	0,00		0,00
5	Technical and advisory service to the farmers	58 475,17		58 475,17
6	Early retirement	500 463,80		500 463,80
7	Support for setting up of young farmers	710 000,00		710 000,00
8	Meeting EU standards	1 890 818,08		1 890 818,08
9	Adoption of agri-environmental measures	2 724 287,26		2 724 287,26
10	Agri-environmental actions for the protection of natural value	2 608 009,46		2 608 009,46
11	Afforestation	40 915,05		40 915,05
12	Improving of infrastructure for livestock development	490 532,61		490 532,61
13	Less-favoured areas	– 13 576,13		– 13 576,13
14	Support for quality schemes	673 718,97		673 718,97
15	Support of small scale, traditional processing	584 241,84		584 241,84
16	Protection of agricultural and traditional landscapes	282 638,86		282 638,86
17	Protection of forest fires and other natural disasters	123 163,39		123 163,39
18	Afforestation of non agricultural land	396 079,52		396 079,52
19	Improvement of harvesting process	0,00		0,00
20	Technical support of the implementation, monitoring	70 039,46		70 039,46
21	Technical support of collective initiatives at local level	32 463,43		32 463,43
	Total	17 570 826,20	0,00	17 570 826,20

LATVIA

No	Measures	Expenditure 2008 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared for 2008 Annex I column 'e'
		i	ii	iii = i + ii
1	Early retirement	3 250 393,40		3 250 393,40
2	Producer groups	1 589 329,59		1 589 329,59
3	Support for semi-substance farms	10 953 829,98		10 953 829,98
4	Meeting standards	7 050 638,64		7 050 638,64
5	Agri-environment	23 854 472,13		23 854 472,13
6	Less-favoured areas	34 948,53		34 948,53
7	Technical assistance	258 913,87		258 913,87
8	Obligations transferred from previous programming period	– 5 668,27		– 5 668,27
9	Allocations of resources for single area payments	0,00		0,00
	Total	46 986 857,87	0,00	46 986 857,87

LITHUANIA

No	Measures	Expenditure 2008 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared for 2008 Annex I column 'e'
		i	ii	iii = i + ii
1	Agri-environment	27 947 981,79		27 947 981,79
2	Less-favoured areas and areas with environmental restrictions	48 234,08		48 234,08
3	Meeting standards	26 055 356,07		26 055 356,07
4	Afforestation of agricultural land	1 734 572,99		1 734 572,99
5	Early retirement	19 490 903,99		19 490 903,99
6	Support for semi-subsistence farms undergoing restructuring	2 081 962,83		2 081 962,83
7	Other measures	447 848,76		447 848,76
8	Technical assistance	1 330 659,16		1 330 659,16
9	Complementary national direct payments	10 739,70		10 739,70
	Total	79 148 259,37	0,00	79 148 259,37

HUNGARY

No	Measures	Expenditure 2008 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared for 2008 Annex I column 'e'
		i	ii	iii = i + ii
1	Agri-environment	59 606 523,82		59 606 523,82
2	Meeting standards	13 784 071,07		13 784 071,07
3	Afforestation	15 357 233,59		15 357 233,59
4	Support for semi-substance farms	322 737,06		322 737,06

No	Measures	Expenditure 2008 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared for 2008 Annex I column 'e'
		i	ii	iii = i + ii
5	Producer groups	– 233,15		– 233,15
6	Early retirement	0,00		0,00
7	Less-favoured areas	– 25 011,06		– 25 011,06
8	Technical assistance	1 245 216,13		1 245 216,13
9	Projects approved under Regulation (EC) No 1268/1999	0,00		0,00
10	Complementary national direct payments	0,00		0,00
	Total	90 290 537,46	0,00	90 290 537,46

POLAND

No	Measures	Expenditure 2008 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared for 2008 Annex I column 'e'
		i	ii	iii = i + ii
1	Early retirement	25 431 473,58		25 431 473,58
2	Support for semi-substance farms	12 965 617,28		12 965 617,28
3	Less-favoured areas	– 1 487 716,01		– 1 487 716,01
4	Agri-environment undertakings and animal welfare	5 663 544,07		5 663 544,07
5	Afforestation	11 625 652,61		11 625 652,61
6	Meeting EU standards	62 703 110,98		62 703 110,98
7	Producer Groups	1 799 132,10		1 799 132,10
8	Technical assistance	2 763 199,78		2 763 199,78
9	Complements to direct payments	140 155,01		140 155,01
10	Projects approved under Regulation (EC) No 1268/1999	– 8 978,12		– 8 978,12
	Total	121 595 191,28	0,00	121 595 191,28

SLOVENIA

No	Measures	Expenditure 2008 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared for 2008 Annex I column 'e'
		i	ii	iii = i + ii
1	Less-favoured areas	78 615,04		78 615,04
2	Agri-environment	– 1 190 735,17		– 1 190 735,17
3	Early retirement	1 386 969,91		1 386 969,91
4	Meeting standards	199 761,17		199 761,17
5	Technical assistance	101 777,75		101 777,75
6	Sapard programme	34 856,75		34 856,75
7	Complements to direct payments	– 3 820,92		– 3 820,92
	Total	607 424,53	0,00	607 424,53

SLOVAKIA

No	Measures	Expenditure 2008 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared for 2008 Annex I column 'e'
		i	ii	iii = i + ii
1	Investments in agricultural holdings	1 650 413,98		1 650 413,98
2	Training	0,00		0,00
3	Less-favoured areas and areas with environmental restrictions	317 367,06		317 367,06
4	Meeting standards	3 982 447,52		3 982 447,52
5	Agri-environmental support	25 815 864,82		25 815 864,82
6	Improving processing and marketing of agricultural products	942 660,39		942 660,39
7	Forest management	4 564,40		4 564,40
8	Afforestation of agricultural land	106 689,23		106 689,23
9	Land consolidation	465 593,60		465 593,60
10	Diversification of agricultural activities	34 451,27		34 451,27
11	Support for semi-subsistence farms	414 691,29		414 691,29
12	Producer groups	2 387 788,82		2 387 788,82
13	Technical assistance including evaluation	3 137 462,36		3 137 462,36
14	Complements to direct payments	– 234,40		– 234,40
901	Investments in agricultural holdings, Regulation (EC) No 1268/1999	0,00		0,00
905	Agri-environmental support — projects approved under Regulation (EC) No 1268/1999	0,00		0,00
907	Forest management — projects approved under Regulation (EC) No 1268/1999	0,00		0,00
912	Producer groups — project approved under Regulation (EC) No 1268/1999	0,00		0,00
	Total	39 259 760,34	0,00	39 259 760,34

ANNEX III

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS

FINANCIAL YEAR 2008 — EAGF RURAL DEVELOPMENT EXPENDITURE IN NEW MEMBER STATES

List of the paying agencies for which the accounts are disjoined and are subject of a later clearance decision

Member State	Paying agency
Malta	MRRA