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(Acts whose publication is obligatory)

REGULATION (EEC) No 2030/73 OF THE COUNCIL

of 24 July 1973

on aid from the European Agricultural Guidance and Guarantee Fund, Guarantee Section, for the 1967/68 to 1970 accounting periods

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 209 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the Commission has not been able to adopt the necessary provisions in sufficient time for the Member States to prepare their applications for reimbursement from the European Agricultural Guidance and Guarantee Fund, Guarantee Section, for the 1967/68 to 1970 accounting periods; whereas, as a result, the Member States have been unable to submit their applications within the time limits laid down by Article 9 (2) (c), 2a (b) and 2b (c) of Council Regulation No 17/64/EEC [1] of 5 February 1964 on the conditions for granting aid from the European Agricultural Guidance and Guarantee Fund, as last amended by Regulation (EEC) No 847/72 [2]; whereas, consequently, no decision on aid has been taken by the Commission on the dates set by Article 10 (4) (b), 5 (b), 5a (b) and 5b (b) of that Regulation, and whereas the dates for submission of applications for aid and decisions to grant aid should be deferred;

Whereas arrangements should be made to set a final time limit of 31 December 1974 for the ending of these periods, and whereas appropriate procedures should be adopted to this end;

Whereas the eligible expenditure which remains unpaid when the accounts are closed should not be excluded from Community financing; whereas, for this purpose, it is necessary to include it in a later accounting period or year, provided that application of this provision does not conflict with the provisions of Article 3 (3) (c), first indent, of the Council Decision of 21 April 1970 [3] on the replacement of financial contributions from Member States by the Communities' own resources;

Whereas allowance should also be made, during a subsequent period, for amounts relating to irregularities or negligence in respect of which recovery procedures are still taking place when the accounts of a given period are closed;

HAS ADOPTED THIS REGULATION:

Article 1

The dates which the Commission must, in accordance with Article 10 (4) (b), 5 (b), 5a (b) and 5b (b) of Regulation No 17/64/EEC, decide on the granting of aid under the European Agricultural Guidance and Guarantee Fund, Guarantee Section, for the accounting periods 1967/68, 1968/69, second half of 1969 and the year 1970 respectively, shall be replaced by the final date of 31 December 1974.

The Decisions will be phased in accordance with a timetable to be laid down by the procedure set out in Article 13 of Council Regulation No 729/70 of 21 April 1970 [4] on the financing of the common agricultural policy.

[1] OJ No 34, 27. 2. 1964, p. 586/64.
[2] OJ No L 100, 27. 4. 1972, p. 4.
[3] OJ No L 94, 28. 4. 1970, p. 19.
[4] OJ No L 94, 28. 4. 1970, p. 13.

Article 2

The time limits provided for in Article 9 (2) (c), 2a (b) and 2b (c) of Regulation No 17/64/EEC for the submission of applications for reimbursement of expenditure chargeable to the Guarantee Section of the Fund for the accounting periods 1967/68 and 1968/69, second half of 1969 and the year 1970 respectively, shall be replaced by those set in accordance with a timetable to be laid down by the procedure set out in Article 13 of Regulation (EEC) No 729/70.

Article 3

1. By way of derogation from Article 9 (1) of Regulation No 17/64/EEC, the refundable portion of the expenditure chargeable to the 1966/67 accounting period not taken into consideration when the accounts for this period are closed, shall be subject to a specific settlement of accounts between Member States according to the scale specified in Article 3 of Council Regulation No 130/66/EEC [1] of 26 July 1966 on the financing of the common agricultural policy and the result thereof shall be included in the accounts of expenditure for a subsequent accounting period.

2. By way of derogation from Article 2 (1), second indent, and from Article 8 (1) of Council Regulation (EEC) No 728/70 [2] of 21 April 1970 on additional provisions for the financing of the common agricultural policy, the expenditure chargeable to the accounting periods of the second half of 1969 and the year 1970 respectively, which remain unpaid when the accounts for these periods are closed, shall be carried forward to a later accounting period or year, and shall be included in the expenditure for that period or year.

The decision on the granting of aid taken by the Commission in respect of the year 1970 shall clearly show the amounts carried forward from previous periods which are included therein.

3. Where, in cases of irregularity or negligence, amounts reimbursed by the Fund for the 1967/68 to 1970 accounting periods have to be repaid to the Community by a Member State, the amounts repaid shall be included in the first accounting period or year not yet ended at the time of repayment.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 24 July 1973.

For the Council

The President

I. NØRGAARD

[1] OJ No 165, 21. 9. 1966, p. 2965/66.

[2] OJ No L 94, 28. 4. 1970, p. 9.