

Amended proposal for a Council Regulation amending Regulation (EC) No 723/97 on the implementation of Member States' action programmes on control of EAGGF Guarantee Section expenditure ⁽¹⁾

(2000/C 337 E/32)

COM(2000) 411 final — 1999/0091 (CNS)

(Submitted by the Commission pursuant to Article 250(2) of the EC Treaty on 10 July 2000)

⁽¹⁾ OJ C 137, 18.5.1999, p. 8.

INITIAL PROPOSAL

AMENDED PROPOSAL

THE COUNCIL OF THE EUROPEAN UNION,

Unchanged

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission,

Unchanged

Having regard to the opinion of the European Parliament

Whereas:

Whereas Article 8 of 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 of 22 May 1995, lays down that the Member States are to take the measures necessary to satisfy themselves that transactions financed by the European Agricultural Guidance and Guarantee Fund (EAGGF), are actually carried out and are executed correctly, to prevent and deal with irregularities and to recover sums lost as a result of irregularities or negligence;

(1) Article 8 of Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy ⁽¹⁾, lays down that the Member States are to take the measures necessary to satisfy themselves that transactions financed by the European Agricultural Guidance and Guarantee Fund (EAGGF), are actually carried out and are executed correctly, to prevent and deal with irregularities and to recover sums lost as a result of irregularities or negligence.

Whereas Article 1 of Council Regulation (EC) No 723/97 ⁽²⁾ lays down that the Community is to contribute towards the costs incurred by Member States in implementing new action programmes, arising out of new Community obligations, approved by the Commission and aimed at improving the structures or effectiveness of EAGGF Guarantee Section expenditure controls;

(2) Article 1 of Council Regulation (EC) No 723/97 ⁽²⁾ lays down that the Community is to contribute towards the costs incurred by Member States in implementing new action programmes, arising out of new Community obligations, approved by the Commission and aimed at improving the structures or effectiveness of EAGGF Guarantee Section expenditure controls.

Whereas, in order to improve controls of EAGGF Guarantee Section expenditure, provision should be made for Community financing in particular cases where the Commission asks Member States to carry out a number of controls in certain sectors considerably above the minimum rate laid down in other Regulations,

(3) In order to improve controls of EAGGF Guarantee Section expenditure, provision should be made for Community financing in particular cases where the Commission asks Member States to carry out a number of controls in certain sectors considerably above the minimum rate laid down in other Regulations,

⁽¹⁾ OJ L 125, 8.6.1995, p. 1.

⁽²⁾ OJ L 108, 25.4.1997, p. 6.

⁽¹⁾ OJ L 160, 26.6.1999, p. 103.

⁽²⁾ OJ L 108, 25.4.1997, p. 6.

INITIAL PROPOSAL

AMENDED PROPOSAL

HAS ADOPTED THIS REGULATION:

Unchanged

Article 1

Regulation (EC) No 723/97 is amended as follows.

The following Article 5a is added:

'Article 5a

Within the limits of the financial resources available the Commission may, under this Regulation, provide part-financing of 50 % of the additional expenditure incurred by carrying out additional controls in particular cases where the Commission asks the Member States to carry out a number of controls in certain sectors considerably above the minimum rate laid down in other Regulations.

The expenditure in question may not cover staff costs or costs normally incurred under Article 1(4) of Regulation (EEC) No 729/70.'

Article 2

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Communities*

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

Within the limits of the financial resources available the Commission may, under this Regulation, provide part-financing of 50 % of the additional expenditure incurred by Member States in particular cases whereby the Commission asks them to carry out a number of controls in certain sectors considerably above the minimum rate laid down in other Regulations.

The expenditure in question may not cover staff costs or costs normally incurred under Article 1(4) of Regulation (EC) No 1258/1999.'

Unchanged
