

COUNCIL DECISION

of 24 July 1973

giving a discharge to the Commission in respect of the implementation of the transactions of the Development Fund for the Overseas Countries and Territories (1st Fund) for the financial year 1970

(73/242/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Implementing Convention on the Association of the Overseas Countries and Territories with the Community, annexed to the Treaty;

Having regard to Council Regulation No 5 ⁽¹⁾ laying down detailed provisions relating to the collection and transfer of financial contributions, the budgeting and administration of the resources of the Development Fund for the Overseas Countries and Territories, and in particular Article 16 thereof;

Having regard to provisional Council Regulation No 6 ⁽²⁾ relating to the responsibility of authorizing and accounting officers for the resources of the Development Fund for the Overseas Countries and Territories;

Having regard to the revenue and expenditure accounts, the statement and the summary of transactions of the Development Fund for the Overseas Countries and Territories (1st Fund), adopted on 31 December 1970;

Having regard to the report of the Audit Board on the accounts for the financial year 1970, and in particular the second part thereof devoted to the Development Funds, to which report are annexed the replies of the Commission to the comments of the Audit Board ⁽³⁾;

Having examined the remarks of the European Parliament on the transactions of the Development Funds on the occasion of its Decision of 9 May 1973 on 'the discharge to be given to the Commission in respect of the implementation of the budget of the European Communities for the financial year 1970 and on the report of the Audit Board', hereinafter referred to as the 'Discharge Decision';

Recalling that, in accordance with the provisions applicable to the implementation of the Development

Fund for the Overseas Countries and Territories (1st Fund), only the Council, acting by a qualified majority, shall give a discharge to the Commission in respect of the financial administration of the Fund;

Adopting the other remarks of the European Parliament, and in particular those in points 25 — 27 of Section III of its Discharge Decision for the financial year 1970;

Whereas an advance of 57743 933 units of account has been paid to the European Development Fund (1963) (2nd EDF);

Whereas the overall implementation by the Commission of the transactions of the first Development Fund during the financial year 1970 was such as to entitle it to be given a discharge in respect of the implementation of these transactions;

HAS DECIDED AS FOLLOWS:

Article 1

The views of the Council on Comment No 210 of the Audit Board are as set out in the Annex.

Article 2

The Council closes the expenditure and revenue accounts of the European Development Fund for the Overseas Countries and Territories on 31 December 1970 as follows:

Revenue

at the sum of 582 520 065.62 u.a.

Expenditure (payments)

at the sum of 524 776 133.04 u.a.

Article 3

The Council gives a discharge to the Commission in respect of the implementation of the transactions of the Development Fund for the Overseas Countries and Territories (1st Fund) for the financial year 1970.

Done at Brussels, 24 July 1973.

For the Council

The President

I. NØRGAARD

⁽¹⁾ OJ No 33, 31. 12. 1958, p. 681/58.

⁽²⁾ OJ No 33, 31. 12. 1958, p. 686/58.

⁽³⁾ This report is available from the institutions of the Communities.

ANNEX

Comment No 210 of the Audit Board on the development of the commitments of the Development Fund for the Overseas Countries and Territories (1st Fund)

The Council points out that, anxious to ensure the efficient financial administration of the Development Funds, it adopted on 30 May 1972 a 'Decision on the transfer and use of the unexpended balances of the Development Fund for the Overseas Countries and Territories set up under the Implementing Convention annexed to the Treaty establishing the European Economic Community'.

By this Decision the balances of appropriations not spent when implementing the projects of the 1st EDF are transferred to the 2nd EDF and used exclusively for financing economic and social investment projects.

The unexpended balances transferred in this way are used in accordance with the procedures laid down in the Internal Agreement concerning the financing and administration of Community aid, signed at Yaoundé on 20 July 1963.

Finally, the EDF Committee shall be kept informed by the Commission semi-annually of the unexpended balances, their nature and the volume of the transfers made.
