EAGGF Guarantee section: measures in respect of certains beneficiaries of operations financed by the fund

1994/0015(CNS) - 24/01/1995

The committee unanimously adopted the draft report on the proposal for a Council framework regulation on the black list of operators convicted or suspected of fraud affecting the Guarantee Section of the EAGGF. It had two main objectives: - to identify and make known throughout the Community the operators convicted or suspected of fraud; - to set out the measures aimed at preventing these operators from committing further irregularities. The 12 amendments adopted were designed to ensure, as a matter of form, greater transparency in the text proposed by the Council (definition of certain key concepts and clarification of the information to be included in the "black list" - Amendment No 6) and, with regard to the substance, to strengthen subsequently the rules envisaged to ensure that this list was a useful instrument. Amendment No 8 provided for the application of the checks to all the operations pursued by an operator on the "black list". Amendment No 1 required the Member State to inform the other Member States and the Commission of the identity of the operators presenting a risk of non-reliability. Mr TOMLINSON considered that this "black list" should be experimental and that the Commission should submit a report on its application within two years of its entry into force. Any proposal to amend the regulation should be based on Article 189b of the Treaty (Amendment No 12). Speaking on behalf of the Commission, Mr Michel JACQUOT, Director of the EAGGF, stated that he fully supported the amendments. He was convinced that the Member States should take responsibility and, where they failed to fulfil their obligations, they should be penalised through the clearance of their accounts.