Protection of the EC financial interests: administratives sanctions

1994/0146(CNS) - 18/12/1995 - Final act

OBJECTIVE : to strengthen the protection of the European Communities' financial interests, through the introduction of Community administrative penalties against fraud, abusive practices and any other irregularities regarding Community financial interests, including the budget and any other revenue administered by or for a Community institution. COMMUNITY MEASURE : Council Regulation (EC, EURATOM) No 2988/95 on the protection of the European Communities' financial interests. SUBSTANCE : - Institution of administrative controls and penalties in the case of intentional irregularities or irregularities caused by negligence, such as: payment of fine, payment of amount greater than the amount wrongly received, plus interest, total or partial removal of an advantage granted, exclusion from or withdrawal of the advantage for a period subsequent to that of the irregularity, temporary withdrawal of approval or recognition, loss of security or deposit, economic penalties; - generally speaking, any irregularity will lead to withdrawal of the advantage wrongly obtained; - penalties may be applied to natural or legal persons and to other entities involved in the irregularity. They will be effective, proportionate and dissuasive; - the limitation period for proceedings is four years as from the time the irregularity was committed; in the case of repeated irregularities, the limitation period runs from the day on which the irregularity ceases; - the period for implementing the decision establishing the administrative penalty is three years, which runs from the day on which the decision becomes final; DATE OF ENTRY INTO FORCE : 26 December 1995.