Protection of the EC financial interests: administratives sanctions

1994/0146(CNS) - 30/11/1995 - Text adopted by Parliament after reconsultation

In adopting the report by Mrs Dietmut THEATO (EPP, D), Parliament called for: - administrative penalties for fraud against the Community (note that criminal penalties are regulated by an agreement signed under Title VI of the Treaty on European Union - Justice and Internal Affairs); - a list of more specific cases of fraud ("misappropriation of funds") and measures relating to retroactivity, limitation periods, the time needed for implementing penalty decisions and penalties for operations which are set up artificially in order to benefit from Community financing; - an adequate supply of information to the Community and the European Parliament on the measures adopted by Member States for detecting irregularities; - actions also to be taken, where appropriate, against "de facto decision makers" who, while having no official responsibilities within the company responsible for the fraud, have nevertheless had an influence on the fraudulent decision; - measures which guarantee an element of surprise when conducting spot checks, insofar as these are provided for under a specific regulation.