

European Refugee Fund: period 2005-2010

(Decision 2000/596/EC)

2004/0032(CNS) - 20/01/2006 - Implementing legislative act

LEGISLATIVE ACT : Commission Decision laying down detailed rules for the implementation of Council Decision 2004/904/EC as regards procedures for making financial corrections in the context of actions co-financed by the European Refugee Fund.

CONTENT : to allow recovery of amounts unduly paid, Member States should inform the Commission of cases of irregularities detected and the progress of administrative or legal proceedings.

Article 25(2) of Decision 2004/904/EC lays down that Member States must make the financial corrections required in connection with the individual or systemic irregularity by cancelling all or part of the Community contribution. To ensure that this provision is applied uniformly throughout the Community, this Decision lays down rules for determining the corrections to be made and to provide for the Commission to be informed.

If a Member State fails to comply with its obligations under Article 25 of Decision 2004/904/EC the Commission may itself make the financial corrections required. To ensure that this provision is applied by the Commission in a transparent manner, rules are laid down for determining the corrections to be made by the Commission and to provide for the Member States' right to submit comments.

These rules, which are laid down in an annex to this Decision, do not concern Denmark, which does not take part in Decision 2004/904/EC and by consequence in this Decision. On the other hand, the United Kingdom and Ireland are both bound by this Decision, as they are by Decision 2004/904/EC.

The Annex lays down guidelines on the principles, criteria, and indicative scales to be applied by Commission departments in determining financial corrections.