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WORKING PAPER

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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Financial Agricultural Questions
N° Cion doc.:	9634/18 + COR 1 + ADD 1
Subject:	Proposal for a Regulation on Financing, management and monitoring of the CAP - Comments received from Member States

Following the request from the Presidency on 12 October 2018 (WK 11762/2018 INIT), delegations will find attached the contribution received from the Lithuanian delegation on Blocks 6 and 7.

LITHUANIA

PUBLIC

DATE	MEMBER STATE
2018-11-26	Lithuania

TITLE III: FINANCIAL MANAGEMENT OF THE FUNDS

Chapter III: Common provisions

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 43		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		

Chapter IV: Clearance of accounts

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 46		
Article 47		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
Article 48		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
Article 49		
Article 50		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
Article 51		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
Article 52		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
<i>Paragraph 5</i>		
Article 53		

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
<i>Paragraph 1</i>	What are the serious deficiencies in the governance system? If the Commission find one serious deficiency of basic Union requirement, will it be serious deficiencies in the governance system? Lithuania asks to add provisions defining serious deficiencies of the governance system.	
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
<i>Paragraph 5</i>		
<i>Paragraph 6</i>		
<i>Paragraph 7</i>		
Article 54		
Article 55		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
Article 56		

TITLE IV: CONTROL SYSTEMS AND PENALTIES

Chapter I: General rules

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 57		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>	Article 57 (3) stricter conditions for not imposing the penalties - there is non-compliance due to obvious errors. Lithuania asks to extend cases of no administrative penalties including obvious errors case like it is in current period.	
<i>Paragraph 4</i>		
<i>Paragraph 5</i>		
<i>Paragraph 6</i>		
Article 58		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
Article 59		
Article 60		
Article 61		
Article 62		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		

Chapter III: Scrutiny of transactions

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 74		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
Article 75		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
Article 76		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
Article 77		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
<i>Paragraph 4</i>		
Article 78		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
Article 79		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
<i>Paragraph 5</i>		
<i>Paragraph 6</i>		
Article 80		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
Article 81		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
Article 82		
<i>Paragraph 1</i>		

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
Article 83		

TITLE V: COMMON PROVISIONS

Chapter II: Use of the euro

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 91		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
Article 92		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
<i>Paragraph 5</i>		
<i>Paragraph 6</i>		
Article 93		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
Article 94		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		

Chapter III: Reporting

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 95		

Chapter IV: Transparency

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 96		
Paragraph 1		
Paragraph 2		
Paragraph 3		
Paragraph 4		
Article 97		
Article 98		
Article 99		
Paragraph 1		
Paragraph 2		
Paragraph 3		
Paragraph 4		

TITLE VI: DELEGATED ACTS AND IMPLEMENTING ACTS

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 100		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
<i>Paragraph 5</i>		
<i>Paragraph 6</i>		
Article 101		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		

TITLE VII: FINAL PROVISIONS

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 102		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
Article 103		
Article 104		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
NEW ARTICLE	Lithuania proposes to add additional Articles to this Regulation, which should set out cases in which member state may decide not to pursue recovery (<i>de minimis</i> amount).	
NEW ARTICLE	Lithuania asks to add Articles defining: • Provisions regarding financial consequences of the non-recovery cases (old 50/50 rule); • Provisions regarding or negligence attributable to the administrative authorities or another official body of the Member State cases.	