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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 - Belgian comments

Delegations find attached a text proposal from the Belgian delegation concerning the scrutiny of transactions (Art. 58 and Articles 74 - 83) in the above-mentioned Regulation.

BELGIUM



DATE	MEMBER STATE
Maart 2019	Belgium

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>		

TITLE III: FINANCIAL MANAGEMENT OF THE FUNDS

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>		

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
<i>Paragraph 4</i>		
<i>Paragraph 5</i>		
Article 53		
<i>Paragraph 1</i>		
<i>Paragraph 2</i>	More details in basic act	
<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>		
<i>Paragraph 4</i>		
<i>Paragraph 5</i>		
<i>Paragraph 6</i>		
Article 58		
<i>Paragraph 1</i>	Delete chapter III –art 74- 83 scrutiny of transactions and adding it here in general.	1. The system set up by the Member States in accordance with Article 57(2) shall include systematic checks which shall also target the areas where the risk of errors is the highest. In relation to measures financed outside the CAP SP, Member States may, as part of the control system, carry out systematic scrutiny of the commercial documents of undertakings, in particular by cross checks. Member States shall ensure a level of checks needed for an effective management of the risks.

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

TITLE IV: CONTROL SYSTEMS AND PENALTIES

Chapter III: Scrutiny of transactions

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 74	Controls no longer to be specified, because - New delivery model: controls of beneficiaries are a responsibility of the MS. The choice to use this kind of control must be given to the MS. - The nature of the measures: no export restitutions anymore; originally created for this. - The scope of the measures: little rise since producer organisations for fruits and vegetables are no longer concerned	Deletion of Article 74
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
Article 75	Idem article 74	Deletion of Article 75
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
Article 76	Idem article 74	Deletion of Article 76
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
Article 77	Idem article 74	Deletion of Article 77
<i>Paragraph 1</i>		

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
Article 78	Mutual assistance	Deletion of Article 78,
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
Article 79	See art 74	Deletion of 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	See art 74	Deletion of Article 80
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
Article 81	See art 74	Deletion of Article 81
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		

COMMISSION PROPOSAL	COMMENTS	DRAFTING SUGGESTIONS
Article 82	See article 74	Deletion of Article 82
<i>Paragraph 1</i>		
<i>Paragraph 2</i>		
<i>Paragraph 3</i>		
<i>Paragraph 4</i>		
Article 83	See article 74	Deletion of Article 83