

COUNCIL DECISION

of 1 June 1976

giving a discharge to the Commission in respect of the implementation of the budget and of the rectifying and supplementary budgets of the European Communities for the financial year 1973

(77/120/EEC, Euratom, ECSC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 78d thereof,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 206 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 180 thereof,

Having regard to the Treaty establishing a single Council and a single Commission of the European Communities, and in particular Article 20 thereof,

Having regard to the accounts of revenue and expenditure and the financial statements relating to the transactions made under the budget for the financial year 1973,

Having regard to the report of the Audit Board on the accounts for the financial year 1973, to which report are annexed the replies of the institutions to the comments concerning them,

Whereas the Council has adopted the budget of the European Communities for the financial year 1973 ⁽¹⁾;

Whereas four rectifying and supplementary budgets were adopted during the financial year 1973, the first of which, although it contained no amended

appropriations, increased the number of posts ⁽²⁾, while the second took suitable measures following the non-accession of Norway to the European Communities ⁽³⁾, the third drew the budgetary implications of the programme decisions taken by the Council on 5 February 1973 (research and investment appropriations) ⁽⁴⁾ and the fourth increased *inter alia* the appropriations for the Guarantee Section of the European Agricultural Guidance and Guarantee Fund ⁽⁵⁾;

Whereas the Commission made payments relating to appropriations carried over from the financial year 1972 (or previous financial years) from an appropriation of 1 330 144 296 units of account over and above the aforementioned appropriation amounts;

Whereas certain appropriations available at the close of the financial year 1973 have been carried forward to the financial year 1974;

Whereas the observations and comments in the report of the Audit Board on the accounts for the financial year 1973 contain references to certain irregularities and mistakes; whereas suitable action should be taken on this matter;

Whereas, however, the general implementation by the Commission of the budgets for the financial year 1973 was such as to entitle it to be given a discharge in respect of the implementation of these budgets,

⁽¹⁾ OJ No L 307, 31. 12. 1972, p. 1.

⁽²⁾ OJ No L 172, 28. 6. 1973, p. 11.

⁽³⁾ OJ No L 318, 19. 11. 1973, p. 1.

⁽⁴⁾ OJ No L 366, 31. 12. 1973, p. 1.

⁽⁵⁾ OJ No L 367, 31. 12. 1973, p. 1.

HAS DECIDED AS FOLLOWS:

Article 1

The views of the Council on the observations and comments in the report of the Audit Board on the accounts for the financial year 1973 are as set out in Annex I.

Article 2

1. The Council notes that:

(a) total payments made from appropriations for the financial year 1973 (management of own resources) are as follows:

(in units of account)

1. administrative and operating expenditure (Titles I to IV):		
— Commission	176 404 814·52	
— repayment to Member States of 10% of amounts paid	187 895 356·52	
— European Parliament	21 433 333·99	
— Council	25 242 544·68	
— Court of Justice	<u>5 084 918·44</u>	416 060 968·15
2. research and investment expenditure		60 773 301·29
3. European Social Fund		20 972 775·56
4. EAGGF:		
— Guarantee Section	2 978 340 165·54	
— Guidance Section	<u>4 797 535·00</u>	2 983 137 700·54
5. food aid		<u>52 784 339·76</u>
	Total (a)	<u>3 533 729 085·30</u>

(b) total payments made from appropriations to be financed according to an *ad hoc* scale are as follows:

aid to redundant workers in sulphur mines in Italy	<u>213 702 90</u>	<u>213 702·90</u>
	Total (a) + (b)	<u><u>3 533 942 788·20</u></u>

- c) total appropriations carried forward from the financial year 1973 to the financial year 1974 (management of own resources) are as follows:

(in units of account)

1. administrative and operating expenditure (Titles I to IV):		
— Commission	22 451 405·54	
— repayment to Member States of 10% of amounts paid	62 203 454·16	
— European Parliament	1 610 865·12	
— Council	3 322 850·84	
— Court of Justice	<u>741 706·90</u>	90 330 282·56
2. research and investment expenditure		
		9 147 594·74
3. European Social Fund		
		261 976 320·76
4. EAGGF:		
— Guarantee Section	684 849 733·90	
— Guidance Section	178 002 465·00	
5. food aid		
		<u>8 098 687·14</u>
	Total (c)	<u>1 232 405 084·10</u>

- (d) total appropriations carried over from the financial year 1973 to the financial year 1974 to be financed according to an *ad hoc* scale are as follows:

EAGGF: Guarantee Section	<u>170 000 000·00</u>	<u>170 000 000·00</u>
	Total (c) + (d)	<u><u>1 402 405 084·10</u></u>

2. The Council notes that the sum of the totals under (1) (a), (b), (c) and (d), viz: 4 936 347 872·30 units of account, is to be covered by equivalent revenue as follows:

- (a) in accordance with Decision 70/243/ECSC, EEC, Euratom:

— by own resources	2 496 557 331·49	
— by financial contributions	2 087 329 476·14	
— by the amount provided for the appropriations carried forward from the financial year 1972 to the financial year 1973 and cancelled	<u>125 120 107·80</u>	4 709 006 915·43
— by revenue connected with research and investment activities	5 196 049·45	
— by Member States' contributions to the Euratom complementary programmes	10 355 566·41	
— by the amount of the ECSC levies allocated to administrative expenditure	18 000 000·00	
— by other miscellaneous revenue	<u>23 575 638·11</u>	<u>57 127 253·97</u>
	Total (a)	<u>4 766 134 169·40</u>

(in units of account)

(b) by financial contributions:		
— in accordance with Article 200 (1) of the EEC Treaty		213 702·90
— in accordance with Council Regulation No 130/66/EEC of 26 July 1966 on the financing of the common agricultural policy ⁽¹⁾ :		
EAGGF: Guarantee Section	<u>170 000 000·00</u>	<u>170 213 702·90</u>
	Total (a) + (b)	<u><u>4 936 347 872·30</u></u>

The calculation of the contribution of the Member States to the financing of the budget for the financial year 1973 is reproduced in Annex II.

3. The Council notes that the amount of payments from appropriations carried over from the financial year 1972 is 470 655 200·71 units of account.

Article 3

The Council hereby gives a discharge to the Commission in respect of the implementation of the budget and of the rectifying and supplementary budgets of the European Communities for the financial year 1973, as shown by the following table:

⁽¹⁾ OJ No 165, 21. 9. 1966, p. 2965/66.

(in units of account)

	1	2	3	4	5	6	7	8	9
	Balances brought forward from 1972 to 1973	Payments against appropriations brought forward	Amounts carried over from 1973 to 1974 from appropriations brought forward	Cancellations	Total appropriations for the financial year 1973	Commitments at 31 December 1973	Payments made by 31 December 1973 or 15 February 1974	Balances carried forward from 1973 to 1974 ⁽¹⁾	Cancellations
Administrative and operating expenditure (Titles I to IV)	66 043 244-98	63 371 232-64	—	2 672 012-34	532 526 641-00	504 880 377-69	416 274 671-05	90 330 282-56	25 921 687-39
Research and investment expenditure	12 270 079-05	11 493 089-99	—	776 989-06	74 686 830-00	69 795 449-43	60 773 301-29	9 147 594-74	4 765 933-97
European Social Fund	42 692 682-66	28 963 595-44	—	13 729 087-22	282 950 000-00	242 236 764-86	20 972 775-56	261 976 320-76	903-68
EAGGF:									
— Guarantee Section	410 301 475-72	195 857 119-20		214 444 356-52	3 833 195 415-00	3 663 189 899-44	2 978 340 165-54	854 849 733-90	5 515-56
— Guidance Section	716 013 813-90	118 936 412-52	577 933 749-95	19 143 651-43	350 000 000-00	6 613 999-00	4 797 535-00	178 002 465-00	167 200 000-00
Food aid	82 823 000-00	52 033 750-92	—	30 789 249-08	61 134 985-00	60 883 026-90	52 784 339-76	8 098 687-14	251 958-10
Total	1 330 144 296-31	470 655 200-71	577 933 749-95	281 555 345-65	5 134 493 871-00	4 547 599 517-32	3 533 942 788-20	1 402 405 084-10	198 145 998-70

⁽¹⁾ The amounts in column 8 do not represent the difference between columns 6 and 7 as they include the 'carry forwards' referred to in Article 6 (1) (b) of Financial Regulation 73/91/EEC, EEC, Euratom (OJ No L 116, 1. 5. 1973, p. 1).

Done at Brussels, 1 June 1976.

For the Council
The President
G. THORN

ANNEX I

VIEWS OF THE COUNCIL AS REFERRED TO IN ARTICLE 1

**Making up the accounts of the authorities and bodies referred to in Article 4 of Regulation
(EEC) No 729/70**

The Council requests the Commission to examine the possibility of speeding up the procedures for making up the accounts of the authorities and bodies referred to in Article 4 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾ in order to comply with the time limit laid down in Article 5 (2) (b) thereof.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

ANNEX II

**CALCULATION OF THE CONTRIBUTION OF THE MEMBER STATES
TO THE FINANCING OF THE BUDGET FOR THE FINANCIAL YEAR 1973**

1. Establishing the appropriations to be covered in accordance with Decision 70/243/ECSC, EEC, Euratom

(in units of account)

Category of expenditure	Payments made during financial year	Appropriations carried forward to 1974	Appropriations carried forward from 1972 and cancelled (to be deducted)	Amount
1. Research and investment expenditure	60 773 301.29	9 147 594.74	776 989.06	69 143 906.97
2. European Social Fund	20 972 775.56	261 976 320.76	13 729 087.22	269 220 009.10
3. EAGGF:				
— Guarantee Section	2 978 340 165.54	684 849 733.90	69 444 356.52	3 593 745 542.92
— Guidance Section	4 797 535.00	178 002 465.00	7 708 413.60	175 091 586.40
4. — Administrative and operating expenditure:				
— Commission	176 404 814.52	22 451 405.54	1 658 379.18	197 197 840.88
— Parliament	21 433 333.99	1 610 865.12	206 686.30	22 837 512.81
— Council	25 242 544.68	3 322 850.84	673 026.14	27 892 369.38
— Court of Justice	5 084 918.44	741 706.90	133 920.72	5 692 704.62
— Food aid	52 784 339.76	8 098 687.14	30 789 249.08	30 093 777.82
5. Refund to the Member States of 10% of own resources	187 895 356.52	62 203 454.16	—0.02	250 098 810.70
	3 533 729 085.30	1 232 405 084.10	125 120 107.80	4 641 014 061.60

(in units of account)

Category of revenue	Amount
1. Miscellaneous revenue relating to research and investment activities	5 196 049.45
2. Other miscellaneous revenue	23 575 638.11
3. ECSC levies allocated to administrative expenditure	18 000 000.00
4. Member States' contributions to Euratom complementary programmes	10 355 566.41 ⁽¹⁾
	57 127 253.97
Appropriations to be covered pursuant to Decision 70/243/ECSC, EEC, Euratom	4 583 886 807.63

⁽¹⁾ Established entitlements on revenue orders issued: 11 117 404.49
 Actual established entitlements: 10 355 566.41
 Still to be recovered: 761 838.08

Belgium:	562 123.79
Germany:	4 847 142.52
France:	610 909.87
Italy:	1 089 156.97
Luxembourg:	10 434.46
Netherlands:	3 596 699.24
Denmark:	44 074.22
Ireland:	10 894.86
United Kingdom:	345 968.56
	<u>11 117 404.49</u>

2. Allocation of expenditure in accordance with Article 3 (2) of Decision 70/243/ECSC, EEC, Euratom, account being taken of Articles 127 to 132 of the Act of Accession

(in units of account)

	Own resources paid	Contribution from Member States according to Article 3 (2) scale (Articles 129 and 130 of Act of Accession)	Total share of Member States	Relative share (%)
Belgium	175 721 966.46	127 678 478.13	303 400 444.59	6.6188
Denmark	38 631 769.46	23 114 045.25	61 745 814.71	1.3470
Germany	731 213 597.45	617 735 902.21	1 348 949 506.66	29.4281
France	448 675 801.04	612 102 513.17	1 060 778 314.21	23.1415
Ireland	12 686 667.00	5 731 531.55	18 418 198.55	0.4018
Italy	403 524 327.18	379 277 053.05	782 801 380.23	17.0772
Luxembourg	2 969 206.70	3 754 205.36	6 723 412.06	0.1467
Netherlands	280 607 612.28	137 066 079.53	417 673 691.81	9.1118
United Kingdom	401 866 226.03	181 529 818.78	583 396 044.81	12.7271
Total	2 495 897 173.60	2 087 989 634.03	4 583 886 807.63	100.0000

3. Adjustment of the relative share of each Member State for the financial year 1973 to establish the relative share of the new Member States

	Reference amount for 1972	Upper limits (+ 1%)	Lower limits (- 1.5%)	Relative share before adjustment (Table 2)	Difference:		Allocation of balance	Relative share after adjustment
					below the lower limit	above the upper limit		
Belgium	7.4334	7.5077	7.3219	6.6188	+0.7031	—	+0.0535	7.3754
Denmark	1.1070	1.1181	1.0904	1.3470	—	-0.2289	—	1.1181
Germany	28.7912	29.0791	28.3593	29.4281	—	-0.3490	—	29.0791
France	24.9580	25.2076	24.5836	23.1415	+1.4421	—	+0.2568	24.8404
Ireland	0.2745	0.2772	0.2704	0.4018	—	0.1246	—	0.2772
Italy	19.2038	19.3958	18.9157	17.0772	+1.8385	—	+0.1591	19.0748
Luxembourg	0.1795	0.1813	0.1768	0.1467	+0.0301	—	+0.0016	0.1784
Netherlands	9.3586	9.4522	9.2182	9.1118	+0.1064	—	+0.0575	9.2757
United Kingdom	8.6940	8.7809	8.5636	12.7271	—	-3.9462	—	8.7809
Total	100.0000	100.9999	98.4999	100.0000	+4.1202	-4.6487	+0.5285	100.0000

Balance to be allocated: — 0.5285

4. Allocation of expenditure, other than that financed by the three new Member States, to the original Member States in accordance with Article 3 (2) of Decision 70/243/ECSC, EEC, Euratom

(in units of account)

	Own resources paid out	Contribution from Member States according to Article 3 (2) scale	Total share of Member States	Relative share (%)
Belgium	175 721 966.46	141 080 198.89	316 802 165.35	7.6942
Germany	731 213 597.45	682 579 197.57	1 413 792 795.02	34.3368
France	448 675 801.04	676 355 071.15	1 125 030 872.19	27.3237
Italy	403 524 327.18	419 091 179.05	822 615 506.23	19.9789
Luxembourg	2 969 206.70	4 149 417.61	7 118 624.31	0.1729
Netherlands	280 607 612.28	151 453 742.93	432 061 355.21	10.4935
Total	2 042 712 511.11	2 074 708 807.20	4 117 421 318.31	100.0000

Denmark	1.1181 %	} of 4 583 886 807.63	{	51 252 438.40	Total expenditure	4 583 886 807.63	
Ireland	0.2772 %			12 706 534.23			Share borne by new Member States
United Kingdom	8.7809 %			402 506 516.69			To be borne by original Member States
	10.1762 %			466 465 489.32		4 117 421 318.31	

5. Adjustment of the relative shares of the original Member States for the financial year 1973 in accordance with the first subparagraph of Article 3 (3) of Decision 70/243/ECSC, EEC, Euratom

	Reference amount for 1972	Upper limits (+ 1%)	Lower limits (- 1.5%)	Relative share before adjustment (Table 4)	Difference:		First allocation	Second allocation	Relative share after adjustment
					below the lower limit	above the upper limit			
Belgium	8·2662	8·3489	8·1422	7·6942	+0·4480	—	—	+0·0499	8·1921
Germany	32·0171	32·3373	31·5368	34·3368	—	-1·9995	—	—	32·3373
France	27·7544	28·0319	27·3381	27·3237	+0·0144	—	—	+0·2395	27·5776
Italy	21·3555	21·5691	21·0352	19·9789	+1·0563	—	—	+0·1484	21·1836
Luxembourg	0·1996	0·2016	0·1966	0·1729	+0·0237	—	—	+0·0015	0·1981
Netherlands	10·4072	10·5113	10·2511	10·4935	—	—	+0·0178	—	10·5113
Total	100·0000	101·0001	98·5000	100·0000	+1·5424	-1·9995	+0·0178	+0·4393	100·0000

Balance to be allocated: - 0·4571 + 0·4571

6. Contributions of the Member States to the financing of the budget for the financial year 1973 in accordance with Decision 70/243/ECSC, EEC, Euratom, taking into account the provisions of Articles 127 to 132 of the Act of Accession

(in units of account)

	Allocation of expenditure		Breakdown of revenue	
	% (1)	Amounts	Own resources	Contributions
Belgium	7·3585	337 305 310·74	175 721 966·46	161 583 344·28
Denmark	1·1181	51 252 438·40	38 631 769·46	12 620 668·94
Germany	29·0466	1 331 463 265·46	731 213 597·45	600 249 668·01
France	24·7712	1 135 483 768·89	448 675 801·04	686 807 967·85
Ireland	0·2772	12 706 534·23	12 706 534·23	—
Italy	19·0279	872 217 397·87	403 524 327·18	468 693 070·69
Luxembourg	0·1779	8 154 734·63	2 969 206·70	5 185 527·93
Netherlands	9·4417	432 796 840·72	280 607 612·28	152 189 228·44
United Kingdom	8·7809	402 506 516·69	402 506 516·69	—
Total	100·0000	4 583 886 807·63	2 496 557 331·49	2 087 329 476·14

(1) The percentages calculated in Table 5 for the six original Member States have been adjusted to take account of the enlarged Community of nine.

7. Contributions of the Member States provided for

<i>(in units of account)</i>							
	Belgium	Germany	France	Italy	Luxembourg	Netherlands	Total
— In Article 200 (1) of the EEC Treaty	16 882.53	59 836.81	59 836.81	59 836.81	427.41	16 882.53	213 702.90
— In Regulation No 130/66/EEC: EAGGF: Guarantee Section	14 242 508.00	50 411 015.00	38 931 173.00	44 000 877.00	258 550.00	22 155 877.00	170 000 000.00
Total	14 259 390.53	50 470 851.81	38 991 009.81	44 060 713.81	258 977.41	22 172 759.53	170 213 702.90

8. Liquid assets

<i>(in units of account)</i>						
a	Payments made in accordance with Article 31 of Financial Regulation 73/91/EEC, Euratom		Amounts held by the Commission at the end of the financial year 1972	Established entitlements		Difference (b+c+d-e-f)
	Own resources	Advances paid		Own resources	Contributions	
	b	c	d	e	f	g
Belgium	175 721 966.46	160 566 466.53	12 053 353.82	175 721 966.46	161 583 344.28	11 036 466.07
Denmark	38 631 769.46	18 966 222.50	—	38 631 769.46	12 620 668.94	6 345 553.56
Germany	731 213 597.45	547 996 620.73	76 168 204.58	731 213 597.45	600 249 668.01	23 915 157.30
France	448 675 801.04	684 067 388.98	29 670 967.54	448 675 801.04	686 807 967.85	26 930 388.67
Ireland	12 686 667.00	2 513 528.15	—	12 706 534.23	—	2 493 660.92
Italy	403 524 327.18	431 141 458.44	44 401 776.82	403 524 327.18	468 693 070.69	6 850 164.57
Luxembourg	2 969 206.70	5 181 117.00	147 324.67	2 969 206.70	5 185 527.93	142 913.74
Netherlands	280 607 612.28	138 016 973.17	23 930 011.48	280 607 612.28	152 189 228.44	9 757 756.21
United Kingdom	401 866 226.03	79 618 810.29	—	402 506 516.69	—	78 978 519.63
Total	2 495 897 173.60	2 068 068 575.79	186 371 638.91	2 496 557 331.49	2 087 329 476.14	166 450 580.67