

**EUROPEAN COMMISSION**

Budget

Director-General

Brussels,
BUDG.DGA2.D1/LC Ares(2018)

Subject: Your complaint CHAP(2018)03527 of 25 October 2018 against the Czech Republic

Dear Mr Ondráčka,

I refer to your complaint of 25 October 2018 relating to an alleged infringement by the Czech Republic of the provisions of Article 57 of Regulation (EU, Euratom) No 966/2012¹ and Article 61 of Regulation (EU, Euratom) 2018/1046², registered under number CHAP(2018)03527.

I would like to inform you that the Commission has decided to further examine your complaint as it raises issues that require it.

At this stage, the Commission is seeking to clarify the facts, in order to have a better overview of the situation and taking account of the fact that Member States have the primary responsibility, through their management and control systems, for the implementation of their programmes in shared management.

The Commission has requested and received information from the Czech authorities with respect to payments made from the European Structural and Investment Funds to companies belonging to the Agrofert group. In the light of the detailed data provided, the Commission is currently assessing the elements of the complaint and whether those payments have been made in full compliance with all relevant rules, including those on conflict of interests. The Commission has also launched audit procedures on the internal control systems and on their application to specific operations made by the Czech authorities.

¹ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EU, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1)

² Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1)

In accordance with the rules on better relations with complainants³, the Commission should reach a decision to issue a formal notice or to close the case within the general time limit of one year from the date of registration of the complaint.

I will inform you once the examination of your complaint is completed and a decision on the follow-up has been taken.

The matter is being handled by the Directorate-General for Budget and Administration, which you can contact by e-mail at the following address: BUDG-CHAP@ec.europa.eu.

Yours sincerely,

Gert Jan KOOPMAN

³ Point 8 of the Annex to the Communication "EU Law: Better Results through Better Application", C(2016)8600 final of 21.12.2016