

Council Regulation (EC) No 320/2006 of 20 February 2006 establishing a temporary scheme for the restructuring of the sugar industry in the Community and amending Regulation (EC) No 1290/2005 on the financing of the common agricultural policy (repealed)

*Article 5*

**Decision on the restructuring aid and controls**

1 By the end of February preceding the marketing year referred to in Article 3(2), Member States shall decide on the granting of the restructuring aid. However, the decision for the marketing year 2006/2007 shall be adopted by 30 September 2006.

2 The restructuring aid shall be granted if the Member State has established after thorough verification that:

- the application contains the elements referred to in Article 4(2),
- the restructuring plan contains the elements referred to in Article 4(3),
- the measures and actions described in the restructuring plan are in conformity with the relevant Community and national legislation;

and

- the necessary financial resources are available in the restructuring fund, on the basis of information obtained from the Commission.

3 If one or more of the conditions laid down in the first three indents of paragraph 2 are not respected, the application for the restructuring aid shall be returned to the applicant. The applicant shall be informed of the conditions that are not respected. The applicant may then either withdraw or complete his application.

4 Notwithstanding the control obligations referred to in Regulation (EC) No 1290/2005, Member States shall monitor, control and verify the implementation of the restructuring aid as approved by it.