**Question for written answer P-004586/2015**
**to the Commission**
Rule 130
**Tamás Deutsch (PPE)**

Subject: Financial correction procedure against Hungary

On 23 December 2013, a Commission draft audit report stated that eligibility criteria had been adopted for public procurement procedures for some road-building projects in Hungary which might have restricted competition on the market, because of which the Commission proposed a 25% correction to the contracts in question as a penalty.

However, Hungary's strongly held position is that the requirements to which the Commission objects are proportionate and necessary in order to enable the roads to be built to high technical standards and on time.

Hungary has demonstrated its commitment to European partnership and its good faith in that it has responded to the Commission's concerns by immediately halting the practice objected to.

As the Court of Justice of the EU has no relevant case-law, it is not possible to conclude that the rules objected to are illegal, and the seriousness of the shortcomings does not justify the substantial financial correction prescribed, which may also jeopardise the Member State's compliance with its Maastricht obligations.

In view of the above:

– does the Commission consider it to be a fair procedure for its auditors to raise their objections to the selection procedure for the first time only at the very end of the programme period?

– what circumstances justify bringing legal proceedings against Hungary at the very end of the programme period on account of an alleged irregularity which cannot be described as serious – proceedings which will take between 18 months and two years to complete and which also run the risk of imposing an unjustifiable and disproportionate burden on Hungary's budget?

In the Commission's view, did its services proceed in accordance with the principles of partnership and good faith in proposing the penalty for the practice objected to?