

WRITTEN QUESTION P-3595/09
by Mieczysław Edmund Janowski (UEN)
to the Commission

Subject: Possibility of bailiffs seizing sums paid as direct aid from the EU

I have been asked to help clarify the question of whether it is possible for bailiffs to seize funds which a Polish farmer has received as EU aid. The details of the specific case are as follows.

Mr Stanisław Hanus, a farmer (resident in Głuchów 35, in the district of Łancut, Podkarpackie province, tel. +48 17 224 10 94), received a payment from the EU amounting to 1000 złoty, which was paid into his account at the Cooperative Bank in Łancut. However, Mr Hanus never saw the money in question, because it was immediately seized by the bailiff to cover payment of a fine imposed on him by the District Inspector for Building Supervision for having built a stable without a proper building permit.

The manager of the bank in question maintained that he was obliged to release the money from the farmer's account, as otherwise he himself would have been penalised.

This is not the place to discuss whether the fine imposed on the farmer was justified. However, under no circumstances must Union funds allocated as farm payments be used to meet the cost of financial penalties. This is not the purpose of EU payments.

As is clear from a description of the facts, this case raises a series of questions. Poland's Agency for Agricultural Restructuring and Modernisation is adopting a position similar to my own and is defending the farmer's interests.

Nevertheless, the bailiff's services are simply acting in accordance with their rules.

Will the Commission provide clarification of the situation described above as swiftly as possible?