

**Question for written answer P-007611/2012  
to the Commission**  
Rule 117  
**Peter Jahr (PPE)**

Subject: Recovery of direct payments following decision that golf courses and airfields are ineligible for support

In 2006 the European Court of Auditors found that implementation of the Single Payment Scheme had led to direct support being redistributed to new recipients, notably the owners of golf courses and airfields. The Commission subsequently made it clear that land not used primarily for agricultural purposes is ineligible for direct support. As a result, the authorities in Germany reviewed the hectareage in respect of which support had been applied for and redetermined how much was eligible. Following the recalculation, many landowners face bills for the reimbursement of single payments, as well as penalties.

Does the Commission consider it permissible to recall the payments retrospectively and to impose penalties, particularly given that administrative mistakes were made in the original calculation of the eligible hectareage, and blame for that cannot be laid directly on the landowners, who were entitled to assume that the areas in question were eligible?

What is the Commission's view on the possibility – provided for notably in Regulation (EC) No 1122/2009, Articles 73 and 80 – of the authorities' foregoing recovery and the imposition of penalties when they redetermine eligible hectareage?

Would it, in the Commission's view, be possible to make a distinction, in the case of golf courses and airfields, between land used for agricultural purposes and land used for non-agricultural purposes, and would the land used for agricultural purposes then be eligible for support?