

COUNCIL OF THE EUROPEAN UNION Brussels, 14 February 2013

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FIN 67

COVER NOTE	
from:	Mr Janusz LEWANDOWSKI, Member of the European Commission
date of receipt:	13 February 2013
to:	Mr Brian HAYES, President of the Council of the European Union
No Cion doc.:	C(2013) 888 final
Subject:	Commission Decision of 13.2.2013 on non-automatic carryover from 2012 to 2013

Delegations will find attached Commission document C(2013) 888 final.

Encl.: C(2013) 888 final



Brussels, 13.2.2013 C(2013) 888 final

COMMISSION DECISION

of 13.2.2013

ON NON-AUTOMATIC CARRYOVER FROM 2012 TO 2013

COMMISSION DECISION

of 13.2.2013

ON NON-AUTOMATIC CARRYOVER FROM 2012 TO 2013

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 (hereinafter referred to as the 'Financial Regulation')¹, and in particular Article 13(2), point a) and b) and Article 13(3) and Article 178, thereof,

Whereas:

(1) The appropriations referred hereinafter should be carried over.

HAS DECIDED AS FOLLOWS:

Article 1

The following appropriations from Section III (Commission) of the 2012 budget are hereby carried over to 2013 for the reasons set out below.

- EUR 31 322 440.00 in commitment appropriations
- EUR 36 308 072.31 in payment appropriations

Article 2

The Council and Parliament shall be informed of this decision.

Done at Brussels, 13.2.2013

For the Commission Janusz Lewandowski Member of the Commission

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No.	2012 Budget Item	Heading	2013 Budget Item	Ref. Fin. Reg.	Amount to be carried over (in EUR)
1	04 05 01	European Globalisation Adjustment Fund (EGF)	04 05 01	Article 13 § 2a	24 272 840.00
2	09 03 01	Competitiveness and Innovation Framework Programme - Information and Communication Technologies Policy Support Programme (ICT PSP)	09 03 01	Article 13 § 2a	98 080.00
		HEADING 1a - TOTAL			24 370 920.00
3	13 03 29	Preparatory action - The definition of governance model for the European Union Danube Region - better and effective coordination	13 03 29	Article 13 § 2a	1 264 000.00
4	13 03 30	Pilot project - Towards a common regional identity, reconciliation of nations and economic and social cooperation including a Pan- European Expertise and Excellence Platform in the Danube macro-region	13 03 30	Article 13 § 2a	1 974 000.00
		HEADING 1b - TOTAL			3 238 000.00
5	05 04 05 03	Pilot Project - Exchange programme for young farmers	05 04 05 03	Article 13 § 2a	1 500 000.00
		HEADING 2 - TOTAL			1 500 000.00
6	20 02 01	External trade relations, including access to the markets of third countries	20 02 01	Article 13 § 2a	213 520.00
7	21 05 01 09	Preparatory action - Enhanced health care for victims of sexual violence in the Democratic Republic of Congo (DRC)	21 05 01 09	Article 13 § 2a	2 000 000.00
		HEADING 4 - TOTAL			2 213 520.00
		GRAND TOTAL			31 322 440.00

CARRYOVER OF COMMITMENT APPROPRIATIONS

Grounds

Carryover:	24 272 840.00 EUR
Amount not used at 31.12.2012:	24 272 840.00 EUR
Commitments at 31.12.2012:	49 263 382.00 EUR
Appropriation authorised 2012:	73 536 222.00 EUR

1. 04 05 01 European Globalisation Adjustment Fund (EGF)

The latest decisions to mobilise the European Globalisation Adjustment Fund (EGF) in 2012 were adopted by the European Parliament and the Council Presidents only in December 2012. The funds have been transferred from the reserve line 40 02 43 to the EGF budget line 04 05 01.

Following approval by the two arms of the budgetary authority, the Commission must adopt a financing decision on each case before the funds can be committed and paid in a single instalment (see Article 13.1 of the EGF Regulation 1927/2006). These financing decisions will be signed by the Commissioner in the first quarter of 2013, and commitment and payment must follow within 15 days.

2. 09 03 01 Competitiveness and Innovation Framework Programme - Information and Communication Technologies Policy Support Programme (ICT PSP)

Appropriation authorised 2012:	132 850 000.00 EUR
Commitments at 31.12.2012:	129 288 794.88 EUR
Amount not used at 31.12.2012:	3 561 205.12 EUR
Carryover:	98 080.00 EUR

One contract for an amount of EUR 98 080 could not be signed by the end of 2012, but will be finalised in early 2013, necessitating the carryover.

3. 13 03 29 Preparatory action - The definition of governance model for the European Union Danube Region - better and effective coordination

Appropriation authorised 2012:	1 500 000.00 EUR
Commitments at 31.12.2012:	0.00 EUR
Amount not used at 31.12.2012:	1 500 000.00 EUR
Carryover:	1 264 000.00 EUR

The financing decision relating to the preparatory action titled "definition of governance model for the European Union Danube Region - better and effective coordination" was adopted by the Commission on 2/8/2012, and it was decided that this action would be financed by means of direct grants to the Priority Area Coordinators (PACs) identified in the EU Strategy for the Danube Region (EUSDR).

The negotiations with the PACs took time because of the coordination with other Member States. Finally, the grant award decision was adopted by the Commission on 13/12/2012.

As the grant agreements have multiple beneficiaries, the signatures had to be postponed to the first quarter of 2013.

4. 13 03 30 Pilot project - Towards a common regional identity, reconciliation of nations and economic and social cooperation including a Pan-European Expertise and Excellence Platform in the Danube macro-region

Appropriation authorised 2012:	2 000 000.00 EUR
Commitments at 31.12.2012:	0.00 EUR
Amount not used at 31.12.2012:	2 000 000.00 EUR
Carryover:	1 974 000.00 EUR

The financing decision relating to the pilot project "a common regional identity, reconciliation of nations and economic and social cooperation including a Pan-European Expertise and Excellence Platform in the Danube macro-region" was adopted by the Commission on 2/8/2012, and it was decided that this action would be financed by means of direct grants to the Priority Area Coordinators (PACs) identified in the EU Strategy for the Danube Region (EUSDR).

The negotiations with the PACs took time because of the coordination with other Member States. Finally, the grant award decision was adopted by the Commission on 13/12/2012.

As the grant agreements have multiple beneficiaries, the signatures had to be postponed to the first quarter of 2013.

5. 05 04 05 03 Pilot Project - Exchange programme for young farmers

Appropriation authorised 2012:	1 500 000.00 EUR
Commitments at 31.12.2012:	0.00 EUR
Amount not used at 31.12.2012:	1 500 000.00 EUR
Carryover:	1 500 000.00 EUR

The pilot project "programme for young farmers" was introduced in 2011 with a budget of EUR 1 500 000. Following a Commission financing decision (C(2011) 8337), which foresaw the signature of the contract in 2012, a global commitment on the budget 2011 was made. The open call for tenders was launched with a deadline of 5/12/2012. In December 2012 the evaluation committee concluded that no acceptable offer was received and recommended to close the procedure with a non-award. However, the Budgetary Authority entered new commitment appropriations for this pilot project for a second successive financial year. The Interservice Consultation within the Commission on a new Financing Decision was closed by on 18/12/2012, and a new call for tender will be launched in 2013, implying the carry-over of the commitment appropriations from 2012 to 2013. No new commitment appropriations are available in the 2013 budget.

6. 20 02 01 External trade relations, including access to the markets of third countries

Appropriation authorised 2012:	7 300 000.00 EUR
Commitments at 31.12.2012:	6 959 369.17 EUR
Amount not used at 31.12.2012:	340 630.83 EUR
Carryover:	213 520.00 EUR

In view of preparing the ground for any eventual launching of negotiations with a contractor, it was decided in November 2012, that it was necessary to launch a study to acquire knowledge and data in one of the main sectors. The underlying award decision was signed mid-December. However, since a 14-day stand-still period then had to be observed, it was not feasible to sign the contract by 31 December 2012. As the selection process has been completed, the commitment appropriations required for the implementation of this study may be carried over.

7. 21 05 01 09 Preparatory action - Enhanced health care for victims of sexual violence in the Democratic Republic of Congo (DRC)

Appropriation authorised 2012:	2 000 000.00 EUR
Commitments at 31.12.2012:	0.00 EUR
Amount not used at 31.12.2012:	2 000 000.00 EUR
Carryover:	2 000 000.00 EUR

Project design with the national authorities was delayed due to the absence of a government in the Democratic Republic of Congo for several months and the overall complex situation in the country in 2012.

The Interservice Consultation was terminated on 21/12/2012, which makes possible the carry-over of the relevant commitment appropriations.

No.	2012 Budget Item	Heading	2013 Budget Item	Amount to be carried over (in EUR)
1	04 05 01	European Globalisation Adjustment Fund (EGF)	04 05 01	24 272 840.00
2	24 02 01	Operational programmes in the fight against fraud	24 02 01	1 018 000.00
3	33 06 02	Gender equality	33 06 02	631 350.70
		HEADING 1a - TOTAL		25 922 190.70
4	05 08 02	Surveys on the structure of agricultural holdings	05 08 02	3 656 020.23
5	07 03 12	Preparatory action - Future legal base on harmonised EU forest information	07 03 12	345 000.00
6	07 03 16	Pilot project - Development of prevention activities to halt desertification in Europe	07 03 16	175 000.00
7	07 03 28	Pilot project - Plastic recycling cycle and marine environmental impact	07 03 28	157 000.00
		HEADING 2 - TOTAL		4 333 020.23
8	18 02 05	Visa information system (VIS)	18 02 05	1 063 808.48
		HEADING 3a - TOTAL		1 063 808.48
9	07 02 03	Pilot project - Environmental monitoring of the Black Sea Basin and a common European framework programme for the development of the Black Sea region	07 02 03	220 000.00
10	22 02 01	Transition and institution-building assistance to candidate countries	22 02 01	1 326 047.00
11	22 02 02	Transition and institution-building assistance to potential candidate countries	22 02 02	678 697.00
12	22 02 04 01	Cross-border cooperation (CBC) between IPA countries and participation in ERDF transnational/interregional programmes and ENPI sea basins programmes	22 02 04 01	352 428.00
13	22 02 07 02	Evaluation of results of Union aid, follow-up and audit measures	22 02 07 02	252 739.00
14	22 02 07 03	Financial support for encouraging the economic development of the Turkish Cypriot community	22 02 07 03	291 523.00
15	22 02 10 01	Prince - Information and communication	22 02 10 01	95 257.00
16	22 02 10 02	Information and communication for third countries	22 02 10 02	375 281.00

ANNEX II - CARRYOVER OF PAYMENT APPROPRIATIONS

No.	2012 Budget Item	Heading	2013 Budget Item	Amount to be carried over (in EUR)
		HEADING 4 - TOTAL		3 591 972.00
17	24 02 04	Pilot project - Developing an EU evaluation mechanism in the area of anti-corruption with a particular focus on identifying and reducing the costs of corruption in public procurement involving EU funds	24 02 04	750 000.00
18	25 01 10	Preparatory action - Interinstitutional system identifying long-term trends facing the Union	25 01 10	220 000.00
19	25 02 01 01	Historical archives of the European Union	25 02 01 01	61 032.45
20	25 02 04 01	Documentary databases	25 02 04 01	121 669.10
21	25 02 04 02	Digital publications	25 02 04 02	244 379.35
		HEADING 5 - TOTAL		1 397 080.90
		GRAND TOTAL		36 308 072.31

CARRYOVER OF PAYMENT APPROPRIATIONS

Grounds

Carryover:	24 272 840.00 EUR
Amount not used at 31.12.2012:	24 272 840.00 EUR
Payments at 31.12.2012:	49 263 382,00 EUR
Appropriation authorised 2012:	73 536 222.00 EUR

1. 04 05 01 European Globalisation Adjustment Fund (EGF)

The latest decisions to mobilise the European Globalisation Adjustment Fund (EGF) in 2012 were adopted by the European Parliament and the Council Presidents only in December 2012. The funds have been transferred from the reserve line 40 02 43 to the EGF budget line 04 05 01.

Following approval by the two arms of the budgetary authority, the Commission must adopt a financing decision on each case before the funds can be committed and paid in a single instalment (see Article 13.1 of the EGF Regulation 1927/2006). These financing decisions will be signed by the Commissioner in the first quarter of 2013, and commitment and payment must follow within 15 days.

2. 24 02 01 Operational programmes in the fight against fraud

Appropriation authorised 2012:	10 406 112.00 EUR
Payments at 31.12.2012:	9 387 918.52 EUR
Amount not used at 31.12.2012:	1 018 193.48 EUR
Carryover:	1 018 000.00 EUR

The interest shown for the last call for proposals for technical assistance related to cigarette smuggle did not meet expectations. Due to this lack of interest by Member States, OLAF was obliged to publish a second call in December. Consequently the expected pre-financing payments (50 %) were not implemented as programmed in 2012.

For one of the final reports submitted under the grants section (technical assistance) of the Hercule II programme, the eligibility checks were performed in the beginning of December, however the report approval time was stopped due to a request for additional information and therefore payment could not take place in 2012.

The adopted payment appropriations for 2013 (EUR 9 884 191) will be insufficient to meet all payment obligations of files committed in previous years and the pre-financing payments of new projects committed on Budget 2013. Therefore a non-automatic carry-over of all available payment credits is absolutely necessary.

3. 33 06 02 Gender equality

Appropriation authorised 2012:	9 072 511.00 EUR
Payments at 31.12.2012:	8 205 275.30 EUR
Amount not used at 31.12.2012:	867 235.70 EUR
Carryover:	631 350.70 EUR

Two calls for proposals launched under the 2012 annual work programme will be finalised during the first semester of 2013. The two calls amount to a total of about EUR 5 million with corresponding pre-financings of about EUR 4 million. This represents 40 % of the payment appropriations available for 2013.

A further amount of EUR 4 million will be needed to cover the pre-financings for the calls for proposals to be launched in 2013 under the new annual work programme.

In addition, about EUR 3 million will be needed for the closure of the outstanding commitments (RAL) from the years 2010-2011.

For these reasons, and taking into consideration the insufficient level of payment appropriations on this budget line in 2013, the carry-over should help to minimise the impact of the lower amount available in 2013.

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Appropriation authorised 2012:	21 125 377.00 EUR
Payments at 31.12.2012:	17 469 356.77 EUR
Amount not used at 31.12.2012:	3 656 020.23 EUR
Carryover:	3 656 020.23 EUR

4. 05 08 02 Surveys on the structure of agricultural holdings

Some payments could not be made in 2012 as foreseen in the original time schedule due to delays in deliverables, improvements to be made at the request of the Commission to the received data and metadata (mainly related to the methodological reports), as well as due to delays in the execution of tasks on the maintenance of Eurofarm and the pre-financing for the Farm Structure Survey (FSS) 2013. This fact caused rescheduling of the payment appropriations for commitments made in 2008 until 2012. The appropriations entered into the 2013 budget, which are considerably lower than in 2012 as only residual payments have been anticipated for that year, are not sufficient to cover these re-scheduled outstanding payments from previous years.

5. 07 03 12 Preparatory action - Future legal base on harmonised EU forest information

Amount not used at 31.12.2012: Carryover:	455 000.00 EUR 345 000.00 EUR
Payments at 31.12.2012:	0.00 EUR
Appropriation authorised 2012:	455 000.00 EUR

Due to the late signing of an administrative arrangement (in late December 2012) which led to the postponement of the first payment to 2013, the overall payment level needed for 2013 is EUR 595 000, which is EUR 345 000 above the figure in the budget 2013.

6. 07 03 16 Pilot project - Development of prevention activities to halt desertification in Europe

Appropriation authorised 2012:	720 000.00 EUR
Payments at 31.12.2012:	543 114.59 EUR
Amount not used at 31.12.2012:	176 885.41 EUR
Carryover:	175 000.00 EUR

On this budget line, one grant agreement remains to be settled, but the beneficiary has not yet submitted all requested additional supporting documents. The maximum contribution requested amounts to EUR 175 000. There are no payment appropriations foreseen on this budget line in 2013 (p.m.), and so a carry-over is necessary.

Appropriation authorised 2012:	500 000.00 EUR
Payments at 31.12.2012:	320 796.00 EUR
Amount not used at 31.12.2012:	179 204.00 EUR
Carryover:	157 000.00 EUR

7. 07 03 28 Pilot project - Plastic recycling cycle and marine environmental impact

On this budget line, three procurement contracts were concluded, which ended in December 2012 and the RAL to be paid in 2013 is EUR 481 199, which is EUR 157 000 above the figure in the 2013 budget.

8. 18 02 05 Visa information system (VIS)

Appropriation authorised 2012:	32 458 123.00 EUR
Payments at 31.12.2012:	31 394 314.52 EUR
Amount not used at 31.12.2012:	1 063 808.48 EUR
Carryover:	1 063 808.48 EUR

In 2013 the payment appropriations amount to EUR 21 568 782 plus EUR 5 471 400 in the reserve, which makes a total of EUR 27 040 182. The payment appropriations needed for 2013 are assessed at EUR 31 417 430.54, split over the VIS maintenance into working order (EUR 19 345 384.83), the VIS network (EUR 8 750 000) and payments that could not be accepted in 2012, mainly concerning services linked to the hand-over of development to the maintenance into working order contractor (EUR 3 322 045.71).

As a result, the payment appropriations provided for on this budget line for 2013 are insufficient to cover these requirements. For this reason, the carry-over should help minimise the risk of not honouring contractual obligations.

9. 07 02 03 Pilot project - Environmental monitoring of the Black Sea Basin and a common European framework programme for the development of the Black Sea region

Appropriation authorised 2012:	220 000.00 EUR
Payments at 31.12.2012:	0.00 EUR
Amount not used at 31.12.2012:	220 000.00 EUR
Carryover:	220 000.00 EUR

Two action grant agreements with the Black Sea Commission are funded on this budget line. Both actions were finalised in the course of 2012. However, an on-the-spot visit is necessary to verify eligibility of costs, and this will take place in early 2013. Since no payment appropriations for 2013 were foreseen (p.m.), a carry-over is necessary to cover the final settlement of both agreements.

Appropriation authorised 2012:	227 032 404.00 EUR
Payments at 31.12.2012:	225 706 356.95 EUR
Amount not used at 31.12.2012:	1 326 047.05 EUR
Carryover:	1 326 047.00 EUR

10. 22 02 01 Transition and institution-building assistance to candidate countries

The amount carried over will help to meet part of the needs for payment obligations in 2013. These needs are assessed at a level of EUR 284.7 million. However, the amount available in the voted budget for 2013 is only EUR 224.1 million.

11. 22 02 02 Transition and institution-building assistance to potential candidate countries

Appropriation authorised 2012:	373 609 940.00 EUR
Payments at 31.12.2012:	372 931 242.88 EUR
Amount not used at 31.12.2012:	678 697.12 EUR
Carryover:	678 697.00 EUR

The actual need for payments in 2013 is EUR 361.1 million whereas the amount in the adopted 2013 budget amounts to only EUR 339.1 million. The amount carried over will therefore be needed in order to meet the payment obligations in 2013.

12. 22 02 04 01 Cross-border cooperation (CBC) between IPA countries and participation in ERDF transnational/interregional programmes and ENPI sea basins programmes

Carryover:	352 428.00 EUR
Amount not used at 31.12.2012:	352 428.55 EUR
Payments at 31.12.2012:	14 662 410.45 EUR
Appropriation authorised 2012:	15 014 839.00 EUR

The actual need for payments in 2013 is EUR 18.2 million whereas the amount in the adopted 2013 budget amounts to only EUR 12.5 million. The amount carried over will therefore be needed in order to meet the payment obligations in 2013.

13. 22 02 07 02 Evaluation of results of Union aid, follow-up and audit measures

Appropriation authorised 2012:	5 085 661.00 EUR
Payments at 31.12.2012:	4 832 921.31 EUR
Amount not used at 31.12.2012:	252 739.69 EUR
Carryover:	252 739.00 EUR

The amount carried forward is necessary to cover the payment obligations in 2013, which will be for some EUR 3.9 million. The voted budget for 2013, however, only amounts to EUR 3.5 million.

14. 22 02 07 03 Financial support for encouraging the economic development of the Turkish Cypriot community

Carryover:	291 523.00 EUR
Amount not used at 31.12.2012:	291 523.04 EUR
Payments at 31.12.2012:	25 124 558.96 EUR
Appropriation authorised 2012:	25 416 082.00 EUR

The amount carried forward is necessary to cover the payment obligations in 2013, which will be for some EUR 15.6 million. The voted budget for 2013, however, only amounts to EUR 14.3 million.

15. 22 02 10 01 Prince - Information and communication

Appropriation authorised 2012:	3 863 245.00 EUR
Payments at 31.12.2012:	3 767 987.37 EUR
Amount not used at 31.12.2012:	95 257.63 EUR
Carryover:	95 257.00 EUR

The amount carried over will help to meet part of the needs for payment obligations in 2013. These needs are assessed at a level of EUR 6.4 million. However, the amount available in the voted budget for 2013 is only EUR 4.4 million.

16. 22 02 10 02 Information and communication for third countries

Carryover:	375 281.00 EUR
Amount not used at 31.12.2012:	375 281.46 EUR
Payments at 31.12.2012:	8 308 288.54 EUR
Appropriation authorised 2012:	8 683 570.00 EUR

The amount carried over will help to meet part of the needs for payment obligations in 2013. These needs are assessed at a level of EUR 8.8 million. However, the amount available in the voted budget for 2013 is only EUR 5.2 million.

17. 24 02 04 Pilot project - Developing an EU evaluation mechanism in the area of anticorruption with a particular focus on identifying and reducing the costs of corruption in public procurement involving EU funds

Appropriation authorised 2012:	750 000.00 EUR
Payments at 31.12.2012:	0.00 EUR
Amount not used at 31.12.2012:	750 000.00 EUR

Carryover:	750 000.00 EUR
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The carryover is necessary to cover existing commitments.

18. 25 01 10 Preparatory action - Interinstitutional system identifying long-term trends facing the Union

Appropriation authorised 2012:	805 448.93 EUR
Payments at 31.12.2012:	5 198.00 EUR
Amount not used at 31.12.2012:	800 250.93 EUR
Carryover:	220 000.00 EUR

The carryover is necessary to cover existing commitments.

19. 25 02 01 01 Historical archives of the European Union

Appropriation authorised 2012:	2 155 000.00 EUR
Payments at 31.12.2012:	2 093 967.55 EUR
Amount not used at 31.12.2012:	61 032.45 EUR
Carryover:	61 032.45 EUR

The carryover is necessary to cover existing commitments.

20. 25 02 04 01 Documentary databases

Appropriation authorised 2012:	874 392.95 EUR
Payments at 31.12.2012:	752 723.85 EUR
Amount not used at 31.12.2012:	121 669.10 EUR
Carryover:	121 669.10 EUR

The carryover is necessary to cover existing commitments.

21. 25 02 04 02 Digital publications

Amount not used at 31.12.2012: Carryover:	244 379.35 EUR 244 379.35 EUR
Payments at 31.12.2012:	1 129 227.70 EUR
Appropriation authorised 2012:	1 373 607.05 EUR

The carryover is necessary to cover existing commitments.