



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 15 July 2013

12248/13

**FIN 433
INST 401**

"I/A" ITEM NOTE

from : Presidency
to : Permanent Representatives Committee/Council
Subject : Dates for the budgetary procedure and modalities for the functioning of the
Conciliation Committee in 2013

1. Following discussions between the European Parliament, the Council and the Commission, an agreement was reached on the draft joint statement set out in the ANNEX.

2. The Permanent Representatives Committee is invited to advise the Council to:
 - confirm its agreement on this draft joint statement;

 - to enter in its minutes this draft joint statement, as set out in the ANNEX.

DRAFT JOINT STATEMENT

Dates for the budgetary procedure and modalities for the functioning of the Conciliation Committee in 2013

"A. The European Parliament, the Council and the Commission agree on the following key dates for the 2014 budgetary procedure:

1. The Council will endeavour to adopt its position and transmit it to the European Parliament by 11 September 2013, in order to facilitate a timely agreement with the European Parliament;
2. The European Parliament's Committee on Budgets would vote on amendments to the Council's position by the end of week 41 (mid-October) at the latest;
3. A trilogue will be called on 16 October in the afternoon before the reading of the European Parliament;
4. The European Parliament's Plenary will vote on its reading in week 43;
5. The Conciliation period will start on 24 October. In agreement with the provisions of point c of Article 314(4) TFEU, the time available for conciliation will expire on 13 November 2013;
6. The Conciliation Committee will meet on 4 November hosted by the European Parliament and on 11 November hosted by the Council; the sessions of the Conciliation Committee will be prepared by trilogue(s). A trilogue is scheduled on 7 November. Additional trilogue(s) may be called during the 21-day Conciliation period.

- B. The European Parliament, the Council and the Commission also agree on the modalities for the functioning of the Conciliation Committee set out in the annex, which shall be applicable until the new IIA enters into force.

Modalities for the functioning of the Conciliation Committee in 2013

1. If the European Parliament votes amendments to the Council's position, the President of the Council will, during the same plenary meeting, take note of the differences in the position of the two institutions and give his/her agreement for the President of the European Parliament to convene the Conciliation Committee immediately. The letter convening the Conciliation Committee will be sent on the same day as the plenary vote was delivered and the conciliation period will start on the following day. The 21-day time period is calculated pursuant to Regulation (EEC, Euratom) No 1182/71 determining the rules applicable to periods, dates and time limits.
2. If the Council cannot agree on all the amendments voted by the European Parliament, it will confirm its position by letter sent before the date scheduled for the first Conciliation Committee meeting foreseen in point A.6 above. In such case, the Conciliation Committee will proceed in the conditions laid down in the following paragraphs.
3. A common set of documents (input documents) comparing the various steps of the budgetary procedure will be made available to the Conciliation Committee¹. It will include "line by line" figures², totals by financial framework headings and a comparative document both for figures and budgetary remarks with amendments by budget line for all budget lines deemed technically "open". These documents will be classified by budgetary nomenclature.

¹ The various steps will include: 2013 budget (including adopted amending budgets); the initial draft budget; the Council's position on the draft budget; the European Parliament's amendments on the Council's position and the letters of amendment presented by the Commission. For comparison purposes, the initial draft budget will include only those letters of amendment taken into consideration by both the Council's and the European Parliament's readings.

² Budget lines deemed technically closed will be highlighted in the input material. A budget line deemed technically closed is a line for which there is no disagreement between the European Parliament and the Council, and for which no letter of amendment has been presented, without prejudice to the final decision of the Conciliation Committee.

Other documents will also be attached to the input documents for the Conciliation Committee¹.

4. With a view to reaching agreement by the end of the conciliation period, trilogue(s) will:
 - define the scope of the negotiations of the budgetary issues to be addressed;
 - discuss outstanding issues identified under the previous indent in view of reaching agreement to be endorsed by the Conciliation Committee;
 - address thematic issues, including by headings of the multiannual financial framework, possibly on the basis of working document(s) or non-paper(s).

As far as possible, tentative conclusions will be drawn jointly during or immediately after each trilogue, simultaneously with the agenda of the following meeting. Such conclusions will be registered by the institution hosting the trilogue.

5. Any provisional conclusions of trilogue(s) and a document with the budget lines for which an agreement has been tentatively reached during the trilogue(s) shall be available at the meeting(s) of the Conciliation Committee for possible endorsement.
6. The Commission shall take all the necessary initiatives with a view to reconciling the positions of the European Parliament and the Council. In this perspective, full equality of treatment and information is provided to both the Council and the European Parliament.

¹ Including a "letter of executability" of the Commission on the Council's position and the European Parliament's amendments; a letter of amendment for agriculture (and other areas, if need be); possibly, the autumn Budget Forecast Alert Note prepared by the Commission; and possible letters from other Institutions on the Council's position and the European Parliament's amendments.

7. The joint text provided for in Article 314(5) TFEU shall be established by the secretariats of the European Parliament and of the Council with the assistance of the Commission. It will consist of a letter of transmission addressed to the Presidents of the European Parliament and the Council, containing the date of the agreement at the Conciliation Committee, and annexes, which will include:
- line by line figures for all budget items¹ and summary figures by financial framework headings;
 - a consolidated document, indicating figures and final text of agreed amendments to the draft budget² or to Council's position.

The Conciliation Committee may also approve possible joint statements in relation to the 2014 budget.

8. The joint text will be translated in all languages (by the services of the European Parliament) and will be submitted to the approval of the two arms of the budgetary authority within 14 days from the date following the date of agreement on the joint text pursuant to point 6 above.

The budget will be subject to legal-linguistic finalisation after the adoption of the joint text by integrating the annexes of the joint text with the budget lines not modified during the conciliation process.

9. The institution hosting the trilogue or Conciliation Committee meeting will provide interpretation facilities with a full linguistic regime applicable to the Conciliation Committee meeting(s) and an ad hoc linguistic regime for the trilogue(s).

The institution hosting the meeting will ensure reproduction and distribution of room documents.

¹ Lines not modified with regard to the draft budget or to the Council's position will be highlighted.

² Including letters of amendment taken into consideration by both the Council's and the European Parliament's readings.

The services of the three institutions will cooperate for the encoding of the results of the negotiations in order to finalise the joint text.

10. With a view to completing the work of the Conciliation Committee, Institutions will act in a spirit of loyal cooperation, timely exchanging relevant information and documents at formal and informal level, and regularly maintaining contacts at all levels throughout the entire budgetary procedure through a proactive role of their respective negotiators."
