



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 11 January 2012

5232/12

**Interinstitutional File:
2011/0185 (CNS)**

**RESPR 2
FIN 14
CADREFIN 18
POLGEN 7**

NOTE

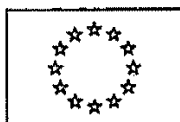
From: General Secretariat
To: Working Party on Own Resources

No Cion doc.: 16848/11 RESPR 16 FIN 882 CADREFIN 133 POLGEN 192 -
COM(2011) 742 final

Subject: Amended proposal for a Council Regulation on the methods and procedure for
making available the traditional and GNI-based own resources and on the
measures to meet cash requirements (Recast)
- Opinion of the Consultative Working Party of Legal Services

Delegations will find attached the opinion of the Consultative Working Party of Legal Services regarding the above-mentioned subject.

Encl.: Opinion of the Consultative Working Party of Legal Services.



GROUPE CONSULTATIF
DES SERVICES JURIDIQUES

Brussels, 10 JAN. 2012

OPINION

FOR THE ATTENTION OF THE EUROPEAN PARLIAMENT
 THE COUNCIL
 THE COMMISSION

**Amended proposal for a Council Regulation on the methods and procedure for making available the traditional and GNI-based own resources and on the measures to meet cash requirements
COM(2011) 742 final of 9.11.2011 - 2011/0185 (CNS)**

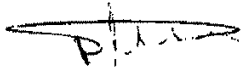
Having regard to the Inter-institutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts, and in particular to point 9 thereof, the Consultative Working Party consisting of the respective legal services of the European Parliament, the Council and the Commission met on 28 November 2011 for the purpose of examining, among others, the aforementioned proposal submitted by the Commission.

At that meeting¹, an examination of the proposal for a Council Regulation recasting Council Regulation (EC, Euratom) No 1150/2000 of 22 May 2000 implementing Decision 2007/436/EC, Euratom on the system of the European Communities own resources resulted in the Consultative Working Party's establishing by common accord that, as regards the explanatory memorandum accompanying the proposal, in order to be drafted in full compliance with the relevant requirements laid down by the Inter-institutional Agreement such a document should have stated the reasons for each proposed substantive amendment, as is provided for under point 6(a)(ii) of that agreement, and should have specified which provisions of the earlier act remain unchanged in the proposal, as is provided for under point 6(a)(iii).

In consequence, examination of the proposal has enabled the Consultative Working Party to conclude, without dissent, that the proposal does not comprise any substantive amendments other than those identified as such. The Working Party also concluded, as regards the codification of the unchanged provisions of the earlier act

¹ The Consultative Working Party had at its disposal the English, French and German language versions of the proposal and worked on the basis of the English version, being the master-copy language version of the text under discussion.

with those substantive amendments, that the proposal contains a straightforward codification of the existing legal text, without any change in its substance.



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