



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 16 March 2012

7422/12

**FIN 175
PE-L 11**

"I/A" ITEM NOTE

from:	Budget Committee
to:	Permanent Representatives Committee/Council
No. Cion prop.:	5826/12 FIN 52 - COM(2012) 31 final
Subject:	Draft amending budget No 1 to the general budget for 2012 - Statement of expenditure by Section - Section III - Commission

I. INTRODUCTION

On 27 January 2012, the Commission forwarded to the Council draft amending budget (DAB) No 1 to the general budget for 2012, regarding the financing of ITER. It proposes to incorporate EUR 650 million in commitment appropriations from the margin of sub-heading 1a into Article 08 20 02 (*Euratom - European Joint Undertaking for ITER - Fusion for Energy*) in accordance with the agreement reached between the European Parliament and the Council in December 2011¹.

¹ Decision of the European Parliament and of the Council of 13 December 2011 amending the IIA of 17 May 2006, to address additional financing needs of the ITER project (OJ L 4, 7.1.2012).

II. OUTCOME OF THE BUDGET COMMITTEE'S PROCEEDINGS

The Budget Committee examined the Commission's DAB No 1/2012 at its meeting on 2 February 2012 and was able to accept it without any changes.

III. CONCLUSION

At the close of its examination, the Budget Committee agreed, by a qualified majority¹, to suggest that the Permanent Representatives Committee advise the Council to:

- adopt the Council's position on DAB No 1/2012 as set out in point II;
- approve the draft decision of the European Parliament and of the Council establishing amending budget No 1/2012 as set out in Annex 1 and transmit it to the European Parliament;
- instruct the Presidency to prepare the budgetary documents to be sent to the European Parliament and to approve the draft letter in Annex 3 to that effect;
- have the Council's position published in the *Official Journal of the European Union* as set out in Annex 2.

¹ Luxembourg, the Netherlands and Sweden abstaining.

DRAFT

DECISION
of the EUROPEAN PARLIAMENT and of the COUNCIL
establishing amending budget No 1 of the European Union for the financial year 2012

The EUROPEAN PARLIAMENT and the COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 314 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 106a thereof,

Having regard to Council Decision 2007/436/EC, Euratom of 7 June 2007 on the system of the European Communities' own resources¹,

Having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities²,

¹ OJ L 163, 23.6.2007, p. 17.

² OJ L 248, 16.9.2002.

Whereas:

- the European Union's general budget for the financial year 2012 was definitively adopted on 1 December 2011¹,
- on 27 January 2012, the Commission submitted draft amending budget No 1 of the European Union for the financial year 2012, in accordance with Article 314 of the Treaty on the Functioning of the European Union,
- the Council adopted its position on this draft amending budget on 26 March 2012,
- the European Parliament approved the Council's position at its plenary sitting of [...] 2011,

HAVE ADOPTED THIS DECISION:

Sole Article

Amending budget No 1 of the European Union for the financial year 2012 is hereby established in accordance with the Annex to this Decision.

Done at [...], [...] 2012.

*For the European Parliament
The President*

*For the Council of the EU
The President*

¹ OJ L 56, 29.02.12.

COUNCIL DECISION

adopting the council position on draft amending budget No 1 of the European Union for the financial year 2012

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 314 thereof, in conjunction with the Treaty establishing the European Atomic and Energy Community, and in particular Article 106a thereof,

Having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities¹, as last amended by Regulation (EU, Euratom) No 1081/2010 of the European Parliament and of the Council of 24 November 2010², and in particular Article 37 thereof,

Whereas:

- the Union's budget for the financial year 2012 was definitively adopted on 1 December 2011³,
- on 27 January 2012, the Commission submitted a proposal containing draft amending budget No 1 to the general budget for the financial year 2012,

¹ OJ L 248, 16.9.2002, p. 1, with Corrigenda in OJ L 25, 30.1.2003, p. 43 and in OJ L 99, 14.4.2007, p. 18.

² OJ L 311, 26.11.2010, p. 9.

³ OJ L 56, 29.02.12..

HAS DECIDED AS FOLLOWS:

Sole Article

The Council's position on draft amending budget No 1 of the European Union for the financial year 2012 was adopted on 26 March 2012.

The full text can be accessed for consultation or downloading on the Council's website:
<http://www.consilium.europa.eu/>.

Done in Brussels, on 26 March 2012.

For the Council
The President

DRAFT LETTER

from : President of the Council

to : President of the European Parliament

Sir,

I am forwarding under separate cover the Council's position on draft amending budget No 1 for the financial year 2012, adopted by the Council on 26 March 2012.

(Complimentary close).
