



**COUNCIL OF
THE EUROPEAN UNION**

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"I/A" ITEM NOTE

from : General Secretariat of the Council
to : Permanent Representatives Committee/Council
Subject : Dates for the budgetary procedure and modalities for the functioning of the
Conciliation Committee in 2012
- Outcome of the trilogue on 26 March 2012

1. Following the discussions in the trilogue on 26 March 2012, an agreement was reached on the draft joint statement set out in 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 ANNEX;

Draft joint statement

Dates for the budgetary procedure and modalities for the functioning
of the Conciliation Committee in 2012

"The European Parliament, the Council and the Commission recall their joint statement of 30 November 2009 on transitional measures defining the calendar for the budgetary procedure for 2011 and stipulating that the future budgetary procedures would follow a similar calendar unless agreed otherwise. The calendar should be updated accordingly for the budgetary procedure for 2013.

A. In this regard, they agree on the following key dates for 2012:

1. A trilogue will be called on 9 July in the morning before the adoption of the Council's position;
2. The Council will complete its reading by week 30 at the latest (end of July);
3. The European Parliament's Committee on Budgets will vote on amendments to the Council's position by the end of week 41 (early October) at the latest;
4. A trilogue will be called on 17 October in the afternoon before the reading of the European Parliament;
5. The European Parliament's Plenary will vote on its reading in week 43;
6. The Conciliation period will start on 24 October. If needed, in agreement with the provisions of point c of Article 314(4) TFEU, the Conciliation will last until 13 November 2012 (included);

7. The Conciliation Committee will meet on 26 October in the afternoon hosted by the European Parliament and on 9 November hosted by the Council; the sessions of the Conciliation Committee will be prepared by trilogues held on 31 October in the morning and 7 November in the morning; additional trilogues may be called during the 21-day Conciliation period.
- B. They agree on the modalities for the functioning of the Conciliation Committee set out in the annex.

Modalities for the functioning of the Conciliation Committee in 2012

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.7 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: the 2012 budget (including adopted amending budgets); the initial draft budget; the Council's position on the draft budget; the European Parliament's amendments to 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, trilogues 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.

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 and will be deemed provisionally approved after 24 hours without prejudice to the final decision of the Conciliation Committee.

5. The conclusions of trilogues and a document with the budget lines for which an agreement has been tentatively reached during the trilogues shall be available at the meetings of the Conciliation Committee for possible endorsement.
6. 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:

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.

- 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 2013 budget.

7. 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.

8. The institution hosting the trilogue or Conciliation Committee meeting will provide interpretation facilities with a full linguistic regime applicable to the Conciliation Committee meetings and an ad hoc linguistic regime for the trilogues.

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

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

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.