



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 4 May 2012

9556/12

**FIN 319
PE-L 27**

"I/A" ITEM NOTE

from:	Budget Committee
to:	Permanent Representatives Committee/Council
No. Cion prop.:	7772/12 FIN 212 - COM (2012) 125 final
Subject:	Draft amending budget No 2 to the general budget for 2012 - Statement of expenditure by Section - Section III - Commission

I. INTRODUCTION

On 16 March 2012, the Commission forwarded to the Council draft amending budget (DAB) No 2 to the general budget for 2012, regarding the mobilisation of the EU Solidarity Fund for a total amount of EUR 18 061 682 in commitment and payment appropriations. Its objective is to provide a financial assistance to the regions of Liguria and Tuscany in Italy, affected by heavy rainfall and flooding in October 2011.

The corresponding appropriations are to be recorded under Article 13 06 01 (*EU Solidarity Fund - Member States*).

In a letter dated 20 April 2012, the Commission informed about the expected underimplementation of payment appropriations related to Energy projects to aid economic recovery and proposed to use the available amount inter alia to finance the mobilisation of the EU Solidarity Fund related to flooding in Italy.

II. OUTCOME OF THE BUDGET COMMITTEE'S PROCEEDINGS

The Budget Committee examined the proposal for DAB No 2/2012 at its meetings on 27 March, 23 April and 3 May 2012.

Following its examination, the Budget Committee agreed, by qualified majority¹, on the Presidency proposal to use the possibility for redeployment suggested by the Commission to cover the corresponding appropriations and to transfer EUR 18 061 682, in payment appropriations, from Item 32 04 14 01 (*Energy projects to aid economic recovery - Energy networks*) to Article 13 06 01 (*EU Solidarity Fund - Member States*).

III. CONCLUSION

The Permanent Representatives Committee is invited to advise the Council to:

- adopt the Council's position on DAB No 2/2012 as set out in point II;
- approve the draft decision of the European Parliament and of the Council establishing amending budget No 2/2012 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 UK abstaining.

DRAFT

DECISION
of the EUROPEAN PARLIAMENT and of the COUNCIL
establishing an amending budget No 2 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, p. 1.

Whereas:

- the European Union's general budget for the financial year 2012 was definitively adopted on 1 December 2011¹,
- on 16 March 2012, the Commission submitted draft amending budget No 2 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 15 May 2012,
- the European Parliament approved the Council's position at its plenary sitting of [...] 2012,

HAVE ADOPTED THIS DECISION:

Sole Article

Amending budget No 2 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, 29.02.2012, with Corrigendum in OJ L 79, 19.02.2012.

Draft amending budget No 2 of the European Union for the financial year 2012

COUNCIL POSITION

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 16 March 2012, the Commission submitted a proposal containing draft amending budget No 2 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, 29.02.2012, with Corrigendum in OJ L 79, 19.02.2012.

HAS DECIDED AS FOLLOWS:

Sole Article

The Council's position on draft amending budget No 2 of the European Union for the financial year 2012 was adopted on 15 May 2012

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

Done in Brussels, 15 May 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 2 for the financial year 2012, adopted by the Council on 15 May 2012.

(Complimentary close).
