



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 11 June 2012

11113/12

BUDGET 18

EXPLANATORY MEMORANDUM

Subject: Draft amending budget No 3 to the general budget for 2012: Council position of 11 June 2012

I. INTRODUCTION

On 16 April 2012, the Commission submitted to the Council draft amending budget (DAB) No 3 to the general budget for 2012 concerning the budgeting of the surplus resulting from the implementation of the budget year 2011.

The implementation of the budget year 2011 shows *a surplus of* EUR 1 496 968 014.23 resulting from:

- a) an *over-registering in revenue* (+ EUR 671 295 282.08). The breakdown of the outturn on income by revenue title is the following (in million EUR):
- | | |
|--|-----------|
| - Title 1 (own resources): | - EUR 125 |
| - Title 5 (revenue in connection with the administrative operation of the Institutions): | + EUR 152 |

- Title 6 (revenue in connection with EU agreements and programmes): + EUR 150
 - Title 7 (interest on late payments and fines): + EUR 450
 - Other titles: + EUR 44
- b) an *under-spending of payment appropriations* (+ EUR 728 260 941.10) of which (in million EUR):
- under-implementation of appropriations authorised in 2011 budget: Commission: + EUR 375
 - under-implementation of appropriations authorised in 2011 budget: other Institutions: + EUR 182
 - under-implementation of appropriations carried over from 2010: headings 1 to 4 (Commission) + EUR 98
 - under-implementation of appropriations carried over from 2010: administration heading 5 (all Institutions) + EUR 73
- c) a *positive balance of monetary exchange* (+ EUR 97 411 791.05).

The budgeting of this surplus will diminish accordingly the global contribution of Member States to the financing of the EU budget.

II. **CONCLUSION**

On 11 June 2012, the Council adopted its position on draft amending budget No 3 of the European Union for the financial year 2012 as set out in the technical annex to this explanatory memorandum.

DRAFT

DECISION
of the EUROPEAN PARLIAMENT and of the COUNCIL
establishing amending budget No 3 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 April 2012, the Commission submitted draft amending budget No 3 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 11 June 2012,
- the European Parliament approved the Council's position at its plenary sitting of [...] 2012,

HAVE ADOPTED THIS DECISION:

Sole Article

Amending budget No 3 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, 19.03.2012.

COUNCIL DECISION

adopting the council position on draft amending budget No 3 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 16 April 2012, the Commission submitted a proposal containing draft amending budget No 3 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, 19.03.2012

HAS DECIDED AS FOLLOWS:

Sole Article

The Council's position on draft amending budget No 3 of the European Union for the financial year 2012 was adopted on 11 June 2012.

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

Done at Luxembourg, on 11 June 2012.

For the Council
The President