



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 22 October 2012

15249/12

**Interinstitutional File:
2012/0289 (NLE)**

**ACP 206
FIN 804
PTOM 45**

PROPOSAL

from:	European Commission
dated:	19 October 2012
No Cion doc.:	COM(2012) 597 final
Subject:	Proposal for a Council Decision on the financial contributions to be paid by Member States to finance the 3rd instalment for 2012 of the European Development Fund

Delegations will find attached a proposal from the Commission, submitted under a covering letter from Mr Jordi AYET PUIGARNAU, Director, to Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union.

Encl.: COM(2012) 597 final



Brussels, 19.10.2012
COM(2012) 597 final

2012/0289 (NLE)

Proposal for a

COUNCIL DECISION

**on the financial contributions to be paid by Member States to finance the 3rd instalment
for 2012 of the European Development Fund**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

In accordance with Article 57(5) of the 10th EDF Financial Regulation, this proposal covers the amount of the third instalment of the contribution for 2012 ("n+1" in the sense of the procedures laid down in that Article). The Council must decide on this proposal at the latest 21 calendar days following the presentation by the Commission of its proposal and Member States must pay the third instalment of the contribution at the latest 21 calendar days following the date on which the Council decision is notified to them.

2. LEGAL ELEMENTS OF THE PROPOSAL

In accordance with Article 57(7) of the 10th EDF Financial Regulation, the amount managed by the Commission and the amount managed by the EIB are specified for each.

In accordance with Article 145 of the 10th EDF Financial Regulation, the EIB has sent the Commission its updated estimates of commitments and payments under the instruments it manages.

Article 58(2) of the 10th EDF Financial Regulation provides that calls for contributions first use up the amounts laid down for previous EDFs, one after the other. The calls for contributions in this proposal therefore concern amounts under the 10th EDF for the Commission and under the 9th EDF for the EIB.

Article 60 of the 10th EDF Financial Regulation provides that a Member State which fails to pay the instalment of the contribution due by the deadline will be required to pay interest on the amount unpaid; the arrangements for the payment of interest are specified in the same Article.

Proposal for a

COUNCIL DECISION

on the financial contributions to be paid by Member States to finance the 3rd instalment for 2012 of the European Development Fund

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217 thereof,

Having regard to the Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of Community aid under the multiannual financial framework for the period 2008 to 2013 in accordance with the ACP-EC Partnership Agreement and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the EC Treaty applies¹, and in particular Article 7 thereof,

Having regard to the Council Regulation (EC) No 215/2008 of 18 February 2008 on the Financial Regulation applicable to the 10th European Development Fund (hereinafter referred to as "the 10th EDF Financial Regulation")², and in particular Article 57(5) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Council Decision 12344/12 of 23rd July 2012 on the financial contributions to be paid by Member States to finance the European Development Fund in 2012, including the 2nd instalment 2012³, has fixed at EUR 2,600,000,000 the Commission's share and at 280,000,000 the EIB's share of the annual amount of the Member States contributions to the EDF for 2012.
- (2) In accordance with the procedure laid down in Article 57(5) of the 10th EDF Financial Regulation, the Commission is presenting a proposal by 10th October 2012 fixing the amount of the third instalment of the contribution for 2012 and the individual contributions of the Member states.
- (3) In accordance with the first paragraph of Article 145 of the 10th EDF Financial Regulation, the European Investment Bank has sent the Commission its updated estimates of commitments and payments under the instruments it manages.

¹ OJ L 247, 9.9.2006, p. 32.

² OJ L 78, 19.3.2008, p. 1.

³ Council doc. 12344/12

- (4) Article 58(2) of the 10th EDF Financial Regulation provides that calls for contributions first use up the amounts provided for previous EDFs. Therefore a call for funds under the 9th EDF should be made for the EIB.
- (5) The Council should decide at the latest 21 calendar days following the presentation by the Commission of its proposal and Member States should pay the third instalment of the contribution at the latest 21 calendar days following the date on which the Council decision is notified to them.

HAS ADOPTED THIS DECISION:

Article 1

The total amount of the third instalement for 2012 is hereby set at EUR 280,000,000. The individual EDF contributions to be paid by the Member States to the Commission and the European Investment Bank as the third instalment for 2012 are set out in the table in the Annex.

Article 2

This decision is adressed to the Member states .

Done at Brussels,

*For the Council
The President*

ANNEX

Third instalment of EDF Contributions for 2012 (EUR)

MEMBER STATES	Key 9th EDF %	Key 10th EDF %	3rd instalment		Total 3rd instalment
			paid to EIB 9th EDF	paid to Commission 10th EDF	
BELGIUM	3.92	3.53	3,136,000	7,060,000	10,196,000
DENMARK	2.14	2.00	1,712,000	4,000,000	5,712,000
GERMANY	23.36	20.50	18,688,000	41,000,000	59,688,000
GREECE	1.25	1.47	1,000,000	2,940,000	3,940,000
SPAIN	5.84	7.85	4,672,000	15,700,000	20,372,000
FRANCE	24.30	19.55	19,440,000	39,100,000	58,540,000
IRELAND	0.62	0.91	496,000	1,820,000	2,316,000
ITALY	12.54	12.86	10,032,000	25,720,000	35,752,000
LUXEMBOURG	0.29	0.27	232,000	540,000	772,000
NETHERLANDS	5.22	4.85	4,176,000	9,700,000	13,876,000
AUSTRIA	2.65	2.41	2,120,000	4,820,000	6,940,000
PORTUGAL	0.97	1.15	776,000	2,300,000	3,076,000
FINLAND	1.48	1.47	1,184,000	2,940,000	4,124,000
SWEDEN	2.73	2.74	2,184,000	5,480,000	7,664,000
UNITED KINGDOM	12.69	14.82	10,152,000	29,640,000	39,792,000
BULGARIA		0.14		280,000	280,000
CZECH REPUBLIC		0.51		1,020,000	1,020,000
ESTONIA		0.05		100,000	100,000
CYPRUS		0.09		180,000	180,000
LATVIA		0.07		140,000	140,000
LITHUANIA		0.12		240,000	240,000
HUNGARY		0.55		1,100,000	1,100,000
MALTA		0.03		60,000	60,000
POLAND		1.30		2,600,000	2,600,000
ROMANIA		0.37		740,000	740,000
SLOVENIA		0.18		360,000	360,000
SLOVAKIA		0.21		420,000	420,000
TOTAL EUR-27	100.00	100.00	80,000,000	200,000,000	280,000,000