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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
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Subject:	Proposal for a Decision of the European Parliament and of the Council amending Decision (EU) 2015/435 on the mobilisation of the Contingency Margin

1. In accordance with Article 2 of the MFF Regulation¹, the Commission adopted on 14 September 2016 a Communication on the review/revision of the MFF. This Communication was accompanied by several proposals: a proposal for amending Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020, as amended by Council Regulation No 2015/623 of 21 April 2015 (*MFF Regulation*); a proposal for amending the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (*IIA on budgetary matters*), and a proposal for amending Decision (EU) 2015/435 of the European Parliament and of the Council of 17 December 2014 on the mobilisation of the Contingency Margin (*Contingency Margin Decision*).

¹ Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 (OJ L 347, 20.12.2013, p. 884).

2. Following the examination carried out of the Commission Communication and the above-mentioned proposals, the General Affairs Council of 7 March 2017 gave its agreement in principle to the compromise presented by the Presidency in the form of a package.¹
3. On 5 April 2017, the European Parliament approved the proposal for a Decision amending Decision (EU) 2015/435 on the mobilisation of the Contingency Margin as set out in the Annex to annexes 1 and 2 of document 7030/17.
4. The Permanent Representatives Committee is therefore invited to advise the Council to confirm the agreement reached on the amendment of the Decision (EU) 2015/435 on the mobilisation of the Contingency Margin and to adopt the text of the Decision as set out in the Annex.

¹ ST 7030/17 (cover note); ST 7031/17 + ADD 1-2 (statements); ST 14942/16 (amendments to the MFF Regulation).

**DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Decision (EU) 2015/435 on the mobilisation of the Contingency Margin**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management¹, and in particular the second paragraph of Point 14 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Article 13 of Council Regulation (EU, Euratom) No 1311/2013² has established a Contingency Margin of up to 0,03 % of the Gross National Income of the Union.
- (2) In accordance with Article 6 of Regulation (EU, Euratom) No 1311/2013, the Commission had calculated the absolute amount of the Contingency Margin for 2014³.

¹ OJ C 373, 20.12.2013, p. 1.

² Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 (OJ L 347, 20.12.2013, p. 884).

³ Communication from the Commission to the Council and the European Parliament of 20 December 2013 on the technical adjustment of the financial framework for 2014 in line with movements in GNI (COM(2013) 928).

- (3) By Decision (EU) 2015/435¹, the European Parliament and the Council mobilised the Contingency Margin for making available additional payment appropriations in 2014, to be offset in 2018-2020.
- (4) According to the medium-term payment forecast presented in the context of the Mid-Term Review, pressure on the annual payment ceilings in the years 2018-2020 is to be expected.
- (5) The draft budget for the year 2017 shows a margin below the payment ceiling of EUR 9,6 billion, allowing for the offsetting of the full amount mobilised in 2014.
- (6) Decision (EU) 2015/435 should therefore be amended accordingly,

HAVE ADOPTED THIS DECISION:

Article 1

Decision (EU) 2015/435 is amended as follows:

- (1) Article 1 is replaced by the following:

"Article 1

For the general budget of the European Union for the financial year 2014, the Contingency Margin shall be mobilised to provide the amount of EUR 2 818 233 715 in payment appropriations over and above the payment ceiling of the multiannual financial framework."

¹ Decision (EU) 2015/435 of the European Parliament and of the Council of 17 December 2014 on the mobilisation of the Contingency Margin (OJ L 72, 17.3.2015, p. 4).

(2) Article 2 is replaced by the following:

"Article 2

The amount of EUR 2 818 233 715 shall be offset against the margin under the payment ceiling for the year 2017."

Article 2

This Decision shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Done at Brussels,

For the European Parliament

The President

For the Council

The President
