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COVER NOTE

From:	Mr Janusz LEWANDOWSKI, Member of the European Commission
date of receipt:	20 November 2013
To:	Mr Algimantas RIMKUNAS, President of the Council of the European Union

Subject:	Transfer of appropriations No DEC 43/2013 within Section III - Commission - of the general budget for 2013
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Delegations will find attached Commission's document DEC 43/2013.

Encl.: DEC 43/2013



BRUSSELS, 18/11/2013

GENERAL BUDGET - 2013

SECTION III - COMMISSION TITLES 01, 02, 03, 04, 05, 06, 07, 08, 09, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33

TRANSFER OF APPROPRIATIONS N° DEC 43/2013

EUR

FROM

CHAPTER - 0101 Administrative expenditure of the 'Economic and financial affairs' policy area

ITEM - 01 01 01 Expenditure related to staff in active employment in the 'Economic and financial affairs' policy area Non-Diff. - 2 065 616

CHAPTER - 0201 Administrative expenditure of the 'Enterprise' policy area

ITEM - 02 01 01 Expenditure related to staff in active employment in the 'Enterprise' policy area Non-Diff. - 2 280 989

CHAPTER - 0301 Administrative expenditure of the 'Competition' policy area

ITEM - 03 01 01 Expenditure relating to staff in active employment in the 'Competition' policy area Non-Diff. - 2 493 098

ITEM - 03 01 02 11 Other management expenditure

Non-Diff. - 25 000

CHAPTER - 0401 Administrative expenditure of the 'Employment and social affairs' policy area

ITEM - 04 01 01 Expenditure relating to staff in active employment in the 'Employment and social affairs' policy area Non-Diff. - 1 954 667

CHAPTER - 0501 Administrative expenditure of the 'Agriculture and rural development' policy area

ITEM - 05 01 01 Expenditure related to staff in active employment in the 'Agriculture and rural development' policy area Non-Diff. - 3 315 164

ITEM - 05 01 02 11 Other management expenditure

Non-Diff. - 200 000

CHAPTER - 0601 Administrative expenditure of the 'Mobility and transport' policy area

ITEM - 06 01 01 Expenditure related to staff in active employment in the 'Mobility and transport' policy area Non-Diff. - 1 132 336

ITEM - 06 01 02 11 Other management expenditure

Non-Diff. - 30 000

CHAPTER - 0701 Administrative expenditure of the 'Environment and climate action' policy area

ITEM - 07 01 01 Expenditure related to staff in active employment in the 'Environment and climate action' policy area Non-Diff. - 1 974 246

ITEM - 07 01 02 11 Other management expenditure

Non-Diff. - 100 000

CHAPTER - 0801 Administrative expenditure of the 'Research' policy area		
ITEM - 08 01 01 Expenditure related to staff in active employment in the 'Research' policy area	Non-Diff.	- 287 163
CHAPTER - 0901 Administrative expenditure of the 'Communications networks, content and technology' policy area		
ITEM - 09 01 01 Expenditure related to staff in active employment in the 'Communications networks, content and technology' policy area	Non-Diff.	- 1 279 181
CHAPTER - 1101 Administrative expenditure of the 'Maritime affairs and fisheries' policy area		
ITEM - 11 01 01 Expenditure relating to staff in active employment in the 'Maritime affairs and fisheries' policy area	Non-Diff.	- 965 912
CHAPTER - 1201 Administrative expenditure of the 'Internal market' policy area		
ITEM - 12 01 01 Expenditure related to staff in active employment in the 'Internal market' policy area	Non-Diff.	- 1 615 293
CHAPTER - 1301 Administrative expenditure of the 'Regional policy' policy area		
ITEM - 13 01 01 Expenditure related to staff in active employment in the 'Regional policy' policy area	Non-Diff.	- 1 915 509
CHAPTER - 1401 Administrative expenditure of the 'Taxation and customs union' policy area		
ITEM - 14 01 01 Expenditure related to staff in active employment in the 'Taxation and customs union' policy area	Non-Diff.	- 1 432 552
CHAPTER - 1501 Administrative expenditure of the 'Education and culture' policy area		
ITEM - 15 01 01 Expenditure relating to staff in active employment in the 'Education and culture' policy area	Non-Diff.	- 1 612 934
ITEM - 15 01 02 11 Other management expenditure	Non-Diff.	- 167 000
CHAPTER - 1601 Administrative expenditure of the 'Communication' policy area		
ITEM - 16 01 01 01 Expenditure relating to staff in active employment in the 'Communication' policy area	Non-Diff.	- 2 081 933
CHAPTER - 1701 Administrative expenditure of the 'Health and consumer protection' policy area		
ITEM - 17 01 01 Expenditure related to staff in active employment in the 'Health and consumer protection' policy area	Non-Diff.	- 2 512 677
CHAPTER - 1801 Administrative expenditure of the 'Home affairs' policy area		
ITEM - 18 01 01 Expenditure relating to staff in active employment in the 'Home affairs' policy area	Non-Diff.	- 1 005 071
CHAPTER - 1901 Administrative expenditure of the 'External relations' policy area		
ITEM - 19 01 01 01 Expenditure related to staff in active employment in the 'Service for Foreign Policy Instruments'	Non-Diff.	- 234 952
ITEM - 19 01 01 02 Expenditure related to staff in active employment in the 'External relations' policy area in Union delegations	Non-Diff.	- 313 051
CHAPTER - 2001 Administrative expenditure of the 'Trade' policy area		
ITEM - 20 01 01 01 Expenditure relating to staff in active employment of the Directorate-General for Trade	Non-Diff.	- 1 559 818
ITEM - 20 01 01 02 Expenditure relating to staff in active employment of Union delegations	Non-Diff.	- 626 102
CHAPTER - 2101 Administrative expenditure of the 'Development and relations with ACP States' policy area		
ITEM - 21 01 01 01 Expenditure relating to staff in active employment in the Directorate-General for Development and Cooperation - EuropeAid	Non-Diff.	- 2 437 623

ITEM - 21 01 01 02 Expenditure related to staff in active employment of the Directorate-General for Development and Cooperation - EuropeAid in Union delegations	Non-Diff.	- 4 069 662
CHAPTER - 2201 Administrative expenditure of the 'Enlargement' policy area		
ITEM - 22 01 01 01 Expenditure relating to staff in active employment of the Directorate-General for Enlargement	Non-Diff.	- 734 224
ITEM - 22 01 01 02 Expenditure relating to staff in active employment of the Directorate-General for Enlargement in Union delegations	Non-Diff.	- 353 185
ITEM - 22 01 02 11 Other management expenditure of the Directorate-General for Enlargement	Non-Diff.	- 130 000
CHAPTER - 2301 Administrative expenditure of the 'Humanitarian aid' policy area		
ITEM - 23 01 01 Expenditure relating to staff in active employment in the 'Humanitarian aid' policy area	Non-Diff.	- 685 276
CHAPTER - 2501 Administrative expenditure of the 'Commission's policy coordination and legal advice' policy area		
ITEM - 25 01 01 01 Expenditure relating to staff in active employment in the 'Commission's policy coordination and legal advice' policy area	Non-Diff.	- 4 581 557
ITEM - 25 01 02 11 Other management expenditure of the 'Commission's policy coordination and legal advice' policy area	Non-Diff.	- 42 800
ITEM - 25 01 07 01 Codification of Union law	Non-Diff.	- 500 000
CHAPTER - 2601 Administrative expenditure of the 'Commission's administration' policy area		
ITEM - 26 01 01 Expenditure related to staff in active employment in the 'Commission's administration' policy area	Non-Diff.	- 3 397 009
ITEM - 26 01 02 11 Other management expenditure	Non-Diff.	- 665 000
ITEM - 26 01 09 01 Publications Office	Non-Diff.	- 2 000 000
ITEM - 26 01 11 01 Official Journal of the European Union	Non-Diff.	- 600 000
CHAPTER - 2701 Administrative expenditure of the 'Budget' policy area		
ITEM - 27 01 01 Expenditure related to staff in active employment in the 'Budget' policy area	Non-Diff.	- 1 344 446
ITEM - 27 01 02 19 Other management expenditure - Non-decentralised management	Non-Diff.	- 2 980 500
CHAPTER - 2801 Administrative expenditure of the 'Audit' policy area		
ITEM - 28 01 01 Expenditure related to staff in active employment in the 'Audit' policy area	Non-Diff.	- 323 059
ITEM - 28 01 02 11 Other management expenditure	Non-Diff.	- 5 000
CHAPTER - 2901 Administrative expenditure of the 'Statistics' policy area		
ITEM - 29 01 01 Expenditure related to staff in active employment in the 'Statistics' policy area	Non-Diff.	- 2 055 827
ITEM - 29 01 02 11 Other management expenditure	Non-Diff.	- 295 100
CHAPTER - 3001 Administrative expenditure of the 'Pensions and related expenditure' policy area		
ITEM - 30 01 15 03 Weightings and adjustments to pensions and allowances	Non-Diff.	- 4 000 000

CHAPTER - 3101 Administrative expenditure of the 'Language services' policy area		
ITEM - 31 01 01 Expenditure relating to staff in active employment in the 'Language services' policy area	Non-Diff.	- 10 324 819
ITEM - 31 01 02 11 Other management expenditure	Non-Diff.	- 179 200
CHAPTER - 3201 Administrative expenditure of the 'Energy' policy area		
ITEM - 32 01 01 Expenditure relating to staff in active employment in the 'Energy' policy area	Non-Diff.	- 1 778 453
ITEM - 32 01 02 11 Other management expenditure	Non-Diff.	- 100 000
CHAPTER - 3301 Administrative expenditure of the 'Justice' policy area		
ITEM - 33 01 01 Expenditure relating to staff in active employment in the 'Justice' policy area	Non-Diff.	- 949 596

TO

CHAPTER - 2601 Administrative expenditure of the 'Commission's administration' policy area		
ITEM - 26 01 22 02 Acquisition and renting of buildings in Brussels	Non-Diff.	63 988 000
ITEM - 26 01 23 02 Acquisition and renting of buildings in Luxembourg	Non-Diff.	13 724 600

The present request for the transfer of appropriations is the first of two stages which are intended to cover the retroactive expenditure of the 2011 salary adjustment for the 30-month period from 1 July 2011 to 31 December 2013, in the event of a judgement of the European Court of Justice (ECJ) in 2014 in favour of the Commission.

The transfer is necessary, since the Draft Budget 2014 does not foresee appropriations to cover this expenditure for the 30-month period, while at the same time appropriations set aside in the 2013 budget lines for staff remunerations and pensions to meet at least part of the obligations stemming from a positive Court ruling cannot be automatically carried over to 2014, and would otherwise be lost.

These proposed decreases in the salary and pension budget are justified by:

- The fact that payments related to salaries and pensions in 2013 are lower than budgeted, following the non-adoption of the salary adjustment as of 01/07/2012 (budgeted at a rate of 1.6% for 12 months in the 2013 budget) and for which a case is currently pending at the European Court of Justice;
- The suspension of the method for the adjustment of salaries and pensions in 2013 as part of the reform of the Staff Regulations. The appropriations relating to the adjustment as of 01/07/2013 were budgeted at a rate of 1.7% for 6 months in the 2013 budget but will not be used.

These 2013 budget appropriations will be transferred to the lines covering expenditure related to Commission buildings in Brussels and Luxembourg. In the event of a judgement in its favour, the Commission would request the Budgetary Authority to transfer a corresponding amount back to the salaries and pension lines, and thereby reduce, as far as possible, any request for additional appropriations in 2014.

To this end, the Commission is proposing to transfer EUR 77.7 million to the lines covering expenditure on Commission buildings in Brussels (EUR 64 million) and Luxembourg (EUR 13.7 million), so that the rents and other payments due for the early months of 2014 (which must be paid before 1 January 2014) can be made under the 2013 budget rather than the 2014 budget.

In particular, the Commission is proposing to reinforce the following budget lines financing expenditure for the acquisition and renting of buildings in Brussels and Luxembourg by EUR 77 712 600:

- EUR 63 988 000 (line 26 01 22 02 Acquisition and renting of buildings in Brussels);
- EUR 13 724 600 (line 26 01 23 02 Acquisition and renting of buildings in Luxembourg)

These needs can be compensated, for the most part, by the reallocation of appropriations (EUR 69 693 000) from the following budget lines relating to salaries and pensions:

- EUR 60 331 000 (line XX 01 01 01 Expenditure related to staff in active employment working with the institution);
- EUR 5 362 000 (line XX 01 01 02 Expenditure related to Commission staff in active employment of the Union delegations);
- EUR 4 000 000 (line 30 01 15 03 Weightings and adjustments to pensions).

Moreover, the estimates of requirements up to the end of the year show that it will be possible to reallocate EUR 8 019 600 from the following lines:

- EUR 2 980 500 (27 01 02 19 Other management expenditure - Non-decentralised management);
- EUR 1 939 100 (Other management expenditure in policy areas 03,05,06,07,15,22,25,26,28,29,31,32);
- EUR 2 000 000 (26 01 09 01. 01 01 – Expenditure related to staff in active employment);
- EUR 600 000 (26 01 11 01 Official Journal of the European Union);
- EUR 500 000 (25 01 07 Quality of legislation - Codification of Union law).

Line / Heading								
Non-Diff./ Commitments/ Payments	Initial Budget ±AB (1A)	EFTA (1B)	Transfers (2)	Utilisation (3)	Available amount (4)=(1A)+(1B)+(2)-(3)	Transfer proposed (5)	Fluctuation (5/1A)	Total (4±5)
01 01 01 - Expenditure related to staff in active employment in the 'Economic and financial affairs' policy area								
Non-Diff	63 872 541	0	0	61 683 180	2 189 361	-2 065 616	-3.23%	123 745
02 01 01 - Expenditure related to staff in active employment in the 'Enterprise' policy area								
Non-Diff	70 532 238	0	0	68 114 602	2 417 636	-2 280 989	-3.23%	136 647
03 01 01 - Expenditure relating to staff in active employment in the 'Competition' policy area								
Non-Diff	77 091 029	0	0	74 448 577	2 642 452	-2 493 098	-3.23%	149 354
03 01 02 11 - Other management expenditure								
Non-Diff	4 680 350	0	1 371 407	5 196 732	855 025	-25 000	-0.53%	830 025
04 01 01 - Expenditure relating to staff in active employment in the 'Employment and social affairs' policy area								
Non-Diff	60 441 789	0	0	58 370 024	2 071 765	-1 954 667	-3.23%	117 098
05 01 01 - Expenditure related to staff in active employment in the 'Agriculture and rural development' policy area								
Non-Diff	100 500 871	0	0	97 055 999	3 444 872	-3 315 164	-3.30%	129 708
05 01 02 11 - Other management expenditure								
Non-Diff	8 447 218	0	-606 137	6 631 611	1 209 470	-200 000	-2.37%	1 009 470
06 01 01 - Expenditure related to staff in active employment in the 'Mobility and transport' policy area								
Non-Diff	35 013 858	0	0	33 813 687	1 200 171	-1 132 336	-3.23%	67 835
06 01 02 11 - Other management expenditure								
Non-Diff	2 389 096	0	144 607	2 491 995	41 708	-30 000	-1.26%	11 708
07 01 01 - Expenditure related to staff in active employment in the 'Environment and climate action' policy area								
Non-Diff	61 047 216	0	0	58 954 699	2 092 517	-1 974 246	-3.23%	118 271
07 01 02 11 - Other management expenditure								
Non-Diff	5 960 762	0	-247 474	5 231 476	481 812	-100 000	-1.68%	381 812
08 01 01 - Expenditure related to staff in active employment in the 'Research' policy area								
Non-Diff	8 879 594	0	0	8 575 228	304 366	-287 163	-3.23%	17 203
09 01 01 - Expenditure related to staff in active employment in the 'Communications networks, content and technology' policy area								
Non-Diff	39 554 559	0	0	38 198 746	1 355 813	-1 279 181	-3.23%	76 632
11 01 01 - Expenditure relating to staff in active employment in the 'Maritime affairs and fisheries' policy area								
Non-Diff	29 867 729	0	0	28 843 952	1 023 777	-965 912	-3.23%	57 865
12 01 01 - Expenditure related to staff in active employment in the 'Internal market' policy area								
Non-Diff	49 947 722	0	0	48 235 663	1 712 059	-1 615 293	-3.23%	96 766
13 01 01 - Expenditure related to staff in active employment in the 'Regional policy' policy area								
Non-Diff	59 230 935	0	0	57 200 674	2 030 261	-1 915 509	-3.23%	114 752

Line / Heading								
Non-Diff./ Commitments/ Payments	Initial Budget ±AB (1A)	EFTA (1B)	Transfers (2)	Utilisation (3)	Available amount (4)=(1A)+(1B)+(2)-(3)	Transfer proposed (5)	Fluctuation (5/1A)	Total (4±5)
14 01 01 - Expenditure related to staff in active employment in the 'Taxation and customs union' policy area								
Non-Diff	44 297 071	0	0	42 778 699	1 518 372	-1 432 552	-3.23%	85 820
15 01 01 - Expenditure relating to staff in active employment in the 'Education and culture' policy area								
Non-Diff	51 884 716	0	0	50 267 515	1 617 201	-1 612 934	-3.11%	4 267
15 01 02 11 - Other management expenditure								
Non-Diff	3 333 017	545 000	-1 027 562	2 474 531	375 924	-167 000	-5.01%	208 924
16 01 01 01 - Expenditure relating to staff in active employment in the 'Communication' policy area								
Non-Diff	64 377 063	0	0	0	64 377 063	-2 081 933	-3.23%	62 295 130
17 01 01 - Expenditure related to staff in active employment in the 'Health and consumer protection' policy area								
Non-Diff	77 696 456	0	0	75 033 252	2 663 204	-2 512 677	-3.23%	150 527
18 01 01 - Expenditure relating to staff in active employment in the 'Home affairs' policy area								
Non-Diff	31 078 583	0	0	30 013 302	1 065 281	-1 005 071	-3.23%	60 210
19 01 01 01 - Expenditure related to staff in active employment in the 'Service for Foreign Policy Instruments'								
Non-Diff	7 265 123	0	0	0	7 265 123	-234 952	-3.23%	7 030 171
19 01 01 02 - Expenditure related to staff in active employment in the 'External relations' policy area in Union delegations								
Non-Diff	6 933 652	0	0	6 583 353	350 299	-313 051	-4.51%	37 248
20 01 01 01 - Expenditure relating to staff in active employment of the Directorate-General for Trade								
Non-Diff	48 232 346	0	0	0	48 232 346	-1 559 818	-3.23%	46 672 528
20 01 01 02 - Expenditure relating to staff in active employment of Union delegations								
Non-Diff	13 867 302	0	0	13 166 704	700 598	-626 102	-4.51%	74 496
21 01 01 01 - Expenditure relating to staff in active employment in the Directorate-General for Development and Cooperation - EuropeAid								
Non-Diff	75 375 653	0	0	0	75 375 653	-2 437 623	-3.23%	72 938 030
21 01 01 02 - Expenditure related to staff in active employment of the Directorate-General for Development and Cooperation - EuropeAid in Union delegations								
Non-Diff	90 137 465	0	0	85 583 573	4 553 892	-4 069 662	-4.51%	484 230
22 01 01 01 - Expenditure relating to staff in active employment of the Directorate-General for Enlargement								
Non-Diff	22 703 511	0	0	0	22 703 511	-734 224	-3.23%	21 969 287
22 01 01 02 - Expenditure relating to staff in active employment of the Directorate-General for Enlargement in Union delegations								
Non-Diff	7 822 581	0	0	7 427 372	395 209	-353 185	-4.51%	42 024
22 01 02 11 - Other management expenditure of the Directorate-General for Enlargement								
Non-Diff	1 209 726	0	-60 642	939 869	209 215	-130 000	-10.75%	79 215
23 01 01 - Expenditure relating to staff in active employment in the 'Humanitarian aid' policy area								
Non-Diff	21 189 943	0	0	20 463 615	726 328	-685 276	-3.23%	41 052

Line / Heading								
Non-Diff./ Commitments/ Payments	Initial Budget ±AB (1A)	EFTA (1B)	Transfers (2)	Utilisation (3)	Available amount (4)=(1A)+(1B)+(2)-(3)	Transfer proposed (5)	Fluctuation (5/1A)	Total (4±5)
25 01 01 01 - Expenditure relating to staff in active employment in the 'Commission's policy coordination and legal advice' policy area								
Non-Diff	141 669 902	0	0	0	141 669 902	-4 581 557	-3.23%	137 088 345
25 01 02 11 - Other management expenditure of the 'Commission's policy coordination and legal advice' policy area								
Non-Diff	12 841 109	0	846 923	11 090 804	2 597 228	-42 800	-0.33%	2 554 428
25 01 07 01 - Codification of Union law								
Non-Diff	600 000	0	0	100 000	500 000	-500 000	-83.33%	0
26 01 01 - Expenditure related to staff in active employment in the 'Commission's administration' policy area								
Non-Diff	105 041 573	0	0	101 441 060	3 600 513	-3 397 009	-3.23%	203 504
26 01 02 11 - Other management expenditure								
Non-Diff	17 986 456	0	550 172	14 639 643	3 896 985	-665 000	-3.70%	3 231 985
26 01 09 01 - Publications Office								
Non-Diff	84 274 000	0	0	81 785 580	2 488 420	-2 000 000	-2.37%	488 420
26 01 11 01 - Official Journal of the European Union								
Non-Diff	11 805 000	0	-350 000	10 258 805	1 196 195	-600 000	-5.08%	596 195
26 01 22 02 - Acquisition and renting of buildings in Brussels								
Non-Diff	203 592 000	507 153	0	147 731 944	56 367 209	63 988 000	31.43%	120 355 209
26 01 23 02 - Acquisition and renting of buildings in Luxembourg								
Non-Diff	40 091 000	99 868	0	30 953 723	9 237 145	13 724 600	34.23%	22 961 745
27 01 01 - Expenditure related to staff in active employment in the 'Budget' policy area								
Non-Diff	41 572 649	0	0	40 147 662	1 424 987	-1 344 446	-3.23%	80 541
27 01 02 19 - Other management expenditure - Non-decentralised management								
Non-Diff	5 950 713	0	-2 091 667	0	3 859 046	-2 980 500	-50.09%	878 546
28 01 01 - Expenditure related to staff in active employment in the 'Audit' policy area								
Non-Diff	9 989 544	0	0	9 647 133	342 411	-323 059	-3.23%	19 352
28 01 02 11 - Other management expenditure								
Non-Diff	540 004	0	31 799	437 182	134 621	-5 000	-0.93%	129 621
29 01 01 - Expenditure related to staff in active employment in the 'Statistics' policy area								
Non-Diff	63 569 828	0	0	61 390 843	2 178 985	-2 055 827	-3.23%	123 158
29 01 02 11 - Other management expenditure								
Non-Diff	3 958 458	153 000	-121 276	3 575 968	414 214	-295 100	-7.45%	119 114
30 01 15 03 - Weightings and adjustments to pensions and allowances								
Non-Diff	41 931 000	0	0	37 931 000	4 000 000	-4 000 000	-9.54%	0

Line / Heading								
Non-Diff./ Commitments/ Payments	Initial Budget ±AB (1A)	EFTA (1B)	Transfers (2)	Utilisation (3)	Available amount (4)=(1A)+(1B)+(2)-(3)	Transfer proposed (5)	Fluctuation (5/1A)	Total (4±5)
31 01 01 - Expenditure relating to staff in active employment in the 'Language services' policy area								
Non-Diff	319 261 807	0	0	308 318 459	10 943 348	-10 324 819	-3.23%	618 529
31 01 02 11 - Other management expenditure								
Non-Diff	4 991 191	0	-17 542	4 549 988	423 661	-179 200	-3.59%	244 461
32 01 01 - Expenditure related to staff in active employment in the 'Energy' policy area								
Non-Diff	54 992 946	0	0	53 107 951	1 884 995	-1 778 453	-3.23%	106 542
32 01 02 11 - Other management expenditure								
Non-Diff	1 992 249	0	399 237	2 180 704	210 782	-100 000	-5.02%	110 782
33 01 01 - Expenditure relating to staff in active employment in the 'Justice' policy area								
Non-Diff	29 363 205	0	0	28 356 722	1 006 483	-949 596	-3.23%	56 887
Total DECREASE Non-Diff						- 77 712 600		
Total INCREASE Non-Diff						77 712 600		