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FIN 989

**"I/A" ITEM NOTE**

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	10947/14 FIN 418 - COM(2014) 349 final
Subject:	Proposal for a Decision of the European Parliament and of the Council on the mobilisation of the Flexibility Instrument

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1. On 12 June 2014, the Commission submitted to the Council a proposal for a Decision of the European Parliament and of the Council on the mobilisation of the Flexibility Instrument.

The purpose of this proposal is to complement the financing in the general budget of the European Union for the financial year 2015 of the Cypriot Structural Funds programmes, beyond the ceiling under sub-heading 1b of the multiannual financial framework.

2. At the trilogue on 8 December 2014, the European Parliament and the Council reached an *ad referendum* agreement on the mobilisation of the Flexibility Instrument in the context of the draft package comprising the new draft budget for 2015, the outstanding draft amending budgets relating to 2014 and draft statements, as recorded in Annex 1 to document 16707/14 FIN 988 INST 616 PE-L 94.

According to that agreement, the Flexibility Instrument is mobilised in the financial year 2015 for an amount of EUR 83 285 595 in commitment appropriations.

3. On 9 December 2014, the Permanent Representatives Committee reached a political agreement on the above mentioned package.
  4. Therefore, the Permanent Representatives Committee is invited to advise the Council to confirm the agreement reached on the mobilisation of the Flexibility Instrument and to consequently adopt the text of the Decision as set out in the Annex.
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**DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL  
on the mobilisation of the Flexibility Instrument**

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 management<sup>1</sup>, and in particular point 12 thereof,

Having regard to the proposal from the European Commission,

Whereas,

- (1) Article 11 of Council Regulation (EU, Euratom) No 1311/2013<sup>2</sup> allows the mobilisation of the Flexibility Instrument within the annual ceiling of EUR 471 million (2011 prices) to allow the financing of clearly identified expenditure which could not be financed within the limits of the ceilings available for one or more other headings.

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<sup>1</sup> OJ C 373, 20.12.2013, p. 1.

<sup>2</sup> 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) After having examined all possibilities for re-allocating appropriations under sub-heading 1b, it appears necessary to mobilise the Flexibility Instrument to complement the financing in the general budget of the European Union for the financial year 2015, beyond the ceiling of sub-heading 1b, by EUR 83 285 595 towards the financing of the Cypriot Structural Funds programmes, to grant an additional allocation from the Structural Funds to Cyprus for the year 2015 for a total amount of EUR 100 000 000.
- (3) For the financial year 2014, the European Parliament and the Council have already mobilised the Flexibility Instrument by Decision of 20 November 2013 for the financing of the Cypriot Structural Funds programmes for an amount of EUR 89 330 000 in commitment appropriations only.
- (4) Taking into account the supplementary nature of the Flexibility Instrument, it is necessary to provide additional payment appropriations to cover the additional commitment appropriations for Cyprus for the two financial years 2014 and 2015 on the basis of the expected payment profile, estimated to EUR 11.3 million in 2015, EUR 45.7 million in 2016, EUR 75.4 million in 2017 and EUR 40.2 million in 2018. The annual amounts for each year of the period 2015-2018 will have to be confirmed by each draft budget presented by the Commission during this period,

HAVE ADOPTED THIS DECISION:

*Article 1*

For the general budget of the European Union for the financial year 2015, the Flexibility Instrument shall be used to provide the sum of EUR 83 285 595 in commitment appropriations in sub-heading 1b.

That amount shall be used to complement the financing of the Cypriot Structural Funds programmes under sub-heading 1b.

Payments associated with the financing of the Cypriot Structural Funds through the Flexibility Instrument in 2014 and 2015 will be EUR 172 600 000 for the period 2015-2018. The exact annual amount will be defined in the draft budget of the year as presented by the Commission.

*Article 2*

This decision shall be published in the *Official Journal of the European Union*.

Done at [...],

*For the European Parliament*  
*The President*

*For the Council*  
*The President*

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