



Council of the
European Union

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COVER NOTE

From:	Ms Kristalina GEORGIEVA, Vice-president of the European Commission
date of receipt:	26 November 2015
To:	Mr Pierre GRAMEGNA, President of the Council of the European Union
Subject:	Proposal for transfer of appropriations No DEC 41/2015 within Section III - Commission - of the general budget for 2015

Delegations will find attached Commission document DEC 41/2015.

Encl.: DEC 41/2015



EUROPEAN COMMISSION

BRUSSELS, 23/11/2015

GENERAL BUDGET - 2015
SECTION III - COMMISSION TITLE: 05

TRANSFER OF APPROPRIATIONS N° DEC 41/2015

FROM

CHAPTER - 0504 Rural development

ITEM - 05 04 01 14 Completion of rural development financed by the EAGGF Guarantee Section -- Programming period 2000 to 2006	Non-Diff	-1 196 000,00
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**CHAPTER - 0507 Audit of agricultural expenditure financed by the European
Agricultural Guarantee Fund (EAGF)**

ARTICLE - 05 07 02 Settlement of disputes	Non-Diff	-28 797 000,00
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TO

**CHAPTER - 0503 Direct aids aimed at contributing to farm incomes, limiting farm
income variability and meeting environment and climate objectives**

ITEM - 05 03 02 44 Specific support (Article 68) -- Coupled direct aids	Non-Diff	29 993 000,00
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I. DECREASE

I.1

a) Heading

05 04 01 14 - Completion of rural development financed by the EAGGF Guarantee Section -- Programming period 2000 to 2006

b) Figure at 05/11/2015

	Non-Diff
1A Appropriation in budget (initial budget + AB)	1 220 305,08
1B Appropriation in budget (EFTA)	0,00
2 Transfers	0,00
3 Final appropriation for the year (1A+1B+2)	1 220 305,08
4 Utilisation of final appropriation	22 945,10
5 Amount not used/available (3-4)	1 197 359,98
6 Requirements up to year-end	1 359,98
7 Proposed decrease	1 196 000,00
8 Decrease as percentage of appropriation in budget (7/1A)	98,01 %
9 Decrease, as a percentage of the final appropriation for the year, in the sum of transfers referred to in Article 26(1)(b) of the Financial Regulation, calculated in accordance with Article 14 of the Rules of Application	n/a

c) Receipts arising from recovery (carried over) (C5)

	Non-Diff
1 Appropriations available at start of the year	0,00
2 Appropriations available on 05/11/2015	0,00
3 Rate of utilisation [(1-2)/1]	n/a

d) Detailed grounds for the transfer

Member States are in the process of closing programmes related to Rural Development measures financed by the EAGGF-Guarantee section of the period 2000-2006 and declared corrections of previously paid advances on item 05 04 01 14 under budget 2015. However, as no commitments can be made any more for such measures concerning the period 2000-2006, it is proposed to transfer the appropriations becoming available through such corrections to item 05 03 02 44, which needs to be reinforced.

I.2

a) Heading

05 07 02 - Settlement of disputes

b) Figure at 05/11/2015

	Non-Diff
1A Appropriation in budget (initial budget + AB)	60 559 903,36
1B Appropriation in budget (EFTA)	0,00
2 Transfers	-30 019 000,00
3 Final appropriation for the year (1A+1B+2)	30 540 903,36
4 Utilisation of final appropriation	1 743 048,03
5 Amount not used/available (3-4)	28 797 855,33
6 Requirements up to year-end	855,33
7 Proposed decrease	28 797 000,00
8 Decrease as percentage of appropriation in budget (7/1A)	47,55 %
9 Decrease, as a percentage of the final appropriation for the year, in the sum of transfers referred to in Article 26(1)(b) of the Financial Regulation, calculated in accordance with Article 14 of the Rules of Application	n/a

c) Receipts arising from recovery (carried over) (C5)

	Non-Diff
1 Appropriations available at start of the year	0,00
2 Appropriations available on 05/11/2015	0,00
3 Rate of utilisation [(1-2)/1]	n/a

d) Detailed grounds for the transfer

This article relates to payments intended to cover the Union's costs of settling disputes related to the Common Agricultural Policy (CAP). On 27 September 2012, the European Court of Justice delivered its judgement in joined cases C-113/10, C-147/10 and C-234/10 (the Jülich-II judgement). The 2015 budget initially included appropriations amounting to EUR 60.5 million for the payment of compensatory interest to operators under this judgment. However, on the basis of the latest information regarding payments to be made in 2015, demands for the payment of compensatory interest from Member States have been lower than originally estimated in the 2015 budget, due to delays in the ruling of national courts on individual appeals. Therefore, it is proposed to transfer the appropriations still available in 2015 to item 05 03 02 44, which needs to be reinforced.

II. INCREASE

II.1

a) Heading

05 03 02 44 - Specific support (Article 68) -- Coupled direct aids

b) Figure at 05/11/2015

	Non-Diff
1A Appropriation in budget (initial budget + AB)	1 557 587 653,92
1B Appropriation in budget (EFTA)	0,00
2 Transfers	-70 000 000,00
3 Final appropriation for the year (1A+1B+2)	1 487 587 653,92
4 Utilisation of final appropriation	1 446 478 166,17
5 Amount not used/available (3-4)	41 109 487,75
6 Requirements up to year-end	71 102 487,75
7 Proposed increase	29 993 000,00
8 Increase as percentage of appropriation in budget (7/1A)	1,93 %
9 Increase, as a percentage of the final appropriation for the year, in the sum of transfers referred to in Article 26(1)(b) of the Financial Regulation, calculated in accordance with Article 14 of the Rules of Application	n/a

c) Receipts arising from recovery (carried over) (C5)

	Non-Diff
1 Appropriations available at start of the year	0,00
2 Appropriations available on 05/11/2015	0,00
3 Rate of utilisation [(1-2)/1]	n/a

d) Detailed grounds for the transfer

Member States incurred expenditure for specific support (Article 68 of Regulation (EU) n° 73/2009) in the form of coupled direct aids, which was higher compared to the initial estimates based on Member States forecasts in spring. The Commission proposes to increase the level of appropriations to cover the outstanding needs.