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European Union

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'A' ITEM NOTE

From: General Secretariat of the Council
To: Council

Subject: Draft Regulation of the European Parliament and of the Council amending Regulations (EU) No 1316/2013 and (EU) 2015/1017 as regards the extension of the duration of the European Fund for Strategic Investments as well as the introduction of technical enhancements for that Fund and the European Investment Advisory Hub **(first reading)**

- Adoption of the legislative act
- = Statements

Statement by the Council on governance

The Council does not regard the presence at meetings of boards such as the Steering Board of an expert appointed by the European Parliament as a standard feature for funding mechanisms. It recalls that, at any rate, such an expert should not participate in the decision-making of the body concerned.

In this context, the Council brings the attention to the fact that, in the present instance, the Steering Board's core requirement for decision-making is unanimity of its voting members.

Statement on the re-use of repayments and revenues of financial instruments set up under the previous MFF by Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Ireland, Netherlands, Slovenia, Sweden and United Kingdom

Regulation (EU, Euroatom) No 966/2012 of the European parliament and of the Council on the financial rules applicable to the general budget of the Union contains clear rules for the possible use of reflows from financial instruments. According to art. 140(6), annual repayments to financial instruments can only be used for the same financial instrument or budgetary guarantee, while revenues shall be entered in the budget as general revenue.

In the context of the ongoing discussions on the revision of the financial regulation, the Council general approach does not propose any changes to this general rule. While, according to a new provision proposed in art. 202(2), it may be possible to re-assign an outstanding amount of assigned revenue under a basic act which is to be repealed or terminated to another financial instrument pursuing similar objectives, this provision constitutes a clear exception and derogates from the general rule. It should also be noted that this provision is not yet applicable.

As such, the above Member States would like to emphasize that the financing of EFSI 2.0 by an amount of 25 mn euro from the repayments and revenues from financial instruments in heading 1a set up under the previous multiannual financial framework (MFF) constitutes an absolute exception and should not in any way be seen as a precedent for the future treatment of revenues and repayments from financial instruments set up under the previous MFF. Possible future proposals on the use of reflows from financial instruments should be fully aligned with the general rule on repayments and revenues in the financial regulation.