



Council of the
European Union

Brussels, 11 December 2020
(OR. en)

13935/20

FIN 943
INST 305

'I' ITEM NOTE

From: Budget Committee

To: Permanent Representatives Committee

Subject: Transfer of appropriations No 1-DEC/2020 within Section IV - Court of Justice - of the general budget for 2020

1. On 9 December 2020, the Court of Justice submitted to the Council proposal for transfer of appropriations No 1-DEC/2020.

The purpose of this proposal is to transfer a total amount of EUR 630 000 from Item 1 2 0 0 (*Remunerations and allowances*) to Item 2 1 0 0 (*Purchase, servicing and maintenance of equipment and software*).

2. The Court of Justice proposes to reinforce one budget line in order to fund budgetary deficits and certain new needs which have arisen, in particular because of the pandemic.

3. This transfer has been submitted by the Court of Justice after duly justified objections raised on the Court of Justice transfer No 4-INF/2020 in accordance to Article 29 of the Financial Regulation by a qualified majority of delegations at the Budget Committee meeting on 8 December 2020.
4. On this occasion, a qualified majority of delegations expressed concerns in relation to the proposed transfer on the grounds that part of the expenditure was not justified, in particular the complement of IT equipment provided to teleworkers. Taking this into account, the Presidency proposed to amend the Court of Justice's proposal for transfer of appropriations No 1-DEC/2020 in accordance with Article 31(8) of the Financial Regulation¹.

The Presidency proposal to amend the amounts to be transferred is aimed at allowing only the financing of expenditure related to a previous transfer, No 3-INF/2020 in accordance to Article 29 of the Financial Regulation, on which the Budget Committee had had no objections, when being informed about it by the Court.

The Budget Committee examined this Presidency proposal through a written consultation, which ended on 11 December 2020 without any objections being raised. The changes in the Presidency proposal compared to the Court of Justice's proposal for transfer of appropriations No 1-DEC/2020 are recorded in the Annex.

¹ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

5. In view of the above, the Permanent Representatives Committee is invited to:

- confirm its agreement on the proposed transfer of appropriations as set out in point 4 above; and
- decide, in accordance with the first subparagraph of Article 12(1) of the Council's Rules of Procedure and Article 1 of Council Decision 2020/430¹, that the Council uses the written procedure for its approval.

The General Secretariat of the Council will inform the Court of Justice, as well as the European Parliament of the Council's decision.

¹ Council Decision (EU) 2020/430 of 23 March 2020 on a temporary derogation from the Council's Rules of Procedure in view of the travel difficulties caused by the COVID-19 pandemic in the Union (OJ L 88 I, 24.3.2020, p. 1).

Amendment of the amount of Court of Justice's transfer No 1-DEC/2020¹*(in EUR)*

			Debit	Credit
<u>From Title</u>	1			
From Chapter	12	Officials and temporary staff		
From Item	1200	Remunerations and allowances	630 000 200 000	
<u>To Title</u>	2			
To Chapter	21	Data processing, equipment and movable property: purchase, hire and maintenance		
To Item	2100	Purchase, servicing and maintenance of equipment and software, and related work		630 000 200 000

¹ Changes in the Presidency proposal compared to Court of Justice transfer No 1-DEC/2020 are highlighted in **bold** and ~~strikethrough~~.