



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 25 November 2011

17473/11

**FIN 961
PE-L 149**

"I/A" ITEM NOTE

from:	Budget Committee
to:	Permanent Representatives Committee/Council
No. Cion prop.:	17223/11 FIN 904 - COM (2011) 796 final
Subject:	Draft amending budget No 7 to the general budget for 2011 - Statement of expenditure by Section - Section III - Commission

I. INTRODUCTION

On 21 November 2011, the Commission forwarded to the Council draft amending budget (DAB) No 7 to the general budget for 2011, regarding the mobilisation of the EU Solidarity Fund for an amount of EUR 37 979 875 in commitment and payment appropriations. Its objective is to provide financial assistance to the region of Murcia in Spain, hit by an earthquake in May 2011, and to the Veneto region in Italy, affected by torrential rainfalls in Autumn 2010.

The corresponding appropriations are to be recorded under Article 13 06 01 (*EU Solidarity Fund -Member States*). The necessary payment appropriations will be redeployed from Item 05 04 05 01 (*Rural development programs*).

The net financial impact of this amending budget is EUR 37.98 million in c/a and none in p/a.

II. OUTCOME OF THE BUDGET COMMITTEE'S PROCEEDINGS

The Budget Committee examined the proposal for DAB No 7/2011 at its meeting on 22 November and agreed, by qualified majority¹, to approve it.

III. CONCLUSION

The Permanent Representatives Committee is invited to advise the Council to:

- adopt the Council's position on DAB No 7 /2011, as set out in point II;
- approve the draft decision of the European Parliament and of the Council establishing amending budget No 7/2011 as set out in Annex 1 and transmit it to the European Parliament for signature;
- instruct the Presidency to prepare the budgetary documents to be sent to the European Parliament and to approve the draft letter in Annex 3 to that effect;
- have the Council's position on DAB No 7/2011 published in the *Official Journal of the European Union* as set out in Annex 2.

¹ DK and UK having parliamentary reservations.

DRAFT

DECISION
of the EUROPEAN PARLIAMENT and of the COUNCIL
establishing amending budget No 7 of the European Union for the financial year 2011

The EUROPEAN PARLIAMENT and the COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 314 thereof, in conjunction with its Article 296, first paragraph,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 106a thereof,

Having regard to Council Decision 2007/436/EC, Euratom of 7 June 2007 on the system of the European Communities' own resources¹,

Whereas:

- (1) the European Union's general budget for the financial year 2011 was definitively adopted on 15 December 2010²,
- (2) on 21 November 2011, the Commission submitted draft amending budget No 7 of the European Union for the financial year 2011, in accordance with Article 314 of the Treaty on the Functioning of the European Union,

¹ OJ L 163, 23.6.2007, p. 17.

² OJ L 68, 15.3.2011.

- (3) the Council adopted its position on this draft amending budget on 30 November 2011,
- (4) the European Parliament approved the Council's position at its plenary sitting of [...] 2011,
- (5) the Treaties do not specify the type of act to be adopted; consequently, in implementation of Article 296, first paragraph, TFEU, the institutions concerned have selected among the legal acts of the Union foreseen in Article 288 TFEU the form of decision, in order to bestow the budget binding effect towards the institutions and the Member States,

HAVE ADOPTED THIS DECISION:

Sole Article

Amending budget No 7 of the European Union for the financial year 2011 is hereby established in accordance with the Annex to this Decision.

Done at [...], [...] 2011.

*For the European Parliament
The President*

*For the Council of the EU
The President*

Draft amending budget No 7 of the European Union for the financial year 2011

COUNCIL POSITION

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 314 thereof, in conjunction with the Treaty establishing the European Atomic and Energy Community, and in particular Article 106a thereof,

Having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities¹, as last amended by Regulation (EU, Euratom) No 1081/2010 of the European Parliament and of the Council of 24 November 2010², and in particular Article 37 thereof,

Whereas:

- (1) the European Union's general budget for the financial year 2011 was definitively adopted on 15 December 2010³,
- (2) on 21 November 2011, the Commission submitted a proposal containing draft amending budget No 7 to the general budget for the financial year 2011,

¹ OJ L 248, 16.9.2002, p. 1, with Corrigenda in OJ L 25, 30.1.2003, p. 43 and OJ L 99, 14.4.2007, p. 18.

² OJ L 311, 26.11.2010, p. 9.

³ OJ L 68, 15.3.2011.

- (3) given the fact that draft amending budget No 7 for 2011 needs to be implemented within the financial year 2011 for reasons of sound financial management, it is justified to shorten the eight-weeks period laid down in Article 4 of the Protocol No 1 for the information of the National Parliaments, as well as the ten-days period for the placing of the item on the Council's provisional agenda, in accordance with Article 3(3) of the Council's Rules of procedure,

HAS DECIDED AS FOLLOWS:

Sole Article

The Council's position on draft amending budget No 7 of the European Union for the financial year 2011 was adopted on 30 November 2011.

The full text can be accessed for consultation or downloading on the Council's website:
<http://www.consilium.europa.eu/>.

Done at Brussels, on 30 November 2011.

For the Council
The President

DRAFT LETTER

from : President of the Council

to : President of the European Parliament

Sir,

I am forwarding under separate cover the Council's position on draft amending budget No 7 for the financial year 2011, adopted by the Council on 30 November 2011.

(Complimentary close).
