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ADDENDUM 7 TO "I/A" ITEM NOTE

from : General Secretariat of the Council

to : Permanent Representatives Committee/Council

Subject: New draft budget of the European Union for the financial year 2013

- Council position

= Budgetary remarks: Changes compared to new 2013 DB

VOLUME 3: SECTION III - COMMISSION

EXPENDITURE

The paragraph "*Conditions for releasing the reserve*" regarding the 1.7 % salary adjustment has been deleted in the remarks of the following articles or items:

XX 01 01 01 01	Remuneration and allowances
XX 01 01 01 02	Expenses and allowances related to recruitment, transfers and termination of service
XX 01 01 01 03	Adjustments to remuneration
XX 01 01 02 01	Remuneration and allowances
XX 01 01 02 02	Expenses and allowances related to recruitment, transfers and termination of service
XX 01 01 02 03	Adjustments to remuneration
XX 01 02 01 01	Contract staff
15 01 61	Cost of organising graduate traineeships with the institution
16 01 02 03	External staff of the Directorate-General for Communication: Commission Representations
25 01 01 03	Salaries, allowances and payments of Members of the institution
26 01 09 01	Publications Office
A2 01 01	Expenditure related to staff in active employment
26 01 20	European Personnel Selection Office
A4 01 01	Expenditure related to staff in active employment
26 01 21	Office for the Administration and Payment of Individual Entitlements
A5 01 01	Expenditure related to staff in active employment
26 01 22 01	Office for Infrastructure and Logistics in Brussels
A6 01 01	Expenditure related to staff in active employment
26 01 23 01	Office for Infrastructure and Logistics in Luxembourg
A7 01 01	Expenditure related to staff in active employment
26 01 51 01	Office of the Secretary-General of the European Schools (Brussels)
26 01 51 02	Brussels I (Uccle)
26 01 51 03	Brussels II (Woluwe)
26 01 51 04	Brussels III (Ixelles)
26 01 51 05	Brussels IV (Laeken)
26 01 51 11	Luxembourg I
26 01 51 12	Luxembourg II
26 01 51 21	Mol (BE)
26 01 51 22	Frankfurt am Main (DE)

26 01 51 23	Karlsruhe (DE)
26 01 51 25	Alicante (ES)
26 01 51 26	Varese (IT)
26 01 51 27	Bergen (NL)
26 01 51 28	Culham (UK)
30 01 13 01	Temporary allowances
30 01 13 02	Pensions of former Members and surviving dependants
30 01 13 03	Weightings and adjustments to pensions and various allowances
30 01 14 01	Allowances for staff assigned non-active status, retired in the interests of the service or dismissed
30 01 14 02	Insurance against sickness
30 01 14 03	Weightings and adjustments to allowances
30 01 15 01	Pensions, invalidity allowances and severance grants
30 01 15 02	Insurance against sickness
30 01 15 03	Weightings and adjustments to pensions and allowances

Article 12 02 01 — Implementation and development of the internal market

Figures

	Budget 2013		Appropriations 2012		Outturn 2011	
	Commitments	Payments	Commitments	Payments	Commitments	Payments
12 02 01	5 600 000	6 407 353	8 800 000	7 167 283	10 086 203.02	9 330 349.14
40 02 41	1 500 000	1 500 000				
Total	7 100 000	7 907 353	8 800 000	7 167 283	10 086 203.02	9 330 349.14

Remarks

This appropriation is intended to cover expenditure arising in connection with measures contributing to the completion of the internal market and its operation and development, and measures contributing, in particular, to:

- greater proximity to citizens and businesses, including the development and strengthening of dialogue with citizens and businesses: via measures intended to make the operation of the internal market more effective, and to ensure that citizens and businesses are able to gain access to the most extensive rights and opportunities resulting from the opening up and deepening of the internal market without borders and able to exercise those rights and opportunities in full; and via monitoring and evaluation measures relating to the practical exercise by citizens and businesses of their rights and opportunities with a view to identifying and facilitating the removal of any obstacles which may be preventing them from exercising those rights in full,
- implementing and monitoring the provisions governing public contracts with a view to ensuring their optimum operation and the genuine openness of tenders, including the awareness-raising and training of the various parties to these contracts; the introduction and use of new technologies in the various fields of operation of these contracts; the continuous adaptation of the legislative and regulatory framework in the light of developments arising from these contracts, particularly the globalisation of markets and existing or future international agreements,

- improvement, through the European business test panel (EBTP), of the legal environment for citizens and businesses, for which promotion activities, awareness-raising and training actions could be envisaged; fostering cooperation, development and coordination of legislation in the field of company law and assistance with the creation of European limited companies and European economic interest groupings,
- strengthening administrative cooperation through, inter alia, the Internal Market Information System (IMI), the deepening of knowledge of internal market legislation in the Member States and its sound application by them, and support for administrative cooperation between the authorities responsible for implementing legislation relating to the internal market with a view to achieving the Lisbon strategic goals as set out in the annual policy strategy,
- the setting-up of a system that can effectively and efficiently deal with problems faced by citizens or businesses, arising from the misapplication of internal market legislation by a public administration in another Member State; production of feedback information through the Solvit system by use of an online database system which is accessible to all coordination centres and which will also be made accessible to citizens and businesses; support for the initiative through training measures, promotion campaigns and targeted actions with a particular focus on the new Member States,
- interactive policymaking (IPM), in so far as it concerns the completion, development and operation of the internal market, makes up part of the Commission's governance and of the regulatory policy initiatives to better respond to the demands of citizens, consumers and business. The appropriations entered under this item will also cover training, awareness-raising and network actions to the benefit of such participants with a view to making Union policymaking on the internal market more comprehensive and effective, and as part of the process of assessing the actual impact of internal market policies (or the lack of them) on the ground,
- a comprehensive review of regulations with a view to making necessary changes and producing an overall analysis of the effectiveness of the measures taken with a view to the sound operation of the internal market and the evaluation of the overall impact of the internal market on businesses and the economy, including the purchase of data and access by Commission departments to external databases, as well as targeted actions aimed at improving understanding of the functioning of the internal market and rewarding active participation in fostering the functioning of the internal market,
- guaranteeing the completion and management of the internal market, especially in the fields of pensions, free movement of services, recognition of professional qualifications, and intellectual and industrial property: the development of proposals for putting in place a Union patent,
- broadening the strategy regarding the development of statistics on service sectors and statistical development projects in cooperation with Eurostat and the Organisation for Economic Cooperation and Development (OECD),
- monitoring the effects of removing obstacles to the internal market for services,
- the development of a unified area for security and defence, with action working towards the coordination of public procurement procedures for these products at Union level; appropriations may cover devising studies and awareness-raising measures regarding the application of the legislation adopted,

- strengthening and developing financial and capital markets and financial services provided to business and private individuals; adapting the market framework especially as regards the monitoring and regulation of the activities of operators and of transactions, so as to take account of changes at Union and world levels, of the reality of the euro and of new financial instruments, by putting forward new initiatives intended to consolidate, and provide a detailed analysis of, the results of the first Financial Services Action Plan,
- improvement of payment systems and retail financial services in the internal market; reduction in the cost of, and time needed for, such transactions, taking into account the internal market dimension; development of the technical aspects so as to establish one or more payment systems on the basis of the follow-up in respect of Commission communications; carrying out studies in this area,
- developing and strengthening the external aspects of the directives applicable in respect of financial institutions, the mutual recognition of financial instruments vis-à-vis third countries, international negotiations and assistance for third countries in establishing a market economy,
- implementing the many measures put forward in the Action Plan on Company Law and Corporate Governance which could lead to studies on a number of targeted subjects, with a view to drawing up the necessary legislative proposals,
- analysis of the effect of measures in place as part of the follow-up to the progressive liberalisation of postal services, coordination of Union policies on postal services with regard to international systems and in particular with regard to participants in Universal Postal Union (UPU) activities; cooperation with central and eastern European countries; practical implications of the application of the General Agreement on Trade (GATS) provisions to the postal sector and overlap with UPU regulations,
- implementing of the law of the Union and international provisions in the field of money laundering, including participation in intergovernmental or ad hoc measures in this field; contributions relating to Commission participation as a member of the Financial Action Task Force (FATF) on money laundering created under the OECD,
- active participation in meetings held by international associations such as the International Association of Insurance Supervisors (IAIS/AICA) and the International Organisation of Securities Commission (IOSCO); this also comprises expenses related to the Commission's participation as a member of the group,
- development of evaluations and impact studies on the various aspects of the policies covered by this chapter for the purpose of devising new measures or revising existing measures relating to them,
- creation and maintenance of systems directly linked to putting into place and monitoring policies launched within the framework of the internal market for services,
- support of activities which seek to contribute to the achievement of the Union's policy objectives by enhancing supervisory convergence and cooperation, and in the field of financial reporting, both inside and outside the Union.

In order to achieve these objectives, this appropriation covers the costs of consultation, studies, surveys, evaluations, participation, production and the development of publicity, awareness-raising and training materials (printed matter, audiovisual material, assessments, computer tools, the collection and dissemination of information, information and advice measures for citizens and businesses).

The contributions from the EFTA States pursuant to the Agreement on the European Economic Area, and in particular Article 82 thereof and Protocol 32 thereto, must be added to the appropriations entered in this article. By way of information, these amounts derive from contributions from the EFTA States entered against Article 6 3 0 of the statement of revenue, which constitute assigned revenue in accordance with Article 18(1)(d) of the Financial Regulation; they give rise to the provision of corresponding appropriations and to implementation according to the "European Economic Area" Annex to this part of the statement of expenditure in this section, which forms an integral part of the general budget.

Part of this appropriation is intended to cover expenditure incurred by the Commission for ensuring the effective functioning of the European Counterfeiting and Piracy Observatory.

These appropriations are also intended for setting up a central coordination body assisting the Member States with market surveillance cooperation, building on existing structures and experience. This coordination body would support the cooperation, pooling of know-how and sharing of best practices between Member States to ensure the same high level of market surveillance throughout the European Union, in accordance with Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products (OJ L 218, 13.8.2008, p. 30). To this end, regular joint trainings for representatives of national market surveillance authorities from all Member States will be organised, focusing on relevant practical aspects of market surveillance such as follow-up of complaints, monitoring accidents, verifying that corrective action has been taken, follow-up of scientific and technical knowledge concerning safety issues and coordination with customs authorities. Furthermore, exchanges of national officials and joint visit programmes will foster the exchange of experiences between Member States. In addition, comparative data on the resources dedicated to market surveillance in the different Member States will be collected and discussed at the appropriate level with national authorities. The aim is to create awareness for the adequate resources needed to guarantee efficient, comprehensive and consistent market surveillance throughout the internal market, and contribute to the upcoming revision of the Union product safety rules, particularly those concerning market surveillance, and the preparation of the follow-up to the Customs 2013 programme.

Conditions for releasing the reserve

The appropriations shall be released when the Commission delivers a detailed list of studies it will undertake under this budget line in 2013 and provides the method for calculating the amounts allocated for each study. The Commission shall also present a set of formal criteria for the selection of these studies.

Legal basis

Task resulting from the Commission's prerogatives at institutional level, as provided for in Article 49(6) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p. 1).

Reference acts

Commission Communication of 18 June 2002 entitled "A Methodological Note for the Horizontal Evaluation of Services of General Economic Interest" (COM(2002) 0331 final).

Item 12 04 02 01 — European Banking Authority — Contribution to Titles 1 and 2

Figures

	Budget 2013		Appropriations 2012		Outturn 2011	
	Commitments	Payments	Commitments	Payments	Commitments	Payments
12 04 02 01	6 333 000	6 333 000	7 099 000	7 099 000	3 956 600.00	3 956 600.00
40 02 41	1 500 000	1 500 000				
Total	7 833 000	7 833 000	7 099 000	7 099 000	3 956 600.00	3 956 600.00

Remarks

This appropriation is intended to cover the Authority's staff and administrative expenditure (Titles 1 and 2).

The Authority must inform the budgetary authority about transfers of appropriations between operational and administrative expenditure.

The contributions from the EFTA States pursuant to the Agreement on the European Economic Area, and in particular Article 82 thereof and Protocol 32 thereto, must be added to the appropriations entered in this item. By way of information, these amounts derive from contributions from the EFTA States entered against Article 6 3 0 of the statement of revenue, which constitute assigned revenue in accordance with Article 18(1)(d) of the Financial Regulation; they give rise to the provision of corresponding appropriations and to implementation according to the "European Economic Area" Annex to this part of the statement of expenditure in this section, which forms an integral part of the general budget.

The amounts repaid in accordance with Article 16 of Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 357, 31.12.2002, p. 72) constitute assigned revenue (Article 18(1)(f) of the Financial Regulation) to be charged to Item 6 6 0 0 of the general statement of revenue.

The establishment plan of the European Banking Authority (EBA) is set out in the Part entitled "Establishment plan staff" of Section III — Commission (Volume 3).

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof, as well as to the European Supervisory Authority (European Banking Authority), established by Regulation (EU) No 1093/2010, the European Supervisory Authority is to form part of a European System of Financial Supervision (ESFS). The main objective of the ESFS is to ensure that the rules applicable to the financial sector are adequately implemented to preserve financial stability and to ensure confidence in the financial system as a whole and sufficient protection for the customers of financial services.

Conditions for releasing the reserve

An amount of 1 500 000 has been put into reserve which will be released when the European Banking Authority has provided to the budgetary authority, in accordance with Article 179(3) of the Financial Regulation, all relevant documentation regarding the building project in London. Second, the respective project contract(s) have been negotiated with reasonable conditions which will have an effect on the EU budget and the subsidies given to the Authority. Thirdly, the Authority shall provide complete information on the tasks which will remain within the Authority if the banking supervision is transferred to the European Central Bank.

Legal basis

Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority) (OJ L 331, 15.12.2010, p. 12).

Article 15 04 48 - Pilot project - A European Platform for Festivals

Figures

Budget 2013		Appropriations 2012		Outturn 2011	
Commitments	Payments	Commitments	Payments	Commitments	Payments
1 000 000	500 000				

Remarks

Creating a European Platform for festivals the European Union:

- adds value by increasing participation of festivals and citizens in Europe,
- aids the efforts of festivals in developing the 2020 Strategy of growth and jobs,
- gives visibility to festival work at the local and regional levels and to moments of cultural heritage,
- promotes cultural tourism as part of the new Treaty,
- ensures sustainable networking and a broad communication process with citizens.

This pilot project multiplies the energy of festivals and contributes to the promotion of a smart, inclusive and sustainable Europe.

Legal basis

Pilot project within the meaning of Article 49(6) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p. 1).

Article 18 02 04 — Schengen information system (SIS II)

Figures

	Budget 2013		Appropriations 2012		Outturn 2011	
	Commitments	Payments	Commitments	Payments	Commitments	Payments
18 02 04	24 000 000	12 081 571	10 360 000	13 678 411	31 096 900.72	27 261 643.94
40 02 41	12 750 000	7 500 000	5 180 000	6 131 702		
Total	36 750 000	19 581 571	15 540 000	19 810 113	31 096 900.72	27 261 643.94

Remarks

This appropriation is intended to finance the following:

- operating expenditure of the Schengen information system (SIS),
- other operating expenditure which may result from this incorporation.

Any revenue from the contributions of Iceland, Norway, Switzerland and Liechtenstein entered in Item 6 3 1 2 of the statement of revenue may give rise to the provision of additional appropriations in accordance with Article 18(1)(d) of the Financial Regulation.

Conditions for releasing the reserve

The appropriations entered in the reserve shall be released when the Commission (or the Large Scale IT Agency respectively after the transfer of appropriations) presents concrete information to the Budgetary Authority on the content of the call for tender and the sufficiently concrete contract on maintenance in operational conditions of the Schengen Information System resulting thereof. In addition, the Commission shall submit a concrete schedule for the remaining actions to be taken before the start of operations of the SIS II in 2013 specifying in detail the further technical steps, the content and objective of each step, the corresponding costs and the responsibilities for each development step.

Legal basis

Protocol (No 19) on the Schengen *acquis* integrated into the framework of the European Union.

Council Decision 2001/886/JHA of 6 December 2001 on the development of the second generation Schengen Information System (SIS II) (OJ L 328, 13.12.2001, p. 1).

Council Regulation (EC) No 2424/2001 of 6 December 2001 on the development of the second-generation Schengen Information System (SIS II) (OJ L 328, 13.12.2001, p. 4).

Regulation (EC) No 1987/2006 of the European Parliament and of the Council of 20 December 2006, on the establishment, operation and use of the second generation Schengen Information System (SIS II) (OJ L 381, 28.12.2006, p. 4).

Regulation (EC) No 1986/2006 of the European Parliament and of the Council of 20 December 2006 regarding access to the Second Generation Schengen Information System (SIS II) by the services in the Member States responsible for issuing vehicle registration certificates (OJ L 381, 28.12.2006, p. 1).

Council Decision 2007/533/JHA of 12 June 2007 on the establishment, operation and use of the second generation Schengen Information System (SIS II) (OJ L 205, 7.8.2007, p. 63).

Council Decision 2008/839/JHA of 24 October 2008 on migration from the Schengen Information System (SIS 1+) to the second generation Schengen Information System (SIS II) (OJ L 299, 8.11.2008, p. 43).

Council Regulation (EC) No 1104/2008 of 24 October 2008 on migration from the Schengen Information System (SIS 1+) to the second generation Schengen Information System (SIS II) (OJ L 299, 8.11.2008, p. 1).

Reference acts

Council Regulation (EU) No 541/2010 of 3 June 2010 amending Regulation (EC) No 1104/2008 on migration from the Schengen Information System (SIS 1+) to the second generation Schengen Information System (SIS II) (OJ L 155, 22.6.2010, p. 19).

Article 18 02 05 — Visa Information System (VIS)

Figures

	Budget 2013		Appropriations 2012		Outturn 2011	
	Commitments	Payments	Commitments	Payments	Commitments	Payments
18 02 05	7 000 000	21 568 782	38 740 000	27 356 823	29 660 021.74	26 152 648.29
40 02 41	1 750 000	5 471 400				
Total	8 750 000	27 040 182	38 740 000	27 356 823	29 660 021.74	26 152 648.29

Remarks

This appropriation is intended to cover expenditure related to the analysis development, delivery and installation of a Europe-wide large-scale information system ‘VIS’ (Visa Information System).

Any revenue from the contributions of Iceland, Norway, Switzerland and Liechtenstein entered in Item 6 3 1 2 of the statement of revenue may give rise to the provision of additional appropriations in accordance with Article 18(1)(d) of the Financial Regulation.

Conditions for releasing the reserve

The reserve will be released when a satisfactory outcome is achieved between the Council and the European Parliament on Schengen governance.

Legal basis

Council Decision 2004/512/EC of 8 June 2004 establishing the Visa Information System (VIS) (OJ L 213, 15.6.2004, p. 5).

Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (OJ L 218, 13.8.2008, p. 60).

Council Decision 2008/633/JHA of 23 June 2008 concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences (OJ L 218, 13.8.2008, p. 129).

Article 18 02 06 — External Borders Fund

Figures

	Budget 2013		Appropriations 2012		Outturn 2011	
	Commitments	Payments	Commitments	Payments	Commitments	Payments
18 02 06	332 000 000	174 240 625	349 100 000	187 482 911	299 460 839.00	216 749 132.42
40 02 41	83 000 000	44 200 000				
Total	415 000 000	218 440 625	349 100 000	187 482 911	299 460 839.00	216 749 132.42

Remarks

This appropriation will provide support for Member State measures in the following areas:

- efficient organisation of control covering both checks and surveillance tasks relating to external borders,
- efficient management by the Member States of the flow of persons at the external borders, in order to ensure both a high level of border protection and smooth crossing of external borders in accordance with the Schengen *acquis*, including the principle of respectful treatment and dignity,
- uniform application by the border guards of Union law on the crossing of external borders,
- improvement of the management of activities organised by the consular and other services of the Member States in third countries as regards the flow of third-country nationals into the territory of the Member States and cooperation between Member States in this regard.

In particular, this appropriation is intended to support the following actions in the Member States:

- border crossing infrastructures and related buildings, such as border stations, helicopter landing places or lanes or booths for the queuing of vehicles and persons at border crossing points,
- infrastructure, buildings and systems required for surveillance between border crossing points and for protection against illegal crossing of the external border,
- operating equipment,
- means of transport for the surveillance of external borders, such as vehicles, vessels, helicopters, and light aircraft, specially equipped with electronic equipment for the surveillance of the border and the detection of persons in means of transport,
- equipment for the real-time exchange of information between relevant authorities,
- information and communication technology systems,
- programmes for the detachment and exchange between Member States of staff such as border guards, immigration officers and consular officers,
- training and education of staff in relevant authorities, including language training,
- investments in the development, testing and instalment of state of the art technology,

- studies and pilot projects implementing recommendations, operational standards and best practices resulting from operational cooperation between Member States in the field of border control,
- studies and pilot projects designed to stimulate innovation, facilitate exchanges of experience and good practice and improve the quality of the management of activities organised by the consular and other services of the Member States in third countries as regards the flow of third-country nationals in the territory of the Member States and cooperation between Member States in this regard,
- create a common Schengen visa Internet site in order to improve the visibility and uniform image of the common visa policy.

In the framework of the Kaliningrad Transit Scheme, this appropriation is intended to cover foregone fees from transit visas and additional costs (investment in infrastructures, training of border guards and rail staff, additional operational costs) incurred in implementing the Facilitated Transit Document and Facilitated Rail Transit Document scheme in accordance with Council Regulation (EC) No 693/2003 (OJ L 99, 17.4.2003, p. 8) and Council Regulation (EC) No 694/2003 (OJ L 99, 17.4.2003, p. 15).

At the Commission's initiative, it is also intended to cover transnational actions or actions of interest to the Union as a whole (Union actions) serving the general objective of contributing to the improvement of the activities organised by the consular and other services of the Member States in third countries as regards the flow of third-country nationals into the territory of the Member States and cooperation between Member States in this regard, including the activities of Asylum Liaison Officers and Immigration Liaison Officers, and the objective of promoting the progressive inclusion of customs, veterinary and phytosanitary controls in integrated border management activities according to policy developments in this field. These actions can also be used to provide supporting services to Member States in duly substantiated emergency situations requiring urgent action at the external borders of the Member States.

Moreover, each year the Commission will draw up a list of specific actions to be implemented by the Member States and, where appropriate, in cooperation with the Agency, that contribute to the development of the common integrated border management system by addressing weaknesses at strategic border points identified in risk analyses carried out by the Agency.

Any revenue from the contributions of Iceland, Norway, Switzerland and Liechtenstein entered in Item 6 3 1 3 of the statement of revenue may give rise to the provision of additional appropriations in accordance with Article 18(1)(d) of the Financial Regulation.

Conditions for releasing the reserve

The reserve will be released when a satisfactory outcome is achieved between the Council and the European Parliament on Schengen governance.

Legal basis

Decision No 574/2007/EC of the European Parliament and the Council of 23 May 2007 establishing the External Borders Fund for the period 2007 to 2013 as part of the General programme ‘Solidarity and Management of Migration Flows’ (OJ L 144, 6.6.2007, p. 22).

Reference acts

Communication from the Commission to the Council and the European Parliament of 2 May 2005 establishing a framework programme on Solidarity and Management of Migration Flows for the period 2007-2013 (COM(2005) 0123).

Commission Decision 2007/599/EC of 27 August 2007 implementing Decision No 574/2007/EC of the European Parliament and of the Council as regards the adoption of strategic guidelines for 2007 to 2013 (OJ L 233, 5.9.2007, p. 3).

Commission Decision 2008/456/EC of 5 March 2008 laying down rules for the implementation of Decision No 574/2007/EC of the European Parliament and of the Council establishing the External Border Fund for the period 2007 to 2013 as part of the general programme ‘Solidarity and Management of Migration Flows’ as regards Member States’ management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund (OJ L 167, 27.6.2008, p. 1).

Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code) (OJ L 243, 15.9.2009, p. 1).

Article 18 05 08 — Prevention, preparedness and consequence management of terrorism

Figures

	Budget 2013		Appropriations 2012		Outturn 2011	
	Commitments	Payments	Commitments	Payments	Commitments	Payments
18 05 08	9 680 000	6 110 248	23 280 000	7 546 710	22 400 000.00	6 721 789.44
40 02 41	2 420 000	1 550 000				
Total	12 100 000	7 660 248	23 280 000	7 546 710	22 400 000.00	6 721 789.44

Remarks

Regarding the prevention and preparedness to terrorist attacks, this appropriation is intended to support the following areas:

- to stimulate, promote, and support risk and threat assessments on critical infrastructure, including evaluations on site, to identify possible targets of terrorist attacks and the possible need for upgrading their security,
- to promote and support the development of common security standards including cyber security, and an exchange of know-how and experience on protection of critical infrastructure,
- to promote and support Union wide coordination and cooperation on critical infrastructure protection.

Regarding the consequence management in case of terrorist attacks, this appropriation is intended to support the following areas:

- to stimulate, promote and support the exchange of know-how, experience and technology on the potential consequences of terrorist attacks,
- to stimulate, promote and support the development of relevant methodology and contingency plans, including with regard to a European cyber security strategy,
- to ensure real-time input of specific expertise on terrorism matters within overall crisis management, rapid alert and civil protection mechanisms.

In particular, this appropriation is intended to cover the following actions:

- actions on operational cooperation and coordination (strengthening networking, mutual confidence and understanding, development of contingency plans, exchange and dissemination of information, experience and best practice),
- analytical, monitoring, evaluation, audit and inspection activities,
- development and transfer of technology and methodology, particularly regarding information sharing and interoperability,
- training, exchange of staff and experts,
- awareness and dissemination activities, and
- provision of financial support for projects to help victims of terrorism and/or their families recover from their ordeal by availing themselves of social or psychological support offered by organisations and/or networks, and for projects to mobilise public opinion against all forms of terrorism. Part of the appropriation will be used primarily to improve the legal assistance and advice provided to victims and their families.

Conditions for releasing the reserve

The reserve will be released when a satisfactory outcome is achieved between the Council and the European Parliament on Schengen governance.

Legal basis

Council Decision 2007/124/EC, Euratom of 12 February 2007 establishing for the period 2007-2013, as part of General Programme on Security and Safeguarding Liberties, the Specific Programme "Prevention, Preparedness and Consequence Management of Terrorism and other Security related risks" (OJ L 58, 24.2.2007, p. 1).

Reference acts

Communication from the Commission to the Council and the European Parliament of 6 April 2005 establishing a framework programme on "Security and Safeguarding Liberties" for the period 2007-2013 (COM(2005) 0124).

Article 18 05 09 — Prevention of and fight against crime

Figures

	Budget 2013		Appropriations 2012		Outturn 2011	
	Commitments	Payments	Commitments	Payments	Commitments	Payments
18 05 09	42 520 000	27 594 669	117 570 000	34 903 533	99 184 349.94	34 129 367.35
40 02 41	10 630 000	7 000 000				
Total	53 150 000	34 594 669	117 570 000	34 903 533	99 184 349.94	34 129 367.35

Remarks

This appropriation is intended to support the following areas:

- to promote and develop coordination, cooperation and mutual understanding among law enforcement agencies, and other institutions (in particular organisations active in preventing violence and crime), other national authorities and related Union bodies,
- to stimulate, promote and develop horizontal methods and tools necessary for strategically preventing and fighting crime and cybercrime, such as prevention of urban violence, in particular urban violence affecting minors, or measures to prevent and combat juvenile delinquency through exchanges of best practice, networking of the authorities responsible and the implementation of pilot projects, also in the field of rehabilitation of minors former prisoners, public-private partnerships, best practices in crime prevention, comparable statistics and applied criminology,
- to improve cooperation as regards the confiscation and seizure of assets and of proceeds from illegal activities of criminal organisations between the national agencies competent for the recovery of assets, and
- to promote and develop best practices for the protection of crime victims including victims with specific needs such as victims of gender based violence, victims of violence in close relationships and witnesses.

In particular, this appropriation is intended to cover the following actions:

- actions on operational cooperation and coordination (strengthening networking, mutual confidence and understanding, exchange and dissemination of information, experience and best practices),
- analytical, monitoring and evaluation activities,
- development and transfer of technology and methodology,
- training, exchange of staff and experts, and
- awareness and dissemination activities.

Part of the appropriation will cover the costs of creating a Union telephone hotline for the victims of human trafficking, with a view to establishing a single common telephone number across Member States, to provide equal standards of social, psychological and legal assistance to the victims of human trafficking and if possible to respond to a request for shelter. This project will involve a variety of stakeholders: national regulatory authorities to provide telephone lines, telecommunication companies, specialised non-governmental organisations, local and professional staff, enforcement authorities (to exchange information on the smugglers and actors involved in human trafficking).

Part of this appropriation will be used to improve the prevention of criminal activities of mobile criminal groups in border areas.

Conditions for releasing the reserve

The reserve will be released when a satisfactory outcome is achieved between the Council and the European Parliament on Schengen governance.

Legal basis

Council Decision 2007/125/JHA of 12 February 2007 establishing for the period 2007 to 2013, as part of General Programme on Security and Safeguarding Liberties, the Specific Programme "Prevention of and Fight against Crime" (OJ L 58, 24.2.2007, p. 7).

Reference acts

Communication from the Commission to the Council and the European Parliament of 6 April 2005 establishing a framework programme on 'Security and Safeguarding Liberties' for the period 2007-2013 (COM(2005) 0124).

Article 24 01 06 — European Anti-fraud Office (OLAF)

Figures

	Budget 2013	Appropriations 2012	Outturn 2011
24 01 06	53 727 800	57 392 000	55 514 280.71
40 01 40	3 929 200		
Total	57 657 000	57 392 000	55 514 280.71

Remarks

This appropriation is intended to cover expenditure relating to the European Anti-fraud Office (OLAF), including for OLAF staff posted in Union delegations, the objective of which is to combat fraud within an interinstitutional framework.

The amount of assigned revenue pursuant to Article 18(1)(e) to (j) of the Financial Regulation is estimated at EUR 65 000.

Conditions for releasing the reserve

~~EUR 653 000, placed in reserve pending a decision on the 1.7% 2011 salary adjustment for the year 2013, will be released immediately in case the Court of Justice rules in favour of the Commission.~~

EUR 3 929 200 will be released from the reserve as soon as OLAF allows the Members of the European Parliament to inspect, in a secure reading room, the use of the appropriations co-financed by OLAF via the Hercule II programme in the Member States. In doing so, OLAF shall disclose the co-financed infrastructure and the technical equipment existing, their operability, and the results achieved.

Legal basis

Commission Decision 1999/352/EC, ECSC, Euratom of 28 April 1999 establishing the European Anti-fraud Office (OLAF) (OJ L 136, 31.5.1999, p. 20), and in particular Article 4 and Article 6(3) thereof.

Regulation (EC) No 1073/1999 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF) (OJ L 136, 31.5.1999, p. 1).

Council Regulation (Euratom) No 1074/1999 of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF) (OJ L 136, 31.5.1999, p. 8), and in particular Article 11 thereof.

Article A3 01 01 - Expenditure related to staff in active employment

Figures

	Budget 2013	Appropriations 2012	Outturn 2011
A3 01 01	34 709 800	38 543 000	36 931 517.73
A3 10 01	3 929 200		
Total	38 639 000	38 543 000	36 931 517.73

Remarks

This appropriation is intended to cover, for officials and temporary staff holding posts on the establishment plan:

- salaries, allowances and payments related to salaries,
- accident and sickness insurance and other social security charges,
- unemployment insurance for temporary staff and payments by the institution to constitute or maintain pension rights for them in their country of origin,
- miscellaneous allowances and grants,
- travel expenses due to officials and temporary staff (including their families) on taking up duty, leaving the institution or transfer to another place of employment,
- installation and resettlement allowances due to officials and temporary staff obliged to change their place of residence on taking up duty, on transfer to a new place of employment and on finally leaving the institution and resettling elsewhere,
- removal expenses due to officials and temporary staff obliged to change their place of residence on taking up duty, on transfer to a new place of employment and on finally leaving the institution and resettling elsewhere,
- the cost of weightings applied to the remuneration of officials and temporary staff and the cost of weightings applied to the part of emoluments transferred to a country other than the country of employment,
- the cost of any adjustments to remuneration approved by the Council during the financial year.

Conditions for releasing the reserve

~~EUR 653 000, placed in reserve pending a decision on the 1.7 % 2011 salary adjustment for the year 2013, will be released immediately in case the Court of Justice rules in favour of the Commission.~~

EUR 3 929 200 will be released from the reserve as soon as OLAF allows the Members of the European Parliament to inspect, in a secure reading room, the use of the appropriations co-financed by OLAF via the Hercule II programme in the Member States. In doing so, OLAF shall disclose the co-financed infrastructure and the technical equipment existing, their operability, and the results achieved.

Legal basis

Staff Regulations of Officials of the European Union.

Conditions of Employment of Other Servants of the European Union.

Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p. 1).

VOLUME 4: SECTION IV - COURT OF JUSTICE OF THE EUROPEAN UNION

EXPENDITURE

The paragraph "*Conditions for releasing the reserve*" regarding the 1.7 % salary adjustment has been deleted in the remarks of the following articles or items:

1 0 0 0	Remunerations and allowances
1 0 0 2	Entitlements related to entering the service, transfer and leaving the service
1 0 2	Temporary allowances
1 0 3	Pensions
1 0 9	Provisional appropriation
1 2 0 0	Remunerations and allowances
1 2 0 2	Paid overtime
1 2 0 4	Entitlements related to entering the service, transfer and leaving the service
1 2 9	Provisional appropriation
1 4 0 0	Other staff
1 4 9	Provisional appropriation

VOLUME 5: SECTION V - EUROPEAN COURT OF AUDITORS

EXPENDITURE

The paragraph "*Conditions for releasing the reserve*" regarding the 1.7 % salary adjustment has been deleted in the remarks of the following articles or items:

1 0 0 0	Remuneration, allowances and pensions
1 0 0 2	Entitlements on entering and leaving the service
1 0 2	Temporary allowances
1 0 3	Pensions
1 2 0 0	Remuneration and allowances
1 2 0 2	Paid overtime
1 2 0 4	Entitlements on entering and leaving the service and on transfer
1 4 0 0	Other staff
1 4 0 5	Other external services

VOLUME 6: SECTION VI - EUROPEAN ECONOMIC AND SOCIAL COMMITTEE

EXPENDITURE

The paragraph "*Conditions for releasing the reserve*" regarding the 1.7 % salary adjustment has been deleted in the remarks of the following articles or items:

1 2 0 0	Remuneration and allowances
1 2 0 2	Paid overtime
1 2 0 4	Entitlements on entering the service, transfer and leaving the service
1 2 9	Provisional appropriation
1 4 9	Provisional appropriation

VOLUME 7: SECTION VII - COMMITTEE OF THE REGIONS

EXPENDITURE

The paragraph "*Conditions for releasing the reserve*" regarding the 1.7 % salary adjustment has been deleted in the remarks of the following articles or items:

1 2 0 0	Remuneration and allowances
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VOLUME 8: SECTION VIII - EUROPEAN OMBUDSMAN

EXPENDITURE

The paragraph "*Conditions for releasing the reserve*" regarding the 1.7 % salary adjustment has been deleted in the remarks of the following articles or items:

1 0 0	Salaries, allowances and payments related to salaries
1 0 3	Pensions
1 2 0 0	Remuneration and allowances
1 4 0 0	Other staff

VOLUME 9: SECTION IX - EUROPEAN DATA PROTECTION SUPERVISOR

EXPENDITURE

The paragraph in the *Conditions for releasing the reserve* regarding the 1.7 % salary adjustment has been deleted in the remarks of the following articles or items:

1 0 0 0	Remuneration and allowances
1 1 0 0	Remuneration and allowances
1 1 1 0	Contract staff

VOLUME 10: SECTION X - EUROPEAN EXTERNAL ACTION SERVICE

EXPENDITURE

The paragraph "*Conditions for releasing the reserve*" regarding the 1.7 % salary adjustment has been deleted in the remarks of the following articles or items:

1 1 0 0	Basic salaries
1 1 0 1	Entitlements under the Staff Regulations related to the post held
1 1 0 2	Entitlements under the Staff Regulations related to the personal circumstances of the staff member
1 2 0 0	Contract staff
1 2 0 1	Non-military seconded national experts
1 2 0 5	Military seconded national experts
3 0 0 0	Remuneration and entitlements of statutory staff
3 0 0 1	External staff and outside services