

Methods and procedure for making available the traditional, VAT and GNI-based own resources and measures to meet cash requirements. Recast

2011/0185(CNS) - 29/06/2011 - Initial legislative proposal

PURPOSE: to define provisions necessary to determine the methods and procedure whereby Member States make available to the Commission the traditional own resources (TOR) and the GNI-based own resource and on the measures to meet cash requirements.

PROPOSED ACT: Council Regulation.

BACKGROUND: for reasons of clarity and rationality, and in the context of the own resources package, Regulation No 1150/2000 should therefore be recast. This does not entail material changes in the existing provisions. A very small number of substantive amendments are however needed to reflect recent experience in the management of TOR and the GNI-based own resource by the Commission. In addition, legal references are updated where necessary and titles are added to the articles to improve readability.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASIS: **Article 322(2)** of the Treaty on the Functioning of the European Union.

CONTENT: the purpose of this proposal is to lay down provisions necessary to determine the methods and procedure whereby Member States make available to the Commission the traditional own resources (TOR) and the GNI-based own resource referred to in the Council Decision on the system of own resources of the European Union ([“ORD 2014” Decision](#)), respectively. It also determines the measures to be applied, if need be, to meet cash requirements. This proposal is hereinafter referred to as “IR 322(2)”.

These practical arrangements implement the system set out in ORD 2014 in respect of the establishment of TOR, conservation of supporting documents, administrative cooperation, accounts to be kept for own resources, the timing for making them available and for making adjustments and, where necessary, provisions concerning cash management and irrecoverable amounts.

The proposal incorporates the provisions of Council Regulation (EC, Euratom) No 1150/2000 with the exception of those not strictly related to the making available of TOR and the GNI-based own resource or to cash requirements. Accordingly, provisions concerning the rate of call for the GNI-based own resource, the calculation and budgeting of the balance, control and supervision including supplementary reporting requirements, as well as the Advisory Committee on Own Resources (ACOR) are taken over in the Council Regulation proposed in accordance with Article 311(4) TFEU ([“IR 311\(4\)” Regulation](#)).

The ORD 2014 can enter into force only after the Decision has been adopted by all Member States in accordance with their constitutional requirements. Therefore, IR 322(2), as also proposed for IR 311(4), should apply (retroactively) from 1 January 2014.

BUDGETARY IMPLICATIONS: this proposal has no implications for the EU budget.