


# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2010/0004(COD) Procedure completed
International Fund for Ireland: EU financial contributions 2007-2010 Repealing Regulation (EC) No 1968/2006 <a href="#">2006/0194(CNS)</a>	
Subject 4 Economic, social and territorial cohesion 4.70 Regional policy 6.10.05 Peace preservation, humanitarian and rescue tasks, crisis management	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>REGI</b> Regional Development		17/03/2010
		PPE <a href="#">KELLY Seán</a>	
		Shadow rapporteur	
		S&D <a href="#">KREHL Constanze</a>	
		ALDE <a href="#">GALLAGHER Pat the Cope</a>	
		ECR <a href="#">NICHOLSON James</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>BUDG</b> Budgets	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Competitiveness (Internal Market, Industry, Research and Space)</a>	<a href="#">3057</a>	10/12/2010
European Commission	Commission DG	Commissioner	
	<a href="#">Regional and Urban Policy</a>	HAHN Johannes	

Key events			
05/02/2010	Legislative proposal published	<a href="#">COM(2010)0012</a>	Summary
11/02/2010	Committee referral announced in Parliament, 1st reading		
03/06/2010	Vote in committee, 1st reading		Summary
09/06/2010	Committee report tabled for plenary, 1st reading	<a href="#">A7-0190/2010</a>	
15/06/2010	Results of vote in Parliament		
15/06/2010	Decision by Parliament, 1st reading	<a href="#">T7-0202/2010</a>	Summary
10/12/2010	Act adopted by Council after Parliament's 1st reading		
15/12/2010	Final act signed		

15/12/2010	End of procedure in Parliament		
30/12/2010	Final act published in Official Journal		

### Technical information

Procedure reference	2010/0004(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealing Regulation (EC) No 1968/2006 <a href="#">2006/0194(CNS)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 175-p3; Treaty on the Functioning of the EU TFEU 352-p1sub1
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	REGI/7/02244

### Documentation gateway

Legislative proposal	<a href="#">COM(2010)0012</a>	05/02/2010	EC	Summary
Committee draft report	<a href="#">PE441.027</a>	21/04/2010	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A7-0190/2010</a>	09/06/2010	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T7-0202/2010</a>	15/06/2010	EP	Summary
Commission response to text adopted in plenary	<a href="#">SP(2010)6136</a>	01/09/2010	EC	
Draft final act	<a href="#">00026/2010/LEX</a>	15/12/2010	CSL	

### Additional information

National parliaments	<a href="#">IPEX</a>
European Commission	<a href="#">EUR-Lex</a>

### Final act

[Regulation 2010/1232](#)  
[OJ L 346 30.12.2010, p. 0001](#) Summary

## International Fund for Ireland: EU financial contributions 2007-2010

**PURPOSE:** to change the legal bases of the regulation concerning the International Fund for Ireland.

**PROPOSED ACT:** Regulation of the European Parliament and of the Council

**CONTENT:** the EU has provided financial contributions to the International Fund for Ireland (IFI) from 1989. For the period 2005 to 2006 EUR 15 million was committed from the Community budget for each of the years 2005 and 2006 in accordance with Council Regulation (EC) No 177/2005 on Community financial contributions to the International Fund for Ireland. That Regulation expired on 31 December 2006 and was replaced by Council Regulation (EC) No 1968/2006 concerning Community financial contributions to the International Fund for Ireland (2007-2010). The regulation was adopted, like all previous regulations, on the basis of Article 308 of the Treaty establishing the European Community.

The European Parliament considered that the regulation should have been adopted under Article 159§3 of the Treaty establishing the European Community (now Article 175 of the Treaty on the Functioning of the European Union) and launched an action for annulment before

the Court of Justice. The Court passed down its judgement on 3 September 2009 and ruled that both Articles 159§3 and 308 should be used as the legal basis and therefore annulled Council Regulation (EC) No 1968/2006 and asked the institutions to adopt a replacement regulation with a dual legal basis. In complying with the Court's ruling the European Commission is presenting a new proposal for a Regulation.

In comparison with the annulled regulation the proposal for a new regulation reflects in the recitals the dual legal basis.

All articles remain the same but Article 12 (on entry into force) provides for the retroactive application of Article 6 (on closure of the Fund) since in the annulled regulation the said article was providing for a closure strategy to be submitted to the Commission by June 2008. The closure strategy in question has indeed been submitted to the Commission and it has been approved.

Legal Basis: Article 175 and Article 352 (1) of the Treaty on the Functioning of the European Union.

FINANCIAL IMPLICATIONS: the proposal provides for EU contributions of EUR 15 million per year to the IFI for a period of 4 years from 2007 - 2010. The proposed new period will therefore end in 2010, which would coincide with the last year the Fund will be seeking financial contributions from the donors.

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## International Fund for Ireland: EU financial contributions 2007-2010

The Committee on Regional Development adopted the report by Seán KELLY (EPP, IE) on the proposal for a regulation of the European Parliament and of the Council concerning European Union financial contributions to the International Fund for Ireland (2007-2010).

The committee recommended that the European Parliament's position at first reading of the ordinary legislative procedure (formerly know as the codecision procedure) should be to amend the Commission's proposal with one technical amendment. To recall, the Fund aims to finance projects to promote understanding between the different communities in Northern Ireland until 2013.

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## International Fund for Ireland: EU financial contributions 2007-2010

The European Parliament adopted by 630 votes to 9, with 25 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council concerning the European Union financial contributions to the International Fund for Ireland (2007-2010).

It adopted its position at first reading under the ordinary legislative procedure (formerly know as the codecision procedure) subject to one technical amendment which aims to ensure that the European Union financial contributions are maintained until the end of 2010 and that the payments for projects are continued until 2013.

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## International Fund for Ireland: EU financial contributions 2007-2010

PURPOSE: to adopt a replacement Regulation concerning the European Union financial contributions to the International Fund for Ireland (2007 to 2010), with a view to applying a Court ruling on the choice of legal basis.

LEGISLATIVE ACT: Regulation (EU) No 1232/2010 of the European Parliament and of the Council concerning European Union financial contributions to the International Fund for Ireland (2007 to 2010).

CONTENT: the Council adopted a regulation concerning EU financial contributions to the International Fund for Ireland in the years 2007-2010, aimed at supporting peace and reconciliation in that country.

Council Regulation (EC) No 1968/2006 of 21 December 2006 concerning Community financial contributions to the International Fund for Ireland (2007 to 2010) established the financial reference amount for the implementation of the Fund for the period 2007 to 2010.

In its judgment of 3 September 2009 in Case C-166/07 (European Parliament v Council of the European Union), the Court of Justice annulled Regulation (EC) No 1968/2006 as it was based only on Article 308 of the Treaty establishing the European Community (EC Treaty), ruling that the third paragraph of Article 159 EC Treaty and Article 308 EC Treaty were the appropriate legal bases. However, the Court also ruled that the effects of Regulation (EC) No 1968/2006 were to be maintained until the entry into force, within a reasonable period, of a new regulation adopted on the appropriate legal bases and that the annulment of Regulation (EC) No 1968/2006 was not to affect the validity of payments made or of undertakings given under that Regulation.

In accordance with the Court's judgment, the new legislative act is put on a new dual legal basis (Article 175 and Article 352(1) TFEU) but its content is the same as that of Regulation No 1968/2006 which it replaces.

It should be recalled that the financial envelope for the implementation of the International Fund for Ireland (the Fund) for the period 2007 to 2010 shall be EUR 60 million.

ENTRY INTO FORCE: 31/12/2010.

APPLICATION: Article 6 shall retroactively apply from 1 January 2007.

EXPIRATION: 31/12/2010.