



# Procedure file

Basic information	
CNS - Consultation procedure Regulation	2011/0185(CNS) Procedure completed
Methods and procedure for making available the traditional, VAT and GNI-based own resources and measures to meet cash requirements. Recast	
Repealing Regulation (EC, Euratom) No 1150/2000 <a href="#">1997/0352(CNS)</a> Repealing Regulation (EC, Euratom) No 2028/2004 <a href="#">2003/0131(CNS)</a> Repealing Regulation (EC, Euratom) No 105/2009 <a href="#">2008/0089(CNS)</a> Amended by <a href="#">2015/0204(NLE)</a>	
Subject 8.70.01 Financing of the budget, own resources	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>BUDG</b> Budgets		28/09/2011
		PPE <a href="#">DEHAENE Jean-Luc</a>	28/09/2011
		ALDE <a href="#">JENSEN Anne E.</a>	
		Shadow rapporteur	
		S&D <a href="#">HAUG Jutta</a>	
		ALDE <a href="#">PICKART ALVARO Alexander Nuno</a>	
		Verts/ALE <a href="#">TRÜPEL Helga</a>	
		ECR <a href="#">ASHWORTH Richard</a>	
		EFD <a href="#">MORGANTI Claudio</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
<b>JURI</b> Legal Affairs			13/09/2011
		PPE <a href="#">LÓPEZ-ISTÚRIZ WHITE Antonio</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Competitiveness (Internal Market, Industry, Research and Space)</a>	<a href="#">3317</a>	26/05/2014
	<a href="#">General Affairs</a>	<a href="#">3143</a>	27/01/2012
European Commission	Commission DG <a href="#">Budget</a>	Commissioner LEWANDOWSKI Janusz	

Key events			

29/06/2011	Initial legislative proposal published	<a href="#">COM(2011)0512</a>	Summary
13/09/2011	Committee referral announced in Parliament		
09/11/2011	Initial legislative proposal published	<a href="#">COM(2011)0742</a>	
27/01/2012	Debate in Council	<a href="#">3143</a>	Summary
12/02/2014	Legislative proposal published	<a href="#">05603/2014</a>	
01/04/2014	Vote in committee		
04/04/2014	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A7-0268/2014</a>	Summary
16/04/2014	Results of vote in Parliament		
16/04/2014	Debate in Parliament		
16/04/2014	Decision by Parliament	<a href="#">T7-0433/2014</a>	Summary
26/05/2014	Act adopted by Council after consultation of Parliament		
26/05/2014	End of procedure in Parliament		
07/06/2014	Final act published in Official Journal		

### Technical information

Procedure reference	2011/0185(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Recast
Legislative instrument	Regulation
	Repealing Regulation (EC, Euratom) No 1150/2000 <a href="#">1997/0352(CNS)</a> Repealing Regulation (EC, Euratom) No 2028/2004 <a href="#">2003/0131(CNS)</a> Repealing Regulation (EC, Euratom) No 105/2009 <a href="#">2008/0089(CNS)</a> Amended by <a href="#">2015/0204(NLE)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 322-p2; Euratom Treaty A 106a-pa
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	BUDG/7/06473

### Documentation gateway

Initial legislative proposal	<a href="#">COM(2011)0512</a>	29/06/2011	EC	Summary
Initial legislative proposal	<a href="#">COM(2011)0742</a>	09/11/2011	EC	
Legislative proposal	<a href="#">05603/2014</a>	12/02/2014	CSL	Summary
Committee draft report	<a href="#">PE529.827</a>	20/02/2014	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A7-0268/2014</a>	04/04/2014	EP	Summary
Text adopted by Parliament, 1st reading/single	<a href="#">T7-0433/2014</a>	16/04/2014	EP	Summary

reading

### Additional information

National parliaments

[IPEX](#)

European Commission

[EUR-Lex](#)

### Final act

[Regulation 2014/609](#)

[OJ L 168 07.06.2014, p. 0039](#) Summary

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

**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.

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

**PURPOSE:** to ensure that cash requirements will be met under the new structure of EU financing introduced by the proposal for a Council Decision on the system of own resources of the European Union.

**PROPOSED ACT:** Council Regulation (amended proposal).

**BACKGROUND:** on 29 June 2011 the Commission adopted, as part of a broad package of proposals on the own resources system, a proposal for a Council Regulation on the methods and procedure for making available the traditional and GNI-based own resources and on the measures to meet cash requirements (please see the summary of 29 June 2011).

It announced that it would present the relevant detailed regulations or amendments to existing legal acts as well as the related regulations.

Accordingly, the Commission adopted a [proposal for a Council Directive](#) on a common system of financial transaction tax ("the FTT Directive") on 28 September 2011. In addition, Council Regulations on making the own resource based on the financial transaction tax (FTT) [available to the EU budget](#) and on calculating and making available the own resource based on [value added tax \(VAT\)](#) are proposed at the same time as this proposal.

**CONTENT:** the purpose of this amended proposal is to ensure that cash requirements will be met under the new structure of EU financing introduced by the proposal for a Council Decision on the system of own resources of the European Union and these new proposals.

Only one change of substance is included in this amended proposal compared to the proposal made on 29 June 2011.

It concerns the analysis of the current system which shows that up to two twelfths of GNI-based and current VAT own resources are systematically brought forward in the first quarter of the year to cover cash requirements, due mainly to expenditure of the European Agricultural Guarantee Fund (EAGF).

The structure of EU financing for the period 2012 - 2020 is expected to change considerably with the ending of the current VAT own resource and the introduction of new own resources as from 1 January 2014.

Since it can be assumed that cash requirements will be in excess of the assets of the accounts in the first quarter of every year, even after calling in advance two GNI twelfths, it is proposed to double the number of twelfths available in advance (from two to four) in order to compensate the decrease of the GNI share in the EU financing. This is a mechanical adjustment of the existing system, which will ensure the same capacity to face cash requirements of the EU budget as is the case today.

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

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The Council discussed the main priorities and the budgetary framework including the overall amounts presented in the Commission's proposals for the EU's multiannual financial framework (MFF) for the 2014-2020 period. The debate enabled a clearer picture to be obtained of the member states' positions on the main issues and of the state of negotiations. It also provided guidance to the presidency and notably indicated the areas where it could face difficulties in finding common ground.

During this debate, several delegations highlighted a need for reforming the EU's own resources system.

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

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**PURPOSE:** to set out the methods and procedure for making available the traditional, VAT and GNI-based own resources and the measures to meet cash requirements.

**PROPOSED ACT:** Council Regulation.

**ROLE OF THE EUROPEAN PARLIAMENT:** the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

**BACKGROUND:** for reasons of clarity and rationality, and in the context of the own resources package, Regulation No 1150/2000 should be recast.

The Union must have available the own resources referred to in the [Council Decision on the system of own resources of the European Union](#), under the best possible conditions and accordingly rules should be laid down for the Member States to provide the Commission with those own resources.

**CONTENT:** the proposal aims to lay down the provisions necessary to determine the methods and procedure whereby Member States make available to the Commission the traditional own resources (TOR) and VAT and GNI-based own resources referred to in the Council Decision on the system of own resources of the European Union. It also determines the measures to be applied, if need be, to meet cash requirements.

These practical arrangements implement the system set out in the Decision on the system of own resources 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.

Certain provisions of Regulation (EC, Euratom) No 1150/2000 have been inserted into the [Regulation laying down implementing measures for the system of own resources of the European Union](#) and are not covered by this Regulation. Those provisions concern the calculation and budgeting of the balance, control and supervision of own resources and relevant reporting requirements, as well as the Advisory Committee on Own Resources (ACOR).

For reasons of coherence, this Regulation must enter into force on the same date as the Decision on the system of own resources in the EU and must apply from 1 January 2014.

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

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The Committee on Budgets adopted, in the framework of a special legislative procedure (Parliament consultation), the report by Jean-Luc DEHAENE (EPP, BE) and Anne E. JENSEN (ADLE, DK) on the draft Council regulation on the methods and procedure for making available the traditional, VAT and GNI-based own-resources and on the measures to meet cash requirements (recast).

The draft presented by the Council does not significantly alter the proposal of the Commission, except for adjusting it to the final outcome of MFF/ OR negotiations, where the proposals for a new VAT-own resource and an FTT own resource did not receive support in the Council.

The committee recommended the European Parliament to approve, without amendment, the Council draft as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission.

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

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The European Parliament adopted by 423 votes to 103, with 8 abstentions, in the framework of a special legislative procedure (Parliaments consultation), a legislative resolution the draft Council regulation on the methods and procedure for making available the traditional, VAT and GNI-based own-resources and on the measures to meet cash requirements (recast).

Parliament approved, unamended, the Council draft as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission.

The Councils draft does not significantly alter the proposal of the Commission, except for adjusting it to the final outcome of Multiannual Financial Framework (MFF)/own resources negotiations, where the proposals for a new VAT-own resource and a Financial Transaction Tax (FTT) own resource did not receive support in the Council.

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

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**PURPOSE:** to define measures required for the methods and procedure for making available the traditional, VAT and GNI-based own resources and on the measures to meet cash requirements (Package 'own resources').

**LEGISLATIVE ACT:** Council Regulation (EU, Euratom) No 609/2014 of 26 May 2014 on the methods and procedure for making available the traditional, VAT and GNI-based own resources and on the measures to meet cash requirements (Recast).

**CONTENT:** the Regulation constitutes a recast of [Regulation \(EC, Euratom\) No 1150/2000](#). It defines the provisions required to set the methods and procedure according to which the Member States to make available to the Commission the traditional, VAT and GNI-based own resources foreseen by [Council Decision 2014/335/EU, Euratom](#) on the European Union's own resources. It also defines the measures to meet, where appropriate, cash requirements.

These practical arrangements shall implement the system established in the system of own resources in relation to the establishment of traditional own resources, the conservation of supporting documents, the administrative cooperation, the accounts for own resources, the timing for making available and adjustments and, where appropriate, provisions on cash management and of irrecoverable amounts.

The Regulation provides that separate accounts should be kept for entitlements which have not been recovered. These accounts and the submission of a quarterly statement of such accounts should enable the Commission to monitor more closely the action taken by Member States to collect own resources, and particularly those compromised by fraud or irregularities.

The own resources must be made available in the form of an entry of the amounts due in an account opened for this purpose in the name of the Commission with the Treasury or with the body appointed by each Member State.

Certain provisions of Regulation (EC, Euratom) No 1150/2000 have been included in Council Regulation (EU, Euratom) No 608/2014 and are not covered by this Regulation. Those provisions concern the calculation and budgeting of the balance, control and supervision of own resources and relevant reporting requirements, as well as the Advisory Committee on Own Resources (ACOR).

**ENTRY INTO FORCE:** the day of the entry into force of Decision 2014/335/EU, Euratom.

The Regulation shall apply from 01.01.2014.