

Draft amending budget No 3/2011: 2010 budget surplus

European Parliament resolution of 5 July 2011 on Council's position on Draft amending budget No 3/2011 of the European Union for the financial year 2011, Section III – Commission (11630/2011 – C7-0166/2011 – 2011/2075(BUD))

The European Parliament,

- having regard to Articles 310 and 314 of the Treaty on the Functioning of the European Union and Article 106a of the Treaty establishing the European Atomic Energy Community,
 - 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 ('the Financial Regulation'), and particularly Article 15(3) and Articles 37 and 38 thereof,
 - having regard to the general budget of the European Union for the financial year 2011, as definitively adopted on 15 December 2010²,
 - having regard to the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management³,
 - having regard to Draft amending budget No 3/2011 of the European Union for the financial year 2011, which the Commission submitted on 15 April 2011 (COM(2011)0219),
 - having regard to Council's position on Draft amending budget No 3/2011, which the Council established on 16 June 2011 (11630/2011 - C7-0166/2011),
 - having regard to Rules 75b and 75e of its Rules of Procedure,
 - having regard to the report of the Committee on Budgets (A7-0254/2011),
- A. whereas Draft amending budget No 3/2011 aims to enter in the 2011 budget the surplus from the 2010 financial year, amounting to EUR 4 539 394 283,
- B. whereas the main components of that surplus are a positive outturn on income of more than EUR 1,8 billion (EUR 1 800 000 000), an under-spend in expenditure of EUR 2,72 billion, and a positive exchange rate difference of EUR 22,3 million,
- C. whereas the major part of the income side (EUR 1,28 billion out of EUR 1,8 billion) comes from interest on late payments and fines,
- D. whereas the difference between voted budget 2011 (EUR 122,96 billion) and implemented or carried over appropriations (EUR 120,97 billion) is a result of cancelled appropriations

¹ OJ L 248, 16.9.2002, p. 1.

² Texts adopted, P7_TA(2010)0475.

³ OJ C 139, 14.6.2006, p. 1.

(EUR 740 million), mostly because of non-adoption of Draft amending budget No 10/2010,

- E. whereas the under-spend of EUR 2,72 billion results from under-implementation of programmes, from under-implementation of non-mobilised reserves, from under-implementation in other sections of the budget, and from under-execution of credits carried over from 2009 to 2010,
1. Takes note of Draft amending budget No 3/2011, devoted solely to the budgeting of the 2010 surplus, in accordance with Article 15 of the Financial Regulation;
 2. Is firmly convinced that the part of income calculated from interest on late payments and fines is not to be considered as a surplus and should therefore not be deducted from the Member States' contributions (own resources based on GNI);
 3. Considers, on the contrary, that such income, stemming from the enforcement of EU competition policy, should be directly put back and reinvested in the EU budget; is determined to promote and defend this principle in the forthcoming negotiations on annual and multiannual budgets;
 4. Approves, however, Council's position on Draft amending budget No 3/2011 unamended and instructs its President to declare that Amending budget No 2/2011 has been definitively adopted and arrange for its publication in the *Official Journal of the European Union*;
 5. Instructs its President to forward this resolution to the Council, the Commission and the national parliaments.