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REPORT

on Council's position on Draft amending budget n°5/2010 of the European Union for the financial year 2010, Section III- Commission (13473/2010 – C7-0260/2010 – 2010/2091(BUD))

Committee on Budgets

Rapporteur: László Surján

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on Council's position on Draft amending budget No 5/2010 of the European Union for the financial year 2010, Section III – Commission (13473/2010 – C7-0260/2010 – 2010/2091(BUD))

The European Parliament,

- having regard to the Treaty on the Functioning of the European Union and in particular Article 314 thereof and to the Treaty establishing the European Atomic Energy Community, and in particular Article 106a thereof,
 - 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, and particularly Articles 37 and 38 thereof,
 - having regard to the general budget of the European Union for the financial year 2010, as finally adopted on 17 December 2009²,
 - 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 5/2010 of the European Union for the financial year 2010, which the Commission presented on 15 June 2010 (COM(2010)0320),
 - having regard to Council's position on Draft amending budget No 5/2010, which the Council established on 13 September 2010 (13473/2010 – C7-0260/2010),
 - having regard to Council Regulation (EC) No 2040/2000 of 26 September 2000 on budgetary discipline⁴,
 - having regard to Rule 75b and 75e of its Rules of Procedure,
 - having regard to the report of the Committee on Budgets (A7-0249/2010),
- A. whereas the Council's position on Draft amending budget No 5/2010 covers modifications to the establishment plan of OLAF, without additional financial provisions, as well as the revision of the forecast of Traditional Own Resources (TOR, i.e. customs duties and sugar sector levies), VAT and GNI bases, the budgeting of the relevant UK corrections as well as their financing and revision of financing of GNI reductions in favour of the Netherlands and Sweden in 2010, resulting in a change in the distribution between Member States of their own-resources contributions to the EU budget,

¹ OJ L 248, 16.9.2002, p. 1.

² OJ L 64, 12.3.2010.

³ OJ C 139, 14.6.2006, p. 1.

⁴ OJ L 244, 29.9.2000, p. 27.

- B. whereas the purpose of Draft amending budget No 5/2010 is to formally enter this budgetary adjustment into the 2010 budget,
- C. whereas the Council adopted its position on 13 September 2010,
1. Takes note of Draft amending budget No 5/2010;
 2. Approves Council's position on Draft amending budget No 5/2010 unamended and instructs its President to declare that Amending budget No x/2010 has been definitively adopted and to arrange for its publication in the *Official Journal of the European Union*;
 3. Instructs its President to forward this resolution to the Council and the Commission.

EXPLANATORY STATEMENT

According to Article 37(1) of the Financial Regulation, the Commission may present Draft amending budgets, if there are "unavoidable, exceptional or unforeseen circumstances". Concerning the different points of Draft Amending Budget No 5/2010 and Councils position on it, your rapporteur has the following comments:

Draft Amending Budget No 5 to the Budget for 2010 (DAB 5/2010) covers the modifications to the establishment plan of OLAF and the revision of the forecast of Traditional Own Resources , VAT and GNI bases, the budgeting of the relevant UK corrections as well as their financing and revision of financing of GNI reductions in favour of the Netherlands and Sweden in 2010, resulting in a change in the distribution between Member States of their own resources contributions to the EU budget.

Concerning OLAF (Section III- Commission - S 02 02 — European Anti-Fraud Office, the Commission is proposing an additional 20 permanent AD posts, as the Office now has the opportunity to bring the adaptation of its establishment plan to an end by recruiting the corresponding number of laureates as permanent officials. As a reminder, the budget authority had transformed a large number of permanent posts into temporary posts in 2003. An agreement was reached in 2007 to launch external and internal competitions to facilitate the recruitment of OLAF temporary agents as officials.

Concerning the Own resources part of this amending budget, it seems not to differ from the last years exercises. Its calculation rules are set in details in the related legislation.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	13.9.2010
Result of final vote	+: 36 -: 1 0: 0
Members present for the final vote	Marta Andreasen, Francesca Balzani, Reimer Böge, Giovanni Collino, Jean-Luc Dehaene, Isabelle Durant, James Elles, Göran Färm, José Manuel Fernandes, Eider Gardiazábal Rubial, Salvador Garriga Polledo, Jens Geier, Ivars Godmanis, Ingeborg Gräßle, Estelle Grelier, Carl Haglund, Lucas Hartong, Jutta Haug, Jiří Havel, Monika Hohlmeier, Sidonia Elżbieta Jędrzejewska, Anne E. Jensen, Ivailo Kalfin, Jan Kozłowski, Giovanni La Via, Vladimír Maňka, Barbara Matera, Nadezhda Neynsky, Dominique Riquet, László Surján, Helga Trüpel, Derek Vaughan
Substitute(s) present for the final vote	Gerben-Jan Gerbrandy, Roberto Gualtieri, Riikka Manner, Jan Olbrycht, Paul Rübig