

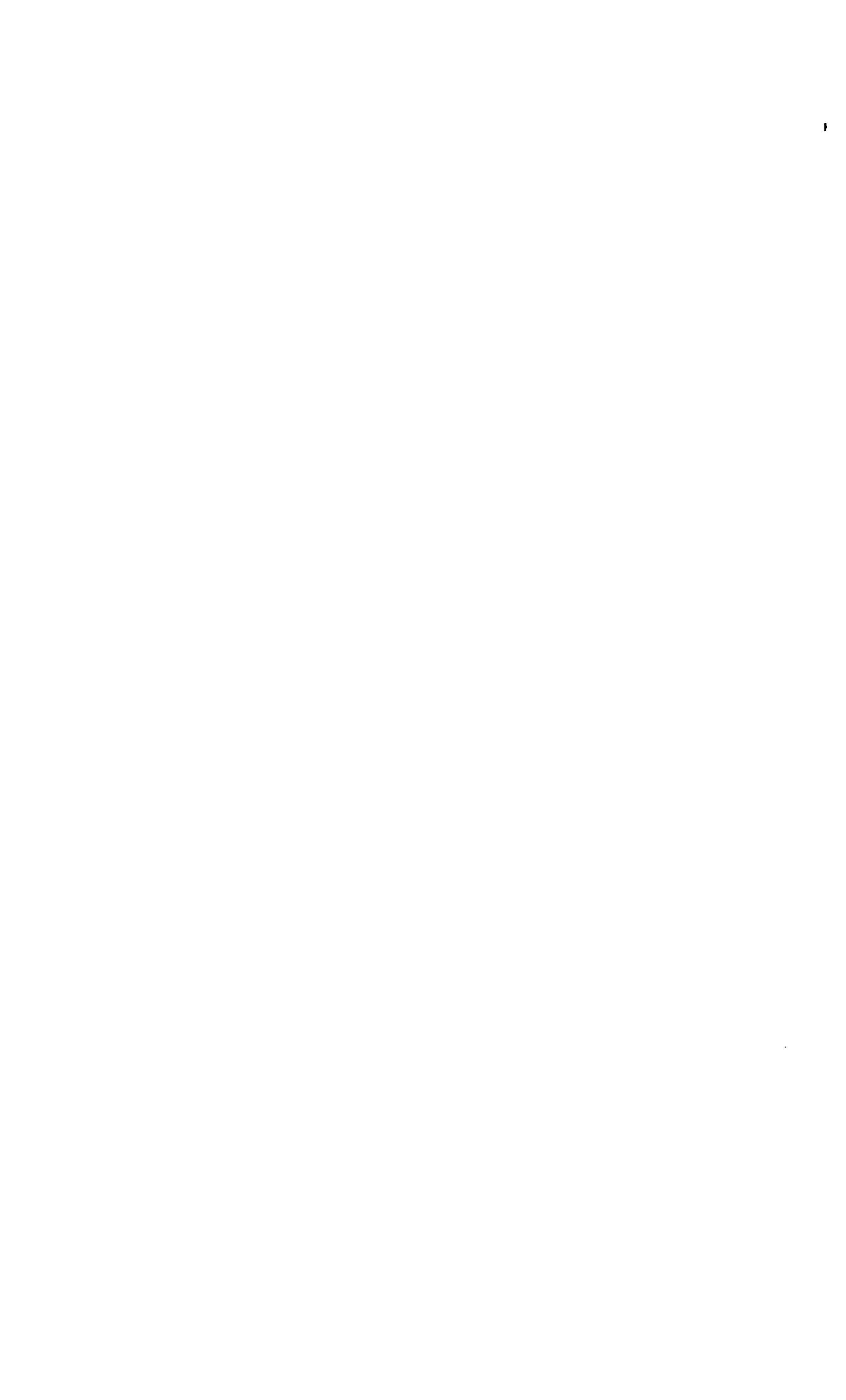
# COMMISSION OF THE EUROPEAN COMMUNITIES

COM (77) 589 Final

Brussels, 11 November 1977

Amendments to the proposal for a Council Regulation  
(EEC, Euratom, ESBQ)

implementing the Decision of 21 April 1970 on  
the replacement of financial contributions from  
Member States by the Communities' own resources  
(submitted to the Council by the Commission  
pursuant to the second paragraph of article  
149 of the EEC Treaty, and to article 119 of  
the ESEC Treaty)



EXPLANATORY MEMORANDUM

At its sitting of 13 October 1977, the European Parliament, having been consulted by the Council (1), adopted a Resolution embodying its Opinion on a proposal for a Regulation (EEC, Euratom, ECSC) implementing the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources and requested the Commission to take over a number of amendments to provisions of secondary importance, in accordance with the second paragraph of Article 149 of the EEC Treaty.

The Commission has decided to take over the amendments proposed by the European Parliament as amendments to its previous proposal sent to the Council on 11 August 1977 (2).

The amended proposal attached comprises only those Articles in which amendments are made to the initial Commission proposal. The amendments have been underlined.

However, the date of 30 June 1979 suggested by the European Parliament for the first report by the Commission (Article 28) seems too early. The Commission is therefore proposing 30 September 1979.

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(1) Doc 274/77

(2) COM (77) 396 fin.

AMENDED PROPOSAL

under Articles 149 of the EEC Treaty  
and 119 of the EAEC Treaty  
of the Council Regulation (EEC, EURATOM, EAEC)  
of  
implementing the Decision of 21 April 1970  
on the replacement of financial contributions  
from Member States by the Communities' own resources

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Preamble, recitals and Articles 1 to 10 unchanged

Article 11

1. unchanged
2. unchanged
3. Nevertheless, the own resources accruing from VAT or, where appropriate, the financial contributions based on GNP, shall be entered on the first day of each month, the amount being one-twelfth of the total entered under this heading in the budget.

Calculation of the one-twelfth for the month of January of each financial year shall be based on the amounts entered in the draft budget; this amount shall be adjusted when the next month's instalment is paid. If the budget has not been adopted before the beginning of the financial year, the twelfths shall similarly be calculated from the amounts entered in the draft budget; the adjustment shall be made on the first due date following the adoption of the budget to allow the responsible authorities one clear calendar month.

The system of advance payments in twelfths of own resources accruing from VAT shall be reviewed at the latest during the second financial year following that in which it enters into force

4. unchanged
5. unchanged
6. unchanged
7. unchanged

Article 12

unchanged

Article 13

1. The Commission shall have at its disposal the amounts credited to the account referred to in Article 8 of this Regulation in order to replenish the accounts via which it makes payments arising from the implementation of the budget and the transfers intended, as regards funds held in the form of currency, to restore the structure of the EUA basket so as to cover exchange risks, in accordance with the provisions of Article 16 of the Regulation on the application of the EUA. The orders and instructions which the Commission sends to the Treasury or to the appropriate department of each Member State shall be carried out as soon as possible.
2. deleted

Article 14

1. In order to meet possible liquidity difficulties arising from
  - (a) a difference between revenue and expenditure in a given month or
  - (b) own resources' receipts lower than the original estimates.

[ (1)

the Commission may negotiate overdrafts.
2. unchanged

Articles 15 to 17 unchanged

Article 18

The Commission shall, before the end of October in each financial year, make an estimate of the own resources collected for the

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(1) deleted [having taken any appropriate steps to defer the expenditure]

entire year, on the basis of the information at its disposal at that time.

If this estimate differs appreciably from the original estimates, the latter shall, after a review of the cash situation, be the subject of a letter of amendment relating to the draft budget for the following financial year which is in process of approval.

The balance to be carried forward to the second financial year following the one in question, as laid down in Article 29 of the Financial Regulation of 25 April 1973 shall take this entry into account.

Articles 19 to 27 unchanged

Article 28 (new article)

The Commission shall, before 30 September 1979, submit a report on the implementation of This Regulation and any proposed amendments to it which are likely to emphasize the principle of financial autonomy of the Communities and improve its operation.