

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(84) 383 final

Brussels, 9 July 1984

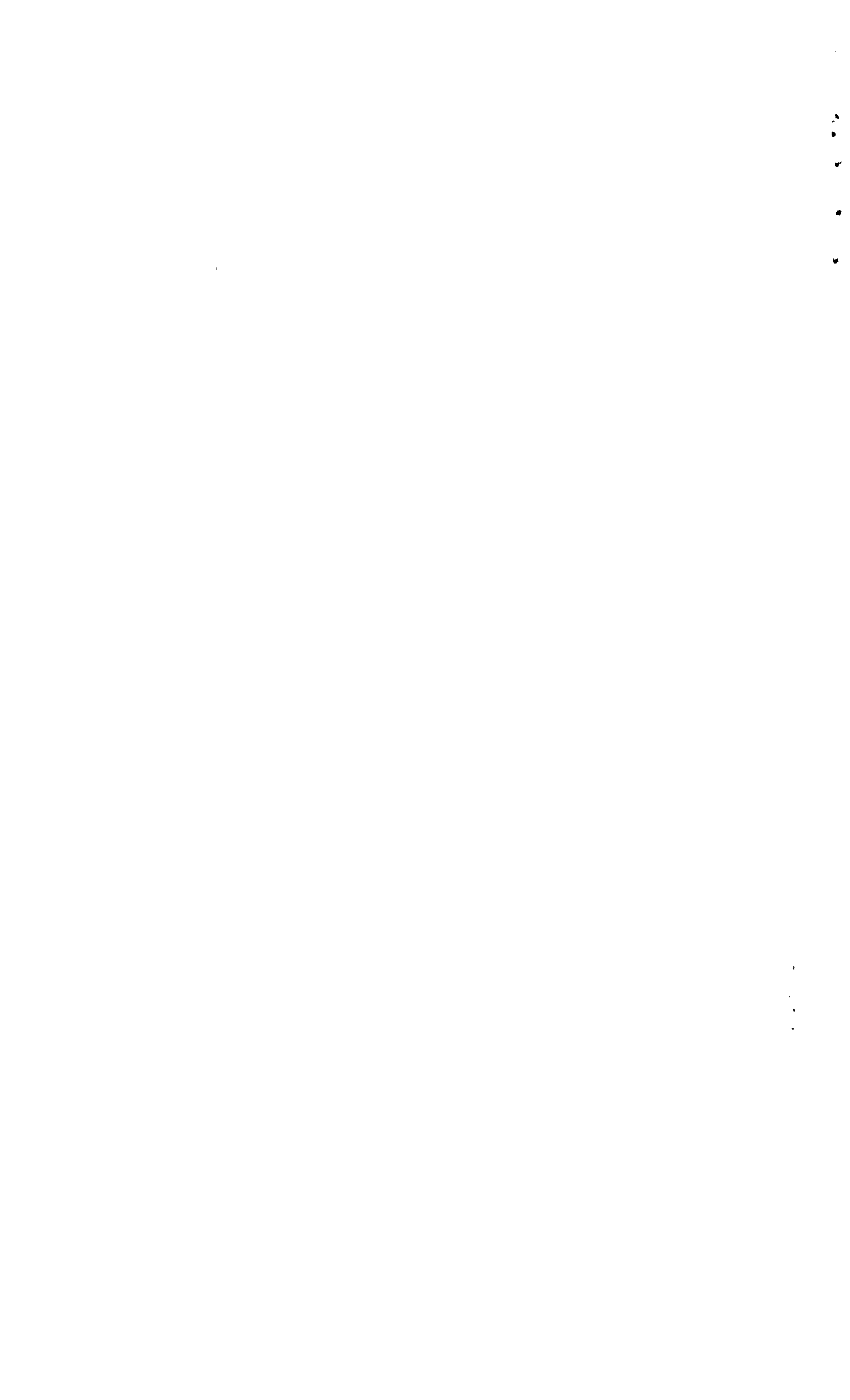
## PROPOSAL FOR A COUNCIL REGULATION

introducing reserve measures to cover requirements  
in 1985 should the new decision to increase own resources  
not enter into force in time

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(submitted to the Council by the Commission)

COM(84) 383 final



## EXPLANATORY MEMORANDUM

The Commission feels that the relevant Community bodies will, on the basis of the proposals which it has presented, take the necessary decisions in 1984 and 1985 to ensure that all budgetary requirements in 1985 are covered by the new own resources decision.

The Commission has therefore indicated that the Council should adopt the new own resources decision before adoption of the 1985 budget so that the Council can then recommend that the Member States adopt it in accordance with their respective constitutional requirement in time for it to enter into force by 1 October 1985.

On the basis of the figures entered by the Commission in its preliminary draft budget, the total requirements for 1985 are estimated at 28 103 456 073 ECU while, taking into account the own resources ceiling deriving from the Decision of 21 April 1970, the Community has only 26 190 811 230 ECU available for 1985. The entry into force of the new own resources decision by 1 October 1985 is thus intended to cover this shortfall of 1 912 653 843 ECU.

However, the Commission must make contingency plans in case the new own resources decision cannot enter into force as planned on 1 October 1985 for whatever reason (in particular, because of the uncertainties connected with the ratification procedures). Suitable measures must therefore be taken to ensure that the shortfall is covered and that the 1985 budget is in balance. When the 1985 budget is adopted, the budgetary authority must be absolutely certain that all the revenue entered in the budget can actually be raised in the course of the year.

The Commission therefore proposes that the Council adopt a decision - not later than when the 1985 budget is adopted - to ensure that the Member States make the abovementioned 1 912 653 843 ECU available to the Community as an advance on own resources.

This decision is thus no more than a subsidiary measure to be applied only if the new own resources decision does not enter into force on 1 October 1985 as planned.

## II

*(Preparatory Acts)*

## COMMISSION

**Proposal for a Council Regulation introducing reserve measures to cover requirements in 1985 should the new decision to increase own resources not enter into force in time**

COM(84) 383 final

*(Submitted by the Commission to the Council on 9 July 1984)*

(84/C 196/09)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 203 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the own resources granted to the Communities by the Decision of 21 April 1970 are insufficient to cover all the requirements necessary to implement common policies and Community measures;

Whereas the Commission has presented a proposal to the Council for a decision granting new own resources to the Community;

Whereas this decision should enter into force on 1 October 1985 following its adoption by the Member States in accordance with their respective constitutional requirements;

Whereas, should this decision not be adopted in time, a way must be found of balancing the budget and, as a reserve measure, of raising the additional finance required by this situation;

Whereas the Member States are bound under Article 5 of the EEC Treaty and Article 192 of the Euratom Treaty to take all appropriate measures, whether general or particular, to ensure fulfilment of the obligations arising out of these Treaties or resulting from action taken by the institutions of the Community and to facilitate the achievement of the Community's tasks; whereas Article 199 of the EEC Treaty requires all items of revenue and expenditure

of the Community to be entered in the budget and the revenue and expenditure shown in the budget to be in balance;

Whereas the Community should therefore approach the Member States for an advance on the payment of own resources,

HAD ADOPTED THIS REGULATION:

*Article 1*

If the decision on the Community's new own resources does not enter into force on 1 October 1985, the Member States shall make available to the Community, on the terms indicated below, a sum not exceeding 1 912 653 843 ECU as an advance on the Community's own resources, the final amount being determined on the final adoption of the 1985 budget. These funds shall be used exclusively to provide supplementary cover for budgetary expenditure in 1985.

*Article 2*

The Commission shall apply to all Member States, which shall contribute to the proposed operation in accordance with their share of the Community's uniform VAT base for 1985, viz.:

Belgium	3,27
Denmark	2,02
Germany	28,78
Greece	1,55 (*)
France	22,31
Ireland	0,88
Italy	14,74
Luxembourg	0,26
Netherlands	4,85
United Kingdom	21,34.

(\*) In the case of Greece, a financial contribution.

*Article 3*

The funds shall be made available by the Member States on the dates indicated by the Commission as budgetary requirements arise and before 31 December 1985.

*Article 4*

The funds shall be repaid in eight equal six-monthly instalments beginning on 30 June 1986.

*Article 5*

The Council, acting by a qualified majority on a proposal from the Commission, shall lay down detailed rules for implementing this Regulation.

*Article 6*

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

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