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2014/0178 (NLE)

Proposal for a

COUNCIL DECISION

**on the financial contributions to be paid by Member states to finance the European
Development fund in 2014, including the second instalment for 2014**

EXPLANATORY MEMORANDUM

The Internal Agreement and Financial Regulation of the 10th EDF provide for a procedure for the calls for contributions to be paid by Member States to finance the EDF. In accordance with Article 57(3) of the 10th EDF Financial Regulation, this proposal covers:

- the amount of the second instalment of the contribution for 2014.

In accordance with Article 57(7) of the 10th EDF Financial Regulation, the amount managed by the Commission and the amount managed by the EIB are specified separately.

In accordance with Article 145 of the 10th EDF Financial Regulation, the EIB has sent the Commission its updated estimates of commitments and payments under the instruments it manages.

In accordance with Article 58(2) of the Financial Regulation calls for contributions should first use up the amounts available from previous EDFs, one after the other. The calls for contributions in this proposal therefore concern amounts under the 9th EDF for the EIB and the 10th EDF for the Commission.

In accordance with Article 57(3) of the 10th EDF Financial Regulation, the Council must decide on this proposal at the latest 21 calendar days following the presentation by the Commission of its proposal and Member States must pay the second instalment at the latest 21 calendar days following the date on which the Council decision was notified to them.

Article 60(1) of the Financial Regulation provides that a Member State which fails to pay the instalment of the contribution due by the deadline will be required to pay interest on the amount unpaid; the arrangements for the payment of interest are specified in the same Article

Proposal for a

COUNCIL DECISION

on the financial contributions to be paid by Member states to finance the European Development fund in 2014, including the second instalment for 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of Community aid under the multiannual financial framework for the period 2008 to 2013 in accordance with the ACP-EC Partnership Agreement and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the EC Treaty applies¹, ("the Internal Agreement") and in particular Article 7 thereof,

Having regard to the Council Regulation (EC) No 215/2008 of 18 February 2008 on the Financial Regulation applicable to the 10th European Development Fund (hereinafter referred to as "the 10th EDF Financial Regulation")² as last amended on 11 April 2011³, and in particular Article 57(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In accordance with the procedure laid down in Articles 57 to 61 of the 10th EDF Financial Regulation, the Commission is presenting a proposal by 15 June specifying (a) the amount of the second instalment of the contribution for 2014, and (b) a revised annual amount of the contribution for the year 2014 in line with actual needs, in case where, in accordance with Article 7(3) of the Internal Agreement, the annual amount deviate from actual needs.
- (2) The Council has adopted on the 8th of November 2013, on a proposal made by the Commission, the decision to fix at EUR 3.100.000.000 the Commission's share and at 150.000.000 the EIB's share of the annual amount of the Member States contributions to the EDF for 2014.
- (3) In accordance with the first paragraph of Article 145 of the 10th EDF Financial Regulation, the European Investment Bank has sent the Commission its updated estimates of commitments and payments under the instruments it manages.
- (4) Article 58(2) of the 10th European Development Fund (hereafter "the EDF") Financial Regulation provides that calls for contributions first use up the amounts provided for previous EDFs. Therefore a call for funds under the 9th EDF should be made also on the basis of Article 58 (2) of the 10th EDF Financial Regulation for the EIB,

¹ OJ L 247, 9.9.2006, p. 32.

² OJ L 78, 19.3.2008, p. 1.

³ OJ L 102, 16/04/2011, p. 1.

HAS ADOPTED THIS DECISION:

Article 1

The individual EDF contributions to be paid by the Member States to the Commission and the EIB as the second instalment for 2014 are set out in the table in the Annex.

Article 2

This decision shall apply from the date of its adoption.

Article 3

This Decision is addressed to the Member States.

Done at Brussels,

*For the Council
The President*