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EUROPEAN COMMISSION

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COM(2010) 556 final

2010/0288 (NLE)

Proposal for a

COUNCIL DECISION

on the financial contributions to be paid by the Member States to finance the European Development Fund in 2011 and 2012, including the first instalment for 2011

EXPLANATORY MEMORANDUM

The Internal Agreement and Financial Regulation of the 10th EDF provide for a new procedure for the calls for contributions to be paid by Member States to finance the EDF. According to Article 157 of the Financial Regulation, this new procedure applied for the first time for the contributions of 2009.

In accordance with Article 57(2) of the Financial Regulation, this proposal covers:

- the ceiling for the annual amount of the contribution for 2012;
- the annual amount of the contribution for 2011; and
- the amount of the first instalment of the contribution for 2011.

In accordance with Article 57(7) of the 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 Financial Regulation, the EIB has sent the Commission its updated estimates of commitments and payments under the instruments it manages.

In accordance with Article 57(2) of the Financial Regulation, the Council must decide on this proposal by 15 November 2010 and Member States must pay the first instalment of the contribution at the latest by 21 January 2011.

Article 58(2) of the Financial Regulation provides that calls for contributions first use up the amounts laid down for previous EDFs, one after the other. The calls for contributions in this proposal therefore concern amounts under the 9th and, for the first time, the 10th EDF.

Note that 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

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on the financial contributions to be paid by the Member States to finance the European Development Fund in 2011 and 2012, including the first instalment for 2011

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, 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 Fund² (hereinafter referred to as "the 10th EDF Financial Regulation"), and in particular Article 57 (2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) In accordance with the procedure laid down in Articles 57 to 61 of the 10th EDF Financial Regulation, the Commission should present a proposal by 15 October 2010 specifying the ceiling for the annual amount of the Member States European Development Fund (EDF) contribution for 2012, the annual amount of the contribution for 2011 and the amount of the first instalment of the contribution for 2011.
- (2) Article 58(2) of the 10th EDF Financial Regulation provides that calls for contributions first use up the amounts laid down 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. 10th EDF funds will be called for the first time in 2011.
- (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) The Council should decide on this proposal by 15 November 2010, and Member States should pay the first instalment of the contribution for 2011 at the latest by 21 January 2011,

¹ OJ L 247, 9.9.2006, p. 32.

² OJ L 78, 19.3.2008, p. 1.

HAS ADOPTED THIS DECISION:

Article 1

The ceiling for the annual amount of the Member States EDF contributions for 2012 is hereby set at EUR 4 000 000 000 for the Commission, and at EUR 350 000 000 for the European Investment Bank.

Article 2

The annual amount of the Member States EDF contributions for 2011 is hereby set at EUR 3 690 000 000 for the Commission, and at EUR 210 000 000 for the European Investment Bank.

Article 3

The individual EDF contributions to be paid by the Member States to the Commission and to the European Investment Bank as the first instalment for 2011 are set out in the table in the Annex.

Article 4

This decision shall apply from the date of its adoption.

Article 5

This decision is addressed to the Member States.

Done at Brussels,

*For the Council
The President*

ANNEX

First instalment of contributions for 2011 (in EUR)

MEMBER STATES	Key 9th EDF	Key 10th EDF	1st instalment				Total 1st instalment
	%	%	paid to	paid to			
			EIB	Commission			
			9th EDF	9th EDF	10th EDF	Total	
BELGIUM	3.92	3.53	3 920 000	25 877 880	44 119 705	69 997 585	73 917 585
DENMARK	2.14	2.00	2 140 000	14 127 210	24 997 000	39 124 210	41 264 210
GERMANY	23.36	20.50	23 360 000	154 211 040	256 219 250	410 430 290	433 790 290
GREECE	1.25	1.47	1 250 000	8 251 875	18 372 795	26 624 670	27 874 670
SPAIN	5.84	7.85	5 840 000	38 552 760	98 113 225	136 665 985	142 505 985
FRANCE	24.30	19.55	24 300 000	160 416 450	244 345 675	404 762 125	429 062 125
IRELAND	0.62	0.91	620 000	4 092 930	11 373 635	15 466 565	16 086 565
ITALY	12.54	12.86	12 540 000	82 782 810	160 730 710	243 513 520	256 053 520
LUXEMBOURG	0.29	0.27	290 000	1 914 435	3 374 595	5 289 030	5 579 030
NETHERLANDS	5.22	4.85	5 220 000	34 459 830	60 617 725	95 077 555	100 297 555
AUSTRIA	2.65	2.41	2 650 000	17 493 975	30 121 385	47 615 360	50 265 360
PORTUGAL	0.97	1.15	970 000	6 403 455	14 373 275	20 776 730	21 746 730
FINLAND	1.48	1.47	1 480 000	9 770 220	18 372 795	28 143 015	29 623 015
SWEDEN	2.73	2.74	2 730 000	18 022 095	34 245 890	52 267 985	54 997 985
UNITED KINGDOM	12.69	14.82	12 690 000	83 773 035	185 227 770	269 000 805	281 690 805
Sub-total EUR-15	100.00	96.38	100 000 000	660 150 000	1 204 605 430	1 864 755 430	1 964 755 430
BULGARIA		0.14			1 749 790	1 749 790	1 749 790
CZECH REPUBLIC		0.51			6 374 235	6 374 235	6 374 235
ESTONIA		0.05			624 925	624 925	624 925
CYPRUS		0.09			1 124 865	1 124 865	1 124 865
LATVIA		0.07			874 895	874 895	874 895
LITHUANIA		0.12			1 499 820	1 499 820	1 499 820
HUNGARY		0.55			6 874 175	6 874 175	6 874 175
MALTA		0.03			374 955	374 955	374 955
POLAND		1.30			16 248 050	16 248 050	16 248 050
ROMANIA		0.37			4 624 445	4 624 445	4 624 445
SLOVENIA		0.18			2 249 730	2 249 730	2 249 730
SLOVAKIA		0.21			2 624 685	2 624 685	2 624 685
Sub-total EUR-12		3.62			45 244 570	45 244 570	45 244 570
TOTAL EUR-27	100.00	100.00	100 000 000	660 150 000	1 249 850 000	1 910 000 000	2 010 000 000