

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(84) 399 final

Brussels, 9th July 1984

AMENDED PROPOSAL REGULATION (EEC) OF THE COUNCIL

introducing measures to cover budgetary requirements in
1984 given the exhaustion of own resources

(presented by the Commission to the Council, pursuant
to the second paragraph of article 149 of the EEC treaty)

COM(84) 399 final

EXPLANATORY MEMORANDUM

In its communication of 17 April 1984 (COM(84) 250 final) the Commission analysed the measures which appeared necessary (given the fact that a decision on new own resources would not be operative in 1984) if the Council and Parliament were to be in a position to cover unavoidable requirements with a view to ensuring that the Community and its common policies and actions continued to operate satisfactorily in 1984.

On 4th July 1984 the Commission establishes preliminary draft supplementary and amending budget No 1/84 to enable the budgetary authority to adopt the measures called for by the 1984 general budget in good time.

The present proposal makes a number of amendments to the Commission's initial proposal pursuant to the second paragraph of Article 149 EEC. The main amendments are as follows:

1. A reference is made to Member States' obligations under the Treaties to take all appropriate measures, whether general or particular, to ensure fulfilment of the obligations arising out of the Treaties or resulting from action taken by the institutions of the Community.
2. A reference is made to the requirement under the Treaties that all Community revenue and expenditure be entered in the budget and that the budget be in balance.
3. Interest-bearing loans by the Member States are replaced by non-interest-bearing advances on new own resources.

4. The figure provided for in COM(84) 250 final is replaced by the figure appearing in preliminary draft supplementary and amending budget No 1/84 which takes the latest budget implementation figures into account.

5. A technical adjustment is made to Member States' shares, allowance being made for the fact that the VAT system does not yet apply in Greece.

Proposal for a
COUNCIL REGULATION (EEC, EAEC) NO

introducing supplementary measures to cover
budgetary requirements in 1984

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,¹

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 for which budgetary cover
must be provided;

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

Whereas this proposal is still being examined and whereas the provisions
adopted by the Council cannot enter into force until they have been
ratified by the Member States in accordance with their respective
constitutional requirements;

Whereas, in the interval, the Community must raise the funds required by
the present 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;

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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;

HAS ADOPTED THIS REGULATION:

Article 1

The Member States shall make available to the Community, on the terms indicated below, a sum not exceeding 2.071.467.011 ECU as an advance on the Community's own resources, the final amount being determined on the final adoption of supplementary and amending budget No 1/84. These funds shall be used exclusively to provide supplementary cover for budgetary expenditure in 1984.

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 1984, viz:

Belgium	3.45
Denmark	1.99
Germany	28.76
Greece	1.53(*)
France	22.79
Ireland	0.86
Italy	15.33
Luxembourg	0.25
Netherlands	4.99
United Kingdom	20.05

(*) 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 1984.

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.

Done at Brussels,

For the Council
The President

