

Joint Declaration by the European Parliament, the Council and the Commission on the budgetary procedure (30 June 1982)

Caption: Joint Declaration by the European Parliament, the Council and the Commission of 30th June 1982 on various measures to improve the budgetary procedure.

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Joint Declaration by the European Parliament, the Council and the Commission of 30 June 1982 on various measures to improve the budgetary procedure

THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE COMMISSION,

Whereas harmonious cooperation between the institutions is essential to the smooth operation of the Communities;

Whereas various measures to improve the operation of the budgetary procedure under Article 78 of the Treaty establishing the European Coal and Steel Community, Article 203 of the Treaty establishing the European Economic Community and Article 177 of the Treaty establishing the European Atomic Energy Community should be taken by agreement between the institutions of the Communities, due regard being had to their respective powers under the Treaties,

AGREE AS FOLLOWS:

I. CLASSIFICATION OF EXPENDITURE

1. Criteria

In the light of this agreement and of the classification of expenditure proposed by the Commission for the budget for 1982, the three institutions consider compulsory expenditure such expenditure as the budgetary authority is obliged to enter in the budget to enable the Community to meet its obligations, both internally and externally, under the Treaties and acts adopted in accordance therewith.

2. Application on the basis of this agreement

Items in the budget are hereby classified as set out in the Annex hereto.

II. CLASSIFICATION OF NEW BUDGET ITEMS OR EXISTING ITEMS FOR WHICH THE LEGAL BASIS HAS CHANGED

1. New budget items and the expenditure relating to them shall be classified having regard to the data set out in Section I hereof by agreement between the two institutions which make up the budgetary authority, acting on a proposal from the Commission.

2. The preliminary draft budget shall contain a reasoned proposal for the classification of each new budget item.

3. If one of the two institutions which make up the budgetary authority is unable to accept the Commission's proposal for classification, the disagreement shall be referred to a meeting of the Presidents of Parliament, of the Council and of the Commission, which shall undertake the chairmanship.

4. The three Presidents shall endeavour to resolve any disagreements before the draft budget is established.

5. The Chairman of the Tripartite Dialogue shall report to the inter-institutional conciliation meeting which precedes the first reading by the Council and shall, if necessary, speak in Council and Parliament debates on the first reading.

6. The agreed classification, which shall be considered provisional if the basic act has not yet been adopted, may be reviewed by mutual agreement in the light of the basic act when it is adopted.

III. INTER-INSTITUTIONAL COLLABORATION IN THE CONTEXT OF THE BUDGETARY PROCEDURE

1. The discussion of Parliament's views on the Commission's preliminary draft budget, which is scheduled to precede the Council's establishment of the draft budget, shall be held early enough for the Council to be able to give due weight to Parliament's proposals.

2. (a) If it appears in the course of the budgetary procedure that completion of the procedure might require agreement on fixing a new rate of increase in relation to non-compulsory expenditure for payment appropriations and/or a new rate for commitment appropriations (the latter rate may be at a different level from the former), the Presidents of Parliament, the Council and the Commission shall meet immediately.

(b) In the light of the positions put forward every effort shall be made to identify those elements on which the two institutions which make up the budgetary authority can agree so that the budget procedure can be completed before the end of the year.

(c) To this end, all parties will use their best endeavours to respect this deadline, which is essential to the smooth running of the Community.

3. If, however, agreement has not been reached by 31 December, the budgetary authority shall continue its efforts to reach agreement so that the budget can be adopted by the end of January.

4. The agreement between the two institutions which make up the budgetary authority on the new rate shall determine the level of non-compulsory expenditure at which the budget shall be adopted.

5. The Presidents of Parliament, the Council and the Commission shall meet whenever necessary, at the request of one of them:

— to assess the results of the application of this declaration,

— to consider unresolved problems in order to prepare joint proposals for solutions to be submitted to the institutions.

IV. OTHER MATTERS

1. Parliament's margin for manoeuvre — which is to be at least half the maximum rate — shall apply as from the draft budget, including any letters of amendment, as adopted by the Council at the first reading.

2. The maximum rate is to be observed in respect of the annual budget, including amending and/or supplementary budgets, if any. Without prejudice to the determination of a new rate, any portion of the maximum rate which has not been utilized shall remain available for use and may be used when draft amending and/or supplementary budgets are to be considered.

3. (a) Ceilings fixed in existing regulations will be respected.

(b) In order that the full importance of the budget procedure may be preserved, the fixing of maximum amounts by regulation must be avoided, as must the entry in the budget of amounts in excess of what can actually be expended.

(c) The implementation of appropriations entered for significant new Community action shall require a basic regulation. If such appropriations are entered the Commission is invited, where no draft regulation exists, to present one by the end of January at the latest.

The Council and the Parliament undertake to use their best endeavours to adopt the regulation by the end of May at the latest.

If by this time the regulation has not been adopted, the Commission shall present alternative proposals (transfers) for the use during the financial year of the appropriations in question.

4. The institutions note that the procedure for revision of the Financial Regulation is in progress and that some problems should be resolved in that context. They undertake to do all in their power to bring that procedure to a swift conclusion.

Done at Brussels, 30 June 1982.

For Parliament
P. DANKERT

For the Council
L. TINDEMANS

For the Commission
G. THORN

ANNEX

CLASSIFICATION OF HEADINGS IN THE 1982 BUDGET INTO COMPULSORY AND NON-COMPULSORY EXPENDITURE

[...]