



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15.2.2007  
SEC(2007)236 final

**COMMISSION DECISION**

**NON-AUTOMATIC CARRYOVER OF NON-DIFFERENTIATED  
APPROPRIATIONS FROM 2006 TO 2007**

**COMMISSION DECISION**

**CARRYOVER OF DIFFERENTIATED APPROPRIATIONS FROM 2006 TO 2007**

**COMMISSION DECISION**

**COMMITMENT APPROPRIATIONS TO BE MADE AVAILABLE AGAIN IN 2007**

**COMMISSION DECISION**  
**NON-AUTOMATIC CARRYOVER**  
**OF NON-DIFFERENTIATED APPROPRIATIONS**  
**FROM 2006 TO 2007**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Article 9, points 1 and 2 and Article 149 point 3 of the Financial Regulation of 25 June 2002 applicable to the general budget of the European Communities<sup>1</sup>, Council Regulation No 1605/2002,<sup>2 3</sup> as last amended by Council Regulation (CE, Euratom) No 1995/2006 of 13 December 2006.

HAS DECIDED AS FOLLOWS:

*Sole Article*

1. The following appropriations from Section III (Commission) of the 2006 budget are hereby carried over to 2007 for the reasons set out in the annex

**€1.206.956,00** for non-differentiated appropriations

2. The Council and Parliament shall be informed of this decision.

Brussels, 15 February 2007

*For the Commission*  
*Dalia Grybauskaitė*  
*Member of the Commission*

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<sup>1</sup> OJ L 248, 16.09.2002, p.1

<sup>2</sup> Regulation of 25.06.2002

<sup>3</sup> These provisions are set out on the following pages.

**ANNEX**  
**Extract from the Financial Regulation**

**Article 9**

1. Appropriations which have not been used at the end of the financial year for which they were entered shall be cancelled.

However, they may be carried over to the following financial year only, by a decision taken by the institution concerned by 15 February at the latest, in accordance with paragraphs 2 and 3 or be carried over automatically in accordance with paragraph 4.

2. Appropriations for commitment of differentiated appropriations and non-differentiated appropriations not yet committed at the close of the financial year may be carried over in respect of:

- (a) amounts corresponding to commitment appropriations for which most of the preparatory stages of the commitment procedure have been completed by 31 December. These amounts may then be committed up to 31 March of the following year;
- (b) amounts which are necessary when the legislative authority has adopted a basic act in the final quarter of the financial year and the Commission has been unable to commit the appropriations provided for this purpose by 31 December.

**Article 149**

3. Uncommitted EAGGF Guarantee Section appropriations relating to rural development may be carried over to the next financial year only, up to a maximum of 3% of appropriations under the title concerned. Such carryover shall be possible only if the appropriations provided for under the relevant headings of the budget for the following financial year will not make it possible to make good the shortfall in implementation of the rural development programmes in relation to the level decided the previous year. The carryover decision shall be taken, at the latest on 15 February of the year to which the carryover is being made, by the Commission, which shall inform the budgetary authority.

## TECHNICAL ANNEX 1

### CARRYOVER OF NON-DIFFERENTIATED APPROPRIATIONS

No.	2006 Budget	Heading	2007 Budget	Ref. Fin. Reg.	Amount to be carried over
1	05 01 02 11	Other management expenditure	05 01 02 11	article 9 § 2a	399.756,00
2	26 01 02 11	Other management expenditure of 'Commission's administration, policy area	26 01 02 11	article 9 § 2a	600.000,00
3	26 01 02 11	Other management expenditure of 'Commission's administration, policy area	31 01 02 11	article 9 § 2a	207.200,00
		HEADING 5 – TOTAL			1.206.956,00
		GRAND TOTAL			1.206.956,00

## **CARRYOVER OF NON-DIFFERENTIATED APPROPRIATIONS**

### **Grounds**

## **1. 05 01 02 11 Other management expenditure**

Appropriation authorised 2006:	12.244.076,00 €
Commitments at 31.12.2006:	11.071.565,94 €
Amount not used at 31.12.2006:	1.172.510,06 €

**Carryover:** **399.756,00 €**

Following a ruling by the Court of Justice on 7 September 2006 concerning reform of the common organisation of the cotton market, the Commission has to carry out an impact study relating to this reform.

The tendering procedure for the award of a study concerning the cotton sector in the European Union (AGRI-2006-G4-17) was opened in September immediately after the Court's ruling.

However, as the Court of Justice adopted its decision late in the year, no commitment could be entered into in 2006. The Evaluation Committee has now completed its selection and evaluation work and the authorising officer by subdelegation has already proposed the award of the contract.

As the authorising officer by subdelegation was not responsible for the failure to commit appropriations, as the preparatory stages are virtually completed and as the commitment can be made before March 2007, a carryover of appropriations is requested in accordance with the criteria in Article 6 of the Regulation laying down detailed rules for implementing the Financial Regulation.

## **2. 26 01 02 11 Other management expenditure of 'Commission's administration' policy area**

Appropriation authorised 2006:	24.769.364,00 €
Commitments at 31.12.2006:	22.539.896,42 €
Amount not used at 31.12.2006:	2.229.467,58 €

**Carryover:** **600.000,00 €**

Computer services for developing IT systems are largely subcontracted under the contractual framework for external service providers (ESP). As this framework expired in mid-October 2006, a call for tender led to new contracts which were signed in September 2006.

The new consortia are unable to process all the requests quickly enough to conclude the procedure in 2006 and have stated that they will make every effort to find solutions, if necessary by means of subcontracting or other agreements; however, negotiation of these solutions takes time.

DG DIGIT, which produces IT systems for the management of human resources on behalf of DG ADMIN, has found that the contractual framework will not enable it to find the resources it needs for its activities before the end of the year.

### **3. 26 01 02 11 Other management expenditure of ‘Commission’s administration, policy area**

Appropriation authorised 2006:	24.769.364,00 €
Commitments at 31.12.2006:	22.539.896,42 €
Amount not used at 31.12.2006:	2.229.467,58 €

**Carryover: 207.200,00 €**

The DGT has faced a number of difficulties in the commitment of three projects.

In the first case (€80 000), the commitment could not be entered into before 31 December 2006 because the contractor was unable to provide certain information required by DG DIGIT. These clarifications were intended to specify various aspects of the tender, without modifying the terms, but could not be obtained until early January 2007 as the contractor's offices were closed in the final weeks of 2006 and he could not be contacted.

In the other two cases (€127 200), the commitment could not be entered into because the new DIGIT framework contracts were produced fairly late in the year and the new contractors were unable to supply candidates meeting the DGT's requirements. As a result, it was obliged to go down as far as the third and final contractor in each case, thus considerably extending the "normal" amount of time taken to commit appropriations.

## COMMISSION DECISION

### CARRYOVER OF DIFFERENTIATED APPROPRIATIONS

#### FROM 2006 TO 2007

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Article 9, points 1 to 4 of the Financial Regulation of 25 June 2002 applicable to the general budget of the European Communities<sup>4</sup>, Council Regulation No 1605/2002,<sup>5</sup> as last amended by Council Regulation (CE, Euratom) No 1995/2006 of 13 December 2006.

HAS DECIDED AS FOLLOWS:

#### *Sole Article*

1. The following appropriations from Section III (Commission) of the 2006 budget are hereby carried over to 2007 for the reasons set out in the annex.

€ 9.521.024,00 in commitment appropriations

€ 65.945.902,12 in payment appropriations

2. The Council and Parliament shall be informed of this decision.

Brussels, 15 February 2007

*For the Commission*  
*Dalia Grybauskaitė*  
*Member of the Commission*

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<sup>4</sup> OJ L 248, 16.09.2002, p.1

<sup>5</sup> Regulation of 25.06.2002; these provisions are set out on the following pages.



## **ANNEX**

### **Extract from the Financial Regulation**

#### **Article 9**

1. Appropriations which have not been used at the end of the financial year for which they were entered shall be cancelled.

However, they may be carried over to the following financial year only, by a decision taken by the institution concerned by 15 February at the latest, in accordance with paragraphs 2 and 3 or be carried over automatically in accordance with paragraph 4.

2. Appropriations for commitment of differentiated appropriations and non-differentiated appropriations not yet committed at the close of the financial year may be carried over in respect of:

- (a) amounts corresponding to commitment appropriations for which most of the preparatory stages of the commitment procedure have been completed by 31 December. These amounts may then be committed up to 31 March of the following year;
- (b) amounts which are necessary when the legislative authority has adopted a basic act in the final quarter of the financial year and the Commission has been unable to commit the appropriations provided for this purpose by 31 December.

3. Appropriations for payment of differentiated appropriations may be carried over in respect of amounts needed to cover existing commitments or commitments linked to commitment appropriations carried over, when the appropriations provided for the relevant lines in the budget for the following financial year do not cover requirements. The institution concerned shall first use the appropriations authorised for the current financial year and shall not use the appropriations carried over until the former are exhausted.

4. Non-differentiated appropriations corresponding to obligations duly contracted at the close of the financial year shall be carried over automatically to the following financial year only.

## TECHNICAL ANNEX 2

### CARRYOVER OF COMMITMENT APPROPRIATIONS

No.	2006 Budget	Heading	2007 Budget	Ref. Fin. Reg.	Amount to be carried over
1	02 03 01	Operation and development of the internal market, particularly in the fields of notification, certification and sectoral approximation	02 03 01	article 9 § 2a	445.210,00
2	06 02 03	Transport safety	06 02 03	article 9 § 2a	6.503.223,00
3	06 03 01	Financial support for projects of common interest in the trans-european energy network	06 03 01	article 9 § 2a	2.000.000,00
4	09 02 01	Definition and implementation of Community policy in the field of communication services	09 02 01	article 9 § 2a	278.591,00
5	18 08 02	Schengen information system (SIS II)	18 02 04	article 9 § 2a	294.000,00
		<b>Internal policies (heading 3) - TOTAL</b>			<b>9.521.024,00</b>
		<b>GRAND TOTAL</b>			<b>9.521.024,00</b>

## **CARRYOVER OF COMMITMENT APPROPRIATIONS**

### **Grounds**

## **1. 02 03 01    Operation and development of the internal market, particularly in the fields of notification, certification and sectoral approximation**

Appropriation authorised 2006:	22.055.166,00 €
Commitments at 31.12.2006:	21.455.569,42 €
Amount not used at 31.12.2006:	599.596,58 €

**Carryover:** **445.210,00 €**

The carryover relates to two projects "Study on IT tools to assist the development of chemical safety reports" (€291 730) and "Technical secretariat of the group of notified bodies for Directive 2000/14/EC on the noise levels in the environment of the equipment intended to be used outdoors" (€153 480). The award decisions were signed on 21 December and 18 December 2006 respectively, but the time needed for the procedures meant that the commitments could not be signed by 31 December 2006.

## **2. 06 02 03    Transport safety**

Appropriation authorised 2006:	18.080.000,00 €
Commitments at 31.12.2006:	6.234.151,39 €
Amount not used at 31.12.2006:	11.845.848,61 €

**Carryover:** **6.503.223,00 €**

The requested carryover of commitment appropriations relates to subsidies under call for proposals "DG TREN/SUB/02-2006" (OJ C (2006) 145 of 21 June 2006) granting subsidies in the transport sector.

These subsidies were provided for in the annual work programme.

The carryover relates to twelve subsidies in the transport safety sector and one subsidy concerning the logistical side of the call for proposals in the transport sector which require a budgetary commitment before the contracts granting the subsidies can be signed.

The Commission has already evaluated and selected the twelve projects in the transport safety sector and the technical and financial negotiations are well advanced. However, the financial and/or technical negotiations with the tenderers were not completed in time to finalise the commitment before 31 December 2006.

In the case of the project concerning the logistical side of the call for proposals in the transport sector, the request for a carryover of commitment appropriations is also based on the fact that it is materially impossible to finalise negotiations with the coordinator to obtain appropriate technical and financial data for the subsidy contract from a number of the co-beneficiaries before 31 December 2006.

All the administrative procedures for the thirteen projects have been finalised and they are therefore ready for initiation of the budgetary commitment procedure and the signing of the contracts.

### **3. 06 03 01 Financial support for projects of common interest in the trans-european energy network**

Appropriation authorised 2006:	699.824.476,00 €
Commitments at 31.12.2006:	697.824.476,00 €
Amount not used at 31.12.2006:	2.000.000,00 €

<b>Carryover:</b>	<b>2.000.000,00 €</b>
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Commission decision n° C (2006) 3010 of 4 July 2006, amending Commission decision n° C (2001) 2654 concerning the Multi-annual Indicative Programme for the granting of Community financial aid in the area of the trans-European transport network for the period 2001 - 2006 (MIP), foresees the granting of increased support to several cross-border projects. This increase of support is based on the 2004 amendment of Regulation 2236/1995 (TENs Regulation) which has opened up the possibility to grant, in exceptional cases, an increased rate of support (20% as compared to the "normal" support rate of 10 %) to cross-border projects; it has thus been applicable to the 2005 and 2006 TEN-T budget procedures.

Given the exceptional nature of the granting of increased support, a special evaluation and decision making procedure was necessary; involving the establishment of "Guidelines" (endorsed by the TEN's Financial Assistance Committee) and the involvement of EIB in the evaluation process.

Therefore, it was only possible to adopt Commission decisions to grant increased support (both under the 2005 and 2006 TEN-T budgets) in the second half of 2006, following the adoption of the revision of the MIP framework decision and completion of the special evaluation procedure.

The Commission decision amending the decision for project n° 2005-GB-91502 (Section A1/N1 Newry - Dundalk Link Road (to the Border with Republic of Ireland) PP13 (UK/Ireland/Benelux road axis) - Cross Border Section) required approval of the TEN-T Financial Assistance Committee and Scrutiny by European Parliament. It was not possible for DG TREN to complete this procedure before the end of 2006 since the TEN-T Financial Assistance Committee only met on 30 November 2006. During this meeting, it delivered a favourable opinion on the proposed amending decision. European Parliament Scrutiny was launched on 1 December and is now completed.

The carry-over of 2 millions is asked for this project for which the preparatory stages of the commitment procedure have been completed.

The commitment will be made as soon as the credits are available.

### **4. 09 02 01 Definition and implementation of Community policy in the field of communication services**

Appropriation authorised 2006:	3.791.000,00 €
Commitments at 31.12.2006:	1.950.914,24 €
Amount not used at 31.12.2006:	1.840.085,76 €

<b>Carryover:</b>	<b>278.591,00 €</b>
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This request for a carryover relates to the study "The future of Internet Protocol (IP) Interconnection, technical, economical and public policy aspects" (€278 591).

This study has been put out to tender; the tenders were opened on 31 August 2006. In September, as the selection procedure was starting, the sector in question underwent major and unexpected developments in the economic field (one of the areas covered by the study):

- one operator opened up the Fiber to the Home (FTTH) network to all the other operators ;
- a major American company in the IP communications sector was taken over.

Before the contract was awarded, it therefore had to be ascertained whether these market developments could be taken into account in line with study specifications. The outcome of this examination was that the specifications could remain unchanged.

This further examination delayed award of the contract by a number of weeks. The opinion of DG INFSO's Public Procurement Committee was not received until 15 December. Because of the time needed to notify tenderers, it was therefore not possible to commit the amount and sign the contract before 31 December 2006.

## **5. 18 08 02 Schengen information system (SIS II)**

Appropriation authorised 2006:	6.000.000,00 €
Commitments at 31.12.2006:	4.792.078,32 €
Amount not used at 31.12.2006:	1.207.921,68 €

**Carryover: 294.000,00 €**

The carryover of appropriations relates to an individual commitment to cover a Community subsidy to Austria to prepare the SIS II site in Salzburg. The subsidy comes to €294 000.

Most of the preparatory stages prior to commitment have been carried out. The Commission adopted the revised SIS II financing decision for 2006, which approved the granting of this subsidy, on 8 December 2006. The text of the Agreement was finalised in late December, together with the final documentary checks needed to prepare the operational and financial launch. However, it was not possible to make the commitment and ensure that the two parties signed the contract before the end of December 2006. It is proposed that this commitment now be entered into on the basis of a carryover of appropriations.

### TECHNICAL ANNEX 3

#### CARRYOVER OF PAYMENT APPROPRIATIONS

No.	2006 Budget	Heading	2007 Budget	Amount to be carried over
1	05 04 03 01	Forestry (outside the EAGGF)	05 04 03 01	890.427,00
2	05 08 02	Surveys on the structure of agricultural holdings	05 08 02	1.300.000,00
3	05 08 03	Restructuring of systems for agricultural surveys	05 08 03	943.601,00
4	07 03 01 01	Protection of forests	07 03 01	4.400.000,00
5	07 04 01 02	Subsidy for the European Environment Agency - Subsidy under Title 3	07 03 09 02	2.560.000,00
6	16 02 02	Citizens' information via the media	16 02 02	4.000.000,00
7	16 03 04	Prince - Debate on the future of the European Union	16 03 04	2.790.000,00
8	16 05 01	Information outlets	16 05 01	3.755.000,00
		<b>Internal policies (heading 3) - TOTAL</b>		<b>20.639.028,00</b>
8	11 03 01	International fisheries agreements	11 03 01	34.693.952,28
9	19 03 02	Non-proliferation and disarmament	19 03 02	7.004.728,00
10	21 04 01	Evaluation of the results of Community aid and follow-up and audit measures	21 08 01	1.512.170,00
		<b>External actions (heading 4) - TOTAL</b>		<b>43.210.850,28</b>
11	25 02 01 01	Historical archives of the European Union	25 02 01 01	2.096.023,84
		<b>Administration (heading 5) - TOTAL</b>		<b>2.096.023,84</b>
		<b>GRAND TOTAL</b>		<b>65.945.902,12</b>

## **CARRYOVER OF PAYMENT APPROPRIATIONS**

### **Grounds**



### **1. 05 04 03 01 Forestry (outside the EAGGF)**

Appropriation authorised 2006:	1.358.000,00 €
Payments at 31.12.2006:	389.528,51 €
Amount not used at 31.12.2006:	968.471,49 €

**Carryover:** **890.427,00 €**

The carryover will allow the payments scheduled for 2006 under the EFICP project (European Forest Information and Communication Platform) to be made once the audit report is finalised in early 2007. The appropriations entered in the 2007 budget will not cover the additional requirements.

### **2. 05 08 02 Surveys on the structure of agricultural holdings**

Appropriation authorised 2006:	17.200.000,00 €
Payments at 31.12.2006:	12.536.080,58 €
Amount not used at 31.12.2006:	4.663.919,42 €

**Carryover:** **1.300.000,00 €**

The payments scheduled for 2006 were delayed by the new requirement on every Member State to provide an audit report to check that the subsidy is not higher than the costs actually incurred. The appropriations entered in the 2007 budget will not cover the additional requirements.

### **3. 05 08 03 Restructuring of systems for agricultural surveys**

Appropriation authorised 2006:	7.596.898,00 €
Payments at 31.12.2006:	6.653.296,01 €
Amount not used at 31.12.2006:	943.601,99 €

**Carryover:** **943.601,00 €**

The non-utilisation of appropriations in 2006 was due to: delays in the programmes and in the payments for the LUCAS surveys and changes in the part of the contract with the OECD to be paid in 2006. At all events, amounts corresponding to the unused 2006 appropriations will be requested in 2007 as additional expenditure not provided for in the budget.

### **4. 07 03 01 01 Protection of forests**

Appropriation authorised 2006:	15.300.000,00 €
Payments at 31.12.2006:	10.865.071,61 €
Amount not used at 31.12.2006:	4.434.928,39 €

**Carryover:** **4.400.000,00 €**

Payments foreseen for 2006 were delayed as national agencies did not present necessary documents on time.

### **5. 07 04 01 02 Subsidy for the European Environment Agency - Subsidy under Title 3**

Appropriation authorised 2006:	14.149.896,00 €
Payments at 31.12.2006:	11.426.331,84 €
Amount not used at 31.12.2006:	2.723.564,16 €

**Carryover:** **2.560.000,00 €**

The appropriations are intended to finance a contribution to the EEA for the development and implementation of "Global Monitoring for Environment GMES - Fast Track Service on Land Monitoring 2006-2008". The Commission adopted a financing decision on 15 December 2006 (C(2006)6609). An agreement was concluded with the Agency on 21 December 2006. However, the Commission was unable to pay the first tranche of the contribution (€2 560 000, corresponding to 80% of the total contribution) before the close of the 2006 financial year.

### **6. 16 02 02 Citizens' information via the media**

Appropriation authorised 2006:	16.050.000,00 €
Payments at 31.12.2006:	7.595.258,44 €
Amount not used at 31.12.2006:	8.454.741,56 €

**Carryover:** **4.000.000,00 €**

In 2006 line 16 02 02 was used for calls for proposals by the Representations in the audiovisual sector (APCAV) involving a total of €8 900 000 in commitment appropriations. It was expected that pre-financing corresponding to 50% of these subsidies would already be paid in 2006. However, the selection procedures took longer than expected. Although the commitments could still be implemented in 2006, less than €900 000 went towards this pre-financing instead of the €4 450 000 planned. A further €3 550 000 will therefore have to be paid in 2007 (for legal commitments concluded in 2006).

An amount of €440 000 also had to be paid to Euronews before the end of the year. However, the final report submitted by Euronews contained mathematical errors and the time taken to correct them meant that the payment could not be made before the end of 2006. The total additional payment appropriations required for 2007 are estimated at €3 990 000, which is rounded up to €4 million.

The 2007 payment appropriations (€19 000 000) will cover the payment requirements resulting from commitments on this line in 2007 (these requirements are estimated at €11 900 000) and the normal outstanding commitments expected, including the balances of the APCAV subsidies from 2005 and the payment balances for contracts signed in 2006 (payments resulting from these outstanding commitments are estimated at €7 100 000). However, they will not cover the additional requirements of €3 990 000 described above.

### **7. 16 03 04 Prince - Debate on the future of the European Union**

Appropriation authorised 2006:	6.968.000,00 €
Payments at 31.12.2006:	4.176.431,17 €
Amount not used at 31.12.2006:	2.791.568,83 €

**Carryover:** **2.790.000,00 €**

Line 16 03 04 was used in 2006 for a call for tenders under Plan D involving commitment appropriations totalling €4.5 million. It was expected that pre-financing could account for 70% of these subsidies, i.e. around €3.1 million. However, in view of the programmes and the timetables for the implementation of the tenderers'

projects, pre-financing in 2006 had to be far more limited. Only €0.3 million, instead of €3.1 million, was paid in respect of this pre-financing in 2006.

The additional burden on 2007 payment appropriations is thus estimated at €2.8 million.

The 2007 payment appropriations on this line are barely sufficient to cover payment requirements in respect of the 2007 commitments (an estimated €5 050 000) and other outstanding commitments (€2 450 000).

#### **16 05 01      Information outlets**

Appropriation authorised 2006:	21.312.500,00 €
Payments at 31.12.2006:	17.556.540,30 €
Amount not used at 31.12.2006:	3.755.959,78 €

**Carryover:** **3.755.000,00 €**

The 2007 payment appropriations on line 16 05 01 come to €14 000 000. However, DG COMM's forecasts clearly show that this amount will not cover both requirements resulting from commitments in 2007 and the payment appropriations needed to cover commitments already made.

Outstanding commitments from before 2007 total €10 063 278 and correspond mainly to the balances of subsidies to the EUROPE DIRECT relays and the balances of various contracts to coordinate the activity of these relays. There was a shortage of payment appropriations for some months in 2006 and the increase obtained in the omnibus transfer could not be used in full to clear these commitments, given the late arrival of these appropriations. However, we estimate that a minimum of 50% of these outstanding commitments have to be paid in 2007, i.e. a total of around €5 million.

Moreover, of the €16 752 500 in commitment appropriations on line 16 05 01 in 2007 (including €2 198 000 added by the budgetary authority without any corresponding payment appropriations), it is estimated that €13 million will already have to be paid in 2007.

It is therefore requested that the balance of payment appropriations on the line, rounded to €3 755 000, be carried over to cover pre-2007 commitments which cannot be covered by the 2007 payment appropriations.

#### **8. 11 03 01      International fisheries agreements**

Appropriation authorised 2006:	190.712.000,00 €
Payments at 31.12.2006:	156.018.047,72 €
Amount not used at 31.12.2006:	34.693.952,28 €

**Carryover:** **34.693.952,28 €**

Payment appropriations for the EC/Morocco fisheries agreement (2006-2010) will have to be carried over for reasons outside the authorising department's control.

The European Community has completed its preparations for the entry in force of the EC/Morocco fisheries agreement (2006-2010). Council Regulation No 764/2006 was adopted on 22 May 2006. However, Article 17 of the corresponding partnership agreement states that entry into force is conditional on the two Parties notifying each other that the ratification procedures had been completed. The Moroccan authorities should finalise the ratification process in early 2007.

## **9. 19 03 02    Non-proliferation and disarmament**

Appropriation authorised 2006:	12.700.000,00 €
Payments at 31.12.2006:	5.695.271,35 €
Amount not used at 31.12.2006:	7.004.728,65 €

**Carryover:** **7.004.728,00 €**

Under budget line 19 03 02, complex multi-annual projects in the area of non-proliferation are implemented. Several of them have delays in their implementation due to the political context in the country of the action. One contract has been signed very late due to the waited outcome of an audit (IAEA), so that the first pre-financing payment could not be made. The delayed payments will need to be made in 2007. New contracts are expected to be signed at the same time, so that the existing payment appropriations will not be sufficient.

## **10. 21 04 01    Evaluation of the results of Community aid and follow-up and audit measures**

Appropriation authorised 2006:	6.806.000,00 €
Payments at 31.12.2006:	3.541.941,91 €
Amount not used at 31.12.2006:	3.264.058,09 €

**Carryover:** **1.512.170,00 €**

Two invoices totalling €1 512 170 could not be paid before the end of 2006. However, these two invoices will be paid in the course of January 2007.

The total appropriation on this line comes to €8.6 million. The forecast of invoices to be cleared in the course of 2007 shows that the budget planned will be too low to cover additional expenditure of €1.5 million, which explains the need to carry over the amount requested.

## **11. 25 02 01 01            Historical archives of the European Union**

Appropriation authorised 2006:	3.696.023,84 €
Payments at 31.12.2006:	1.595.741,00 €
Amount not used at 31.12.2006:	2.100.282,84 €

**Carryover:** **2.096.023,84 €**

Following Commission decision C(2006)4131 of 15 September 2006, DG BUDG increased the Secretariat-General's budget line 25 02 01 01 (Historical archives of the European Union) in December by €2 096 023.84 as a voluntary Commission contribution to the pension reserve of the European University Institute (Florence).

The Secretariat-General was able to commit the appropriations before the end of the year (13 December). However, because of the exceptional one-off nature of this operation, with the beneficiary being unable to produce an invoice, the SG had to wait for a request for payment and formal acceptance by the EUI (as stipulated in the Commission decision) that it has not had any entitlement against the Community regarding accumulated pension rights of its staff assigned to the historical archives for the period 1985-2003. That is why the SG was unable to pay this contribution in 2006.

Line 25 02 01 01 consists of differentiated appropriations. The €1 650 000 in commitment and payment appropriations for 2007 is intended to cover the service contract with the Florence Institute. We cannot make the payment of €2 096 023.84 from the appropriations currently available.

## COMMISSION DECISION

### COMMITMENT APPROPRIATIONS TO BE MADE AVAILABLE AGAIN

IN 2007

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to

Article 157 of the Financial Regulation of 25 June 2002 applicable to the general budget of the European Communities,<sup>6</sup> Council Regulation No 1605/2002<sup>7</sup> as last amended by Council Regulation (CE, Euratom) No 1995/2006 of 13 December 2006.

HAS DECIDED AS FOLLOWS:

#### *Sole Article*

1. **€5.503.802** from Section III (Commission) of the 2006 budget shall be made available again in 2007 for the reasons set out in the Annex.
2. The Council and Parliament shall be informed of this decision.

Brussels, 15 February 2007

*For the Commission*  
*Dalia Grybauskaitė*  
*Member of the Commission*

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<sup>6</sup> OJ L 248, 16.09.2002, p. 1.

<sup>7</sup> Regulation of 25.06.2002; these provisions are set out on the following pages.

## **ANNEX**

### **Extract from the Financial Regulation of 25 June 2002**

#### **Article 157**

The Commission shall automatically decommit appropriations that have been committed as provided for in the regulations referred to in Article 155.

The decommitted appropriations may be made available again in the event of a manifest error attributable solely to the Commission or in the case of force majeure which has serious repercussions for the implementation of operations supported by the Structural Funds.

To this end, the Commission shall examine decommitments made during the previous financial year and decide, by 15 February of the current year, on the basis of requirements, whether it is necessary to make the corresponding appropriations available again.

## TECHNICAL ANNEX 4

### COMMITMENT APPROPRIATIONS TO BE MADE AVAILABLE AGAIN

No.	2006 Budget	Heading	2007 Budget	Amount made available again
1	04 02 03	Completion of earlier programmes	04 02 03	5.457.742,00
2	05 04 02 01	European Agricultural Guidance and Guarantee Fund, Guidance Section - Objective 1 regions	05 04 02 01	46.060,00
		<b>Structural actions (heading 2) - TOTAL</b>		<b>5.503.802,00</b>
		<b>GRAND TOTAL</b>		<b>5.503.802,00</b>



**COMMITMENT APPROPRIATIONS TO BE MADE AVAILABLE AGAIN**  
**Grounds**

### **1. 04 02 03    Completion of earlier programmes**

Decommitments in 2006: 8.507.843,12 €

**Amount made available again: 5.457.742,00 €**

The amounts to be paid relate to projects suspended by suspension decision C(1998)1559 of 4 August 1998 following legal procedures opened in the Member State in respect of these projects. The amounts needed to clear the contested projects were, however, decommitted between 1997 and 1998, leaving no outstanding commitments for these projects. Now that some of the legal procedures in respect of these projects have finally been completed, the national authorities have asked the Commission to pay the Community contribution towards those amounts which are not considered to present any irregularities. The Commission has a legal obligation to pay these amounts, which it cannot do without the corresponding commitment appropriations. As decommitments on this budget line in 2006 were higher than justified in view of these considerations, the proportion which should not have been decommitted must again be made available so that the above-mentioned payments can be made.

### **2. 05 04 02 01 European Agricultural Guidance and Guarantee Fund, Guidance Section - Objective 1 regions**

Decommitments in 2006: 1.515.296,00 €

**Amount made available again: 46.060,00 €**

The decommitments on this budget line in 2006 were decommitments in year n+2 of appropriations committed in 2003. Of these decommitments, €46 060 concerns the eastern Macedonia-Thrace programme (2000GR161PO012). This amount has to be made available again because of a case of *force majeure*. The extremely unfavourable weather conditions in early 2005 had an adverse effect on implementation of one measure of the programme in the area in question. Work was stopped for several months, causing a considerable delay in implementation. The prefecture of Evros *nomos* declared a state of emergency on 17 February 2005. As a result of this situation of *force majeure*, an estimated €1 293 584 for the measure affected could not be absorbed. An amount of €46 060 therefore had to be decommitted in accordance with the n+2 rule. In these circumstances, there are grounds for making available again the amount decommitted for this measure.