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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 30.11.2009  
COM(2009)660 final

Proposal for a

**DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**on the Mobilisation of the Flexibility Instrument**

## **EXPLANATORY MEMORANDUM**

The Interinstitutional Agreement of 17 May 2006<sup>1</sup> allows for the mobilisation of the Flexibility Instrument to allow the financing of clearly identified expenditure which could not be financed within the limits of the ceilings available for one or more headings of the multiannual financial framework.

For budget 2010, additional expenditure, beyond the ceilings of heading 1a is required. It is therefore proposed to mobilise the Flexibility Instrument in accordance with point 27 of the Interinstitutional Agreement.

The amounts to be mobilised are as follows:

- EUR 120 million towards the financing of projects in the field of energy in the context of the European Economic Recovery Plan;
- EUR 75 million for the decommissioning of the Kozloduy nuclear power plant.

The two arms of the budgetary authority are reminded that the publication of the Decision in the Official Journal of the European Union shall not intervene later than the publication for the 2010 budget.

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<sup>1</sup> OJ C 139, 14.06.2006, p. 1

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**on the Mobilisation of the Flexibility Instrument**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management<sup>2</sup>, and in particular the fifth paragraph of point 27 thereof,

Having regard to the proposal from the Commission<sup>3</sup>,

Whereas, after having examined all possibilities for re-allocating appropriations under heading 1a, at the conciliation meeting on 18 November 2009, the two arms of the budgetary authority agreed to mobilise the Flexibility Instrument to complement the financing in the 2010 budget, beyond the ceiling of heading 1a, of:

- EUR 120 million towards the financing of projects in the field of energy in the context of the European Economic Recovery Plan;
- EUR 75 million for the decommissioning of the Kozloduy nuclear power plant.

HAVE DECIDED AS FOLLOWS:

*Article 1*

For the general budget of the European Union for the financial year 2010 (hereinafter “the 2010 budget”), the flexibility instrument shall be used to provide the sum of EUR 195 million in commitment appropriations in heading 1a.

That amount shall be used to complement the financing of:

- EUR 120 million towards the financing of projects in the field of energy in the context of the European Economic Recovery Plan;
- EUR 75 million for the decommissioning of the Kozloduy nuclear power plant.

*Article 2*

This decision shall be published in the *Official Journal of the European Union*.

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<sup>2</sup> OJ C 139, 14.06.2006, p. 1.

<sup>3</sup> OJ [...]

Done at Brussels,

*For the European Parliament*  
*The President*

*For the Council*  
*The President*