

EUROPEAN COMMISSION

Brussels, 8.4.2010
COM(2010)150 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[1] 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.

In accordance with point 27 of the Interinstitutional Agreement, and after having examined all possibilities for re-allocating appropriations under heading 4, the Commission proposes to mobilise the Flexibility Instrument for the financing of the Banana Accompanying Measures (BAM), for an amount of EUR 18,3 million beyond the ceiling of heading 4.

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 Amending Budget No 3/2010.

[1] OJ C 139, 14.06.2006, p. 1

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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[2], and in particular the fifth paragraph of point 27 thereof,

Having regard to the proposal from the Commission[3],

Whereas, after having examined all possibilities for re-allocating appropriations under heading 4, 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 4, of EUR 18,3 million towards the financing of the Banana Accompanying Measures (BAM).

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 18,3 million in commitment appropriations in heading 4.

That amount shall be used to complement the financing of:

– EUR 18,3 million towards the financing of the Banana Accompanying Measures (BAM).

Article 2

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

Done at Brussels,

For the European Parliament
The President

For the Council
The President

[2] OJ C 139, 14.06.2006, p. 1.
[3] OJ […]