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COMMISSION

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DRAFT AMENDING BUDGET N°10 TO THE GENERAL BUDGET 2020

Increase of payment appropriations in line with updated forecasts of expenditure and other adjustments to expenditure and revenue

Having regard to:

– the Treaty on the Functioning of the European Union, and in particular Article 314 thereof, in conjunction with the Treaty establishing the European Atomic Energy Community, and in particular Article 106a thereof,

– Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union (…)[1], and in particular Article 44 thereof,

– the general budget of the European Union for the financial year 2020, as adopted on 27 November 2019[2],

– amending budget No 1/2020[3], adopted on 17 April 2020,

– amending budget No 2/2020[4], adopted on 17 April 2020,

– amending budget No 3/2020[5], adopted on 17 June 2020,

– amending budget No 4/2020[6], adopted on 17 June 2020,

– amending budget No 5/2020[7], adopted on 10 July 2020,

– amending budget No 6/2020[8], adopted on 17 September 2020,

– amending budget No 7/2020[9], adopted on 5 October 2020,

– draft amending budget No 9/2020[10], adopted on 9 October 2020,

The European Commission hereby presents to the European Parliament and to the Council Draft Amending Budget No°10/2020 to the 2020 budget.

CHANGES TO THE STATEMENT OF REVENUE AND EXPENDITURE BY SECTION

The changes to the general statement of revenue and in section III are available on EUR-Lex (https://eur-lex.europa.eu/budget/www/index-en.htm).

1 OJ L 193, 30.7.2018.
2 OJ L 57, 27.2.2020.
3 OJ L 126, 21.4.2020.
4 OJ L 126, 21.4.2020.
5 OJ L 254, 04.8.2020.
6 OJ L 254, 04.8.2020.
7 OJ L 299, 11.9.2020.
8 OJ L XXX, XX.X.2020 (proposed as Draft Amending Budget No 8/2020 on 28.8.2020).
9 OJ L XXX, XX.X.2020
10 COM(2020) 961, 9.10.2020.

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EXPLANATORY MEMORANDUM

1. INTRODUCTION

The purpose of Draft Amending Budget (DAB) No 10 for the year 2020 is threefold:

- to increase the level of payment appropriations in line with the updated forecast and after having taken into account the redeployments proposed in the "Global transfer" (DEC 16/2020 submitted to Parliament and Council early October);
- to adjust the revenue side to incorporate the impact of exchange rate differences and additional fines collected; and
- to budget further more limited expenditure adjustements. They concern the level of appropriations of the European Agriculture Guarantee Fund (EAGF) and some decentralised agencies (ESMA, EIOPA, EBA and ELA).

The overall increase in payment appropriations (EUR 1 569,3 million) requested concerns headings 1a *'Competitiveness for Growth and Jobs'*, 1b *'Economic, Social and Territorial Cohesion'*, 2 *'Sustainable Growth – Natural Resources'* and 4 *'Global Europe'*.

The increase of commitment appropriations in heading 2 is slighlty rebalanced by savings in heading 1a agencies resulting in an overall increase in commitments of EUR 36,4 million.

The overall impact on the revenue side is a decrease of other revenue by EUR 588 million rebalanced by a corresponding increase in the GNI contributions.

2. ADDITIONAL NEEDS IN PAYMENT APPROPRIATIONS

The "Global transfer" is an annual exercise organised at corporate level within the Commission for which all Directorates Generals and Services are requested to review by early September their respective payment implementation of the current budget until the end of the year concerned. This exercise aims to ensure maximum implementation of the budget in payment appropriations at the end of the year by matching additional needs with expected under-implementation. An ad hoc request for transfer (under Article 31 of the Financial Regulation) is annually submitted to Parliament and Council in early October as a result.

DAB No8 for the year 2020, tabled by the Commission at the end of August, was decoupled from the 'Global transfer exercise' and included only requests for which urgent action from the Union was requested. Therefore DAB No8, which proposed a significant request for additional payment appropriations (i.e. EUR 6 190 million), focused exclusively on two specific elements: provide additional payment appropriations (i) to the Emergency Support Instrument (ESI) to finance the COVID-19 vaccines strategy and (ii) for cohesion following the adoption of the Corona Response Investment Initiative Plus (CRII+)11.

In addition to the requests included in DAB No8, the 2020 'Global transfer' exercise resulted in additional gross payment needs of EUR 2 125,2 million, only partially offset by expected payment under-implementation of EUR 595,4 million. The additional payments requested in this DAB No10 aims at closing the gap of EUR 1 529,8 million as detailed under the sections 2.1 through 2.4.

[11] Regulation (EU) 2020/558 of the European Parliament and of the Council of 23 April 2020 amending Regulations (EU) No 1301/2013 and (EU) No 1303/2013 as regards specific measures to provide exceptional flexibility for the use of the European Structural and Investments Funds in response to the COVID-19 outbreak, OJ L 130, 24.4.2020, p. 1.

2.1. Competitiveness of enterprises and small and medium-sized enterprises (COSME)

As a result of the COVID-19 crisis, many Small and Medium-Sized Enterprises (SMEs) across the Union experienced a sudden lack of liquidity. As announced in the Communication[12] of 13 March 2020 on the coordinated economic response to the COVID-19 crisis, the Commission decided to redirect EUR 1 billion from the European Fund for Strategic Investment (EFSI) to existing guarantee facilities. As part of this initiative, the Loan Guarantee Facility within COSME was reinforced by EUR 714 million to incentivise banks to provide liquidity finance to companies with the aim of helping at least 100 000 European businesses to access around EUR 8 billion of financing.

The implementing partner, the European Investment Fund (EIF), published a revised call for expression of interest for financial intermediaries to apply for the specific COVID measure, which was successfully closed end of May this year. This reinforcement results in an increased need for payment appropriations as any cash-needs by the EIF have to be paid first through the COSME Loan Guarantee Facility (the first-loss piece) before cash-calls are being made under EFSI (the second-loss piece).

Internal redeployments have partially covered these unforeseen needs but additional payment appropriations of EUR 93,8 million are needed to allow the European Commission to honour its contractual obligations vis-à-vis the EIF.

EUR

Budget line	Name	Commitment appropriations	Payment appropriations
Section III – Commission			
02 02 02	Improving access to finance for small and medium-sized enterprises (SMEs) in the form of equity and debt	-	93 800 000
Total		**0**	**93 800 000**

2.2. Connecting Europe Facility (CEF) — CF contribution

The implementation of the cohesion strand of the Connecting Europe facility for Transport (CEF-CF) is progressing faster than expected and the payment needs for the rest of the year exceed the current availabilities.

Beneficiaries have an obligation to submit an interim payment claim every two years and have the possibility to submit a "voluntary" interim payment claim every year. In 2020, several large beneficiaries used this flexibility and submitted more interim payment claims than the average pattern observed in previous years. This fast implementation pace was not initially foreseen in the 2020 budget and constitutes the main reason for the increased payment needs.

The Commission performed an in-depth action-by-action analysis of the payments needs and current budget availabilities, taking into account a redeployment of available payment appropriations within the chapter CEF Transport, and considers that a reinforcement of EUR 100 million in payment appropriations is needed in order to respect the payment deadlines and honour all legal obligations.

[12] Communication from the Commission to the European Parliament, the European Council, the Council, the European Central Bank, the European Investment Bank and the Eurogroup "Coordinated economic response to the COVID-19 Outbreak" (COM(2020) 112 final, 13.3.2020.

EUR

Budget line	Name	Commitment appropriations	Payment appropriations
Section III – Commission			
06 02 01 04	Connecting Europe Facility (CEF) — Cohesion Fund allocation	-	100 000 000
Total		**0**	**100 000 000**

2.3. European Agricultural Fund for Rural Development (EAFRD)

The COVID-19 crisis has not slowed down the financial implementation of the programmes financed by the EAFRD.

The Commission has performed an in-depth analysis of the forecasts submitted by Member States by the end of August 2020 and considers that a reinforcement of EUR 750 million in payment appropriations is needed in order to cover all expected payment applications to be paid in 2020. These forecasts also include the estimated impact of the lump-sum payment proposed by the Commission to provide relief to farmers or small-medium sized agri-businesses affected by the COVID-19 (based on the finally agreed 2 % maximum share of the Union contribution, as opposed to the 1 % initially proposed by the Commission). Some Member States have in fact already started introducing this new EAFRD measure in their rural development programmes and others are expected to follow.

This translates already in 2020 in additional reimbursement requests.

EUR

Budget line	Name	Commitment appropriations	Payment appropriations
Section III – Commission			
05 04 60 01	Promoting sustainable rural development, a more territorially and environmentally balanced, climate-friendly and innovative Union agricultural sector	-	750 000 000
Total		**0**	**750 000 000**

2.4. Global EU response to Covid-19

Following the publication of the joint communication on the Global EU response to Covid-19[13], where the Union expressed solidarity and commitment to help partner countries deal with the health, economic and social consequences of the crisis as part of the Team Europe efforts, the Commission has reprogrammed its operations under the Instrument for Pre-Accession Assistance (IPA II), the European Neighbourhood Instrument (ENI) and the Development Cooperation Instrument (DCI). As a result, there is a need for reinforcement in payment appropriations of these three instruments by EUR 586 million in total as follows:

2.4.1 Instrument for Pre-Accession Assistance (IPA II)

For IPA II, budget support payments have been adjusted and advanced, pre-financing and support in indirect management increased in order to speed up implementation.

[13] Joint communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions "Communication on the Global EU response to COVID-19" (JOIN(2020)11, 8.4.2020.

Based on the revised forecasts for payments to be made until the end of 2020, and on top of the redeployments identified, additional appropriations for a total of EUR 210 million are needed to cover payments for contracts for Montenegro, Albania, Kosovo[14], Serbia, North Macedonia and Turkey as well as budget support payments for Serbia, Albania and North Macedonia.

EUR

Budget line	Name	Commitment appropriations	Payment appropriations
Section III – Commission			
22 02 01 01	Western Balkans - Support for political reforms and related progressive alignment with the Union acquis	-	40 000 000
22 02 01 02	Western Balkans - Support for economic, social and territorial development and related progressive alignment with the Union acquis	-	70 000 000
22 02 03 01	Turkey - Support for political reforms and related progressive alignment with the Union acquis	-	10 000 000
22 02 03 02	Turkey - Support for economic, social and territorial development and related progressive alignment with the Union acquis	-	90 000 000
Total		**0**	**210 000 000**

2.4.2 European Neighbourhood Instrument (ENI)

For ENI, the Commission has modified and increased the budget of on-going programmes in order to speed up their implementation and related payments.

Besides redeployments already identified as a result of the revised forecasts, additional payment appropriations for a total of EUR 286 million are needed to cover the accelerated disbursements of several budget support programmes for Morocco, Tunisia, Jordan, Algeria, Georgia and Armenia as well as for the top up of the envelopes of several other national and regional programmes for the benefit of small and medium sized businesses (for example for resilience and stability in Ukraine East and Armenia).

EUR

Budget line	Name	Commitment appropriations	Payment appropriations
Section III – Commission			
22 04 01 02	Mediterranean countries -- Poverty reduction and sustainable development	-	221 000 000
22 04 02 02	Eastern Partnership -- Poverty reduction and sustainable development	-	65 000 000
Total		**0**	**286 000 000**

2.4.3 Development Cooperation Instrument (DCI)

For DCI, the Commission has accelerated disbursements related to budget support operations in several countries and some funds have been reallocated to new projects specifically to respond to the Covid-19 crisis, for instance in Afghanistan. The related contracts are being signed and will lead to pre-financing payments already in 2020.

[14] This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

The most urgent needs have already been covered through redeployments, but only partially. Additional payment appropriations for a total of EUR 90 milion are therefore needed to cover accelerated disbursements for Nepal, Myanmar, Cambodia, Tajikistan, Uzbekistan and Afghanistan.

EUR

Budget line	Name	Commitment appropriations	Payment appropriations
Section III – Commission			
21 02 02	Cooperation with Asia	-	50 000 000
21 02 03	Cooperation with Central Asia	-	15 000 000
21 02 05	Cooperation with Afghanistan	-	25 000 000
Total		**0**	**90 000 000**

3. OTHER ADJUSTMENTS ON EXPENDITURE

3.1. European Agricultural Guarantee Fund (EAGF)

In the context of exceptional measures to cope with the Covid-19 crisis, the Commission adopted before the summer two packages of measures related to agricultural markets. The first package was dedicated to provide advances and assure smooth functioning of the various direct payment schemes as well as to flexibilise controls. The second package focused on a set of provisions related to market support measures in particular in the fruits and vegetables and wine sectors.

With these measures, the Commission has created the conditions for the full use of the EAGF appropriations under the Budget 2020. Both the current level of implementation and recent Member States forecasts support this assumption.

The 2020 budget execution of the EAGF is already very advanced, in particular for direct payments showing an even better execution than in previous years. Market related expenditure will be largely concentrated in the very end of the financial year, with still considerable uncertainties on the actual level of spending particularly for the wine programmes, support to producer organisations in the fruit/vegetables sector and the school schemes.

Based on currently available information, EAGF assigned revenue is expected to be EUR 176 million lower than the budgeted amount. This difference is explained by (a) the settlement of the financial consequences of Court of Justice case C-252/18P in favour of Greece, (b) lower assigned revenue from conformity and clearance of accounts decisions taken by the Commission and (c) the delay of some recoveries to 2021.

As a result, there is the risk of a small deficit compared to the appropriations currently available in the EAGF budget for 2020, which could be covered by mobilising the remaining margin available under Heading 2.

Based on the information currently available, and taking into account the forecasts of Member States, the Commission proposes to reinforce the Operational funds for producer organisations budget line under the EAGF as outlined below:

EUR

Budget line	Name	Commitment appropriations	Payment appropriations
Section III – Commission			
05 02 08 03	Operational funds for producer organisations	48 655 078	48 655 078
Total		**48 655 078**	**48 655 078**

3.2. Decentralised agencies

3.2.1 European Supervisory Authorities (ESAs)

All three European Supervisory Authorities (ESAs) identified savings as a result of the on-going Covid-19 impact on their work as well as reduced need for EU contributions linked to the implementation of:

- the framework to facilitate sustainable investment for each of the three ESAs;
- the legislation on European crowdfunding service providers and on Sovereign Bond-Backed Securities (SBBS) for the European Securities and Markets Authority (ESMA); and

In addition a smaller need for an advance was identified for ESMA's collection of fees stemming from the Delegated Act for the supervision of third country Central Counterparties[15].

EUR

Budget line	Name	Commitment appropriations	Payment appropriations
Section III – Commission			
12 02 04	European Banking Authority (EBA)	-1 416 000	-1 416 000
12 02 05	European Insurance and Occupational Pensions Authority (EIOPA)	-314 636	-314 636
12 02 06	European Securities and Markets Authority (ESMA)	-7 383 576	-7 383 576
Total		**-9 114 212**	**-9 114 212**

3.2.2 European Labour Authority (ELA)

The Covid-19 crisis impacted the work of the European Labour Authority, reducing the number of on-site meetings and joint inspections and slowing down the pace of staff recruitment.

EUR

Budget line	Name	Commitment appropriations	Payment appropriations
Section III – Commission			
04 03 15	European Labour Authority (ELA)	-3 105 725	-
Total		**-3 105 725**	**0**

[15] Commission Delegated Regulation (EU) 2020/1302 of 14 July 2020 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to fees charged by the European Securities and Markets Authority to central counterparties established in third countries (OJ L 305, 21.9.2020).

4. ADJUSTMENTS OF REVENUE

4.1 Exchange rate differences in own resources

The budget is established in euro whereas Member States' contributions are determined in national currency. The annual contributions of Member States are paid in 12 monthly instalments ("twelfths"). Each instalment paid in a non-euro currency is recorded in the accounts using the monthly exchange rates of the month in which the payment is made.

For Member States outside the Eurozone the budget is converted into national currency using the exchange rate of the last quotation day of the calendar year preceding the budget year[16]. Thus for 2020, the exchange rate of 31 December 2019 is used to convert the budget from euro into non-euro currencies.

Therefore any differences in the exchange rates used for calculating the monthly "twelfth" in national currency and the accounting rates applicable in the month of payment of the "twelfth" result inevitably in differences between the own resources amounts in euro foreseen in the budget and the amount actually cashed in.

Monthly exchange rate fluctuations may compensate each other out during a budget year. However in 2020, the exchange rate development is overall negative. From January to June, a total of minus EUR 400,6 million of exchange rate differences has been registered for own resources and entered in the Amending budget No 7.

The explanatory memorandum of Amending Budget No 7 highlighted the possibility of further negative exchange rate developments and ensuing additional budgetary amendments proposed to the Budgetary Authority in an autumn draft amending budget.

Since then (July – September) the evolution of the exchange rate, driven in particular by the depreciation of British pound resulted in an additional deficit of EUR 180 million. In September, the British pound depreciated sharply again. If it remains broadly at the same level as on 1 October, there would be a further exchange rate deficit in own resources of EUR 536 million during the last three months of the year.

In order to reduce the risk of a budgetary deficit by the end of 2020 an amount of minus EUR 716 million is proposed to be entered in the budget (on top of the already budgeted minus EUR 400,6 million in Amending Budget No 7) to offset exchange rate differences till the end of the year.

EUR

Revenue line	Name	Amount
3 9 0	Adjustment related to exchange rate differences for own resources	-716 000 000
Total		**-716 000 000**

[16] See Article 10a (1) of the Making Available Regulation 609/2014.

4.2 Fines and penalty payments

Taking into account the amounts that have been cashed until the end of September, it is proposed to increase the forecasts introduced in the budget 2020 (EUR 218 million[17]) by EUR 128 million. This will reduce accordingly the own resources contributions from Member States to the EU budget.

The detail by line is shown in the table below.

EUR

Revenue line	Name	Amount
7 1 0	Fines, periodic penalty payments and other penalties in connection with the implementation of the rules on competition	71 000 000
7 1 1	Penalty payments and lump sums imposed on a Member State for not complying with a judgment of the Court of Justice of the European Union on its failure to fulfil an obligation under the Treaty	57 000 000
Total		**128 000 000**

[17] EUR 100 million in the initial voted budget to which EUR 118 million were added in Amending Budget No 7/2020.

5. SUMMARY TABLE BY MFF HEADING

In EUR

Heading	Budget 2020 (incl. AB 1-7 & DAB9/2020)		Draft Amending Budget 10/2020		Budget 2020 (incl. AB 1-7 & DAB 9-10/2020)	
	CA	PA	CA	PA	CA	PA
1. Smart and inclusive growth	**83 930 597 837**	**77 453 828 442**	**- 12 219 937**	**184 685 788**	**83 918 377 900**	**77 638 514 230**
Ceiling	*83 661 000 000*				*83 661 000 000*	
Margin						
1a Competitiveness for growth and jobs	25 284 773 982	22 308 071 592	- 12 219 937	84 685 788	25 272 554 045	22 392 757 380
Of which under global margin for commitments	*93 773 982*		*- 12 219 937*		*81 554 045*	
Ceiling	*25 191 000 000*				*25 191 000 000*	
Margin						
1b Economic social and territorial cohesion	58 645 823 855	55 145 756 850		100 000 000	58 645 823 855	55 245 756 850
Of which under global margin for commitments	*175 823 855*				*175 823 855*	
Ceiling	*58 470 000 000*				*58 470 000 000*	
Margin						
2. Sustainable growth: natural resources	**59 907 021 051**	**57 904 492 439**	**48 655 078**	**798 655 078**	**59 955 676 129**	**58 703 147 517**
Ceiling	*60 421 000 000*				*60 421 000 000*	
Of which offset against Contingency margin	*- 465 323 871*				*- 465 323 871*	
Margin	*48 655 078*					
Of which: European Agricultural Guarantee Fund (EAGF) — Market related expenditure and direct payments	43 410 105 687	43 380 031 798	48 655 078	48 655 078	43 458 760 765	43 428 686 876
Sub-ceiling	*43 888 000 000*				*43 888 000 000*	
Rounding difference excluded from margin calculation	*888 000*				*888 000*	
Of which offset against Contingency margin	*- 428 351 235*				*- 428 351 235*	
EAGF Margin	*48 655 078*					
3. Security and citizenship	**7 152 374 489**	**6 368 527 141**			**7 152 374 489**	**6 368 527 141**
Of which under Flexibility Instrument	*1 094 414 188*				*1 094 414 188*	
Of which under global margin for commitments	*2 392 402 163*				*2 392 402 163*	
Of which under Contingency margin	*714 558 138*				*714 558 138*	
Ceiling	*2 951 000 000*				*2 951 000 000*	
Margin						
4. Global Europe	**10 991 572 239**	**9 112 061 191**		**586 000 000**	**10 991 572 239**	**9 698 061 191**
Of which under Contingency margin	*481 572 239*				*481 572 239*	
Ceiling	*10 510 000 000*				*10 510 000 000*	
Margin						
5. Administration	**10 271 193 494**	**10 274 196 704**			**10 271 193 494**	**10 274 196 704**
Ceiling	*11 254 000 000*				*11 254 000 000*	
Of which offset against Contingency margin	*- 982 806 506*				*- 982 806 506*	
Margin						
Of which: Administrative expenditure of the institutions	7 955 303 132	7 958 306 342			7 955 303 132	7 958 306 342
Sub-ceiling	*9 071 000 000*				*9 071 000 000*	
Of which offset against Contingency margin	*- 982 806 506*				*- 982 806 506*	
Margin	*132 890 362*				*132 890 362*	
Total	**172 252 759 110**	**161 113 105 917**	**36 435 141**	**1 569 340 866**	**172 289 194 251**	**162 682 446 783**
Of which under Flexibility Instrument	***1 094 414 188***	***1 017 029 444***			***1 094 414 188***	***1 017 029 444***
Of which under global margin for commitments	***2 662 000 000***		***- 12 219 937***		***2 649 780 063***	
Of which under Contingency margin	***1 196 130 377***				***1 196 130 377***	
Ceiling	***168 797 000 000***	***172 420 000 000***			***168 797 000 000***	***172 420 000 000***
Of which offset against Contingency margin	***-1 448 130 377***				***-1 448 130 377***	
Margin	***48 655 078***	***12 323 923 527***				***10 754 582 661***
Other special Instruments	**1 594 857 964**	**1 425 594 964**			**1 594 857 964**	**1 425 594 964**
Grand Total	**173 847 617 074**	**162 538 700 881**	**36 435 141**	**1 569 340 866**	**173 884 052 215**	**164 108 041 747**