

## AMENDMENT FORM

**Suggestion for amendment of Article : 39**

**Suggestion for protocol :**

**By Ms / Mr :**                **G.M. de Vries**  
                                      **T.J.A.M. de Bruijn**

**Status :**            **Members**

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### **Article 39: The budgetary and financial principles**

1. All items of revenue and expenditure of the Union shall be included in estimates to be drawn up for each financial year and shall be shown in the budget, in accordance with the provisions of Part II of the Constitution.
2. The revenue and expenditure shown in the budget shall be in balance.
3. The expenditure shown in the budget shall be authorised for the annual budgetary period, beginning on 1 January and ending on 31 December. ~~period~~ in accordance with the law referred to in Article B (*Part II, ex-279: Financial Regulation*).
4. The entry of expenditure in the budget shall require the prior adoption of a binding legal act which provides a legal basis for Union action and for the implementation of the expenditure in accordance with the law referred to in Article B (*Part II, ex-279: Financial Regulation*). This act must take the form of a law, a framework law, a regulation or a decision.
5. With a view to maintaining budgetary discipline, the Commission shall not make any proposal for a Union act, or alter its proposals, or adopt any implementing measure which is likely to have appreciable implications for the budget without providing the assurance that that proposal or that measure is capable of being financed within the limit of the Union's ~~own resources~~ multiannual financial perspectives.

6. The Union's budget shall be implemented in accordance with the principle of sound financial management. The Commission shall implement the budget, in accordance with the law referred to in Article B, on its own responsibility and within the limits of the appropriations. Member States shall cooperate with the Union Institutions to ensure that the appropriations entered in the budget are used in accordance with the principles of sound financial management.
- ~~7.~~ 7. The Community and the Member States shall counter fraud and any other illegal activities affecting the financial interests of the Union in accordance with the provisions of Article Z (*Part II, ex-280 TEC*).
8. The Commission shall submit annually to the Council and European Parliament the accounts of the preceding financial year relating to the implementation of the budget. The Commission shall also forward to them a financial statement of the assets and liabilities of the Community.

