

AMENDMENT FORM

Suggestion for amendment of Article: 40

By Members: Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Mr Peeter Kreitzberg, Mr Puiu Hasotti, Mr Zekeriya Akçam and Mr Eugenijus Maldeikis; and **Alternate Members:** Lord Robert MacLennan of Rogart, Mr Nesrin Uzun, Mr Marios Matsakis, Mrs Androula Vassiliou, Mr Istvan Szent-Ivanyi, Mr Péter Eckstein-Kovacs and Mr Ibrahim Ozal.

Status : Members and alternate members.

Article 40: The Union's budgetary procedure

- 1. The budgetary authority comprises the European Parliament and the Council which shall jointly adopt the annual budget on a proposal from the Commission. The budget shall comply with the multi-annual financial framework. The budgetary procedures are laid down in Article X of Part Two.*
 - 2. In the case of a failure to agree between the Parliament and the Council, the Parliament may adopt the budget within a maximum rate of increase declared by the Commission.*
 - 3. The Parliament, on a recommendation of the Council, gives discharge to the Commission for the implementation of the budget.*
-

Explanation:

The Constitution should define as simply and clearly as possible what comprises the budgetary authority. We also find it desirable to state explicitly that the budget must comply with the multiannual financial framework.

In paragraph 2 we add the existing provision (Article 272.9 TEC) about what can be done if the Council and Parliament fail to agree on the budget. If no budget is adopted, the provisions of Article 273 TEC (provisional twelfths) will continue to apply.

In paragraph 3 we make a reference to the discharge procedure.