Methods and procedure for making available own resources based on the Emissions Trading System, the Carbon Border Adjustment Mechanism and reallocated profits and on the measures to meet cash requirements

2022/0071(NLE) - 14/03/2022 - Legislative proposal

PURPOSE: to amend the implementing measures of the European Union's own resources system.

PROPOSED ACT: Council Regulation.

ROLE OF THE EUROPEAN PARLIAMENT: the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

BACKGROUND: the proposed Council Decision amending Council Decision amending the Own Resources Decision 2020/2053 adopted on 22 December 2021 adds a three new own resources to the EU budget.

These proposed new own resources will be based on the EU Emissions Trading Scheme for greenhouse gas emission allowances, the Carbon Border Adjustment Mechanism and include a national contribution to the EU budget based on the share of residual profits of multinational enterprises, as reallocated to Member States pursuant to the Council Directive on implementation of the global agreement on re-allocation of taxing rights the Commission will table in the course of 2022.

These own resources should be made available to the Union on the best possible terms. Accordingly, it is appropriate to lay down the rules under which Member States make these own resources available to the Commission.

CONTENT: the proposed regulation lays down the rules for the **calculation** of the ‘Emission Trading Scheme-based own resource’, the ‘Carbon border adjustment mechanism-based own resource’ and the ‘re-allocated profits-based own resource’, the **making available** to the Commission of these own resources as well as measures to meet cash-flow needs, and determines the calculation of the applicable rate of the ‘GNI-based own resource’ referred to in decision (EU, Euratom) 2020/2053.

In concrete terms, the proposed regulation covers:

- the conservation of supporting documents;

- administrative cooperation;

- the effects on the GNI-based own resource: the proposal ensures the residual character of the GNI-based own resource;

- the adaptation of the provisions on accounts and reporting to take account of the new own resources;

- accounting corrections for the EU ETS-based own resource: the proposal aligns the provision for the EU ETS-based own resource with what is already provided for traditional own resources;

- the methods for calculating the EU ETS-based own resources, the Carbon Border Adjustment Mechanism-based own resource and the reallocated profits;

- the availability of the EU ETS-based own resource, the Carbon Border Adjustment Mechanism-based own resource and the reallocated profits-based own resource;

- interest on amounts made available belatedly;

- the possibility for Member States to make available under reservation amounts related to corrections and adjustments to the own resources based on the Carbon Border Adjustment Mechanism and the reallocated profits;

- the introduction of a review procedure in case of a manifest disagreement between a Member State and the Commission regarding corrections and adjustments to own resources based on the Carbon Border Adjustment Mechanism and reallocated profits;

- requirements on management of cash resources and the execution of payment orders.

The proposal states that the regulation will enter into force at the same time as the amended Own Resources Decision.

The budgetary impact is estimated at EUR 4.572 million in commitment appropriations for the period 2023-2027.