

## I

(Legislative acts)

## DECISIONS

**DECISION (EU) 2021/8 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL****of 23 December 2020****authorising the Commission to vote in favour of an increase in the authorised capital of the European Investment Fund**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 173(3) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

After consulting the European Economic and Social Committee,

Acting in accordance with the ordinary legislative procedure <sup>(1)</sup>,

Whereas:

- (1) Article 5(2) of the Statutes of the European Investment Fund (the 'Fund') provides that the authorised capital of the Fund may be increased by decision of the General Meeting of the Fund (the 'General Meeting') acting with a majority of -85 % of the votes cast.
- (2) Considering the expected impact of the COVID-19 crisis and with a view to contributing to the response of the Union and the Fund to the crisis through the implementation of the proposed Regulation of the European Parliament and of the Council establishing the InvestEU Programme as part of the Multiannual Financial Framework for the years 2021 to 2027 and through further development of the Fund's role in the management of national and regional programmes, it is necessary to immediately increase the authorised capital of the Fund by EUR 2 870 000 000.
- (3) The Board of Directors of the Fund (the 'Board of Directors') has decided to submit a request to the General Meeting for approval to increase the Fund's authorised capital by EUR 2 870 000 000 through the issuance of 2 870 new shares and for approval of the arrangements, including for payment, for such capital increase. If the capital increase is approved, each new share will have a nominal value of EUR 1 000 000 and each subscribed share will be paid in as to 20 % of its nominal value. It would be possible for the General Meeting to require payment of the remaining 80 % under the conditions laid down in Article 7(3) of the Statutes of the Fund. All shares, whether existing or newly issued, will be of equal value and carry equal rights in all respects.
- (4) The Board of Directors has proposed that the newly authorised shares be available for subscription during a single subscription period starting immediately upon approval of the capital increase by the General Meeting and ending on 30 September 2021. The Union will be able to participate in the subscription under the conditions laid down in the decision of the General Meeting once the legal act approving the participation of the Union in the capital increase has entered into force.

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<sup>(1)</sup> Position of the European Parliament of 15 December 2020 (not yet published in the Official Journal) and decision of the Council of 22 December 2020.

- (5) In order to allow the Union representative in the General Meeting to vote on the capital increase as soon as possible, it is considered to be appropriate to provide for an exception to the eight-week and ten-day periods referred to in Article 4 of Protocol No 1 on the role of national Parliaments in the European Union, annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community. For the same reason, this Decision should enter into force on the day following that of its publication,

HAVE ADOPTED THIS DECISION:

*Article 1*

The Commission shall be authorised to vote, on behalf of the Union, at the General Meeting of the European Investment Fund in favour of the proposed increase of EUR 2 870 000 000 in the authorised capital of the Fund.

*Article 2*

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 23 December 2020.

*For the European Parliament*

*The President*

D. M. SASSOLI

*For the Council*

*The President*

M. ROTH

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