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2. Expresses, nevertheless, its dissatisfaction with the additional surplus of EUR 2,7 billion for the 2004 budget; considers that the challenges that the European Union is facing today cannot justify such an under-spending, in particular in Headings 3 and 4 of the financial perspective as well as pre-accession aid; therefore expects a better level of implementation to be obtained in 2005 in order to reduce significantly the level of EU surplus;
3. Has decided to accept Draft amending budget No 3/2005 unamended;
4. Instructs its President to forward this resolution to the Council and Commission.

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**P6\_TA(2005)0328**

### **Draft amending budget No 5/2005**

#### **European Parliament resolution on Draft amending budget No 5/2005 of the European Union for the financial year 2005 — Section III — Commission (11221/2005 — C6-0240/2005 — 2005/2126 (BUD))**

*The European Parliament,*

- having regard to the Treaty establishing the European Community, and in particular Article 272(4), penultimate subparagraph, thereof,
  - having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 177 thereof,
  - having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities <sup>(1)</sup>, and in particular Articles 37 and 38 thereof,
  - having regard to the general budget of the European Union for the financial year 2005, as finally adopted on 16 December 2004 <sup>(2)</sup>,
  - having regard to the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure <sup>(3)</sup>,
  - having regard to the Interinstitutional Agreement of 7 November 2002 between the European Parliament, the Council and the Commission on the financing of the European Union Solidarity Fund supplementing the Interinstitutional Agreement of 6 May 1999 on budgetary discipline and improvement of the budgetary procedure <sup>(4)</sup>,
  - having regard to Preliminary draft amending budget No 5/2005 of the European Union for the financial year 2005, which the Commission presented on 6 June 2005 (SEC(2005)0758),
  - having regard to Draft amending budget No 5/2005, which the Council established on 15 July 2005 (11221/2005 — C6-0240/2005),
  - having regard to Rule 69 of and Annex IV to its Rules of Procedure,
  - having regard to the report of the Committee on Budgets (A6-0253/2005),
- A. whereas the European Union should give a response of solidarity to assist in the work following the damage resulting from the storm in Slovakia,
  - B. whereas the purpose of Draft amending budget No 5/2005 is to enter these budgetary resources formally in the 2005 budget,

<sup>(1)</sup> OJ L 248, 16.9.2002, p. 1.

<sup>(2)</sup> OJ L 60, 8.3.2005, p. 1.

<sup>(3)</sup> OJ C 172, 18.6.1999, p. 1. Agreement amended by Decision 2003/429/EC (OJ L 147, 14.6.2003, p. 25).

<sup>(4)</sup> OJ C 283, 20.11.2002, p. 1.

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- C. whereas Draft amending budget No 5/2005 relates also to the revenue side of the budget and comprises a number of elements affecting the level of contributions from Member States to the Community's own resources,
- D. whereas these elements relate to the repayment of the surplus from the Guarantee Fund for External Measures from 2004 as well as to the annual revision of the forecasts for customs duties, VAT bases, GNI bases and a technical re-calculation of the contributions necessary to finance the UK rebate,
- E. whereas on 14 July 2004 the Commission adopted its report on the operation of the own resources system and the related legislative proposals, which are under examination in the European Parliament,
1. Approves the Council's Draft amending budget No 5/2005 unamended;
  2. Instructs its President to forward this resolution to the Council and the Commission.

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**P6\_TA(2005)0329**

**Health and safety at work: Exposure to optical radiation \*\*\*II**

**European Parliament legislative resolution on the Council common position for adopting a directive of the European Parliament and of the Council on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (optical radiation) (19th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (5571/6/2005 — C6-0129/2005 — 1992/0449B(COD))**

(Codecision procedure: second reading)

*The European Parliament,*

- having regard to the Council common position (5571/6/2005 — C6-0129/2005),
  - having regard to its position at first reading<sup>(1)</sup> on the Commission proposal to Parliament and the Council (COM(1992)0560)<sup>(2)</sup>, and on the amended proposal (COM(1994)0284)<sup>(3)</sup>,
  - having regard to Article 251(2) of the EC Treaty,
  - having regard to Rule 62 of its Rules of Procedure,
  - having regard to the recommendation for second reading of the Committee on Employment and Social Affairs (A6-0249/2005),
1. Approves the common position as amended;
  2. Instructs its President to forward its position to the Council and Commission.

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<sup>(1)</sup> OJ C 128, 9.5.1994, p. 128.

<sup>(2)</sup> OJ C 77, 18.3.1993, p. 12.

<sup>(3)</sup> OJ C 230, 19.8.1994, p. 3.