NOTIFICATION OF THE MANAGEMENT BOARD DECISION 02/2013
ON THE NON-AUTOMATIC CARRY-OVER OF APPROPRIATIONS
FROM 2012 TO 2013

In accordance with Article 8(4) of the Rules of Procedure of the Management Board I hereby notify you that since there were no objections to the proposal, the Management Board of Frontex has taken the decision on the non-automatic carry-over of appropriations from 2012 to 2013.

The letter (Ref. No. 1272/23.01.2013) inviting the Management Board to take the decision was sent on 23 January 2013. The decision was taken on 1 February 2013.

Please find attached the above mentioned letter (Ref. No. 1272/23.01.2013).

[signed]

Ilkka Laitinen
Executive Director
On behalf of the Chairman
of the Management Board

Annex:
Proposal to take a decision on the non-automatic carry-over of appropriations from 2012 to 2013.
Explanatory note for the Management Board on the

DECISION OF THE MANAGEMENT BOARD ON THE NON-AUTOMATIC CARRY-OVER OF APPROPRIATIONS FROM 2012 TO 2013

1. Legal basis and procedure

Pursuant to Article 10 (1) of the Frontex Financial Regulation, appropriations which have not been used at the end of the financial year for which they were entered shall be cancelled. However, they may, by decision of the Management Board taken not later than 15 February, be carried over to the next financial year only.

Pursuant to Article 10 (3), this procedure is applicable to appropriations not yet committed at the close of the financial year. They may be carried over in respect of amounts corresponding to commitment appropriations for which most of the preparatory stages of the commitment procedure have been completed by 31 December; these amounts may then be committed up to 31 March of the following year.

The commitment appropriations referred to in Article 10 of the Frontex Financial Regulation may be carried over only if the commitments could not be made before 31 December of that financial year for reasons not attributable to the authorising officer and if the preparatory stages are sufficiently advanced to make it reasonable to judge that the commitment may be made before 31 March of the following year.

The preparatory stages of the commitment appropriations which should be completed by 31 December of the financial year in order to allow a carryover to the following year are the advanced stage of preparation of the contracts or agreements. This advanced stage of preparation of the contracts or agreements shall mean the completion of the selection of potential contractors or beneficiaries.

2. Action proposed to the Management Board

The Management Board is proposed to make a decision on the non-automatic carry-over of appropriations from 2012 to 2013 in written procedure as set out in Chapter 4 to this note. This procedure meets the requirements for the carry-over of appropriations as outlined above.

3. Objectives

The Decision will constitute the basis for Frontex to use the unused appropriations from 2012 as required by Article 10 of the Frontex Financial Regulation.
4. Request for non-automatic carry-overs of appropriations from 2012 to 2013

The following table shows the status as per 31 December 2012 for each of the budget lines involved (paid amounts are part of the total committed amounts). The detailed justifications for the proposed carry-overs are further elaborated below.

<table>
<thead>
<tr>
<th>Budget Line</th>
<th>Description</th>
<th>Final Budget 2012 A</th>
<th>Total Committed B</th>
<th>Total Paid C</th>
<th>Unused Appropriations D=A-B</th>
<th>Non-automatic carry over requested E</th>
<th>Appropriation to be returned to the EC F=D-E</th>
</tr>
</thead>
<tbody>
<tr>
<td>3110</td>
<td>Situation Center</td>
<td>1,665,000</td>
<td>1,224,576</td>
<td>726,518</td>
<td>380,324</td>
<td>379,230</td>
<td>1,094</td>
</tr>
<tr>
<td>3300</td>
<td>Research and Development</td>
<td>1,080,159</td>
<td>804,380</td>
<td>608,662</td>
<td>275,779</td>
<td>118,300</td>
<td>157,479</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>2,745,159</td>
<td>2,028,956</td>
<td>1,335,180</td>
<td>656,103</td>
<td>497,530</td>
<td>158,573</td>
</tr>
</tbody>
</table>

4.1. Situation Center

Frontex requests the carry-over of the amount of €379,230, of the unused appropriations of €380,324, from 2012 in Budget Line 3110 (Frontex Situation Center) to 2013. The requested amount corresponds to the contract to be signed with the EU Satellite Centre.

The required procedure could not be finalised with a commitment in 2012. The contract for provision of a set of satellite services between Frontex and EUSC has been negotiated and presented for EUSC signature in early October 2012. The contract could not be signed in 2012 as initially planned due to delays by EUSC for signing the contract.

The concept of operations (CONOPS) for the common application of surveillance tools in the context of EUROSUR includes the setting up and running of the pre-operational testing and validation of the operational service, including satellite imagery, for MS (NCCs). In this context, close inter-EU-agency cooperation has been set as an ambition and the EU Satellite Centre has been selected as one of the main service providers. The contract will cover the most critical services in early 2013 and thus start the cooperation between EUSC and Frontex on common application of surveillance (Art. 12 of draft EUROSUR Regulation).

4.2. Research and Development

Frontex requests the carry-over of the amount of €118,300, of the unused appropriations of €275,779, from 2012 in Budget Line 3300 (Research and Development) to 2013. The requested amount corresponds to the contract regarding the Aerial Border Surveillance Trial of Manned Aircraft with optionally piloted aircraft capability for which the award decision has been signed.

The required procurement procedure could not be finalised with a commitment in 2012 due to the fact that the award decision was taken on the 17 December 2012 and taking into account the required standstill period of fourteen days, the commitment and subsequently the contract can only be signed after the 1 January 2013.