

Euratom Supply Agency: statutes

2007/0043(CNS) - 13/11/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Romana Jordan **CIZELJ** (EPP-ED, SL) and made some amendments to the proposal for a Council decision establishing Statutes for the Euratom Supply Agency. The main amendments were as follows:

Objectives: in order to meet its objectives, the Agency shall carry out the following particular tasks, acting, in accordance with the objectives of the Treaty, as an energy observatory in the field of the supply of nuclear materials and services:

a) monitor and analyse supply and demand as well as market trends affecting the security of supply of nuclear materials;

b) provide the Member States and the industry with periodic market surveys of European Union stockpiles of nuclear materials and European Union utilities' long-term contract coverage and with periodic risk analyses of the market, with the aim of:

- averting shortages or interruptions in the supply of nuclear materials at all stages of the nuclear fuel production cycle (from mining to conversion, enrichment and fabrication),

- ensuring the long-term vision necessary to create a framework for investment in fabrication plants and mining exploration,

- preserving fair competition on the market;

c) in close coordination with the Advisory Committee, develop a high level of expertise and produce information and prospective analyses, and in particular a prospective report on supply and demand, a report on the implementation of supply policy and periodical surveys of market trends, based on relevant analyses performed jointly with the Advisory Committee, so as to enable it to give guidance to the industry, formulate recommendations to producers and utilities and make proposals to the Commission for regulation in the relevant fields.

Seat: The Agency shall have its seat in one of the locations of the Commission services. The Council shall take a decision in this regard, on a proposal from the Commission, after consulting the Advisory Committee.

It may on its own initiative take any further measures concerning its own internal organisation which may be required for the carrying out of its tasks both within and outside the Community, provided that these measures do not have significant financial implications. It shall notify the European Parliament and the Council ("budgetary authority") of any project which may have significant financial implications for the funding of its budget, in particular any project relating to property such as the rental or purchase of buildings, and shall inform the Commission thereof.

Director General: the Director General shall be appointed by the Commission, after consulting the Advisory Committee. He shall work full time for the Agency and shall not act as an agent of the Commission. He shall ensure: i) the management of the Agency, its administration and its resources, including staff matters; the preparation of the draft statement of estimates of the Agency's revenue and expenditure, and execution of its budget; ii) the preparation of studies and specific reports deemed necessary and send such studies and reports to the Commission, the European Parliament, and the

Council; iii) that the tasks specified in the text are performed in accordance with the general interest of the Community.

Report: by 31 March each year the Director General shall, after consulting the Advisory Committee, submit to the Commission a report covering the activities of the Agency in the previous year and a work programme for the coming year. The Director General shall forward this annual report together with a work programme to the European Parliament, the Council, the Court of Auditors and the Member States, together with the opinion of the Advisory Committee

Funding: the funding of the Agency shall be subject to the agreement of the budgetary authority, as provided for in the Interinstitutional Agreement of 17 May 2006. The estimate shall be transmitted by the Commission to the budgetary authority together with the preliminary draft general budget of the European Union.

Advisory Committee: the report states that the Committee shall be composed of one member for each Member State having no nuclear fuel cycle activities and two members for each Member State having nuclear fuel cycle activities. It shall have one additional member for each Member State having nuclear fuel cycle activities and subscribing more than EUR 300 000.

The Committee may nominate two members as advisors to the executive officers. The executive officers and their advisors shall form the Bureau of the Committee and shall have the task of maintaining all necessary relations on behalf of the Committee. The Bureau shall act as a link between the Committee members and the Director General of the Agency and shall coordinate the activity of the Committee in particular with regard to the preparation, assessment and evaluation of its reports and dissemination of its expertise.

The terms of office of the Chairperson, the Vice-Chairpersons and the two advisors to the executive officers shall be three years. Their term of office shall be renewable once, and the chairmanship shall alternate between different sides of the industry.

The secretariat for the Committee shall be provided by the Agency. The secretariat, in collaboration with the Chairperson, shall draw up the agenda to be approved by the Committee, send all relevant documents to the Committee members at least 15 working days before the date of a meeting, and draft the minutes of the Committee meetings and meetings of the executive officers.

Responsibilities of the Committee: the Committee shall assist the Agency in carrying out its tasks by giving opinions and providing analyses and information. That assistance shall also extend to the preparation of the reports, surveys and analyses. The Committee shall in particular be consulted where this Decision expressly so provides.

Monitoring, reporting and transparency: Parliament underlines the need to ensure the association of the European Parliament on matters under the supply's provisions of the Treaty and in particular:

- to define better the role of the Parliament in the budgetary procedure and at least to enable it to be informed;
- to give the Parliament the tools to be tightly informed and to follow the activity of the Agency : the EP should be the recipient of the work programme and the annual report of the Agency and of any specific report and studies produced by the Director General.

Lastly, any act of the Agency referred to in Article 53 of the Treaty may be referred to the Commission by the party concerned within fifteen working days (rather than 10) of notification being received, or, failing such notification, within fifteen working days (rather than 10) following publication.

