

Executive Agencies: standard financial regulation

2007/0901(CNS) - 10/04/2008 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted, by 583 votes to 16 with 17 abstentions, a legislative resolution amending the draft Commission regulation amending Regulation (EC) N° 1653/2004 on a standard financial regulation for the executive agencies pursuant to Council Regulation (EC) N° 58/2003 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes. The report was tabled for consideration in plenary by Ingeborg **GRÄSSLE** (EPP-ED, DE), on behalf of the Budgets Committee.

The main amendments – adopted in the framework of the consultation procedure - were as follows:

-a new recital states that, in consideration of the difference in deadlines for the European Parliament's discharge decision in respect of the general budget, which is 15 May of year n+2, and its discharge decision in respect of the executive agencies, which is 29 April of year n+2, all actors involved should try to avoid difficulties in practice and strive for a harmonisation of the legal bases;

-it should be clarified that the management board or steering committee - which is appointed by the Commission, the Commission being therefore responsible for ensuring that the board members possess the necessary qualifications and are not subject to any conflict of interest - bears certain responsibilities for budget and control issues and should therefore be accountable to the discharge authority;

-the Commission shall ensure that the standard financial regulation for EAs deviates from the Financial Regulation applicable to the general budget of the European Communities only if the specific operating requirements of the executive agencies so require;

-the appropriations available at 31 December arising from the assigned revenue shall be carried over automatically. The appropriations available corresponding to assigned revenue carried over must be used first;

-the summary of the budgets and amending budgets shall contain certain prescribed items;

-Members clarified the duty of publication, so that the budgetary authority can gain a genuine overview of the development of the agency's budget. They ensured that 'reasons for confidentiality' are allowed, but that they do not lead to evasion of the fundamental duty of publication;

- the establishment plan referred to in Article 21 shall show next to the number of posts authorised for the financial year, the number authorised for the preceding year and the number of posts actually filled, as well as the number of contract staff and national experts. By analogy, the well-founded estimate of the number of contract staff planned and provisionally budgeted for the financial year shall also include the number of contract staff estimated for the preceding year and the number of staff actually employed. The establishment plan shall constitute an absolute limit for the agency; no appointment may be made in excess of the limit set;

-it is stressed that the authorising officer (i.e. the director of the agency) continues to be ultimately responsible; the fact that he has delegated the task does not mean that he has delegated the responsibility;

-the budgetary authority should be enabled to monitor the use of external experts by the executive agencies;

-the European Parliament, upon a recommendation from the Council, which shall decide by qualified majority, shall give a discharge to the director in respect of the implementation of the administrative budget for year N by no later than 29 April of year N+2. The director shall inform the management board of the observations of the European Parliament contained in the resolution accompanying the discharge decision.