Foundation for the Improvement of Living and Working Conditions: budget, document access (amend. Regulation (EEC) No 1365/75)

2002/0172(CNS) - 17/07/2002 - Legislative proposal

PURPOSE : to present a proposal for amendment of the constituent acts of Community bodies following the adoption of the new financial regulation. CONTENT : the new Financial Regulation applicable to the general budget of the EC will enter into force on 1 January 2003 (see CNS/2000/0203). It presents a new approach concerning the budgetary and financial status of the decentralised Community Agencies. The most important novelties concerning Community Agencies are as follows: - Article 185: the Commission adopts a framework Financial Regulation applicable to the bodies set up by the Communities, having legal personality and which actually receive grants from the general budget (see CNS/2002/0902). The financial rules of these bodies may not depart from the framework Regulation unless specifically required for their operation and with the Commission's prior consent; discharge for the implementation of the budgets of the bodies is to be given by the European Parliament, acting on a recommendation by the Council; the Commission's internal auditor exercises the same powers over these bodies as over Commission departments; the above-mentioned bodies must apply the accounting rules established by the Commission's accounting officer so that their accounts can be consolidated with the Commission's accounts; - Article 46(3)(d) : the establishment plans of the bodies are to be decided by the general budgetary authority. These novelties require corresponding amendments to the legal acts establishing the Agencies concerned in order to implement the new system. These changes are the subject of the present proposals. In these proposals the Commission also tackles two further questions concerning the decentralised Community bodies. The first is connected with the current general reform process, viz. the question of transparency and public access to documents. The second question concerns the procedure for appointing the Directors of the Community bodies. Taking into account the above-mentioned development of the general recasting process, it is assumed that the new arrangements (Articles 185 and 46 (3)(d)) will apply to the thirteen existing Community Agencies, namely: - the European Centre for the Development of Vocational Training (Thessaloniki); - the European Foundation for the Improvement of Living and Working Conditions (Dublin); - the European Environment Agency (Copenhagen); _ the European Training Foundation (Turin); _ the European Monitoring Centre for Drugs and Drug Addiction (Lisbon); - the European Agency for the Evaluation of Medicinal Products (London); _ the European Agency for Safety and Health at Work (Bilbao); _ the Translation Centre for the Bodies of the EU (Luxembourg); _ the European Monitoring Centre on Racism and Xenophobia (Vienna); _ the European Agency for Reconstruction (Thessaloniki); _ the European Food Safety Authority; _ the European Aviation Safety Agency; _ the European Maritime Safety Agency; as well as to one body established under the Third Pillar, buttreated as a traditional Community body in budgetary and financial terms, Eurojust. There are two decentralised Community bodies which do not receive grants from the general budget, namely the Office for Harmonisation in the Internal Market (Alicante) and the Community Plant Variety Office (Angers). They therefore do not fall within the definition of Article 185. However, they are affected by the proposals to bring their internal control mechanisms into line with the new Financial Regulation.