Executive Agencies: standard financial regulation, administrative appropriations

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PURPOSE : to lay down the essential rules applicable to the establishment and execution of the administrative budget of the agencies referred to in Regulation 58/2003/EC. CONTENT : Regulation 58 /2003/EC laid down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes, which the Commission was charged with setting up. These executive agencies (hereinafter "the agencies") will have legal personality and their own operating budget, the implementation of which is governed by this standard financial regulation pursuant to Article 15 of Regulation 58/2003/EC. The main elements of the draft Commission Regulation are as follows: - the fundamental principles of budgetary law (unity, universality, specification and annuality), and the principles of budget accuracy, equilibrium, unit of account, sound financial management and transparency should be reaffirmed; - as far as their staff are concerned, the agencies will have to distinguish between temporary posts, which will be covered by an establishment plan submitted for approval to the budgetary authority, and appropriations allowing the remuneration of other categories of staff, recruited on renewable contracts; - as far as the financial actors are concerned, it is necessary to define the powers and responsibilities of the agency's accounting officer and authorising officer, who must be officials subject to the Staff Regulations of the Officials of the European Communities, and the conditions under which the authorising officer will be able to delegate his powers of budget implementation; - the authorising officer should be given a significant degree of management autonomy. He must be given complete freedom for transfers, subject to an obligation to inform the management board, which must be able to oppose such transfers within a time limit of fifteen days; - in accordance with Regulation 58/2003/EC, the function of internal auditor is to be performed in the executive agencies by the internal auditor of the Commission; - for each executive agency, the timetable for drawing up the administrative budget, for presentation of the accounts and for discharge must comply with the provisions of Regulation 58/2003/EC, the general Financial Regulation and, where applicable, the EDF Financial Regulation. The discharge authority for the executive agencies' administrative budget must be the same as for the general budget or, where applicable, the EDF; - the accounting rules applied by the agencies must allow consolidation with the Commission accounts or, where applicable, with the accounts of the EDF. They must be adopted by the Commission's accounting officer by analogy with Article 133 of the general Financial Regulation or, where applicable, by the accounting officer of the EDF. The Court of Auditors will audit the agency's accounts; - each agency should have access to the panel referred to in Article 66(4) of the general Financial Regulation set up by the Commission to examine irregularities so that a similar assessment can be made of identical cases; - for their administrative budget, the agencies must meet the same requirements as the Commission for public contracts awardedon its own account. For this a reference to the general Financial Regulation will suffice.