Basic information

1996/0189(CNS) CNS - Consultation procedure Regulation	Procedure completed
Amendment to the Financial Regulation of 21.12.1977 applicable to the EC budget. Joint orientation **Subject** 8.70.02 Financial regulations	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	SARLIS Pavlos (PPE)	07/10/1996

Former committee responsible	Former rapporteur	Appointed
CONT Budgetary Control	SARLIS Pavlos (PPE)	07/10/1996

Former committee for opinion	Former rapporteur for opinion	Appointed
BUDG Budgets	DELL'ALBA Gianfranco (ARE)	25/09/1996
RELA External Economic Relations		
DEVE Development and Cooperation		

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	2122	1998-10-12
Economic and Financial Affairs ECOFIN	2103	1998-06-05
Economic and Financial Affairs ECOFIN	2136	1998-11-23

Key events

Date	Event	Reference	Summary

26/07/1996	Legislative proposal published	COM(1996)0351	Summary
20/09/1996	Committee referral announced in Parliament		
16/06/1997	Vote in committee		Summary
16/06/1997	Committee report tabled for plenary, 1st reading/single reading	A4-0217/1997	
17/07/1997	Debate in Parliament		Summary
28/10/1997	Modified legislative proposal published	COM(1997)0542	Summary
02/06/1998	Amended legislative proposal for reconsultation published	08914/1998	Summary
30/06/1998	Formal reconsultation of Parliament		
16/11/1998	Vote in committee		
16/11/1998	Committee report tabled for plenary, reconsultation	A4-0425/1998	
23/11/1998	Act adopted by Council after consultation of Parliament		
23/11/1998	End of procedure in Parliament		
28/11/1998	Final act published in Official Journal		

Technical information

Procedure reference	1996/0189(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Euratom Treaty A 183 EC Treaty (before Amsterdam) E 209 ECSC Treaty C 078
Stage reached in procedure	Procedure completed
Committee dossier	CONT/4/10269 CONT/4/08266

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0217/1997 OJ C 222 21.07.1997, p. 0003	16/06/1997	
Text adopted by Parliament, 1st reading/single reading		T4-0412/1997 OJ C 286 22.09.1997, p. 0325-0330	18/07/1997	Summary
Committee final report tabled for plenary, reconsultation		A4-0425/1998 OJ C 379 07.12.1998, p. 0013	16/11/1998	
Text adopted by Parliament after reconsultation		T4-0658/1998 OJ C 379 07.12.1998, p. 0058-0077	18/11/1998	Summary

Council of the EU

Document type	Reference	Date	Summary
Amended legislative proposal for reconsultation	08914/1998	02/06/1998	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1996)0351 OJ C 296 08.10.1996, p. 0012	26/07/1996	Summary
Modified legislative proposal	COM(1997)0542 OJ C 359 25.11.1997, p. 0009	28/10/1997	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 1998/2548
OJ L 320 28.11.1998, p. 0001 Summary

Amendment to the Financial Regulation of 21.12.1977 applicable to the EC budget. Joint orientation

1996/0189(CNS) - 02/06/1998 - Amended legislative proposal for reconsultation

In a joint guideline relating to the amendment of the Financial Regulation applicable to the Communities' budget, the Council made amendments to the Commission's initial text. The amendments relate, in particular, to the administration of the Community programmes by subcontracting, financial control ('overriding' procedure), compatibility between the legal commitments undertaken by the institution and the accounting commitments subjected to financial control, the instruments of financial control (in particular, appropriation of sufficient funds as a function of the risk and automatic control in sectors at risk of fraud) and provisions relating to the delegations and sub-delegations.

Amendment to the Financial Regulation of 21.12.1977 applicable to the EC budget. Joint orientation

1996/0189(CNS) - 18/11/1998 - Text adopted by Parliament after reconsultation

The European Parliament adopted without debate the report by Mr Pavlos SARLIS (PPE, GR) on an amendment to the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities.

Amendment to the Financial Regulation of 21.12.1977 applicable to the EC budget. Joint orientation

1996/0189(CNS) - 26/07/1996 - Legislative proposal

OBJECTIVE: amending the Financial Regulation applicable to the general budget of the European Communities, in order to improve financial management with a view to institutional reform (enlargement of the EU). SUBSTANCE: the amendments contained in the Proposal (the seventh series) stem from the conclusions of the Liikanen-Gradin group on the second phase of the improvement of financial management (SEM 2000). The principal amendments proposed are as follows: - strengthening the control of ongoing commitments; - ensuring an exact correspondence between the legal commitments entered into by the institution and the accounting commitments submitted to Financial Control and recorded in the central accounts; - if management of Community programmes is sub-contracted, ensuring that this is governed by appropriate provisions guaranteeing the transparency of the operations; - strengthening discipline with regard to inventories by laying down the respective duties of the authorizing officer, the financial controller and the accounting officer; - introducing provisions involving the accounting officer in the establishment of the computerized systems of financial management used by the authorizing officers and provisions governing the transmission of payment orders to banks under the computerized procedures; - ensuring strict control of the subdelegation of powers to sign financial documents (pecuniary liability of staff); - where the financial controller withholds approval, setting a deadline for initiation of the procedure to overrule him; - endowing the Financial Regulation with provisions for the entry in the accounts of traditional own-resources; - improving the system of accounts where computerization is playing a bigger role; - as regards external aid, bringing the award of contracts into line with the requirements of the GATT Agreement and the Council Directives coordinating the procedures for the award of public contracts.

Amendment to the Financial Regulation of 21.12.1977 applicable to the EC budget. Joint orientation

1996/0189(CNS) - 23/11/1998 - Final act

OBJECTIVE: to improve financial management within the institutions. COMMUNITY MEASURE: Council Regulation (EC, ECSC, EURATOM) no. 2548 /98 amending the financial regulation of 21 December 1977 applicable to the general budget of the European Communities. CONTENTS: the amendments to the financial regulation by the Council are intended mainly to: - introduce general provisions governing the cancellation of appropriations; - improve the system of accounts; - make provision for disciplinary action against and, where appropriate, payment of compensation by staff who exercise powers which are not delegated to them or who exercise powers in excess of the limits of powers expressly conferred on them; - where management of Community programmes is sub-contracted, to provide a framework of provisions guaranteeing the transparency of operations and laying down the procedure for the entry in the accounts of the funds available for use in financing programmes; - make provision for the Financial Controller to be consulted on the setting up of inventory systems and systems of financial management used by authorising officers; - introduce provisions for the entry in the accounts of traditional own resources which have their own specific features as compared with the other own resources (VAT and GNP); - ensure that the legal commitments made by the institution and the accounting commitments submitted to financial control and recorded in the central accounts correspond exactly; - allow the Financial Controller to make distinctions in the method of control in such a way as to enable an allocation of means while taking account of the risks; - maintain or reinstate systematic control in the risk sectors; - set time limits for the procedure for overruling the withholding of approval by the Financial Controller; - strengthen discipline with regard to inventories by laying down the respective duties of the authorising officer and the accounting officer; - adjust the procedure for the authorisation of transfers between chapters in the EAGGF Guarantee Section. ENTRY INTO FORCE: 5 December 1998.

Amendment to the Financial Regulation of 21.12.1977 applicable to the EC budget. Joint orientation

1996/0189(CNS) - 18/07/1997 - Text adopted by Parliament, 1st reading/single reading

By adopting the report by Mr Pavlos SARLIS (PPE, Gr), the European Parliament strengthened the Commission proposal, particularly the rules on subcontracting. It also called for stricter provisions concerning calls for tenders, stricter checks on decisions by a superior authority to overrule a refusal of approval by the financial controller, stricter deadlines for the recovery of unduly paid amounts and a prohibition on conflicts of interests between the authorizing officer and the recipient of funding.

Amendment to the Financial Regulation of 21.12.1977 applicable to the EC budget. Joint orientation

1996/0189(CNS) - 28/10/1997 - Modified legislative proposal

The Commission has modified its proposal to take account of Parliament's amendments relating to the following points: - the principle that, following the release of appropriations, amounts unduly paid must be recovered, with interest accruing as of the due date set out in the debit note; - reinforcement of the provisions on delegating and subdelegating commitment and payments acts, for which the internal rules of each institution must specify in detail the powers delegated; - reinforcement of the provisions on subcontracting, ruling out the possibility of subcontracting the exercising of public office tasks; - tightening of the accounting rules on the refund of taxes by Member States; - in connection with Commission decisions on the commitment of expenditure, equivalence between separate legal commitments and the budgetary commitment from which they originate must be accompanied by proper checks by the Financial Controller, who may apply a system of spot-checks; - prior approval of commitment proposals and payment orders by the Financial Controller may also be granted on the basis of a spot-check.