

Basic information	
<b>2001/0058(CNS)</b> CNS - Consultation procedure Regulation	Procedure completed
Instrument for structural policies for pre-accession ISPA Amending Regulation (EC) No 1267/1999 <a href="#">1998/0091(CNS)</a> <b>Subject</b> 8.20.04 Pre-accession and partnership 8.20.28 Structural funds and instruments	

Key players			
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>
	<div>CONT</div> Budgetary Control		FOLIAS Christos (PPE-DE)
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>
	<div>RETT</div> Regional Policy, Transport and Tourism		POHJAMO Samuli (ELDR)
Council of the European Union	<b>Council configuration</b>		<b>Date</b>
	Economic and Financial Affairs ECOFIN		2001-12-04
European Commission	<b>Commission DG</b>		<b>Commissioner</b>
	Regional and Urban Policy		

Key events			
Date	Event	Reference	Summary
08/03/2001	Legislative proposal published	COM(2001)0110	<a href="#">Summary</a>
02/05/2001	Committee referral announced in Parliament		
10/09/2001	Vote in committee		<a href="#">Summary</a>
10/09/2001	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0295/2001</a>	
04/12/2001	Act adopted by Council after consultation of Parliament		
04/12/2001	End of procedure in Parliament		
07/12/2001	Final act published in Official Journal		

#### Technical information

Procedure reference	2001/0058(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation (EC) No 1267/1999 <a href="#">1998/0091(CNS)</a>
Legal basis	EC Treaty (after Amsterdam) EC 308
Stage reached in procedure	Procedure completed
Committee dossier	CONT/5/14674

#### Documentation gateway

##### European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0295/2001</a>	10/09/2001	

##### European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2001)0110 OJ C 180 26.06.2001, p. 0197 E	08/03/2001	<a href="#">Summary</a>

##### Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0725/2001 OJ C 221 07.08.2001, p. 0166	30/05/2001	

#### Additional information

Source	Document	Date
European Commission	<a href="#">EUR-Lex</a>	

#### Final act

Regulation 2001/2382  
OJ L 323 07.12.2001, p. 0001

[Summary](#)

# Instrument for structural policies for pre-accession ISPA

2001/0058(CNS) - 08/03/2001 - Legislative proposal

**PURPOSE:** to present a Commission proposal for a Council Regulation amending Regulation 1267/1999/EC establishing an Instrument for Structural Policies for Pre-Accession. **CONTENT:** pursuant to the Council Regulation establishing the Instrument for Structural Policies for Pre-Accession (ISPA), measures eligible for Community assistance under this instrument must be of a sufficient scale to have a significant impact in the field of environmental protection or in the improvement of transport infrastructure networks. Experience acquired by the Commission in appraising applications for financing submitted by the beneficiary countries shows that these countries often have difficulties part-financing such measures from available public resources. Accordingly, to ensure that ISPA has the greatest possible impact in the beneficiary countries, as much funding as possible must be obtained from the EIB or other international financial institutions (ERBD, World Bank, NIB, NEFCO, etc.) and, where appropriate, from the private sector. In 2000, ISPA obtained funding from international institutions in around 40% of approved measures and was thus able to achieve a multiplier effect of around 25%. By increasing cooperation with other sources of funding, the Community hopes to increase the resources used in the sectors at which pre-accession aid is directed, improve the financial packages available to each measure and increase ISPA's multiplier in the years to come. However, such funding is proving difficult due to the absence, in the ISPA Regulation, of specific provisions allowing a derogation from the rule laid down in Article 114(1) of the Financial Regulation applicable to the General Budget of the European Communities. Pursuant to this provision, which applies to external aid, invitations to tender for contracts financed by the Community are open only to natural and legal persons in the Member States of the Union and ISPA beneficiary countries. In view of these circumstances, and in order to facilitate access by the beneficiary countries to the financial resources which could be supplied by international financial institutions or by the private sector, it is proposed to include in the ISPA Regulation specific provisions allowing for a derogation from the tendering rules under Title IX. It is also proposed that these new provisions replicate the wording of the provisions already laid down in the Phare Regulation. The Commission could therefore, for technical or financial reasons essential to the implementation of a measure supported under ISPA, authorise beneficiaries, exceptionally and on the basis of a case-by-case examination, to open all or some of the invitations to tender to nationals of third countries. Where a measure co-financed by financial institutions on the basis of their own tendering rules (and not those in Title IX of the Financial Regulation), the expenditure incurred by these institutions must be included in the total expenditure eligible under ISPA. When this share of financing is included by the Commission in the list of approved costs, it must be available as a supplement to ISPA assistance and therefore form part of the calculation of expenditure eligible under ISPA. This new definition of eligible expenditure in no way alters the application of the provisions of Title IX of the Financial Regulation with respect to the implementation of the share of the measure directly supported by ISPA.

# Instrument for structural policies for pre-accession ISPA

2001/0058(CNS) - 04/12/2001 - Final act

**PURPOSE:** To amend the ISPA Regulation allowing for the participation on tender contracts of third country nationals. **COMMUNITY MEASURE:** Council Regulation 2382/2001/EC amending Regulation (EC) No 1267/1999 establishing an Instrument for Structural Policies for Pre-Accession. **CONTENT:** The ISPA Regulation (1267/1999) aims to offer financial assistance in the field of environmental protection and the improvement of transport infrastructure networks in applicant countries. During the appraisal of the ISPA Regulation in 2000 the Commission proposed it be amended to take account of a gap in the current co-financing strategy of the Regulation. Specifically the amendments seek to offer, on a case by case basis, the possibility of third country participation on tender contracts for ISPA projects. The amendments are drawn from similar provisions applicable under the PHARE programme. In order to apply this new provision the ISPA Regulation has been amended accordingly. Thus, in the case of measures for which the Community is the sole source of external aid, participation in invitations to tender and contracts shall be open on equal terms to all natural and legal persons of the Member States and of the countries referred to in the second subparagraph of Article 1 (1). In the case of co-financing, however, the participation of third countries in invitation to tender and contracts may be authorised by the Commission, after examination on a case-by-case basis. Lastly, where a measure is co-financed together with international financial institutions, expenditure meeting the rules for eligibility but carried out in accordance with procedures appropriate to external sources of financing other than Community assistance and borne by those financial institutions may be used in calculating total eligible expenditure for that measure. The Commission will be assisted by a committee. **ENTRY INTO FORCE:** 07/12/01.

# Instrument for structural policies for pre-accession ISPA

2001/0058(CNS) - 20/09/2001 - Text adopted by Parliament, 1st reading/single reading

By adopting the report by Mr Christos Folias (EPP-ED, GR), the European Parliament approved the proposal together with several non-binding amendments presented by the committee responsible (please refer to the previous text).