Basic information

2002/0177(CNS) CNS - Consultation procedure Regulation	Procedure completed
Office for Harmonisation in the Internal Market: budget and finances, access to documents (amend. Regulation (EC) No 40/94) Repealed by 2006/0267(CNS) **Subject** 1.20.05 Public access to information and documents, administrative practice 8.40.08 Agencies and bodies of the EU 8.70.03 Budgetary control and discharge, implementation of the budget	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
BUDG Budgets	DELL'ALBA Gianfranco (NI)	28/08/2002

Committee for opinion	Rapporteur for opinion	Appointed
CONT Budgetary Control	VAN HULTEN Michiel (PSE)	02/09/2002
LIBE Citizens' Freedoms and Rights, Justice and Home Affairs	HERNÁNDEZ MOLLAR Jorge Salvador (PPE-DE)	12/09/2002
AFCO Constitutional Affairs	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	2516	2003-06-18

European Commission

Commission DG	Commissioner
Budget	

Key events

Date	Event	Reference	Summary

17/07/2002	Legislative proposal published	COM(2002)0406	Summary
23/09/2002	Committee referral announced in Parliament		
02/10/2002	Vote in committee		
02/10/2002	Committee report tabled for plenary, 1st reading/single reading	A5-0336/2002	
22/10/2002	Decision by Parliament	T5-0486/2002	Summary
27/03/2003	Decision by Parliament	T5-0117/2003	Summary
18/06/2003	Act adopted by Council after consultation of Parliament		
18/06/2003	End of procedure in Parliament		
29/09/2003	Final act published in Official Journal		

Technical information

Procedure reference	2002/0177(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealed by 2006/0267(CNS)
Legal basis	EC Treaty (after Amsterdam) EC 308
Stage reached in procedure	Procedure completed

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0336/2002	02/10/2002	
Text adopted by Parliament, partial vote at 1st reading /single reading		T5-0486/2002 OJ C 300 11.12.2003, p. 0022-0106 E	22/10/2002	Summary
Text adopted by Parliament, 1st reading/single reading		T5-0117/2003 OJ C 062 11.03.2004, p. 0018-0140 E	27/03/2003	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2002)0406	17/07/2002	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act	
Regulation 2003/1653 OJ L 245 29.09.2003, p. 0036-0037	Summary

Office for Harmonisation in the Internal Market: budget and finances, access to documents (amend. Regulation (EC) No 40/94)

2002/0177(CNS) - 27/03/2003 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution approving the Commission's proposal as amended during its sitting of 22/10/02. (Please refer to the document of that date).

Office for Harmonisation in the Internal Market: budget and finances, access to documents (amend. Regulation (EC) No 40/94)

2002/0177(CNS) - 18/06/2003 - Final act

PURPOSE : to enable the Office for Harmonisation in the Internal to have control and audit systems comparable with those of the Community institutions and to bring it into line with the New Financial Regulation of June 2002 as well as with the Regulation relating to the access to public documents of May 2001. LEGISLATIVE ACT : Council Regulation 1653/2003/EC amending Regulation 40/94/EC on the Community trade mark. CONTENT : this Regulation aims to amend Regulation 40/94/EC as regards the budgetary and financial rules applicable to the Office for Harmonisation in order to bring it into line with the new general Financial Regulation that entered into force on 1 January 2003, and also as regards access to the Office's documents, with a view to implementing within the Office Regulation 1049/2001/EC of the European Parliament and of the Council of 30 May 2001 regarding access to European Parliament, Council and Commission documents. ENTRY INTO FORCE : 01/10/2003.

Office for Harmonisation in the Internal Market: budget and finances, access to documents (amend. Regulation (EC) No 40/94)

2002/0177(CNS) - 22/10/2002 - Text adopted by Parliament, partial vote at 1st reading/single reading

By adopting the report by Mr Gianfranco DELL'ALBA (Ind, It), the European Parliament approved the proposal subject to amendments adopted by the committee responsible (please refer to the previous text). The vote on the draft legislative resolution was postponed pursuant to Rule 69.

Office for Harmonisation in the Internal Market: budget and finances, access to documents (amend. Regulation (EC) No 40/94)

2002/0177(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.