

Basic information

2002/0179(COD)

COD - Ordinary legislative procedure (ex-codecision procedure)
Regulation

European Food Safety Agency: budget and finances, access to documents

Amending Regulation (EC) No 178/2002 [2000/0286\(COD\)](#)

Subject

1.20.05 Public access to information and documents, administrative practice


8.40.08 Agencies and bodies of the EU

8.70.02 Financial regulations

Procedure completed



Key players

European Parliament	Committee responsible		Rapporteur	Appointed	
	BUDG Budgets		DELL'ALBA Gianfranco (NI)	28/08/2002	
	Former committee responsible		Former rapporteur	Appointed	
	BUDG Budgets		DELL'ALBA Gianfranco (NI)	28/08/2002	
	Former committee for opinion		Former 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
		Economic and Financial Affairs ECOFIN		2513	2003-06-03
European Commission	Commission DG		Commissioner		
	Budget				

Key events			
Date	Event	Reference	Summary
17/07/2002	Legislative proposal published	COM(2002)0406 	Summary
02/09/2002	Committee referral announced in Parliament, 1st reading		
02/10/2002	Vote in committee, 1st reading		
02/10/2002	Committee report tabled for plenary, 1st reading	A5-0331/2002	
22/10/2002	Decision by Parliament, 1st reading	T5-0473/2002	Summary
03/06/2003	Council position published	08240/1/2003	Summary
19/06/2003	Committee referral announced in Parliament, 2nd reading		
30/06/2003	Vote in committee, 2nd reading		
01/07/2003	Decision by Parliament, 2nd reading	T5-0299/2003	Summary
22/07/2003	Final act signed		
22/07/2003	End of procedure in Parliament		
29/09/2003	Final act published in Official Journal		

Technical information	
Procedure reference	2002/0179(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation (EC) No 178/2002 2000/0286(COD)
Legal basis	EC Treaty (after Amsterdam) EC 037 EC Treaty (after Amsterdam) EC 095 EC Treaty (after Amsterdam) EC 133 EC Treaty (after Amsterdam) EC 152-p4 Rules of Procedure EP 66_o-p4
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		A5-0331/2002	02/10/2002	
Text adopted by Parliament, 1st reading/single reading		T5-0473/2002 OJ C 300 11.12.2003, p. 0022-0070 E	22/10/2002	Summary
		T5-0299/2003		

Text adopted by Parliament, 2nd reading		OJ C 074 27.03.2004, p. 0020-0043 E	01/07/2003	Summary
Council of the EU				
Document type		Reference	Date	Summary
Council statement on its position		09308/2003	15/05/2003	
Council position		08240/1/2003 OJ C 219 16.09.2003, p. 0005-0008 E	03/06/2003	Summary
European Commission				
Document type		Reference	Date	Summary
Legislative proposal		COM(2002)0406 	17/07/2002	Summary
Commission communication on Council's position		SEC(2003)0718 	17/06/2003	Summary
Other institutions and bodies				
Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1364/2002	11/12/2002	

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act	
Regulation 2003/1642 OJ L 245 29.09.2003, p. 0004-0006	Summary

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2002/0179(COD) - 03/06/2003 - Council position

At a triologue meeting held on 18/03/03, the European Parliament and the Council agreed that the text of the Regulation should incorporate four Parliament amendments relating to: - notification of the budgetary authority regarding the evaluation procedures; - the conditions for the final adoption of the Agency's budget; - notification of the budgetary authority regarding projects, in particular those relating to property, which might have significant financial implications for the budget; - the discharge procedure. The Council did not adopt the Commission's proposal for the procedure to appoint the director, as it was not technically an amendment to the existing rules. Three other European Parliament amendments were not included in the Regulation but were accepted in substance in the form of statements which appear in Addendum 2 to the common position and will be published in the Official Journal. These draft statements are as follows - Statement by the European Parliament, the Council and the Commission : The European Parliament, the Council and the Commission would point out that the budget of the bodies referred to in Article 185 of the Financial Regulation may include a financial contribution from the host Member State. - Statement : It is highly desirable that the competent bodies make every endeavour to

settle the question of the definitive location of the new agencies as early as possible. - Statement by the European Parliament and the Council : the European Parliament and the Council request that the Commission, in the event of revision of the Framework Financial Regulation for the bodies referred to in Article 185 of the General Financial Regulation, should first consult the European Parliament, the Council and the Court of Auditors. The Commission undertakes to submit the draft to these bodies for their opinion.

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2002/0179(COD) - 01/07/2003 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a resolution approving the common position. The act was accordingly deemed adopted in accordance with the common position.

European Food Safety Agency: budget and finances, access to documents

2002/0179(COD) - 22/07/2003 - Final act

PURPOSE : to bring the constituent instruments of the European Communities decentralised bodies 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 : Regulation 1642/2003/EC of the European Parliament and of the Council amending Regulation 178/2002/EC laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety. CONTENT : this Regulation aims to amend Regulation 178/2002/EC as regards the budgetary and financial rules applicable to the Authority, 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 its documents, with a view to implementing within the Authority 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.

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2002/0179(COD) - 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, but treated 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.

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2002/0179(COD) - 17/06/2003

The Commission is satisfied with the content of the common position, in that it allows Parliaments amendments to be incorporated either in the body of the Regulations or in the form of declarations, while respecting the structure of the initial proposal.

European Food Safety Agency: budget and finances, access to documents

2002/0179(COD) - 22/10/2002 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted its resolution drafted by Gianfranco DELL'ALBA (Ind, Italy) on the amendments to the constituent acts of the European Food Safety Authority following the adoption of the new Financial Regulation. (Please refer to the document dated 02/10/02.) Parliament inserted some further amendments of note into the act: -before taking any decision which has financial implications and which may have an impact on the amount of the Community subsidy, the management will notify the Commission and the budgetary authority. If neither arm of the budgetary authority has raised any objection within six weeks, the management board will adopt the final decision; -the Executive Director may delegate his powers of budget implementation to Agency staff under certain conditions; -certain tasks may be entrusted to the private sector; -this Regulation will enter into force once a firm decision has been taken on the Authority's permanent seat.