





Basic information	
2007/0043(CNS) CNS - Consultation procedure Decision	Procedure completed
Euratom Supply Agency: statutes Subject 8.40.08 Agencies and bodies of the EU	

Key players					
European Parliament	Committee responsible		Rapporteur	Appointed	
	ITRE Industry, Research and Energy		JORDAN Romana (PPE-DE)	12/04/2007	
	Committee for opinion		Rapporteur for opinion	Appointed	
	BUDG Budgets		HAUG Jutta (PSE)	20/09/2004	
	CONT Budgetary Control		The committee decided not to give an opinion.		
	ENVI Environment, Public Health and Food Safety		The committee decided not to give an opinion.		
	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		2847	2008-02-12
	European Commission	Commission DG		Commissioner	
Energy and Transport		PIEBALGS Andris			

Key events			
Date	Event	Reference	Summary
		COM(2007)0119	Summary

16/03/2007	Legislative proposal published		
24/05/2007	Committee referral announced in Parliament		
02/10/2007	Vote in committee		Summary
12/10/2007	Committee report tabled for plenary, 1st reading/single reading	A6-0376/2007	
12/11/2007	Debate in Parliament		
13/11/2007	Decision by Parliament	T6-0502/2007	Summary
13/11/2007	Results of vote in Parliament		
12/02/2008	Act adopted by Council after consultation of Parliament		
12/02/2008	End of procedure in Parliament		
15/02/2008	Final act published in Official Journal		

Technical information	
Procedure reference	2007/0043(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	Euratom Treaty A 054-p2
Stage reached in procedure	Procedure completed
Committee dossier	ITRE/6/47575

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE390.516	15/06/2007	
Amendments tabled in committee		PE392.115	13/07/2007	
Committee opinion	BUDG	PE390.608	14/09/2007	
Committee report tabled for plenary, 1st reading/single reading		A6-0376/2007	12/10/2007	
Text adopted by Parliament, 1st reading/single reading		T6-0502/2007	13/11/2007	Summary
European Commission				
Document type	Reference	Date	Summary	
Legislative proposal	COM(2007)0119 	16/03/2007	Summary	
Commission response to text adopted in plenary	SP(2007)6527	18/12/2007		

Additional information		
Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act	
Decision 2008/0114 OJ L 041 15.02.2008, p. 0015	Summary

Euratom Supply Agency: statutes

2007/0043(CNS) - 16/03/2007 - Legislative proposal

PURPOSE : to adopt new Statutes for the Euratom Supply Agency.

PROPOSED ACT : Council Decision.

CONTENT : Article 54 of the Treaty establishing the European Atomic Energy Community provides for the creation of the Euratom Supply Agency and sets up its tasks and obligations in guaranteeing a regular and equitable supply of nuclear materials to European Union users. The Statutes of the Agency date from 1958, and in 1978 the Agency adopted its Accounting instructions.

Taking into account the increase in the number of the Member States of the EU as well as the need to apply modern financial provisions to the Agency and the need to fix its seat, new Statutes have to be adopted.

The new Statutes contain financial provisions that are in line with the general Financial Regulation of the European Communities. In parallel, draft Council Financial Regulation applicable to the Agency, is submitted together with this draft Decision, for adoption on the basis of Article 183 of the Euratom Treaty (see [CNS/2007/0042](#)). The capital of the Agency and the possibility, foreseen in the Euratom Treaty, to apply a charge on transactions, are maintained. The new Statutes of the Agency are adapted to the situation of an enlarged EU. In particular, the size of the Agency's Advisory Committee is changed in order to improve its operation and efficiency. The new Statutes provide that the Committee shall be composed of one member for each Member State without nuclear fuel cycle activities and two members for each Member State with nuclear fuel cycle activities. However a Member State may choose not to participate in it. Provision is made for alternate members.

In line with the administrative decision to concentrate activities of the Commission dealing with the implementation of the Euratom Treaty into Luxembourg, all the staff of the Agency were transferred from Brussels to Luxembourg in 2004. The new Statutes regularise this situation, providing that the Agency shall have its seat in one of the locations of the Commission services. The Commission shall take decision in this regard.

The proposed Council Decision would result in modest financial savings in the Community budget due to fewer reimbursements to Advisory Committee members.

Euratom Supply Agency: statutes

2007/0043(CNS) - 12/02/2008 - Final act

PURPOSE: to adopt new Statutes for the Euratom Supply Agency.

LEGISLATIVE ACT: Council Decision 2008/114/EC, Euratom establishing Statutes for the Euratom Supply Agency.

CONTENT: the Statutes of the Euratom Supply Agency were adopted on 6 November 1958. Taking into account the increase in the number of the Member States as well as the need to apply modern financial provisions to the Agency and the need to fix its seat, this Decision repeals and replaces these Statutes.

The new Statutes contain financial provisions that are in line with Council Regulation (EC, Euratom) N° 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities. At the same time the new Financial Regulation applicable to the Agency is adopted in accordance to Article 183 of the Treaty. The capital of the Agency and the possibility, foreseen in the Treaty, to apply a charge on transactions, is maintained.

The new Statutes of the Agency are adapted to the situation of an enlarged European Union. In particular, the size of the Agency's Advisory Committee is changed in order to improve its operation and efficiency. The composition of the Committee is set out in text. It will be composed of members from the Member States. The UK, Italy, France and Germany will have 4 members each. Spain, Poland and Romania will have 3 members. Belgium, Bulgaria, Czech Republic, Greece, Lithuania, Hungary, the Netherlands, Austria, Portugal, Slovenia, Slovakia, Finland, and Sweden have 2 members respectively. Denmark, Estonia, Ireland, Cyprus, and Latvia each have one member. Malta and Luxembourg have no members on the advisory committee. A Member State may choose not to participate in it.

The Agency will have its seat in Luxembourg.

DATE OF EFFECT: 06/03/2008.

Euratom Supply Agency: statutes

2007/0043(CNS) - 13/11/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Romana Jordan **CIZELJ** (EPP-ED, SL) and made some amendments to the proposal for a Council decision establishing Statutes for the Euratom Supply Agency. The main amendments were as follows:

Objectives: in order to meet its objectives, the Agency shall carry out the following particular tasks, acting, in accordance with the objectives of the Treaty, as an energy observatory in the field of the supply of nuclear materials and services:

- a) monitor and analyse supply and demand as well as market trends affecting the security of supply of nuclear materials;
- b) provide the Member States and the industry with periodic market surveys of European Union stockpiles of nuclear materials and European Union utilities' long-term contract coverage and with periodic risk analyses of the market, with the aim of:
 - averting shortages or interruptions in the supply of nuclear materials at all stages of the nuclear fuel production cycle (from mining to conversion, enrichment and fabrication),
 - ensuring the long-term vision necessary to create a framework for investment in fabrication plants and mining exploration,
 - preserving fair competition on the market;
- c) in close coordination with the Advisory Committee, develop a high level of expertise and produce information and prospective analyses, and in particular a prospective report on supply and demand, a report on the implementation of supply policy and periodical surveys of market trends, based on relevant analyses performed jointly with the Advisory Committee, so as to enable it to give guidance to the industry, formulate recommendations to producers and utilities and make proposals to the Commission for regulation in the relevant fields.

Seat: The Agency shall have its seat in one of the locations of the Commission services. The Council shall take a decision in this regard, on a proposal from the Commission, after consulting the Advisory Committee.

It may on its own initiative take any further measures concerning its own internal organisation which may be required for the carrying out of its tasks both within and outside the Community, provided that these measures do not have significant financial implications. It shall notify the European Parliament and the Council ("budgetary authority") of any project which may have significant financial implications for the funding of its budget, in particular any project relating to property such as the rental or purchase of buildings, and shall inform the Commission thereof.

Director General: the Director General shall be appointed by the Commission, after consulting the Advisory Committee. He shall work full time for the Agency and shall not act as an agent of the Commission. He shall ensure: i) the management of the Agency, its administration and its resources, including staff matters; the preparation of the draft statement of estimates of the Agency's revenue and expenditure, and execution of its budget; ii) the preparation of studies and specific reports deemed necessary and send such studies and reports to the Commission, the European Parliament, and the Council; iii) that the tasks specified in the text are performed in accordance with the general interest of the Community.

Report: by 31 March each year the Director General shall, after consulting the Advisory Committee, submit to the Commission a report covering the activities of the Agency in the previous year and a work programme for the coming year. The Director General shall forward this annual report together with a work programme to the European Parliament, the Council, the Court of Auditors and the Member States, together with the opinion of the Advisory Committee

Funding: the funding of the Agency shall be subject to the agreement of the budgetary authority, as provided for in the Interinstitutional Agreement of 17 May 2006. The estimate shall be transmitted by the Commission to the budgetary authority together with the preliminary draft general budget of the European Union.

Advisory Committee: the report states that the Committee shall be composed of one member for each Member State having no nuclear fuel cycle activities and two members for each Member State having nuclear fuel cycle activities. It shall have one additional member for each Member State having nuclear fuel cycle activities and subscribing more than EUR 300 000.

The Committee may nominate two members as advisors to the executive officers. The executive officers and their advisors shall form the Bureau of the Committee and shall have the task of maintaining all necessary relations on behalf of the Committee. The Bureau shall act as a link between the Committee members and the Director General of the Agency and shall coordinate the activity of the Committee in particular with regard to the preparation, assessment and evaluation of its reports and dissemination of its expertise.

The terms of office of the Chairperson, the Vice-Chairpersons and the two advisors to the executive officers shall be three years. Their term of office shall be renewable once, and the chairmanship shall alternate between different sides of the industry.

The secretariat for the Committee shall be provided by the Agency. The secretariat, in collaboration with the Chairperson, shall draw up the agenda to be approved by the Committee, send all relevant documents to the Committee members at least 15 working days before the date of a meeting, and draft the minutes of the Committee meetings and meetings of the executive officers.

Responsibilities of the Committee: the Committee shall assist the Agency in carrying out its tasks by giving opinions and providing analyses and information. That assistance shall also extend to the preparation of the reports, surveys and analyses. The Committee shall in particular be consulted where this Decision expressly so provides.

Monitoring, reporting and transparency: Parliament underlines the need to ensure the association of the European Parliament on matters under the supply's provisions of the Treaty and in particular:

- to define better the role of the Parliament in the budgetary procedure and at least to enable it to be informed;
- to give the Parliament the tools to be tightly informed and to follow the activity of the Agency : the EP should be the recipient of the work programme and the annual report of the Agency and of any specific report and studies produced by the Director General.

Lastly, any act of the Agency referred to in Article 53 of the Treaty may be referred to the Commission by the party concerned within fifteen working days (rather than 10) of notification being received, or, failing such notification, within fifteen working days (rather than 10) following publication.