



REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Regulation (EU) No 1093/2010 as regards the location of the seat of the European Banking Authority

Document dated: 02 May 2018

| Nr. | Ref. | COM | Council | EP | Compromise |
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| 1. | | REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL | REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL | REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL | REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL |
| 2. | | amending Regulation (EU) No 1093/2010 as regards the location of the seat of the European Banking Authority | amending Regulation (EU) No 1093/2010 as regards the location of the seat of the European Banking Authority | amending Regulation (EU) No 1093/2010 as regards the location of the seat of the European Banking Authority | amending Regulation (EU) No 1093/2010 as regards the location of the seat of the European Banking Authority |
| 3. | | THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, | THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, | THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, | THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, |
| 4. | Cit. 1 | Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof, | Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof, | Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof, | Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof, |
| 5. | Cit. 1a (new) | | | <i>Having regard to the Treaty on European Union, and in particular Article 13(2) thereof,</i> | |
| 6. | Cit. 2 | Having regard to the proposal from the European Commission, | Having regard to the proposal from the European Commission, | Having regard to the proposal from the European Commission, | Having regard to the proposal from the European Commission, |
| 7. | Cit. 3 | After transmission of the draft legislative act to the national parliaments, | After transmission of the draft legislative act to the national parliaments, | After transmission of the draft legislative act to the national parliaments, | After transmission of the draft legislative act to the national parliaments, |



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| | | | | <p><i>result of the unilateral decision of the United Kingdom to leave the Union. Nevertheless, on the basis of the joint report from the negotiators of the European Union and the United Kingdom Government agreed on 8 December 2017 and of the commitment of the United Kingdom to contribute to the general budget of the Union for the financial years 2019 and 2020 as if it remained in the Union and to contribute to its share of the financing of the commitments outstanding at 31 December 2020, those costs are to be borne by all Union taxpayers through the general budget of the Union. The United Kingdom has offered to discuss with those Union agencies that are located in London how they could reduce their withdrawal costs.</i></p> | |
| 14. | Rec. 2 | (2) Having regard to Article 50(3) of the Treaty on European Union, the European Banking Authority should take its new seat as from the date on which the Treaties cease to apply to the United Kingdom or from 30 March, 2019, whichever is the earlier. | (2) Having regard to Article 50(3) of the Treaty on European Union, the European Banking Authority should take its new seat as from the date on which the Treaties cease to apply to the United Kingdom or from 30 March, 2019, whichever is the earlier. | (2) Having regard to Article 50(3) TEU , the EBA should take its new seat as from the date on which the Treaties cease to apply to the United Kingdom or from 30 March, 2019, whichever is the earlier. | |



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| | | | | <p><i>facto deprived the European Parliament of its prerogatives since it was not effectively involved in the process, but is now expected to simply confirm the selection made for the new location of the seat by means of the ordinary legislative procedure.</i></p> | |
| 38. | Paragraph 5 | | | <p><i>The European Parliament recalls that the Common Approach annexed to the Joint Statement of the European Parliament, Council and European Commission on decentralised agencies signed in 2012 is legally non-binding, as acknowledged in the Statement itself and that it was agreed without prejudice to the legislative powers of the institutions.</i></p> | |
| 39. | Paragraph 6 | | | <p><i>Therefore, the European Parliament insists that the procedure followed for the selection of a new location for the agencies will be revised and not used anymore in this form in the future.</i></p> | |
| 40. | Paragraph 7 | | | <p><i>Finally, the European Parliament wishes to recall as well that in the Inter-institutional Agreement of 13 April 2016 on</i></p> | |



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| | | | | <i>Better Law-Making¹⁴, the three institutions committed to sincere and transparent cooperation while recalling the equality of both co-legislators as enshrined in the Treaties.</i> | |

¹⁴ OJ L 123, 12.5.2016, p. 1.