

13.11.2013

A7-0274/472

Amendment 472

**Andrea Cozzolino, Francesca Barracciu, Salvatore Caronna, Francesco De Angelis,
Vincenzo Iovine, Erminia Mazzoni and others**

Report

A7-0274/2013

Lambert van Nistelrooij, Constanze Angela Krehl

Common provisions on European Funds

COM(2013)0246 – C7-0107/2013 – 2011/0276(COD)

Proposal for a regulation

Article 18

Text proposed by the Commission

Amendment

Article 18

deleted

Performance reserve

*5% of the resources allocated to each CSF
Fund and Member State, with the
exception of resources allocated to the
European territorial cooperation goal, to
the Youth Employment Initiative, and to
Title V of the EMFF Regulation, shall
constitute a performance reserve to be
allocated in accordance with Article 20.*

Or. en

13.11.2013

A7-0274/473

Amendment 473

**Andrea Cozzolino, Francesca Barracciu, Salvatore Caronna, Francesco De Angelis,
Vincenzo Iovine, Erminia Mazzoni and others**

Report

A7-0274/2013

Lambert van Nistelrooij, Constanze Angela Krehl
Common provisions on European Funds
COM(2013)0246 – C7-0107/2013 – 2011/0276(COD)

Proposal for a regulation
Article 20 – paragraph 4

Text proposed by the Commission

Amendment

4. Where the Commission, based on the examination of the final implementation report of the programme, establishes a serious failure to achieve the targets set out in the performance framework, it may apply financial corrections in respect of the priorities concerned in accordance with Fund-specific rules. The Commission shall be empowered to adopt delegated acts in accordance with Article 142 to establish criteria and the methodology for determining the level of financial correction to be applied. ***deleted***

Or. en

13.11.2013

A7-0274/474

Amendment 474

Andrea Cozzolino, Edite Estrela, Francesco De Angelis, Alejandro Cercas, Salvatore Caronna, Vincenzo Iovine, Erminia Mazzoni and others

Report

A7-0274/2013

Lambert van Nistelrooij, Constanze Angela Krehl
Common provisions on European Funds
COM(2013)0246 – C7-0107/2013 – 2011/0276(COD)

Proposal for a regulation
Article 21

Text proposed by the Commission

Amendment

Article 21

deleted

***Conditionality linked to the coordination
of Member States' economic policies***

***1. The Commission may request a
Member State to review and propose
amendments to its Partnership Contract
and the relevant programmes, where this
is necessary:***

***(a) to support the implementation of a
Council recommendation, addressed to
the Member State concerned and adopted
in accordance with Articles 121(2) and/or
148(4) of the Treaty, or to support the
implementation of measures addressed to
the Member State concerned and adopted
in accordance with Article 136(1) of the
Treaty;***

***(b) to support the implementation of a
Council recommendation addressed to the
Member State concerned and adopted in
accordance with Article 126(7) of the
Treaty;***

***(c) to support the implementation of a
Council recommendation addressed to the
Member State concerned and adopted in
accordance with Article 7(2) of
Regulation (EU) No .../2011 [on the
prevention and correction of***

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macroeconomic imbalances], provided that these amendments are deemed necessary to help correct the macroeconomic imbalances; or

(d) to maximise the growth and competitiveness impact of the available CSF Funds pursuant to paragraph 4, if a Member State meets one of the following conditions:

(i) Union financial assistance is made available to it under Council Regulation (EU) No 407/2010;

(ii) medium-term financial assistance is made available to it in accordance with Council Regulation (EC) No 332/2002¹;

(iii) financial assistance in the form of an ESM loan is made available to it in accordance with the Treaty establishing the European Stability Mechanism.

2. The Member State shall submit a proposal for amending the Partnership Contract and the relevant programmes within one month. If necessary, the Commission shall make observations within one month from the submission of the amendments, in which case the Member State shall re-submit its proposal within one month.

3. Where the Commission has not made observations or where its observations have been satisfactorily taken into account, the Commission shall adopt a decision approving the amendments to the Partnership Contract and the relevant programmes without undue delay.

4. By derogation to paragraph 1, where financial assistance is made available to a Member State in accordance with paragraph 1(d) and is linked to an adjustment programme, the Commission may without any proposal from the Member State amend the Partnership Contract and the programmes with a view to maximising the growth and competitiveness impact of the available

CSF Funds. To ensure effective implementation of the Partnership Contract and the relevant programmes, the Commission shall become involved in their management as detailed in the adjustment programme or the Memorandum of Understanding signed with the Member State concerned.

5. Where the Member State fails to respond to the Commission's request referred to in paragraph 1 or does not reply satisfactorily within one month to the observations of the Commission referred to in paragraph 2, the Commission may, within three months following its observations, adopt a decision, by means of implementing acts, suspending part or all of the payments for the programmes concerned.

6. The Commission shall suspend, by means of implementing acts, part or all of the payments and commitments for the programmes concerned where:

(a) the Council decides that the Member State does not comply with the specific measures set out by the Council in accordance with Article 136(1) of the Treaty;

(b) the Council decides in accordance with Article 126(8) or Article 126(11) of the Treaty that the Member State concerned has not taken effective action to correct its excessive deficit;

(c) the Council concludes in accordance with Article 8(3) of Regulation (EU) No [...]/2011 [on the prevention and correction of macroeconomic imbalances] that, on two successive instances, the Member State has not submitted a sufficient corrective action plan or the Council adopts a decision declaring non-compliance in accordance with Article 10(4) of that Regulation;

(d) the Commission concludes that the Member State has not taken measures to

implement the adjustment programme referred to in Council Regulation (EU) No 407/2010 or Council Regulation (EC) No 332/2002 and as a consequence decides not to authorise the disbursement of the financial assistance granted to this Member State; or

(e) the Board of Directors of the European stability mechanism concludes that the conditionality attached to an ESM financial assistance in the form of an ESM loan to the concerned Member State was not met and as a consequence decides not to disburse the stability support granted to it.

7. When deciding to suspend part or all of the payments or commitments in accordance with paragraphs 5 and 6 respectively, the Commission shall ensure that the suspension is proportionate and effective, taking into account the economic and social circumstances of the Member State concerned, and respects equality of treatment between Member States, in particular with regard to the impact of the suspension on the economy of the Member State concerned.

8. The Commission shall without delay lift the suspension of payments and commitments where the Member State has proposed amendments to the Partnership Contract and the relevant programmes as requested by the Commission, which the Commission has approved and, where applicable:

(a) the Council has decided that the Member State complies with the specific measures set out by the Council in accordance with Article 136(1) of the Treaty;

(b) the excessive deficit procedure is held in abeyance in accordance with Article 9 of Regulation (EC) No 1467/97 or the Council has decided in accordance with Article 126(12) of the Treaty to abrogate the decision on the existence of an

excessive deficit;

(c) the Council has endorsed the corrective action plan submitted by the concerned Member State in accordance with Article 8(2) of Regulation (EU) No [...] [EIP Regulation] or the excessive imbalance procedure is placed in a position of abeyance in accordance with Article 10(5) of that Regulation or the Council has closed the excessive imbalance procedure in accordance with Article 11 of that Regulation;

(d) the Commission has concluded that the Member State has taken measures to implement the adjustment programme referred to in Council Regulation (EU) No 407/2010 or Council Regulation (EC) No 332/2002 and as a consequence has authorised the disbursement of the financial assistance granted to this Member State; or

(e) the Board of Directors of the European stability mechanism has concluded that the conditionality attached to a financial assistance in the form of an ESM loan to the concerned Member State is met and as a consequence has decided to disburse the stability support granted to it.

At the same time, the Council shall decide, on a proposal from the Commission, to re-budget the suspended commitments in accordance with Article 8 of Council Regulation (EU) No [...] laying down the multiannual financial framework for the years 2014 to 2020.

¹ OJ L 53, 23.2.2002, p. 1.

Or. en