



---

*Plenary sitting*

---

**B8-1336/2015**

2.12.2015

# RECOMMENDATION FOR A DECISION

pursuant to Rule 105(6) of the Rules of Procedure

to raise no objections to the Commission delegated regulation (C(2015)07555) of 30 October 2015 amending Delegated Regulation (EU) 1268/2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (2015/2939(DEA))

**Jean Arthuis**

on behalf of the Committee on Budgets

**Ingeborg Gräble**

on behalf of the Committee on Budgetary Control

**Draft European Parliament decision to raise no objections to the Commission delegated regulation (C(2015)07555) of 30 October 2015 amending Delegated Regulation (EU) 1268/2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (2015/2939(DEA))**

*The European Parliament,*

- having regard to the Commission delegated regulation (C(2015)07555),
  - having regard to the Commission's letter of 12 November 2015 asking Parliament to declare that it will raise no objections to the delegated regulation,
  - having regard to the letter from the Committee on Budgets and the Committee on Budgetary Control to the Chair of the Conference of Committee Chairs of XX November 2015,
  - having regard to Article 290 of the Treaty on the Functioning of the European Union,
  - having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union<sup>1</sup>, and in particular Article 210 thereof,
  - having regard to Regulation (EU, Euratom) No 2015/1929 of the European Parliament and of the Council of 28 October 2015 amending Regulation (EU, Euratom) No 966/2012<sup>2</sup>,
  - having regard to the recommendation for a decision by the Committee on Budgets and the Committee on Budgetary Control,
  - having regard to Rule 105(6) of its Rules of Procedure,
- A. whereas Directives 2014/23/EU<sup>3</sup> and 2014/24/EU<sup>4</sup>, which Member States have until 18 April 2016 to transpose into their national law, made it necessary to modify both Regulation (EU, Euratom) No 966/2012 and Commission Delegated Regulation (EU) No 1268/2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 as regards the EU institutions' procurement procedures and contracts awarded on their own account;
- B. whereas Regulation (EU, Euratom) No 966/2012 was thus modified on 28 October 2015

---

<sup>1</sup> OJ L 298, 26.10.2012, p. 1.

<sup>2</sup> OJ L 286, 30.10.2015, p. 1.

<sup>3</sup> Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ L 94, 28.3.2014, p. 1).

<sup>4</sup> Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

by Regulation (EU, Euratom) 2015/1929 of the European Parliament and of the Council, which aligned it with the abovementioned directives and entered into force on 30 October 2015;

- C. whereas on 30 October 2015 the Commission adopted the delegated regulation (C(2015)07555) with a view to ensuring that the corresponding update of Commission Delegated Regulation (EU) No 1268/2012 can apply from the beginning of the financial year, ensuring a clear-cut transition to the new rules on EU public procurement and concession contracts;
  - D. whereas, pursuant to Article 210 of Regulation (EU, Euratom) No 966/2012, which empowers the Commission to adopt such delegated acts, the delegated regulation (C(2015)07555) may in principle enter into force only at the end of the period of scrutiny by Parliament and the Council, which runs for two months from the date of notification – i.e. until 30 December 2015 – and may be extended by a further two months;
  - E. whereas, however, the Commission asked Parliament on 12 November 2015, should it not intend to object to the delegated act, to notify the Commission accordingly on 21 December 2015 at the latest, since in order to ensure its timely publication in the Official Journal before 31 December 2015 and thereby secure the entry into force of the delegated act on 1 January 2016 as envisaged, it would have to be transmitted to the Office of Publications by 21 December 2015;
- 1. Declares that it has no objections to the delegated regulation;
  - 2. Instructs its President to forward this decision to the Council and the Commission.