



2017/0145(COD)

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AMENDMENTS

9 - 20

Draft opinion

Jens Geier

European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice

Proposal for a regulation

(COM(2017)0352 – C8-0216/2017 – 2017/0145(COD))

AM_Com_LegOpinion

Amendment 9
Petri Sarvamaa

Proposal for a regulation
Recital 34

Text proposed by the Commission

(34) For the purpose of fulfilling its mission and to the extent required for the accomplishment of its tasks, the Agency should be allowed to cooperate with Union institutions, bodies, offices and agencies, in particular those established in the area of freedom, security and justice, in matters covered by this Regulation and the legislative instruments governing the development, establishment, operation and use large-scale IT systems managed by the Agency in the framework of working arrangements concluded in accordance with Union law and policy and within the framework of their respective competences. Those working arrangements should receive the Commission's prior approval. The Agency should also consult and follow up the recommendations of the European Network and Information Security Agency regarding network security, where appropriate.

Amendment

(34) For the purpose of fulfilling its mission, ***achieving coordination and financial savings, avoiding duplication and promoting synergy and complementarity***, and to the extent required for the accomplishment of its tasks, the Agency should be allowed to cooperate with Union institutions, bodies, offices and agencies, in particular those established in the area of freedom, security and justice, in matters covered by this Regulation and the legislative instruments governing the development, establishment, operation and use large-scale IT systems managed by the Agency in the framework of working arrangements concluded in accordance with Union law and policy and within the framework of their respective competences. Those working arrangements should receive the Commission's prior approval. The Agency should also consult and follow up the recommendations of the European Network and Information Security Agency regarding network security, where appropriate.

Or. en

Amendment 10
Petri Sarvamaa

Proposal for a regulation
Article 2 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(g a) the provision of adequate statistics for the Commission and for the relevant Union decentralised agencies.

Or. en

Amendment 11
Petri Sarvamaa

Proposal for a regulation
Article 5a – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(b a) tasks relating to interoperability with ETIAS.

Or. en

Amendment 12
Petri Sarvamaa

Proposal for a regulation
Article 5b – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(b a) tasks relating to interoperability with EES.

Or. en

Amendment 13
Petri Sarvamaa

Proposal for a regulation
Article 11 – paragraph 4

Text proposed by the Commission

Amendment

4. The Agency may plan and implement testing activities on matters

4. The Agency may plan and implement testing activities on matters

covered by this Regulation and the legislative instruments governing the development, establishment, operation and use of all large-scale IT systems managed by the Agency after a decision of the Management Board.

covered by this Regulation and the legislative instruments governing the development, establishment, operation and use of all large-scale IT systems managed by the Agency after a decision of the Management Board. ***The Agency shall ensure an adequate level of quality with regard to testing activities and shall cover all relevant costs.***

Or. en

Amendment 14
Petri Sarvamaa

Proposal for a regulation
Article 12 – paragraph 2

Text proposed by the Commission

2. The Agency may also be tasked to develop, manage and/or host a common IT system by a group of at least six Member States opting on a voluntary basis for a centralised solution assisting them in implementing technical aspects of obligations deriving from Union legislation on decentralised systems in the area of freedom, security and justice, subject to prior approval by the Commission and after a decision of the Management Board. In such case the Member States concerned shall entrust the Agency with those tasks by way of a delegation agreement including the conditions for the delegation and setting out the calculation of all relevant costs and the invoicing method.

Amendment

2. The Agency may also be tasked to develop, manage and/or host a common IT system by a group of at least six Member States opting on a voluntary basis for a centralised solution assisting them in implementing technical aspects of obligations deriving from Union legislation on decentralised systems in the area of freedom, security and justice, subject to prior approval by the Commission and after a decision of the Management Board. In such case the Member States concerned shall entrust the Agency with those tasks by way of a delegation agreement including the conditions for the delegation and setting out the calculation of all relevant costs and the invoicing method. ***All costs incurred shall be borne by the Member States concerned. The budget of the Agency should include a specific budget line that is exclusively dedicated to this purpose and additional to the financial resources allocated for the daily work***

Or. en

Amendment 15
Petri Sarvamaa

Proposal for a regulation
Article 12 a (new)

Text proposed by the Commission

Amendment

Article 12 a

Statistical support

The Agency shall provide adequate and detailed statistical information to:

(a) the Commission for the purposes of evaluations and monitoring as provided for in Council Regulation (EU) 1053/2013^{1a}; and

(b) the European Border and Coast Guard Agency for the purposes of monitoring the carrying out of vulnerability assessments in accordance with Regulation (EU) 2016/1624 of the European Parliament and of the Council^{1b}.

The Agency may provide adequate and detailed statistical information to other Union institutions, bodies, offices and agencies for justified purposes.

^{1a} Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen acquis and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen (OJ L 295, 6.11.2013, p. 27).

^{1b} Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council

and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC (OJ L 251, 16.9.2016, p. 1).

Or. en

Amendment 16

Petri Sarvamaa

Proposal for a regulation

Article 22 – paragraph 1

Text proposed by the Commission

1. The Management Board shall appoint the Executive Director from a list of candidates proposed by the Commission following an open and transparent selection procedure. The selection procedure shall provide for publication in the Official Journal of the European Union and elsewhere of a call for expressions of interest. The Management Board shall appoint the Executive Director on the basis of personal merit, experience in the field of large-scale IT systems and administrative, financial and management skills as well as knowledge in data protection. The Management Board shall take its decision to appoint the Executive Director by a two-thirds majority of all its members with a right to vote.

Amendment

1. The Management Board shall appoint the Executive Director from a list of ***at least three*** candidates proposed by the Commission following an open and transparent selection procedure. The selection procedure shall provide for publication in the Official Journal of the European Union and elsewhere of a call for expressions of interest. The Management Board shall appoint the Executive Director on the basis of personal merit, experience in the field of large-scale IT systems and administrative, financial and management skills as well as knowledge in data protection. The Management Board shall take its decision to appoint the Executive Director by a two-thirds majority of all its members with a right to vote.

Or. en

Amendment 17

Petri Sarvamaa

Proposal for a regulation

Article 37 – paragraph 1

Text proposed by the Commission

1. The Agency shall cooperate with the Commission, with other Union institutions and with other Union bodies, offices and agencies in particular those established in the area of freedom, security and justice, and in particular the European Agency for Fundamental Rights, in matters covered by this Regulation.

Amendment

1. The Agency shall cooperate with the Commission, with other Union institutions and with other Union bodies, offices and agencies in particular those established in the area of freedom, security and justice, and in particular the European Agency for Fundamental Rights, in matters covered by this Regulation, ***in order to achieve coordination and financial savings, to avoid duplication and to promote synergy and complementarity as regards their activities.***

Or. en

Amendment 18
Jens Geier

Proposal for a regulation
Article 37 – paragraph 4

Text proposed by the Commission

4. Cooperation with Union bodies, offices and agencies shall take place within the framework of working arrangements. Such arrangements shall have received the Commission's prior approval. Such arrangements may provide for the sharing of services between agencies where appropriate either by proximity of locations or by policy area within the limits of the respective mandates and without prejudice to their core tasks.

Amendment

4. Cooperation with Union bodies, offices and agencies shall take place within the framework of working arrangements. Such arrangements shall have received the Commission's prior approval. Such arrangements may provide for the sharing of services between agencies where appropriate either by proximity of locations or by policy area within the limits of the respective mandates and without prejudice to their core tasks. ***The working arrangements shall establish the mechanisms for cost recovery.***

Or. en

Amendment 19
Petri Sarvamaa

Proposal for a regulation
Article 40 – paragraph 1

Text proposed by the Commission

1. Each year the Executive Director shall draw up, taking into account the activities carried out by the Agency, a draft statement of estimates of the Agency's revenue and expenditure for the following financial year, including an establishment plan, and shall send it to the Management Board.

Amendment

1. Each year the Executive Director shall draw up, ***in accordance with the principle of performance-based budgeting and*** taking into account the activities carried out by the Agency ***as well as its objectives and expected results***, a draft statement of estimates of the Agency's revenue and expenditure for the following financial year, including an establishment plan, and shall send it to the Management Board.

Or. en

Amendment 20
Jens Geier

Proposal for a regulation
Article 41 – paragraph 3 – point d a (new)

Text proposed by the Commission

Amendment

(d a) cost recovery paid by Union institutions, bodies, offices and agencies for services provided to them in accordance with working arrangements referred to in Article 37;

Or. en