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Committee on Civil Liberties, Justice and Home Affairs

2011/0449(COD)

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AMENDMENTS 20 - 42

Draft report
Anthea McIntyre
(PE491.149v01-00)

on the proposal for a regulation of the European Parliament and of the Council establishing an exchange, assistance and training programme for the protection of the euro against counterfeiting (the 'Pericles 2020' programme)

Proposal for a regulation
(COM(2011/0913) – C7-0510/2011 – 2011/0449(COD))

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United in diversity

EN

Amendment 20
Antigoni Papadopoulou

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) The Union and the Member States have set themselves the objective of laying down the measures necessary for the use of the euro as a single currency. These measures include protecting the euro against counterfeiting.

Amendment

(1) The Union and the Member States have set themselves the objective of laying down the measures necessary for the use of the euro as a single currency. These measures include protecting the euro against counterfeiting ***and related fraud thus empowering the effectiveness of the European economy and securing the sustainability of public finances.***

Or. en

Amendment 21
Agustín Díaz de Mera García Consuegra

Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) The Commission carried out an impact assessment in 2011, so as to evaluate whether or not the programme should be continued.

Amendment

(5) The Commission carried out an impact assessment in 2011, so as to evaluate whether or not the programme should be continued. ***The outcome was that it should be renewed with improved objectives and methodology.***

Or. es

Justification

To explain the results of the impact assessment.

Amendment 22
Anthea McIntyre

Proposal for a regulation
Recital 15

Text proposed by the Commission

(15) The financial interests of the Union should be protected through proportionate measures throughout the expenditure cycle, including the prevention, detection and investigation of irregularities, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, penalties.

Amendment

(15) The financial interests of the Union should be protected through proportionate measures throughout the expenditure cycle, including the prevention, detection and investigation of irregularities, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, ***administrative and financial penalties in accordance with Regulation (EU) No XXXX/2012 of the European Parliament and of the Council on the financial rules applicable to the annual budget of the Union.***

Or. en

Amendment 23
Agustín Díaz de Mera García Consuegra

Proposal for a regulation
Article 2

Text proposed by the Commission

The Programme shall ***contribute to increased*** transnational cooperation ***for the protection of the euro at Union level and internationally and to the greater effectiveness of these operations*** on the basis of best practices, common standards and joint specialised training.

Amendment

The Programme shall ***entail an increase in*** transnational cooperation ***inside and outside*** the Union, ***paying particular attention to those Member States or third countries that have the highest rates of euro counterfeiting, as shown by the reports issued by the competent authorities; this cooperation shall be implemented*** on the basis of best practices, common standards and joint specialised training.

Or. es

Amendment 24
Antigoni Papadopoulou

Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

The specific objective of the Programme shall be to protect the euro banknotes and coins against counterfeiting and related fraud, by supporting and supplement the measures undertaken by the Member States and assisting the competent national and European authorities in their efforts to develop between themselves and with the European Commission a close and regular cooperation, also including third countries and international organisations.

Amendment

The specific objective of the Programme shall be to protect the euro banknotes and coins against counterfeiting and related fraud, by supporting and supplement the measures undertaken by the Member States and assisting the competent national and European authorities in their efforts to develop between themselves and with the European Commission a close and regular cooperation ***and an exchange of best practices***, also including third countries and international organisations.

Or. en

Amendment 25
Agustín Díaz de Mera García Consuegra

Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

The specific objective of the Programme shall be to protect the euro banknotes and coins against counterfeiting and related fraud, by supporting and *supplement* the measures undertaken by the Member States and assisting the competent national and European authorities in their efforts to develop between themselves and with the European Commission a close and regular cooperation, also including third countries ***and*** international organisations.

Amendment

The specific objective of the Programme shall be to protect the euro banknotes and coins against counterfeiting and related fraud, by supporting and *supplementing* the measures undertaken by the Member States and assisting the competent national and European authorities in their efforts to develop between themselves and with the European Commission a close and regular cooperation, also including third countries, international organisations ***and private entities that have developed and provided evidence of technical knowledge and/or***

teams specialising in detecting counterfeit notes and coins.

Or. es

Justification

The programme should for the first time take account of private entities, since many of them allocate part of their budget to training and preparing their staff to detect counterfeit notes and coins, as well as creating or having teams specialising in their detection.

Amendment 26

Agustín Díaz de Mera García Consuegra

Proposal for a regulation

Article 7 – paragraph 1 – point d

Text proposed by the Commission

(d) judicial officers **and** specialist lawyers in this field;

Amendment

(d) judicial officers, specialist lawyers **and members of the judiciary** in this field;

Or. es

Justification

As many categories as possible should be included as they will help to ensure the correct implementation of this programme.

Amendment 27

Antigoni Papadopoulou

Proposal for a regulation

Article 7 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) EU citizens who should be aware through education and awareness-raising campaigns on euro counterfeiting how to be protected during their everyday consumptions.

Or. en

Amendment 28
Agustín Díaz de Mera García Consuegra

Proposal for a regulation
Article 7 – paragraph 2 – point g a (new)

Text proposed by the Commission

Amendment

(ga) private entities that have developed and provided evidence of technical knowledge and/or teams specialising in detecting counterfeit notes and coins.

Or. es

Justification

The programme should for the first time take account of private entities, since many of them allocate part of their budget to training and preparing their staff to detect counterfeit notes and coins, as well as creating or having teams specialising in their detection.

Amendment 29
Antigoni Papadopoulou

Proposal for a regulation
Article 8 – paragraph 4 – point a – introductory part

Text proposed by the Commission

Amendment

(a) Exchange of information, in particular through organising workshops, meetings and seminars, targeted placements and exchanges of staff of competent national authorities and other similar activities. The exchange of information will be targeted inter alia at:

(a) Exchange ***and dissemination*** of information, in particular through organising workshops, meetings and seminars, targeted placements and exchanges of staff of competent national authorities and other similar activities. The exchange of information will be targeted inter alia at:

Or. en

Amendment 30
Cornelis de Jong

Proposal for a regulation

Article 8 – paragraph 4 – point a – introductory part

Text proposed by the Commission

(a) Exchange of information, *in particular through organising workshops, meetings and seminars*, targeted placements and exchanges of staff of competent national authorities and other similar activities. The exchange of information will be targeted inter alia at:

Amendment

(a) Exchange of information through targeted placements and exchanges of staff of competent national authorities and other similar activities. The exchange of information will be targeted inter alia at:

Or. en

Amendment 31

Antigoni Papadopoulou

Proposal for a regulation

Article 8 – paragraph 4 – point a – indent 7 a (new)

Text proposed by the Commission

Amendment

– relevant technical and statistical data based on ECB's counterfeits database;

Or. en

Amendment 32

Antigoni Papadopoulou

Proposal for a regulation

Article 8 – paragraph 4 – point b – indent 1

Text proposed by the Commission

Amendment

– any measure which establishes teaching resources at European Union level (handbook of EU legislation, information bulletins, practical manuals, glossaries and lexicons, databases, especially in the area of scientific assistance or technology watch) or computer support applications

– any measure which establishes teaching resources at European Union level (handbook of EU legislation, information bulletins, practical manuals, glossaries and lexicons, *a register of coin-like objects that could be misused as euro coins*, databases, especially in the area of

(such as software);

scientific assistance or technology watch)
or computer support applications (such as
software);

Or. en

Amendment 33

Agustín Díaz de Mera García Consuegra

Proposal for a regulation

Article 8 – paragraph 4 – point c

Text proposed by the Commission

(c) Grants to finance the purchase of equipment to be used by specialised anti-counterfeiting authorities for protecting the euro against counterfeiting.

Amendment

(c) Grants to finance the purchase of equipment to be used by specialised anti-counterfeiting authorities for protecting the euro against counterfeiting, ***in keeping with Article 10(3)***.

Or. es

Amendment 34

Agustín Díaz de Mera García Consuegra

Proposal for a regulation

Article 10 – paragraph 4

Text proposed by the Commission

4. The co-financing rate for grants awarded under the programme shall not exceed 80 % of the eligible costs. In exceptional and duly justified cases, defined in the annual work programme referred to in Article 11, the co-financing rate shall not exceed 90 % of the eligible costs.

Amendment

4. The co-financing rate for grants awarded under the programme shall not exceed 80 % of the eligible costs. In exceptional and duly justified cases, defined in the annual work programme referred to in Article 11, the co-financing rate shall not exceed 90 % of the eligible costs.

This increase in co-financing is necessary in order to give the Member States greater economic flexibility, thus enabling them to carry out and complete projects to protect and safeguard the euro in a satisfactory manner.

Justification

This increase in co-financing is justified by the need to avoid the risk of certain projects not being completed owing to lack of funds.

Amendment 35
Anthea McIntyre

Proposal for a regulation
Article 11 – paragraph 1

Text proposed by the Commission

*In order to implement the programme the Commission shall adopt annual work programmes. They shall set out the objectives pursued, the expected results, the method of **implementation** and their total amount. They shall also contain a description of the actions to be financed, an indication of the amount allocated to each action and an indicative **implementation** timetable. They shall include for grants the priorities, the **essential** evaluation criteria and the maximum rate of co-financing.*

Amendment

*The Commission shall adopt delegated acts in accordance with Article 11a concerning the annual work programmes. They shall set out the objectives pursued, the expected results, the method of **execution** and their total amount, **including the adjustments to the breakdown of the budget**. They shall also contain a description of the actions to be financed, an indication of the amount allocated to each action and an indicative **execution** timetable. They shall include for grants the priorities, the evaluation criteria and the maximum rate of co-financing.*

Or. en

Amendment 36
Agustín Díaz de Mera García Consuegra

Proposal for a regulation
Article 11 – paragraph 1

Text proposed by the Commission

In order to implement the programme the Commission shall adopt annual work programmes. They shall set out the objectives pursued, the expected results, the method of implementation and their

Amendment

In order to implement the programme the Commission shall adopt annual work programmes. They shall set out the objectives pursued, the expected results, the method of implementation and their

total amount. They shall also contain a description of the actions to be financed, an indication of the amount allocated to each action and an indicative implementation timetable. They shall include for grants the priorities, the essential evaluation criteria and the maximum rate of co-financing.

total amount. They shall also contain a description of the actions to be financed, ***the way in which they are to be financed and*** an indication of the amount allocated to each action and an indicative implementation timetable. They shall include for grants the priorities, the essential evaluation criteria and the maximum rate of co-financing.

Or. es

Justification

To include the way in which actions are financed, since this may not be included in the description of the action. It is not necessary to include delegated acts for the protection of the euro, since it is important to avoid increased rigidity, thus ensuring that programmes can be implemented effectively and flexibly.

Amendment 37 **Anthea McIntyre**

Proposal for a regulation **Article 11 – paragraph 2**

Text proposed by the Commission

Budget allocated to communication actions to be carried out by the Commission under this Regulation shall also cover the corporate communication of the political priorities of the European Union.

Amendment

Budget allocated to communication actions to be carried out by the Commission under this Regulation shall also cover the corporate communication of the political priorities of the European Union ***within the context of the scope of the Programme.***

Or. en

Amendment 38 **Cornelis de Jong**

Proposal for a regulation **Article 11 – paragraph 2**

Text proposed by the Commission

Amendment

Budget allocated to communication actions to be carried out by the Commission under this Regulation shall also cover the corporate communication of the political priorities of the European Union.

deleted

Or. en

Amendment 39
Cornelis de Jong

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

Amendment

1. The Programme shall be implemented by the Commission in cooperation with the Member States, through consultations at different stages of the implementation of the Programme, within the appropriate advisory committee provided for in Regulation (EC) No 1338/2001, taking into account relevant measures undertaken by other competent entities, in particular the ECB and Europol. The Commission shall ***seek to*** ensure consistency and complementarity between this European Union action programme and other relevant programmes and activities.

1. The Programme shall be implemented by the Commission in cooperation with the Member States, through consultations at different stages of the implementation of the Programme, within the appropriate advisory committee provided for in Regulation (EC) No 1338/2001, taking into account relevant measures undertaken by other competent entities, in particular the ECB and Europol. The Commission shall ensure consistency and complementarity between this European Union action programme and other relevant programmes and activities.

Or. en

Amendment 40
Anthea McIntyre

Proposal for a regulation
Article 13 – paragraph 1

Text proposed by the Commission

1. The Commission shall take appropriate measures ensuring that, when **activities** financed under this Regulation are implemented, the financial interests of the Union are protected **through** the application of preventive measures against fraud, corruption and any other illegal activities, **through** effective checks and, if irregularities are detected, **through** the recovery of the amounts wrongly paid and, where appropriate, effective, proportionate and **deterrent** penalties.

Amendment

1. The Commission shall take appropriate measures ensuring that, when **actions** financed under this Regulation are implemented, the financial interests of the Union are protected **by** the application of preventive measures against fraud, corruption and any other illegal activities, **by** effective checks and, if irregularities are detected, **by** the recovery of the amounts wrongly paid and, where appropriate, **by** effective, proportionate and **dissuasive administrative and financial** penalties.

Or. en

Amendment 41
Anthea McIntyre

Proposal for a regulation
Article 13 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The European Anti-fraud Office (OLAF) may carry out on-the-spot checks and inspections **on economic operators concerned directly or indirectly by such funding in accordance with the procedures laid down in** Regulation (Euratom, EC) No 2185/96 with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant agreement or grant decision or a contract **concerning Union funding**.

Amendment

3. The European Anti-fraud Office (OLAF) may carry out **investigations, including** on-the-spot checks and inspections, **in accordance with the provisions and procedures laid down in Regulation (EC) No 1073/1999 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities** with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in

connection with a grant agreement or grant decision or a contract *funded under the Programme*.

Or. en

Amendment 42
Anthea McIntyre

Proposal for a regulation
Article 13 – paragraph 2 – subparagraph 3

Text proposed by the Commission

Without prejudice to *the first and second subparagraphs*, cooperation agreements with third countries and international organisations *and* grant agreements and grant decisions *and contracts* resulting from the implementation of this Regulation shall expressly *empower* the Commission, the Court of Auditors and OLAF to conduct such audits, *on-the-spot checks and inspections*.

Amendment

4. Without prejudice to *paragraphs 1, 2 and 3*, cooperation agreements with third countries and *with* international organisations, *contracts*, grant agreements and grant decisions, resulting from the implementation of this Regulation shall *contain provisions* expressly *empowering* the Commission, the Court of Auditors and OLAF to conduct such audits *and investigations, according to their respective competences*.

Or. en