



EUROPEAN PARLIAMENT

2009 - 2014

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*Committee on Transport and Tourism*

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**2013/0237(NLE)**

29.11.2013

# **AMENDMENTS**

## **1 - 11**

**Draft opinion**  
**Antonio Cancian**  
(PE522.993v01-00)

on the proposal for a Council regulation amending Regulation (EC) No 219/2007 on the establishment of a Joint Undertaking to develop the new generation European air traffic management system (SESAR) as regards the extension of the Joint Undertaking until 2024

Draft regulation  
(COM(2013)0503 – C7-0254/2013 – 2013/0237(NLE))

AM\_Com\_LegOpinion

**Amendment 1**  
**Jean-Pierre Audy**

**Proposal for a regulation**  
**Recital 3**

*Text proposed by the Commission*

(3) The first phase of the definition process ran from 2004 to 2008 and delivered the first edition of the **European ATM Master** plan (the 'ATM Master Plan'). The ATM Master Plan identifies three steps in the SESAR development process: Time Based operations (Step 1), Trajectory Based Operations (Step 2) and Performance Based Operations (Step 3).

*Amendment*

(3) The first phase of the definition process ran from 2004 to 2008 and delivered the first edition of the **air traffic management** plan (the 'ATM Master Plan'). The ATM Master Plan identifies three steps in the SESAR development process: Time Based operations (Step 1), Trajectory Based Operations (Step 2) and Performance Based Operations (Step 3).

Or. fr

*Justification*

*Drafting clarification.*

**Amendment 2**  
**Silvia-Adriana Țicău**

**Proposal for a regulation**  
**Recital 11**

*Text proposed by the Commission*

(11) The experience acquired from the operation of the Joint Undertaking as a Union body under Article 185 of Regulation (EC, Euratom) No 1605/2002<sup>7</sup> shows that the current framework of operation is sufficiently flexible and adapted to the needs of the Joint Undertaking. The Joint Undertaking should operate in accordance with Article 208 of Regulation (EU, Euratom) No 966/2012 of

*Amendment*

(11) The experience acquired from the operation of the Joint Undertaking as a Union body under Article 185 of Regulation (EC, Euratom) No 1605/2002<sup>7</sup> shows that the current framework of operation is sufficiently flexible and adapted to the needs of the Joint Undertaking. The Joint Undertaking should operate in accordance with Article 208 of Regulation (EU, Euratom) No 966/2012 of

the European Parliament and the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union<sup>8</sup>, which replaced Article 185 of Regulation No 1605/2002, and should adopt financial rules which should not depart from the framework Financial Regulation *except where its specific needs so require and with the Commission's prior consent.*

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<sup>7</sup> OJ L 248, 19.6.2002, p. 1

<sup>8</sup> OJ L 298, 26.10.2012, p. 1-96

the European Parliament and the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union<sup>8</sup>, which replaced Article 185 of Regulation No 1605/2002, and should adopt financial rules which should not depart from the framework Financial Regulation.

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<sup>7</sup> JO L 248, 19.6.2002, p. 1.

<sup>8</sup> JO L 298, 26.10.2012, p. 1-96.

Or. ro

### **Amendment 3** **Jean-Pierre Audy**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3 – point a**  
Regulation (EC) No 219/2007  
Article 4 – paragraph 2

#### *Text proposed by the Commission*

The maximum Union contribution covering the costs under the Multiannual Financial Framework 2014-2020 shall be EUR 600 million<sup>10</sup>, including EFTA contributions, paid from the budget appropriations allocated to the Horizon 2020 - The Framework Programme for Research and Innovation (2014-2020).

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<sup>10</sup> Indicative amount in current prices. The amount will depend on the final agreed amount for DG MOVE for the theme 'Smart, green and integrated transport' which will be approved by the Budgetary Authority in the final version of the legislative and financial statement.

#### *Amendment*

The maximum Union contribution covering the costs under the Multiannual Financial Framework 2014-2020 shall be EUR 600 million<sup>10</sup>, including EFTA contributions, paid from the budget appropriations allocated to the Horizon 2020 - The Framework Programme for Research and Innovation (2014-2020).

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<sup>10</sup> Indicative amount in current prices. The amount will depend on the final agreed amount for *the Directorate-General for Mobility and Transport*. (DG MOVE) for the theme 'Smart, green and integrated transport' which will be approved by the Budgetary Authority in the final version of the legislative and financial statement.

*Justification*

*Drafting clarification.*

**Amendment 4**  
**Silvia-Adriana Țicău**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 4 – point a**  
Regulation (EC) No 219/2007  
Article 4a – paragraph 1

*Text proposed by the Commission*

The financial rules applicable to the Joint Undertaking shall be adopted by the Administrative Board after consulting the Commission. They shall not depart from the framework Financial Regulation *unless it is specifically required for the Joint Undertaking's operation and the Commission has given its prior consent.*

*Amendment*

The financial rules applicable to the Joint Undertaking shall be adopted by the Administrative Board after consulting the Commission. They shall not depart from the framework Financial Regulation.

**Amendment 5**  
**Silvia-Adriana Țicău**

**Proposal for a regulation**  
**Article 2 – paragraph 1**  
Regulation (EC) No 219/2007

*Text proposed by the Commission*

The mandate of the Executive Director in office on 1 January 2009 shall expire on 31 December **2016** at the latest. Upon expiry of that mandate or the replacement of the Executive Director in office on 1 January 2009, a new procedure leading to the appointment of the Executive Director shall be launched in accordance with Article 7(2) of the Annex to Regulation

*Amendment*

The mandate of the Executive Director in office on 1 January 2009 shall expire on 31 December **2014** at the latest. Upon expiry of that mandate or the replacement of the Executive Director in office on 1 January 2009, a new procedure leading to the appointment of the Executive Director shall be launched in accordance with Article 7(2) of the Annex to Regulation

(EC) No 219/2007.

(EC) No 219/2007.

Or. ro

**Amendment 6**  
**Silvia-Adriana Țicău**

**Proposal for a regulation**  
**Article 3 – paragraph 1**  
Regulation (EC) No 219/2007

*Text proposed by the Commission*

Membership in the Joint Undertaking shall end by 31 December 2016 with regards to the Members of the Joint Undertaking who, as of 1 January **2016**, do not contribute in kind or in cash to the costs of the Joint Undertaking's work programme related to the Union's 2014-2020 financial framework.

*Amendment*

Membership in the Joint Undertaking shall end by 31.12.14 with regards to the Members of the Joint Undertaking who, as of 1 January **2014**, do not contribute in kind or in cash to the costs of the Joint Undertaking's work programme related to the Union's 2014-2020 financial framework.

Or. ro

**Amendment 7**  
**Jean-Pierre Audy**

**Proposal for a regulation**  
**Article 5 – paragraph 1**

*Text proposed by the Commission*

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

*Amendment*

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. ***It is shall be available in consolidated form with the regulation it amends within three months of its entry into force.***

Or. fr

**Amendment 8**  
**Silvia-Adriana Țicău**

**Proposal for a regulation**  
**Annex 1 – paragraph 1 – point 1 – point b**  
Regulation (EC) No 219/2007  
Annex – Article 5 – paragraph 2 – point a

*Text proposed by the Commission*

"(a) the Administrative Board shall meet at least three times a year. Extraordinary meetings shall be convened either at the request of one-third of the members of the Administrative Board representing at least 30 % of the voting rights, at the request of the *Commission* or of the Executive Director;"

*Amendment*

"(a) the Administrative Board shall meet at least three times a year. Extraordinary meetings shall be convened either at the request of one-third of the members of the Administrative Board representing at least 30 % of the voting rights, at the request of the *Union* or of the Executive Director;"

Or. ro

**Amendment 9**  
**Silvia-Adriana Țicău**

**Proposal for a regulation**  
**Annex 1 – paragraph 1 – point 5**  
Regulation (EC) No 219/2007  
Annex – Article 10 – paragraph 2

*Text proposed by the Commission*

The Joint Undertaking shall ensure that the contracts and grant agreements and agreements referred to in paragraph 1 provide for the right of the Commission to carry out controls in order to ensure that the financial interests of the Union are protected.

*Amendment*

*Only concerns Romanian version.*

Or. ro

**Amendment 10**  
**Jean-Pierre Audy**

**Proposal for a regulation**  
**Annex 1 – paragraph 1 – point 8**  
Regulation (EC) No 219/2007  
Annex – Article 17 – paragraph 1

*Text proposed by the Commission*

The Joint Undertaking 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, proportional and deterrent penalties.

*Amendment*

The Joint Undertaking shall take appropriate measures ensuring that, when actions financed under this Regulation are implemented, the financial interests of the Union **and its Member States** 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, proportional and deterrent penalties.

Or. fr

**Amendment 11**  
**Jean-Pierre Audy**

**Proposal for a regulation**  
**Annex 1 – paragraph 1 – point 8**  
Regulation (EC) No 219/2007  
Annex – Article 17 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

***(4a) The members of the Administrative Board, the Executive Director and the staff are required to notify OLAF without delay of any possible instances of fraud which have come to their attention in the discharge of their duties or responsibilities without this disclosure rendering them liable to prosecution.***

Or. fr



*Justification*

*This serves to draw attention to any possible instances of fraud and facilitate the launching of any investigations.*