



2.2.2018

WORKING DOCUMENT

on buildings policy related to the European Medicines Agency and the
European Banking Authority

Committee on Budgets

Rapporteur: Monika Hohlmeier

Introduction

On 29 March 2017, the United Kingdom (UK) notified to the European Council its intention to leave the European Union. On 22 June 2017, in the margins of the European Council (Article 50), the EU 27 leaders endorsed the procedure for the relocation of the EU agencies currently located in the UK: the European Medicines Agency (EMA) and the European Banking Authority (EBA). At the term of its procedure, the EU 27 ministers voted on the relocation of the two agencies in the margins of the General Affairs Council (Art. 50) meeting on 20 November 2017. The selected locations are:

- Amsterdam, the Netherlands for the EMA, and
- Paris, France, for the EBA.

The agencies have to be relocated to their new seat by 30 March 2019, which is the most likely date.

The Commission has proposed to amend the agencies' founding regulation to align the seats to the Council's decision. Now and without prejudice of the outcomes of the General Affairs Council meeting, the two agencies have to launch their building projects pursuant to article 88 of the Framework Financial Regulation¹, first, by informing the Budgetary Authority before any prospection of the market takes place and then, by submitting the selected building project before the signature of any building contract.

The committee on budgets received the early information documents in January 2018.

Against this background:

- The committee on budgets takes note of the public offers done by Member States and their respective assessments performed by the Commission, in the context of the relocation procedure; takes a special attention to the commitments made by the Dutch and the French Authorities to the relocation of the agencies in order to secure the continuity of the operations and to offer the best possible working and living conditions;
- The committee on budgets takes note of the fact that the Dutch Government committed to ensure a smooth and full transition to the International Zuidas Business District, in Amsterdam, with the assistance of its Central Government Real Estate Agency;
- The committee on budgets takes note of the fact that the French Government includes two possible areas to host the new headquarters of the EBA, that a first one being the Central Business District (CBD) of Paris and a second one being the La Défense Business District, in the direct vicinity of Paris;
- The committee on budgets takes note of the proposals of the European Commission based on Article 114 of the Treaty on the Functioning of the European Union; The

¹ Commission Delegated Regulation (EU) No 1271/2013 of 30 September 2013

proposals aim to amend Regulation (EU) 726/2004 referring to the European Medicines Agency¹ and Regulation (EU) 1093/2010 referring to the European Banking Authority², respectively changing the seats to Amsterdam, The Netherlands and to Paris, France;

- The committee on budgets takes note that the relocation of both agencies has to be duly completed at the date on which the Treaties cease to apply to the UK or by 30 March 2019, whichever is the earlier; believes that the agencies need sufficient time to relocate, therefore, all needs to be done to secure the relocation at the date of 30 March 2019;

- The committee on budgets takes note of the fact that the European Securities and Markets Agency (ESMA) is already located in Paris;

Recommendations

The rapporteur, on behalf of the committee on budgets:

1. Recalls the need and the importance for buildings policy to sign a headquarters agreement before any agencies take up their seat to ensure stability in functioning;
2. Recalls the opinion of the committee on budgets of 24.4.2011 stating the very high costs generated by the choice of the current buildings of the EMA and EBA, being in one of the most expensive areas of London; regrets that the EMA has no early termination clause in its current building contract; calls upon the French and the Dutch governments, as winner of the bids, to guarantee less costly rental conditions than in London;
3. Recalls and urges to maintain the independence and the distinct mandate between the EBA and ESMA in order to avoid the creation of an oversized mammoth agency with blended tasks; however welcomes the creation of synergies related to purely administrative and back office tasks (not being part of the mandate) related but not limited to IT or building maintenance;
4. Urges France, The Netherlands and also the Commission and other EU bodies, to support both agencies to ensure a proper and timely functioning; requests to France and The Netherlands, as host Member States, to fully commit on the special conditions presented toward the two agencies; recalls the Commission and the other EU Bodies to act in full respect with the principle of sincere cooperation;
5. Urges the EMA and EBA, in close cooperation with the UK Authorities, to find new tenants for the current buildings in Canary Warf, London, in order to reduce potential penalties due to early termination of the lease contract; calls on the Commission to provide permanent support in form of specialised staff to both agencies for the negotiations with the British Government with the aim to reducing the budgetary implications and consequences for human resources of the relocation;

¹ COM(2017)0735

² COM(2017)0734

6. Calls on the EMA and EBA to submit to the Budgetary Authority their building projects immediately after the prospection of the local markets and selection of buildings;
7. Calls on the Commission to inform the European Parliament and the Council of the outcome of its actions in this file, as well as about the detailed subsequent costs, including costs related to the former buildings, costs of the relocation itself and any other related costs, by 1 March 2018.