|  |  |
| --- | --- |
| European Parliament  2014-2019 |  |

<Commission>{AFET}European Parliament</Commission>

<RefProc>2016/0282</RefProc><RefTypeProc>(COD)</RefTypeProc>

<Date>{15/03/2017}15.3.2017</Date>

<TypeAM>AMENDMENTS</TypeAM>

<RangeAM>10 - 51</RangeAM>

<TitreType>Draft opinion</TitreType>

<Rapporteur>Andi Cristea</Rapporteur>

(PE597.548v02-00)

<Titre>Financial rules applicable to the general budget of the Union </Titre>

<DocAmend>Proposal for a regulation</DocAmend>

<DocRef>(COM(2016)0605 – C8-0372/2016 – 2016/0282(COD))</DocRef>

AM\_Com\_LegOpinion

<RepeatBlock-Amend><Amend>Amendment <NumAm>10</NumAm>

<RepeatBlock-By><Members>Georgios Epitideios</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 4</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(4)*** ***Up to 10% of the funds of the Instrument for Pre-accession Assistance (IPA II), the European Neighbourhood Instrument and the financing instrument for development cooperation (DCI) may be kept unallocated at the beginning of the financial year to allow additional funding to respond to major unforeseen needs, new crises situations or significant political shifts in third countries, in addition to the amounts already programmed. These unallocated funds, if not committed during the year, should be carried over by a Decision of the Commission.*** | ***deleted*** |

Or. <Original>{EL}el</Original>

</Amend>

<Amend>Amendment <NumAm>11</NumAm>

<RepeatBlock-By><Members>Anders Primdahl Vistisen</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 4</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(4)*** ***Up to 10% of the funds of the Instrument for Pre-accession Assistance (IPA II), the European Neighbourhood Instrument and the financing instrument for development cooperation (DCI) may be kept unallocated at the beginning of the financial year to allow additional funding to respond to major unforeseen needs, new crises situations or significant political shifts in third countries, in addition to the amounts already programmed. These unallocated funds, if not committed during the year, should be carried over by a Decision of the Commission.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>12</NumAm>

<RepeatBlock-By><Members>Cristian Dan Preda</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 4</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (4) Up to 10% of the funds of the Instrument for Pre-accession Assistance (IPA II), the European Neighbourhood Instrument and the financing instrument for development cooperation (DCI) may be kept unallocated at the beginning of the financial year to allow additional funding to respond to major unforeseen needs, new crises situations or significant political shifts in ***third*** countries, in addition to the amounts already programmed. These unallocated funds, if not committed during the year, should be carried over by a Decision of the Commission. | (4) Up to 10% of the funds of the Instrument for Pre-accession Assistance (IPA II), the European Neighbourhood Instrument and the financing instrument for development cooperation (DCI) may be kept unallocated at the beginning of the financial year to allow additional funding to respond to major unforeseen needs, new crises situations or significant political shifts in ***the*** countries ***concerned by those instruments***, in addition to the amounts already programmed. These unallocated funds, if not committed during the year, should be carried over by a Decision of the Commission. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>13</NumAm>

<RepeatBlock-By><Members>Marietje Schaake</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 4</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (4) Up to 10% of the funds of the Instrument for Pre-accession Assistance (IPA II), the European Neighbourhood Instrument and the financing instrument for development cooperation (DCI) may be kept unallocated at the beginning of the financial year to allow additional funding to respond to major unforeseen needs, new crises situations or significant political shifts in third countries, in addition to the amounts already programmed. These unallocated funds, if not committed during the year, should be carried over by a Decision of the Commission. | (4) Up to 10% of the funds of the Instrument for Pre-accession Assistance (IPA II), the European Neighbourhood Instrument and the financing instrument for development cooperation (DCI) may be kept unallocated at the beginning of the financial year to allow additional funding to respond to major unforeseen needs, new crises situations or significant political shifts in third countries, in addition to the amounts already programmed. These unallocated funds, if not committed during the year, should be carried over by a Decision of the Commission. ***Funds that are intentionally kept unallocated, should be spent according to the objectives of their initial instrument and governed by the rules and bodies relating to that instrument, unless explicitly stipulated otherwise.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>14</NumAm>

<RepeatBlock-By><Members>Georgios Epitideios</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 10</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (10) Union institutions should be able to accept any donation made to the Union. | (10) Union institutions should be able to accept any donation made to the Union ***subject to compliance with the principle of transparency regarding donors and provided that the the activity at the origin of the donation is legitimate***. |

Or. <Original>{EL}el</Original>

</Amend>

<Amend>Amendment <NumAm>15</NumAm>

<RepeatBlock-By><Members>Paulo Rangel</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 14</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (14) The principle of transparency, enshrined in Article 15 TFEU which requires the institutions to work as openly as possible, implies, in the area of the implementation of the budget, that citizens are able to know where, and for what purpose, funds are spent by the Union. Such information fosters democratic debate, contributes to the participation of citizens in the Union's decision-making process ***and*** reinforces institutional control and scrutiny over Union expenditure. Such objectives should be achieved by the publication, preferably using modern communication tools, of relevant information concerning all recipients of Union funds which takes into account such all recipients' legitimate interests of confidentiality and security and, as far as natural persons are concerned, their right to privacy and the protection of their personal data. Institutions should therefore adopt a selective approach in the publication of information, in accordance with the principle of proportionality. Decisions to publish should be based on relevant criteria in order to provide meaningful information. | (14) The principle of transparency, enshrined in Article 15 TFEU which requires the institutions to work as openly as possible, implies, in the area of the implementation of the budget, that citizens are able to know where, and for what purpose, funds are spent by the Union. Such information fosters democratic debate, contributes to the participation of citizens in the Union's decision-making process***,*** reinforces institutional control and scrutiny over Union expenditure ***and makes an exceptional contribution to boosting its credibility***. Such objectives should be achieved by the publication, preferably using modern communication tools, of relevant information concerning all recipients of Union funds which takes into account such all recipients' legitimate interests of confidentiality and security and, as far as natural persons are concerned, their right to privacy and the protection of their personal data. Institutions should therefore adopt a selective approach in the publication of information, in accordance with the principle of proportionality. Decisions to publish should be based on relevant criteria in order to provide meaningful information. |

Or. <Original>{PT}pt</Original>

</Amend>

<Amend>Amendment <NumAm>16</NumAm>

<RepeatBlock-By><Members>Paulo Rangel</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 16</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (16) The name and locality of the recipients of Union funds should be published for prizes, grants and contracts awarded following the opening-up of a public procedure to competition, as it is the case in particular for contests, call for proposals and call for tenders, in the respect of the principles of the TFEU and in particular the principles of transparency, proportionality, equal treatment and non-discrimination. Moreover such publication ***should*** contribute to the control of the public selection procedures by the rejected applicants of the competition. | (16) The name and locality of the recipients of Union funds should be published for prizes, grants and contracts awarded following the opening-up of a public procedure to competition, as it is the case in particular for contests, call for proposals and call for tenders, in the respect of the principles of the TFEU and in particular the principles of transparency, proportionality, equal treatment and non-discrimination. Moreover such publication ***may*** contribute to the control of the public selection procedures by the rejected applicants of the competition. |

Or. <Original>{PT}pt</Original>

</Amend>

<Amend>Amendment <NumAm>17</NumAm>

<RepeatBlock-By><Members>Georgios Epitideios</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 17</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (17) The publication of personal data referring to natural persons should not exceed the duration during which the funds are being used by the recipient and should therefore be removed after ***two years***. The same should apply to personal data referring to legal persons for whom the official title identifies one or more natural persons. | (17) The publication of personal data referring to natural persons should not exceed the duration during which the funds are being used by the recipient and should therefore be removed after ***expiry of the limitation period for financial crimes relating to implementation of the budget***. The same should apply to personal data referring to legal persons for whom the official title identifies one or more natural persons. |

Or. <Original>{EL}el</Original>

</Amend>

<Amend>Amendment <NumAm>18</NumAm>

<RepeatBlock-By><Members>Paulo Rangel</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 18</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(18)*** ***In most of the cases covered by this Regulation, the publication concerns legal persons.*** | ***deleted*** |

Or. <Original>{PT}pt</Original>

</Amend>

<Amend>Amendment <NumAm>19</NumAm>

<RepeatBlock-By><Members>Paulo Rangel</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 22</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (22) The name and the locality of the recipient and the amount and the purpose of the funds should not be published if it risks endangering the integrity of the recipient as protected by the Charter of Fundamental Rights of the European Union or would harm the legitimate commercial interests of the recipient. | (22) The name and the locality of the recipient and the amount and the purpose of the funds should not be published if it risks endangering the integrity of the recipient as protected***, in particular,*** by the Charter of Fundamental Rights of the European Union or would harm the legitimate commercial interests of the recipient. |

Or. <Original>{PT}pt</Original>

</Amend>

<Amend>Amendment <NumAm>20</NumAm>

<RepeatBlock-By><Members>Paulo Rangel</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 47</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (47) ***For the sake of*** legal security, the rules regarding the delays when a debit note is to be sent should be defined. | (47) ***In order to guarantee*** legal security ***and transparency***, the rules regarding the delays when a debit note is to be sent should be defined. |

Or. <Original>{PT}pt</Original>

</Amend>

<Amend>Amendment <NumAm>21</NumAm>

<RepeatBlock-By><Members>Georgios Epitideios</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 83</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (83) The information on the early detection of risks and on the imposition of administrative sanctions on a person of entity should be centralised. For that purpose, related information should be stored in a database set up and operated by the Commission as the owner of the centralised system. That system should operate in full compliance with the right to privacy and the protection of personal data. | (83) The information on the early detection of risks and on the imposition of administrative sanctions on a person of entity should be centralised. For that purpose, related information should be stored in a database set up and operated by the Commission as the owner of the centralised system. That system should operate in full compliance with the right to privacy and the protection of personal data ***and in such a way that it can be accessed in all Member States***. |

Or. <Original>{EL}el</Original>

</Amend>

<Amend>Amendment <NumAm>22</NumAm>

<RepeatBlock-By><Members>Miroslav Poche</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 105</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (105) It is appropriate that different cases usually referred to as situations of conflict of interest be identified and treated distinctly. The notion of a ‘conflict of interest’ should be solely used for cases where an entity or person with responsibilities for budget implementation, audit or control or an official or an agent of a Union institution is in such a situation. In cases where an economic operator attempts to unduly influence a procedure or obtain confidential information, this should be treated as grave professional misconduct. In addition, economic operators may be in a situation where they should not be selected to implement a contract because of a professional conflicting interest. For instance, a company should not evaluate a project in which it has participated or an auditor should not be in a position to audit accounts it has previously certified. | (105) It is appropriate that different cases usually referred to as situations of conflict of interest be identified and treated distinctly. The notion of a ‘conflict of interest’ should be solely used for cases where an entity or person with responsibilities for budget implementation, audit or control or an official or an agent of a Union institution is in such a situation. In cases where an economic operator attempts to unduly influence a procedure or obtain confidential information, this should be treated as grave professional misconduct ***as a result of which that operator may be excluded from the procedure***. In addition, economic operators may be in a situation where they should not be selected to implement a contract because of a professional conflicting interest. For instance, a company should not evaluate a project in which it has participated or an auditor should not be in a position to audit accounts it has previously certified. |

Or. <Original>{CS}cs</Original>

</Amend>

<Amend>Amendment <NumAm>23</NumAm>

<RepeatBlock-By><Members>Georgios Epitideios</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 105</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (105) It is appropriate that different cases usually referred to as situations of conflict of interest be identified and treated distinctly. The notion of a ‘conflict of interest’ should be solely used for cases where an entity or person with responsibilities for budget implementation, audit or control or an official or an agent of a Union institution is in such a situation. In cases where an economic operator attempts to unduly influence a procedure or obtain confidential information, this should be treated as grave professional misconduct***.*** In addition, economic operators may be in a situation where they should not be selected to implement a contract because of a professional conflicting interest. For instance, a company should not evaluate a project in which it has participated or an auditor should not be in a position to audit accounts it has previously certified. | (105) It is appropriate that different cases usually referred to as situations of conflict of interest be identified and treated distinctly. The notion of a ‘conflict of interest’ should be ***clearly defined and*** solely used for cases where an entity or person with responsibilities for budget implementation, audit or control or an official or an agent of a Union institution is in such a situation. In cases where an economic operator attempts to unduly influence a procedure or obtain confidential information, this should be treated as grave professional misconduct In addition, economic operators may be in a situation where they should not be selected to implement a contract because of a professional conflicting interest. For instance, a company should not evaluate a project in which it has participated or an auditor should not be in a position to audit accounts it has previously certified. |

Or. <Original>{EL}el</Original>

</Amend>

<Amend>Amendment <NumAm>24</NumAm>

<RepeatBlock-By><Members>Georgios Epitideios</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 132</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (132) As a valuable type of financial support not related to predictable costs, the use of prizes should be facilitated and the applicable rules should be clarified. Prizes should be seen as complementing, not substituting, other funding instruments such as grants. | (132) As a valuable type of financial support not related to predictable costs, the use of prizes should be facilitated and the applicable rules should be clarified. Prizes should be seen as complementing, not substituting, other funding instruments such as grants ***and be awarded for the contribution made by recipients to the realisation of a major project. Such awards should be fully justified and open to all***. |

Or. <Original>{EL}el</Original>

</Amend>

<Amend>Amendment <NumAm>25</NumAm>

<RepeatBlock-By><Members>Georgios Epitideios</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 134</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (134) Prizes should be subject to the principles of transparency and equal treatment. In that context, the minimum characteristics of contests should be laid down, notably the conditions for paying the prize to the winners in case of award, and the appropriate publication means. It is also necessary to establish a clearly defined award procedure, from submission of the entries to information of applicants and notification to the winning applicant, which mirrors the procedure for award of grants. | (134) Prizes should ***accordingly*** be subject to the principles of transparency and equal treatment. In that context, the minimum characteristics of contests should be laid down, notably the conditions for paying the prize to the winners in case of award, and the appropriate publication means. It is also necessary to establish a clearly defined award procedure, from submission of the entries to information of applicants and notification to the winning applicant, which mirrors the procedure for award of grants. |

Or. <Original>{EL}el</Original>

</Amend>

<Amend>Amendment <NumAm>26</NumAm>

<RepeatBlock-By><Members>Georgios Epitideios</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 161</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (161) The contributions from the general budget of the Union should be suspended, reduced or terminated if the European political parties infringe the obligations laid down in Regulation (EU, Euratom) No 1141/2014. | (161) The contributions from the general budget of the Union should be suspended, reduced or terminated if the European political parties infringe the obligations laid down in Regulation (EU, Euratom) No 1141/2014. ***A basic condition for termination of contributions is demonstrably fraudulent activity on the part of a political party and it must not be done for purposes of political expediency to the detriment of the party in question.*** |

Or. <Original>{EL}el</Original>

</Amend>

<Amend>Amendment <NumAm>27</NumAm>

<RepeatBlock-By><Members>Sabine Lösing</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 164</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (164) The Commission should be authorised to create and manage Union trust funds for emergency, post-emergency or thematic actions ***not*** only in external actions ***but also in EU-internal actions. Recent events in the European Union show the need for increased flexibility for funding within the EU. As the boundaries between external and internal policies are increasingly blurred, this would also provide a tool for replying to cross-border challenges. It is necessary to specify the principles applicable to the contributions to Union Trust Funds, to clarify the responsibilities of the financial actors and of the Board of the Trust Fund. It is also necessary to define rules ensuring a fair representation of the participating donors in the Board of the Trust Fund and a mandatory positive vote of the Commission for the use of the funds***. | (164) The Commission should be authorised to create and manage Union trust funds for emergency, post-emergency or thematic actions only in external actions***, after a thorough consultation with the European Parliament and the Council***. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>28</NumAm>

<RepeatBlock-By><Members>Georgios Epitideios</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 180</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (180) In order to facilitate the implementation of community-led local development and integrated territorial investments, the roles ***and responsibilities*** of local action groups in the case of community-led local development strategies and local authorities, regional development bodies or non-governmental organisations in the case of ITIs in relation to other programme bodies should be clarified. Designation as intermediate body should only be required in cases where the relevant bodies carry out tasks which go beyond those described in the relevant Article or where it is required by the Fund specific rules. | (180) In order to facilitate the implementation of community-led local development and integrated territorial investments, the roles***, responsibilities and capabilities*** of local action groups in the case of community-led local development strategies and local authorities, regional development bodies or non-governmental organisations in the case of ITIs in relation to other programme bodies should be clarified. Designation as intermediate body should only be required in cases where the relevant bodies carry out tasks which go beyond those described in the relevant Article or where it is required by the Fund specific rules. |

Or. <Original>{EL}el</Original>

</Amend>

<Amend>Amendment <NumAm>29</NumAm>

<RepeatBlock-By><Members>Miroslav Poche</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Recital 242</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (242) Only grants and procurement may currently be used to support actions in the area of Digital Service Infrastructures. In order to ensure as efficient as possible, financial instruments should also be made available to support these actions. | (242) Only grants and procurement may currently be used to support actions in the area of Digital Service Infrastructures. In order to ensure as efficient as possible, financial instruments should also be made available to support these actions. ***Such instruments should be preferentially used to support economic and social cohesion between the Member States.*** |

Or. <Original>{CS}cs</Original>

</Amend>

<Amend>Amendment <NumAm>30</NumAm>

<RepeatBlock-By><Members>Anders Primdahl Vistisen</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 12 – paragraph 2 – subparagraph 1 – point e</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(e)*** ***appropriations kept unallocated at the beginning of the financial year relating to the funds referred to in Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II), Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument (ENI) and Regulation (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020 (DCI), within a limit of 10% of the initial appropriations of each instrument.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>31</NumAm>

<RepeatBlock-By><Members>Marietje Schaake</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 12 – paragraph 2 – subparagraph 1 – point e</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (e) appropriations kept unallocated at the beginning of the financial year relating to the funds referred to in Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II), Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument (ENI) and Regulation (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020 (DCI), within a limit of 10% of the initial appropriations of each instrument. | (e) appropriations kept unallocated at the beginning of the financial year relating to the funds referred to in Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II), Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument (ENI) and Regulation (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020 (DCI), within a limit of 10% of the initial appropriations of each instrument. ***Funds that are intentionally kept unallocated, shall be spent according to the objectives of their initial instrument and governed by the rules and bodies relating to that instrument, unless explicitly stipulated otherwise.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>32</NumAm>

<RepeatBlock-By><Members>Cristian Dan Preda</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 39 – paragraph 6</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 6. Where the Commission makes use of Union Trust Funds, it shall attach to the draft budget a working document on the activities supported by Union Trust Funds, on their implementation ***and performance***. | 6. Where the Commission makes use of Union Trust Funds, it shall attach to the draft budget a working document on the activities supported by Union Trust Funds, on their implementation***, performance and management cost***. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>33</NumAm>

<RepeatBlock-By><Members>Sabine Lösing</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 39 – paragraph 6</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 6. Where the Commission makes use of Union Trust Funds, it shall attach to the draft budget a ***working*** document on the activities supported by Union Trust Funds, on their implementation and performance. | 6. Where the Commission makes use of Union Trust Funds, it shall attach to the draft budget a ***detailed accompanying*** document on the activities supported by Union Trust Funds, on their implementation and performance. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>34</NumAm>

<RepeatBlock-By><Members>Fabio Massimo Castaldo</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 227 – paragraph 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 1. For emergency, post-emergency or thematic actions, the Commission may create, ***after informing*** the European Parliament and the Council, trust funds under an agreement concluded with other donors. The constitutive act of each trust fund shall define the objectives of the trust fund. The Commission ***decision*** establishing the trust fund shall include a description of the fund's objectives, the justification for its creation in accordance with paragraph 3, an indication of its duration and the preliminary agreements with other donors. | 1. For emergency, post-emergency or thematic actions, the Commission may create, ***with the consent of*** the European Parliament and the Council, trust funds ***for external actions under an agreement concluded with other donors. In addition, the Commission may create trust funds for specific thematic external actions*** under an agreement concluded with other donors. The constitutive act of each trust fund shall define the objectives of the trust fund. The Commission ***proposal*** establishing the trust fund shall include a description of the fund's objectives, the justification for its creation in accordance with paragraph 3, an indication of its duration and the preliminary agreements with other donors. |

Or. <Original>{IT}it</Original>

</Amend>

<Amend>Amendment <NumAm>35</NumAm>

<RepeatBlock-By><Members>Andi Cristea</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 227 – paragraph 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 1. For emergency***, post-emergency or thematic*** actions, the Commission may create, after informing the European Parliament and the Council, trust funds under an agreement concluded with other donors. The constitutive act of each trust fund shall define the objectives of the trust fund. The Commission decision establishing the trust fund shall include a description of the fund's objectives, the justification for its creation in accordance with paragraph 3, an indication of its duration and the preliminary agreements with other donors. | 1. For emergency ***or post-emergency*** actions, the Commission may create, after informing the European Parliament and the Council, trust funds ***under an agreement concluded with other donors. By means of delegated acts, the Commission may also decide to create trust funds for thematic actions*** under an agreement concluded with other donors. The constitutive act of each trust fund shall define the objectives of the trust fund. The Commission decision establishing the trust fund shall include a description of the fund's objectives, the justification for its creation in accordance with paragraph 3, an indication of its duration and the preliminary agreements with other donors. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>36</NumAm>

<RepeatBlock-By><Members>Cristian Dan Preda</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 227 – paragraph 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 1. For emergency, post-emergency or thematic actions, the Commission may create, ***after informing*** the European Parliament and the Council, trust funds under an agreement concluded with other donors. The constitutive act of each trust fund shall define the objectives of the trust fund. The Commission ***decision*** establishing the trust fund shall include a description of the fund's objectives, the justification for its creation in accordance with paragraph 3, an indication of its duration and the preliminary agreements with other donors. | 1. For emergency, post-emergency or thematic actions, the Commission may ***exceptionally*** create, ***with the agreement of*** the European Parliament and the Council, trust funds under an agreement concluded with other donors. The constitutive act of each trust fund shall define the objectives of the trust fund. The Commission ***proposal for*** establishing the trust fund shall include a description of the fund's objectives, the justification for its creation in accordance with paragraph 3, an indication of its duration and the preliminary agreements with other donors. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>37</NumAm>

<RepeatBlock-By><Members>Sabine Lösing</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 227 – paragraph 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 1. For emergency, post-emergency or thematic actions, the Commission may create, after ***informing*** the European Parliament and the Council, trust funds under an agreement concluded with other donors. The constitutive act of each trust fund shall define the objectives of the trust fund. The Commission decision establishing the trust fund shall include a description of the fund's objectives, the justification for its creation in accordance with paragraph 3, an indication of its duration and the preliminary agreements with other donors. | 1. For emergency, post-emergency or thematic actions, the Commission may create, after ***extensively consulting*** the European Parliament and the Council, trust funds under an agreement concluded with other donors. The constitutive act of each trust fund shall define the objectives of the trust fund. The Commission decision establishing the trust fund shall include a ***detailed*** description of the fund's objectives, the justification for its creation in accordance with paragraph 3, an indication of its duration and the preliminary agreements with other donors. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>38</NumAm>

<RepeatBlock-By><Members>Marietje Schaake</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 227 – paragraph 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 1. For emergency, post-emergency or thematic actions, the Commission may create, after informing the European Parliament and the Council, trust funds under an agreement concluded with other donors. The constitutive act of each trust fund shall define the objectives of the trust fund. The Commission decision establishing the trust fund shall include a description of the fund's objectives, the justification for its creation in accordance with paragraph 3, an indication of its duration and the preliminary agreements with other donors. | 1. For emergency, post-emergency or thematic actions, the Commission may create, after informing the European Parliament and the Council, trust funds under an agreement concluded with other donors***, when, following the agreement of the European Parliament and the Council, the Union's external financing instruments are deemed to be insufficiently equipped for dealing with a certain situation***. The constitutive act of each trust fund shall define the objectives of the trust fund. The Commission decision establishing the trust fund shall include a description of the fund's objectives, the justification for its creation in accordance with paragraph 3, an indication of its duration and the preliminary agreements with other donors. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>39</NumAm>

<RepeatBlock-By><Members>Sabine Lösing</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 227 – paragraph 3 – point a</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (a) there is added value to the Union intervention: trust funds shall only be created and implemented at Union level where their objectives, in particular by reason of their scale or potential effects, may be better achieved at Union level than at national level; | (a) there is added value to the Union intervention: trust funds shall only be created and implemented at Union level where their objectives, in particular by reason of their scale or potential effects, may be better achieved at Union level than at national level ***and cannot be achieved to the same extent through any other existing financial instrument***; |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>40</NumAm>

<RepeatBlock-By><Members>Anders Primdahl Vistisen</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 227 – paragraph 3 – point a</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (a) there is added value to the Union intervention: trust funds shall only be created and implemented at Union level where their objectives, in particular by reason of their scale or potential effects, may be better achieved at Union level than at national level; | (a) there is added value to the Union intervention: trust funds shall only be created and implemented at Union level where their objectives, in particular by reason of their scale or potential effects, may be better achieved at Union level than at national level***, and are in no way intended to overstretch the reach of Union competences into primarily national concerns***; |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>41</NumAm>

<RepeatBlock-By><Members>Anders Primdahl Vistisen</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 227 – paragraph 3 – point b</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (b) Union trust funds ***shall bring clear Union political visibility and managerial advantages as well as better Union control of risks and disbursements of the Union and other donors’ contributions. They should not be created if they merely duplicate*** other ***existing funding channels or similar instruments without providing any additionality***. | (b) Union trust funds ***should not be created if they merely duplicate other existing funding channels or similar instruments without providing any additionality. In addition, they should not be considered to replace, or supersede, financial initiatives pursued by Member States alone or in coordination with*** other ***donors as part of emergency, post-emergency or thematic actions***. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>42</NumAm>

<RepeatBlock-By><Members>Marietje Schaake</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 227 – paragraph 3 – point b a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(b a)*** ***The European Commission shall report to the European Parliament on a regular basis on the activities, objectives and effectiveness of the funds spent and implemented under the Trust Funds and those items shall be added as an item to the draft budget of the European Union each year.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>43</NumAm>

<RepeatBlock-By><Members>Anders Primdahl Vistisen</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 227 – paragraph 4</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 4. A board chaired by the Commission shall be established for each Union trust fund to ensure the fair representation of the donors, and of the non-contributing Member States as observers, and to decide upon the use of the funds. The rules for composition of the board and its internal rules shall be laid down in the constitutive act of the trust fund adopted by the Commission and adhered to by the donors. Those rules shall include the requirement to have the positive vote of the Commission for the final decision on the use of the funds. | 4. A board chaired by the Commission shall be established for each Union trust fund to ensure the fair representation of the donors, and of the non-contributing Member States as observers, and to decide ***fairly***upon the use of the funds ***with the approval of donor Member States***. The rules for composition of the board and its internal rules shall be laid down in the constitutive act of the trust fund adopted by the Commission and adhered to by the donors. Those rules shall include the requirement to have the positive vote of the Commission for the final decision on the use of the funds. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>44</NumAm>

<RepeatBlock-By><Members>Marietje Schaake</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 227 – paragraph 4</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 4. A board chaired by the Commission shall be established for each Union trust fund to ensure the fair representation of the donors, and of the non-contributing Member States as observers, and to decide upon the use of the funds. The rules for composition of the board and its internal rules shall be laid down in the constitutive act of the trust fund adopted by the Commission and adhered to by the donors. Those rules shall include the requirement to have the positive vote of the Commission for the final decision on the use of the funds. | 4. A board chaired by the Commission shall be established for each Union trust fund to ensure the fair representation of the donors, ***the relevant bodies of the European Parliament*** and of the non-contributing Member States as observers, and to decide upon the use of the funds. The rules for composition of the board and its internal rules shall be laid down in the constitutive act of the trust fund adopted by the Commission and adhered to by the donors. Those rules shall include the requirement to have the positive vote of the Commission for the final decision on the use of the funds. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>45</NumAm>

<RepeatBlock-By><Members>Anders Primdahl Vistisen</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 227 – paragraph 5 – subparagraph 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| The European Parliament and/or the Council may request the Commission to discontinue appropriations for that trust fund or to revise the constitutive act with a view to the liquidation of the trust fund, where appropriate. In such an event, any remaining funds shall be returned on a pro rata basis to the ***budget as general revenue and to the*** contributing Member States and other donors. | The European Parliament and/or the Council may request the Commission to discontinue appropriations for that trust fund or to revise the constitutive act with a view to the liquidation of the trust fund, where appropriate. In such an event, any remaining funds shall be returned on a pro rata basis to the contributing Member States and other donors. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>46</NumAm>

<RepeatBlock-By><Members>Sabine Lösing</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 228 – paragraph 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 1. Union trust funds shall be implemented in accordance with the principles of sound financial management, transparency, proportionality, non-discrimination and equal treatment, and in accordance with the specific objectives defined in each constitutive act. | 1. Union trust funds shall be implemented in accordance with the principles of sound financial management, transparency, proportionality, non-discrimination and equal treatment, ***in full respect of the budgetary scrutiny and control mechanism of the European Parliament,*** and in accordance with the specific objectives defined in each constitutive act. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>47</NumAm>

<RepeatBlock-By><Members>Anders Primdahl Vistisen</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 228 – paragraph 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 1. Union trust funds shall be implemented in accordance with the principles of sound financial management, transparency, proportionality, non-discrimination and equal treatment, and in accordance with the specific objectives defined in each constitutive act. | 1. Union trust funds shall be implemented in accordance with the principles of sound financial management, transparency, proportionality, non-discrimination and equal treatment, and in accordance with the specific objectives defined in each constitutive act ***as defined by the Member States and donors relevant to the trust fund***. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>48</NumAm>

<RepeatBlock-By><Members>Sabine Lösing</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 228 – paragraph 4 – subparagraph 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| The contributions of the Union and of the donors shall ***not*** be integrated in the budget and shall be lodged in a specific bank account. The specific bank account of the trust fund shall be opened and closed by the accounting officer. All transactions made on the bank account referred to in the third paragraph during the year shall be properly accounted for in the accounts of the trust fund. | The contributions of the Union and of the donors shall be integrated in the budget and shall be lodged in a specific bank account. The specific bank account of the trust fund shall be opened and closed by the accounting officer. All transactions made on the bank account referred to in the third paragraph during the year shall be properly accounted for in the accounts of the trust fund. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>49</NumAm>

<RepeatBlock-By><Members>Anders Primdahl Vistisen</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 228 – paragraph 5 – subparagraph 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| Financial reporting on the operations carried out by each trust fund shall be established twice every year by the authorising officer. | Financial reporting on the operations carried out by each trust fund shall be established twice every year by the authorising officer ***and supported by a detailed report on the activities supported by Union trust funds, on their implementation and effectiveness, and on the tangible consequences of such funding efforts, in combination with a stricter mechanism for assessing the allocation and proper use of funding to third party countries***. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>50</NumAm>

<RepeatBlock-By><Members>Fabio Massimo Castaldo</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 229 – paragraph 1 – point b a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(ba)*** ***the third country complies with the fundamental principles of the Universal Declaration of Human Rights;*** |

Or. <Original>{IT}it</Original>

</Amend>

<Amend>Amendment <NumAm>51</NumAm>

<RepeatBlock-By><Members>Fabio Massimo Castaldo</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Article 229 – paragraph 1 – point d a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(da)*** ***the third country has provided for anti-corruption laws that are consistent with Union legislation.*** |

Or. <Original>{IT}it</Original>

</Amend></RepeatBlock-Amend>