

# EUROPEAN PARLIAMENT

2004



2009

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*Session document*

**A6-0273/2008**

27.6.2008

## **\*\*\*I** **REPORT**

on the proposal for a decision of the European Parliament and of the Council amending Decision No 1855/2006/EC establishing the Culture Programme (2007 to 2013)  
(COM(2008)0057 – C6-0058/2008 – 2008/0024(COD))

Committee on Culture and Education

Rapporteur: Katerina Batzeli

### ***Symbols for procedures***

- \* Consultation procedure  
*majority of the votes cast*
- \*\*I Cooperation procedure (first reading)  
*majority of the votes cast*
- \*\*II Cooperation procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\* Assent procedure  
*majority of Parliament's component Members except in cases  
covered by Articles 105, 107, 161 and 300 of the EC Treaty and  
Article 7 of the EU Treaty*
- \*\*\*I Codecision procedure (first reading)  
*majority of the votes cast*
- \*\*\*II Codecision procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\*III Codecision procedure (third reading)  
*majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission.)

### ***Amendments to a legislative text***

In amendments by Parliament, amended text is highlighted in ***bold italics***. In the case of amending acts, passages in an existing provision that the Commission has left unchanged, but that Parliament wishes to amend, are highlighted in **bold**. Any deletions that Parliament wishes to make in passages of this kind are indicated thus: [...]. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). Suggested corrections of this kind are subject to the agreement of the departments concerned.

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a decision of the European Parliament and of the Council on amending Decision No 1855/2006/EC establishing the Culture Programme (2007 to 2013)

(COM(2008)0057 – C6-0058/2008 – 2008/0024(COD))

(Codecision procedure: first reading)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2008)0057),
  - having regard to Article 251(2) and Article 151(5), first indent, of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0058/2008),
  - having regard to Rule 51 of its Rules of Procedure,
  - having regard to the report of the Committee on Culture and Education (A6-0273/2008),
1. Approves the Commission proposal as amended;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council and Commission.

### Amendment 1

**Proposal for a decision – amending act**

**Recital 6**

*Text proposed by the Commission*

6. ***It is therefore necessary to amend Decision No 1855/2006/EC*** in order to allow selection decisions to be implemented more quickly and efficiently.

*Amendment*

6. In order to allow selection decisions to be implemented more quickly and efficiently, ***it is therefore necessary to replace the advisory procedure with an obligation on the Commission to inform the European Parliament and the Member States without delay about any measures taken for the implementation of this Decision without the assistance of a committee.***

## Amendment 2

### Proposal for a decision – amending act

#### Article 1 – point 1

Decision 1855/2006/EC

Article 8 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***The following paragraph 2a shall be incorporated into Article 8 of Decision No 1855/2006/EC:***

***deleted***

***"2a. Where the Commission adopts decisions, in accordance with the present Decision, on the award of grants other than those listed in paragraph 2, it shall adopt these decisions without the assistance of a committee."***

## Amendment 3

### Proposal for a decision – amending act

#### Article 1 – point 1 a (new)

Decision 1855/2006/EC

Article 8 – paragraph 3

*Text proposed by the Commission*

*Amendment*

***1a. Article 8(3) of Decision No 1855/2006/EC shall read as follows :***

***'3. The Commission shall inform the Committee referred to in Article 9 and the European Parliament, of all other selection decisions taken by the Commission for the implementation of this Decision, within two working days of the adoption of the decisions in question. This information shall include descriptions and an analysis of the applications received, a description of the assessment and selection procedure, and lists of both the projects proposed for funding and the projects rejected for funding.'***

#### **Amendment 4**

##### **Proposal for a decision – amending act**

##### **Article 1 – point 1 b (new)**

Decision 1855/2006/EC

Article 9 – paragraph 3

*Text proposed by the Commission*

*Amendment*

***1b. Article 9(3) of Decision No 1855/2006/EC is deleted.***

#### **Amendment 5**

##### **Proposal for a decision – amending act**

##### **Article 1 a (new)**

*Text proposed by the Commission*

*Amendment*

##### ***Article 1a***

***The Commission shall report to the European Parliament and the Council on the impact of this Decision 18 months after its entry into force.***

## EXPLANATORY STATEMENT

### Decision-making process for the implementation of the programmes

The decisions taken by the European Parliament and the Council to adopt the multiannual programmes in the field of culture, education, youth and active citizenship contain provisions concerning the procedures under the 'comitology' decision and a number of measures necessary for implementing the programmes.

These procedures are set out in Council Decision No 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission, as amended by Council Decision No 2006/512/EC.

The basic instruments of the multiannual programmes provide for the division of selection decisions between the management and the advisory procedures and clearly define the number and type of selection decisions to be subject to the management procedure. All other measures, including the selection decisions, are subject to the advisory procedure.

### The Commission's proposal

The Commission considers that making selection decisions subject to the advisory procedure entails extending the periods of time required to adopt them and has an impact on their effectiveness.

The Commission also notes the nature of the programmes' actions which concern a relatively large number of beneficiaries whose activities are significantly dependent on Community support, while the relevant amounts are limited.

The Commission proposes eliminating the advisory procedure for selection decisions in order to simplify decision-making procedures in the interests of potential beneficiaries of the grants.

The Commission also notes that, in order to reduce the time required for consultation on selection decisions which are subject to the advisory procedure, the programme committee makes more use of the written procedure and has five days in which to deliver an opinion on the selection decisions submitted to it.

### Remarks

Your rapporteur believes that there can be no questioning the value of comitology, which gives the European Parliament the right of scrutiny, and the right to information, allowing it to monitor the implementation of legislative instruments adopted under the codecision procedure and also to contest any measures envisaged by the Commission which it thinks would exceed the implementing powers provided for in the basic instrument.

Your rapporteur would stress that the Committee on Culture and Education has repeatedly advocated a swift, effective and transparent procedure which will, nevertheless, safeguard the right of scrutiny and information in regard to decision-making.



In order to carry out the selection procedures quickly and effectively in the interests of beneficiaries and to ensure the best way of fulfilling the objectives of the programmes, without reducing the transparency of the decision-making procedure, the advisory procedure could be replaced provided that the Commission informs the European Parliament and the Member States without delay of the selection decisions which will be taken without being submitted to the programme committee.

It is also considered that the Commission should inform the programme committee and the European Parliament without delay on all the selection procedure, the applications for funding which it has examined, the assessment of those applications, and that it should also provide a full list of the projects selected for funding and those rejected.

Given that this is a new procedure, it is essential that the co-legislators, the Council and the European Parliament, are able to assess the results of the new measures within a reasonable period of time after the entry into force of the new instrument. It is, therefore, considered that the Commission should be required to report thereon to Parliament and the Council.

#### Agreement of the Council and European Parliament on the completion of the codecision procedure

Your rapporteur welcomes the constructive and open-minded interinstitutional cooperation on the Commission's proposals, the fact that the programmes will be implemented transparently and effectively and that the legislator - the Council and Parliament - will be informed immediately and systematically.

The draft report reflects the outcome of deliberations with the Council and the Commission during the codecision procedure.

## PROCEDURE

<b>Title</b>	Culture Programme (2007-2013)
<b>References</b>	COM(2008)0057 – C6-0058/2008 – 2008/0024(COD)
<b>Date submitted to Parliament</b>	7.2.2008
<b>Committee responsible</b> Date announced in plenary	CULT 21.2.2008
<b>Rapporteur(s)</b> Date appointed	Katerina Batzeli 31.3.2008
<b>Discussed in committee</b>	2.6.2008
<b>Date adopted</b>	24.6.2008
<b>Result of final vote</b>	+: 29 -: 2 0: 1
<b>Members present for the final vote</b>	Maria Badia i Cutchet, Katerina Batzeli, Ivo Belet, Giovanni Berlinguer, Nicodim Bulzesc, Marielle De Sarnez, Marie-Hélène Descamps, Jolanta Dičkutė, Milan Gaľa, Claire Gibault, Vasco Graça Moura, Christopher Heaton-Harris, Luis Herrero-Tejedor, Ruth Hieronymi, Mikel Irujo Amezaga, Ramona Nicole Mănescu, Manolis Mavrommatis, Dumitru Oprea, Zdzisław Zbigniew Podkański, Mihaela Popa, Christa Prets, Pál Schmitt, Hannu Takkula, Helga Trüpel, Thomas Wise
<b>Substitute(s) present for the final vote</b>	Victor Boștinăru, Mary Honeyball, Elisabeth Morin, Reino Paasilinna, Ewa Tomaszewska, Cornelis Visser, Tadeusz Zwiefka