



Plenary sitting

A9-0173/2020

2.10.2020

*****I**

REPORT

on the proposal for a regulation of the European Parliament and of the Council
establishing a Technical Support Instrument
(COM(2020)0409 – C9-0148/2020 – 2020/0103(COD))

Committee on Budgets
Committee on Economic and Monetary Affairs

Rapporteur: Alexandra Geese, Othmar Karas, Dragoș Pîslaru

(Joint committee procedure – Rule 58 of the Rules of Procedure)

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

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

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ***■*** symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council
establishing a Technical Support Instrument
(COM(2020)0409 – C9-0148/2020 – 2020/0103(COD))**

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2020)0409),
 - having regard to Article 294(2) and Articles 175(3) and 197(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0148/2020),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 15 July 2020¹,
 - after consulting the Committee of the Regions,
 - having regard to the joint deliberations of the Committee on Budgets and the Committee on Economic and Monetary Affairs under Rule 58 of the Rules of Procedure,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the opinion of the Committee on Employment and Social Affairs, ,
 - having regard to the report of the Committee on Budgets and the Committee on Economic and Monetary Affairs (A9-0173/2020),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ [OJ C 0, 0.0.0000, p. 0. / Not yet published in the Official Journal].

Amendment 1

AMENDMENTS BY THE EUROPEAN PARLIAMENT*

to the Commission proposal

2020/0103 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

establishing a Technical Support Instrument

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the third paragraph of Article 175 and Article 197(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee²,

Having regard to the opinion of the Committee of the Regions³,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) In accordance with Articles 120 and 121 of the Treaty on the Functioning of the European Union ('the Treaty'), Member States are required to conduct their economic policies with a view to contributing to the achievement of the objectives of the Union and in the context of the broad guidelines that the Council formulates. ■ Article 148 of the Treaty *provides that* Member States *are to* implement employment policies that take into account the guidelines for employment. The coordination of the economic policies of the Member States is therefore a matter of common concern.
- (2) Article 175 of the Treaty provides, inter alia, that Member States should coordinate their economic policies in such a way as to attain the objectives on economic social and territorial cohesion set out in Article 174.

* Amendments: new or amended text is highlighted in bold italics; deletions are indicated by the symbol ■ .

² OJ C , , p. .

³ OJ C , , p. .

- (3) The **COVID-19 outbreak** in early 2020 changed the economic *and social* outlook for the years to come in the *Union* and in the world. In the Union, new priorities have emerged, linked with the crisis, specifically focussing on recovery and resilience. *Those priorities* require an urgent and coordinated response from the Union in order to cope with the economic, *social and health-related* consequences for Member States as well *as* to mitigate the social, *economic and territorial* fallouts. The **COVID-19 crisis** as well as the previous economic and financial crisis have shown that developing sound and resilient economies and financial systems built on strong *sustainable* economic and social structures helps Member States to respond more efficiently to shocks and recover more swiftly from them. *At the same time, those crises have clearly indicated the need for rapid and coherent responses to major external shocks that require preparedness of health systems, of essential public services and of key public sectors as well as the existence of effective social protection mechanisms. The Five Presidents' Report of 22 June 2015 emphasised the need to strengthen and complete the Economic and Monetary Union's economic and institutional architecture. In particular, it highlighted the importance of overcoming the economic, social and territorial divergence witnessed during the economic and financial crisis of 2008 and embarking on a new convergence process. Moreover, the COVID-19 crisis has again clearly demonstrated the need to urgently deepen the Economic and Monetary Union and to improve the resilience of Member States' economies. In that context, it is crucial to continue the push for firstly, boosting investment, secondly, pursuing effective reforms that foster sustainable, smart, socially responsible and inclusive growth, and thirdly, adopting sound fiscal policies.* Growth enhancing, *sustainable and resilience-enhancing* reforms and investments to *respond to the new challenges*, address structural weaknesses of the economies and strengthen their resilience will therefore be essential to set the economies and societies back on a sustainable recovery path *and to boost sustainable and inclusive growth potential, strengthen the adjustment capacity, create high-quality jobs, foster investment and support the process of upward economic, social and territorial convergence. In that context, it is crucial to continue to focus on the well-being of Union citizens and common objectives and to overcome the economic, social and territorial divergences in the Union.*
- (4) At Union level, the European Semester of economic policy coordination is the framework to identify *challenges and* national reform priorities and monitor *the implementation of those priorities. As part of the European Semester, Parliament has stated that socially responsible reforms must be based on solidarity, integration, social justice and a fair distribution of wealth and income, thereby creating a model that ensures competitiveness, equality and social protection, protects vulnerable groups and improves living standards for all citizens, key principles of the European Pillar of Social Rights.* Member States develop their own national multiannual investment strategies in support of *the reform priorities in the context of the European Semester.* Those strategies are presented alongside the yearly National Reform Programmes as a way to outline and coordinate priorities to be supported by national and/or Union funding. They should also serve to use Union funding in a coherent manner, *to achieve the objectives laid down in this Regulation*, and to maximise the added value of the financial support to be received notably from the programmes supported by the Union under the structural and cohesion funds, and from other programmes. *Reforms undertaken in the context of the European Semester should take the long-term social, climate-related and environmental consequences into consideration in line with the*

European Commission Communications: Annual Sustainable Growth Strategy 2020 and the 2021 Annual Sustainable Growth Strategy. Furthermore, a particular focus should be put on gender equality, since women have been hit especially hard by economic consequences of the Covid-19 pandemic, as highlighted by Union agencies such as the European Institute for Gender Equality (EIGE) and the Joint Research Centre (JRC).

- (4a) *The country-specific recommendations issued within the framework of the European Semester have still not been sufficiently implemented by the Member States. While Member States implemented on average just 53 % of the country-specific recommendations between 2012 and 2018, the potential positive spill-over effects of better coordination of fiscal policy represent around 0,2 % to 0,3 % of GDP, or between EUR 30 and EUR 45 billion per year, according to 2017 estimates by the European Central Bank and the Commission's 2018 estimates. In that context, the Technical Support Instrument as well as its capacity and size can also be understood as an investment in the future with a high Union added value.*
- (5) Regulation (EU) 2017/825 of the European Parliament and the Council⁴ established the Structural Reform Support Programme (SRSP) for the period 2017 to 2020, with a budget of EUR 142 800 000. The SRSP was established to strengthen the capacity of Member States to prepare and implement growth-sustaining administrative and structural reforms, including through assistance for the efficient and effective use of the Union funds. Technical support under *the SRSP* is provided by the Commission, upon request from a Member State, and can cover a wide range of policy areas. This Regulation is designed as a continuation of that programme which has been positively received by the Member States, *while incorporating the necessary improvements and adjustments.*
- (6) Member States have increasingly taken up technical support under the SRSP. **Therefore,** this Regulation *should establish* a technical support instrument with a view to continuing *and significantly enhancing* support for Member States in the implementation of reforms. *That instrument should also constitute an important element of a sustainable and fair z Union recovery from the COVID crisis and should be given sufficient financial resources to fulfil its intended objectives.*
- (7) Reflecting the European Green Deal as Europe's growth strategy and the translation of the Union's commitments to implement the Paris Agreement and the United Nations' Sustainable Development Goals, the technical support instrument will contribute to mainstreaming climate actions and to the achievement of an overall target of **30 %** of the *Union budget* supporting climate objectives *and 10 % supporting biodiversity objectives. Measures and policy goals financed under that instrument should be consistent with the "do no harm" principle of the European Green Deal pursuant to the relevant regulatory acts. Acknowledging the importance of digitisation across all areas of the Union economy and society, the Technical Support Instrument should also support reforms and investments in towards ensuring a digital recovery, including in digital infrastructure and skills and e-government solutions, including secure digital communication systems such as video-conferencing that will contribute*

⁴ Regulation (EU) 2017/825 of the European Parliament and of the Council of 17 May 2017 on the establishment of the Structural Reform Support Programme for the period 2017 to 2020 and amending Regulations (EU) No 1303/2013 and (EU) No 1305/2013 (OJ L 129, 19.5.2017, p. 1).

to the aim of creating a Digital Single Market. The Technical Support Instrument should also contribute to the implementation of the commitments of the Union and of Member States in the context of the European Pillar of Social Rights. Relevant actions should be identified during the preparation and implementation of the Technical Support Instrument, and reassessed in the context of the relevant evaluations and review processes. Those actions should also tackle environmental, digital and social challenges within the Union, including the protection of biodiversity and natural capital and the support to the circular economy and to the energy transition and should be in line with the 2030 Agenda for Sustainable Development, including its 5th goal concerning gender equality.

- (8) The general *objectives* of the *Technical Support Instrument* should be to promote the Union's economic, social and territorial cohesion *and green and digital transformation* by supporting Member States efforts to implement reforms, *to encourage public and private investment to support sustainable and fair economic, social and gender equal recovery beyond the COVID-19 crisis that will be necessary to achieve resilience and upward economic and social convergence, reduce poverty and inequality and increase competitiveness and to effectively address the country-specific recommendations adopted in the context of the European Semester, to support Member States' efforts to strengthen their institutional and administrative capacity and judicial framework* to implement Union law in relation to challenges faced by institutions, governance and public administration, *including at regional and local levels, as well as economic and social sectors and to implement policy objectives in line with the commitments of the Union and of Member States in the context of the Paris Agreement, achieving the Union's 2030 climate and energy targets and climate neutrality by 2050, the United Nations Sustainable Development Goals and the European Pillar of Social Rights.*
- (9) *For the purpose of achieving the general objectives of the Technical Support Instrument, specific objectives should be defined. Technical Support Instrument should have the specific objectives of assisting national authorities in improving their capacity to design, develop and implement reforms, such as the preparation, implementation, revision and improvement of national recovery and resilience plans pursuant to Regulation (EU) No YYY/XX, including through exchange of good practices, appropriate processes and methodologies, broad stakeholder involvement and a more effective and efficient human resources management. Those specific objectives should be pursued in close cooperation with the Member States concerned.*
- (10) With a view to helping Member States address reform needs *and design, develop and implement reforms and investment* in all the key economic and societal areas, technical support should continue to be provided by the Commission, upon request from a Member State, in a broad range of policy domains, which include areas related to public financial and asset management, institutional and administrative reform, business environment, the financial sector, markets for products, services and labour, education and training, sustainable development, public health and social welfare *and care, policies promoting and improving financial literacy including risk awareness and financial sector policies and regulation including supervision, policies on early detection and coordinated response capabilities, as well as the development of infrastructure in these domains.* Specific emphasis should be given to the actions that foster the green and digital transitions. *The Technical Support Instrument should also*

encourage convergence towards accession to the euro area of those Member States whose currency is not the euro.

- (11) This Regulation lays down a financial envelope for the Technical Support Instrument, which is to constitute the prime reference amount, within the meaning of the Interinstitutional Agreement on budgetary discipline, on cooperation in budgetary matters and on sound financial management⁵, for the European Parliament and the Council during the annual budgetary procedure.
- (12) In order to cater for additional needs under the Technical Support Instrument, Member States should have the possibility to transfer to the budget of that instrument resources programmed in shared management under the Union funds, in accordance with the procedure thereof ***with a maximum limit of 3% of the budgetary envelope of the Member State concerned under shared management for the period from 2021 to 2027***. Transferred resources should be implemented in accordance with the rules of that instrument and should be used exclusively for the benefit of the Member State concerned. The Commission should provide feedback to the Member State concerned on the use of the additional voluntary contributions. ***Those additional resources should be used in accordance with the rules and for the purpose of the Technical Support Instrument. In addition, Member States should also be able to transfer, at their request, additional resources to the budget of the Technical Support Instrument.***
- (12a) ***In order to cater for additional needs under the Technical Support Instrument, Member States should have the possibility to transfer to the budget of that instrument resources programmed under the Recovery and Resilience Facility, in accordance with the procedure thereof. Transferred resources should be implemented in accordance with the rules of that instrument and should be used exclusively for the benefit of the Member State concerned. The Commission should provide feedback to the Member State concerned on the use of the additional voluntary contributions. Those additional resources should be used under the rules and for the purpose of the Technical Support Instrument in accordance with this Regulation.***
- (13) The Technical Support Instrument should be provided on request, in order to support the implementation of reforms ***and investments that are*** undertaken at the initiative of the Member States ***and that are in line with the objectives of the instrument***, reforms in the context of economic governance processes ***that address effectively the country-specific recommendations issued in the context of the European Semester***, or actions related to the implementation of Union law, and reforms in relation to the implementation of economic adjustment programmes. ***The Technical Support Instrument*** should also provide technical support for the preparation, ***the*** implementation ***and revision*** of recovery plans to be undertaken under Regulation (EU) No YYY/XX.
- (14) In line with ***existing*** rules and practice ***the*** under ***the*** SRSP, a ***simple*** process for the submission of requests for technical support should be established. For ***that*** reason, requests by Member States should be submitted by 31 October of a calendar year, ***except requests made for the purpose of amending or replacing the recovery and resilience plans in accordance with Regulation No YYY/XX, which it should be possible to submit at any time.*** Respecting the overarching principle of equal treatment, sound financial management and transparency, appropriate criteria for the analysis of the

⁵ Interinstitutional agreement between the European Parliament, the Council of the European Union and the European Commission on better law-making of 13 April 2016 (OJ L 123, 12.5.2016, p. 1–14)

requests submitted by Member States should be laid down. Those criteria should be based on the urgency, the severity and extent of the problems, as well as on the support needs identified in respect of the policy areas where technical support is envisaged.

- (14a) ***The Commission should encourage Member States with high support needs to use the Technical Support Instrument. In order for the reforms pursued to gather wide support and ownership, Member States wishing to benefit from the Technical Support Instrument should, as part of the request for technical support, consult, , where appropriate, , relevant stakeholders, such as local and regional authorities, business, the social partners and civil society, in line with the relevant provisions of the Code of Conduct on Partnership under cohesion policy, as well as their national parliaments. Such consultations should be carried out in line with national laws and practices.***
- (15) The content of the cooperation and support plans detailing the measures for the provision of technical support to Members States should also be specified. To that end, the technical support measures envisaged and the related estimated global financial contribution should take into account the actions and activities financed by Union funds or Union programmes.
- 15(a) ***In order to enhance the dialogue between the Union institutions, in particular the European Parliament, the Council and the Commission, and to ensure greater transparency and accountability, the competent committee of the European Parliament may invite representatives of the Council and of the Commission to discuss the implementation of the instrument.***
- (16) For the purposes of accountability, transparency and to ensure visibility of the Union action, subject to certain conditions that protect sensitive information, the cooperation and support plans should be ***submitted simultaneously*** to the European Parliament and the Council ***without undue delay*** and communication activities should be carried out by the Commission as appropriate, ***including through joint communication activities with the national authorities and the representation offices of the European Parliament and of the Commission in the Member State concerned. The Commission should publish on its website a complete list of the projects supported and the amount allocated to each of them. That list should be regularly updated.***
- (16a) ***Transparency is an essential prerequisite of a democratic system and is therefore entrenched the Treaties. It promotes good governance and builds trust in the decision-making process, thereby enhancing the legitimacy and credibility of public institutions. It is an extremely important tool to prevent corruption and bad governance practices. Transparency requires the disclosure of information on decision-making and public spending, while ensuring citizens' access to such information. To ensure maximum transparency concerning the actions and financial flows under the Technical Support Instrument, all relevant information concerning projects should be published in a standardised and comparable open and machine-readable format on an official publicly available register. When data cannot be made accessible to the general public, the responsible authority should explain the nature of the confidentiality. In addition, where appropriate, software and hardware as well as studies resulting should be made available to the general public.***
- (17) Provisions on the implementation of the Technical Support Instrument should be laid down, in particular the management modes, the forms of funding for the technical

support measures and the content of work programmes, which should be adopted by way of *delegated acts*. In view of the importance of sustaining the efforts of *national authorities* pursuing and implementing reforms *and investments*, it is necessary to allow for a co-financing rate for grants of up to 100% of the eligible costs. To allow for a rapid mobilisation of technical support in case of urgency, provision should be made for the adoption of special measures for a limited period of time. To that effect, a limited amount of the budget within the work programme of the Technical Support Instrument, *not exceeding 10 % of the yearly allocation*, should be set aside for special measures.

- (18) In order to ensure an efficient and coherent allocation of funds from the Union budget and to respect the principle of sound financial management, actions under this Regulation should be consistent with and be complementary to ongoing Union programmes, whilst avoiding double funding for the same expenditure. In particular, the Commission and the *national authorities* should ensure, in all stages of the process, effective coordination in order to safeguard the consistency, coherence, complementarity and synergy among sources of funding *between the Technical Support Instrument and other Union programmes and instruments, and in particular with measures financed by the Union funds*, including technical assistance thereof, *to avoid any duplications or overlaps throughout*.
- (19) Pursuant to paragraphs 22 and 23 of the Interinstitutional Agreement *of 13 April 2016* for Better Law-Making, there is a need to evaluate the instrument established by this Regulation on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burdens, *simplifying administrative procedures and promoting administrative cooperation*, in particular on Member States. *Those* requirements, where appropriate, should include measurable indicators, as a basis for evaluating the effects of the instrument on the ground.
- (20) *The* Commission *should* provide *a biannual report simultaneously* to the European Parliament and the Council on the implementation of this Regulation. *In addition, an* independent mid-term evaluation, looking at the achievement of the objectives of the instrument established by this Regulation, the efficiency of the use of its resources and its added value should be carried out. *Where necessary, that mid-term evaluation report should be accompanied by legislative proposals for amending this Regulation.* An independent ex-post evaluation should █ deal with the long-term impact of the instrument.
- (21) The work programmes for the implementation of technical support should be established. In order to ensure uniform conditions for the implementation of this Regulation, *power to adopt delegated acts* should be conferred on the Commission. Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty apply to this Regulation. *Those* rules are laid down in Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council (the ‘Financial Regulation’)⁶ and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules

⁶ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

adopted on the basis of Article 322 TFEU also concern the *rules necessary for the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States in accordance with Regulation (EU) YYYY/XX of the European Parliament and of the Council [Rule of Law Mechanism in the MFF]*⁷, as the *full respect for the rule of law is an essential prerequisite for the legitimacy of the European project as a whole, a basic condition for building citizens' trust in the Union and ensuring the effective implementation of its policies as well as*, ■ an essential precondition for sound financial management and effective EU funding.

- (22) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council⁸, Council Regulation (Euratom, EC) No 2988/95⁹, Council Regulation (Euratom, EC) No 2185/96¹⁰ and Council Regulation (EU) 2017/1939¹¹, the financial interests of the Union are to be protected through proportionate measures, including *measures relating to* the prevention, detection, correction and investigation of irregularities *including* fraud, *to* the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative *penalties*. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, the European Anti-Fraud Office (OLAF) *has the power to* carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. ■ *The* European Public Prosecutor's Office (EPPO) *is empowered, in accordance with Regulation (EU) 2017/1939, to* investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council¹². In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the ■ financial interests *of the Union*, ■ grant the necessary rights and access to the Commission, OLAF, *the Court of Auditors, and, in respect of those Member States participating in enhanced cooperation pursuant to Regulation (EU) 2017/1939, the EPPO and* ■ ensure that any third parties involved in the implementation of Union funds grant equivalent rights ■.
- (23) Since the objective of this Regulation cannot be sufficiently achieved by the Member States ■, but can rather be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set

⁷ OJ C , , p. .

⁸ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999, (OJ L248, 18.9.2013, p. 1)

⁹ Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p.1)

¹⁰ 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 (OJ L292, 15.11.96, p.2)

¹¹ Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L283, 31.10.2017, p.1)

¹² Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29)

out in that Article, this Regulation does not go beyond that which is necessary to achieve that objective.

- (24) This Regulation should not affect the continuation and modification of support measures approved by the Commission on the basis of Regulation (EU) 2017/825 or any other Union act applying to that assistance by 31 December 2020. Measures approved under Regulation (EU) 2017/825 should therefore remain valid. ***In addition, actions that pursue the objectives of the Technical Support Instrument started from 1 February 2020 onwards should be eligible.*** To that effect, a transitional provision should also be laid down ***allowing also that.***
- (25) In order to allow for the prompt application of the measures provided for in this Regulation, this Regulation should enter into force on the day following that of its publication in the Official Journal of the European Union,

HAVE ADOPTED THIS REGULATION:

CHAPTER I

General provisions

Article 1 Subject matter

This Regulation establishes a Technical Support Instrument ('the instrument').

It lays down the ***general and specific*** objectives of the instrument, the budget for the period 2021 – 2027, the forms of Union funding and the rules for providing such funding.

Article 2 Definitions

For the purposes of this Regulation, the following definitions apply:

- (1) 'technical support' means measures that help Member States, ***including their national authorities***, to carry out ***and implement*** institutional, administrative, ***structural*** and growth-sustaining, ***sustainable, socially-inclusive, fair*** and resilience-enhancing reforms, ***and investments that strengthen the economic, social and territorial cohesion and social dialogue, including those in the context of the Union recovery from the COVID-19 crisis;***
- (2) 'national authority' means one or more public authority at the level of government, including those at regional and local levels, as well as Member State organisations within the meaning of Article 2(42) of the Financial Regulation, cooperating in a spirit of partnership in accordance with the Member States' institutional and legal framework;
- (3) 'Union funds' means the funds covered by Regulation (EU) YYY/XX of the European Parliament and of the Council [CPR successor]¹³;

¹³ OJ C , , p. .

- (4) ‘international organisation’ means an organisation within the meaning of Article 156 of the Financial Regulation, and organisations assimilated with such an international organisation pursuant to that Article.
- (4a) *‘European Semester of economic policy coordination’ or ‘European Semester’ means the process set out in Article 2a of Council Regulation (EC) No 1466/97 of 7 July 1997¹⁴;*
- (4b) *‘country-specific recommendations’ means the Council recommendations addressed to each Member State in accordance with Articles 121(2) and 148(4) TFEU in the context of the European Semester.*

Article 3 General objective

The general objective of the instrument shall be to promote the Union’s economic, social and territorial cohesion ***and green and digital transformation*** by supporting Member States efforts to implement reforms ***and encourage public and private investment that will support a sustainable and fair economic, social and gender equal recovery beyond the COVID-19 crisis*** which is necessary to achieve ■ resilience and upward economic and social convergence, to ***reduce poverty and inequality, and to increase competitiveness, and to effectively address the country-specific recommendations adopted in the context of the European Semester, ■*** to support Member States’ efforts to strengthen their ***institutional and administrative capacity and judicial framework*** to implement Union law in relation to challenges faced by institutions, governance ***and public administration, including at regional and local levels, as well as economic and social sectors, and to implement policy objectives in line with the commitments of the Union and of Member States in the context of the Paris Agreement, the objective to achieve the Union’s 2030 climate and energy targets, and climate neutrality by 2050, the United Nations Sustainable Development Goals and the European Pillar of Social Rights.***

Article 4 Specific objectives

To achieve the general objective set out in Article 3, the instrument shall have the specific objectives of assisting national authorities in improving their capacity to design, develop and implement reforms ***and investments, such as the preparation, implementation, revision and improvement of national recovery and resilience plans pursuant to Regulation (EU) No YYY/XX***, including through exchange of good practices, appropriate processes and methodologies ***broad stakeholder involvement*** and a more effective and efficient human resources management. Those specific objectives shall be pursued in close cooperation with the Member States concerned.

Article 5 Scope

The specific objectives set out in Article 4 shall refer to policy areas related to cohesion, competitiveness, education, productivity, research and innovation, smart, fair, sustainable, and

¹⁴ *Council Regulation (EC) No 1466/97 of 7 July 1997 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies (OJ L 209, 2.8.1997, p. 1).*

inclusive growth, jobs and investment, with specific emphasis to actions that foster the **just** green and digital transitions, and in particular **shall focus on** to one or more of the following **reforms and investments**:

- (a) **modern and effective administrative structures and information management systems** for public financial and asset management, budget process, **including gender budgeting**, macro-fiscal **and economic** framework, debt and cash management, expenditure and tax policy, tax compliance, **fighting** aggressive tax planning, tax fraud, **and** evasion **and avoidance** and revenue administration and customs union;
- (b) institutional reform and efficient and service-oriented functioning of public administration and e-government, **including the digitisation of public administration and**, where appropriate, through the **clarification or simplification of rules and procedures and the promotion of administrative cooperation**, effective rule of law, reform of the justice systems, **through the capacity building of competition and antitrust authorities** and reinforcement of the fight against fraud, corruption and money laundering, **including auditing, administrative or criminal investigative support and budgetary control activities, and strengthening of financial supervision**;
- (c) business environment, **especially** for small and medium-sized enterprises **self-employed people, entrepreneurs and** social economy enterprises, re-industrialisation **and relocation of production in the Union**, private sector development, product and service markets, **public and private** investment, **technical support for project promoters and nurseries**, public participation in enterprises, **and** trade and foreign direct investment, competition and **efficient and transparent** public procurement, sustainable sectoral development and support for research and innovation and digitisation;
- (d) education, **life-long learning** and training, **including vocational education and training, youth policies**, labour market policies, including social dialogue, for the creation of **high-quality** jobs, **increased labour market participation of under-represented groups, promotion of active ageing**, up- and re-skilling, in particular digital skills, media literacy, active citizenship, the fight against poverty and **and** income inequality, **racism and all forms of discrimination**, gender equality, **housing**, the promotion of social inclusion, **civil protection, asylum, migration and integration and border policies**;
- (da) **accessible and affordable public health, accessible** and inclusive social security and social welfare systems, **resilient care systems and more equitable access to care, healthcare, child care and care** systems; **and**
- (e) policies for **the mitigation of climate change and for** implementing the digital and the green **just** transitions, e-government solutions, e-procurement, connectivity, data access and governance, **data protection solutions**, e-learning, use of Artificial Intelligence based solutions **with transparent algorithms, open software and hardware solutions**, the environmental pillar of sustainable development and environmental protection, climate action, **transport and** mobility **including public transport**, promoting the circular economy, energy and resource efficiency, renewable energy sources, achieving energy diversification and ensuring energy security, and for the agricultural sector, soil

and biodiversity protection, **tackling energy poverty**, fisheries and the sustainable development of rural, **remote and insular** areas; ■

- (f) **policies promoting and improving financial literacy and financial sector policies and regulation**, including: ■, financial stability, access to finance and lending to the real economy, **in particular for SMEs, self-employed and entrepreneurs** and production, provision and quality monitoring of data and statistics;
- (fa) **infrastructure sector policies, including the design, preparation and implementation of physical and virtual infrastructure in the policy areas referred to in points (a) to (f);**
- (fb) **policies that are relevant to preparation for euro-area membership, as well as policies encouraging nominal and real convergence towards accession to the euro area of those Member States whose currency is not the euro; and**
- (fc) **policies on early detection and coordinated response capabilities to react in case of substantial risks to public health or security as well as on advancing business and service continuity solutions for essential public and private institutions and sectors.**

Article 6 Budget

1. The **overall** financial envelope for the implementation of the instrument for the period 2021-2027 shall be EUR 1 450 000 000 in current prices. **For the period from 2021 to 2024, the financial envelope shall be EUR 1 000 000 000 in current prices. For the period from 2025 to 2027, the financial envelope shall be EUR 450 000 000 in current prices.**
2. The financial envelope for the instrument may also cover expenses pertaining to preparatory, monitoring, control, audit and evaluation activities, which are required for the management of the instrument and the achievement of its objectives, in particular studies, meetings of experts, information and communication actions, including corporate communication of the political priorities of the Union, in so far as they are related to the objectives of this Regulation, expenses linked to IT networks focusing on information processing and exchange, including corporate information technology tools, and all other technical and administrative assistance expenses incurred by the Commission for the management of the instrument. Expenses may also cover the costs of other supporting activities such as quality control and monitoring of technical support projects on the ground, **in particular by sending experts**, and the costs of peer counselling and experts for the assessment and implementation of structural reforms.
3. Resources allocated to Member States under shared management may, at their request, be transferred to the instrument **with a maximum limit of 3 % of the budgetary envelope of the Member State concerned under shared management for the period from 2021 to 2027**. The Commission shall implement those resources directly in accordance with point (a) of Article 62(1) of the Financial Regulation or indirectly in accordance with point (c) of that Article. Those resources shall be used **in accordance with the rules and for the purpose of the instrument in accordance with this**

Regulation for the benefit of the Member State concerned, **including at regional and local levels.**

Article 6a

Contribution of additional resources to the budget

1. ***In addition to the budget set out in Article 6, Member States may, at their request, transfer additional resources to the budget of the instrument.***
2. ***The additional resources shall constitute external assigned revenue in addition to the cases listed in Article 21(2)(a) of the Financial Regulation. Article 22(2)(a) of the Financial Regulation shall apply to those additional resources.***
3. ***The additional resources shall be used to finance actions set out in Article 7 and shall be used exclusively for the benefit of the Member State concerned.***

CHAPTER II

Technical support

Article 7

Eligible actions for technical support

Pursuant to the objectives set out in Articles 3 and 4, the instrument shall finance ■ the following types of action ***with a view of facilitating absorption capacity:***

- (a) expertise related to policy advice, policy change, formulation of strategies and reform ***and investment*** roadmaps, ■ to legislative, institutional, structural and administrative reforms ***as well as to auditing administrative or criminal investigative support and budgetary control activities;***
- (b) the short-term or long-term provision of experts, including resident experts, to perform tasks in specific domains or to carry out operational activities, where necessary with interpretation, translation and cooperation support, administrative assistance and infrastructure and equipment facilities;
- (c) institutional, administrative or sectoral capacity building and related supporting actions at all governance levels, also contributing to the empowerment of civil society, including social partners, as appropriate, in particular:
 - (i) seminars, conferences and workshops, ***if duly justified and necessary for reaching the general and specific objectives set out in Articles 3 and 4, with a broad range of stakeholders through different fora, including women's organisations and representatives of vulnerable groups;***
 - (ii) ***exchanges of best practices, including , if duly justified,*** working visits to relevant Member States or third countries to enable officials to acquire or increase their expertise or knowledge in relevant matters;

- (iii) training actions and the development of online or other training modules to support the necessary professional skills and knowledge relating to the relevant reforms;
- (d) collection of data and statistics, *including gender disaggregated data, monitoring of eligible reforms*, development of common methodologies, *including gender and climate mainstreaming and tracking*, and, *in relation to the objectives of the European Semester, the European Pillar of Social Rights and the evaluation of the various programmes in the course of the MFF mid-term revision and*, where appropriate, indicators or benchmarks;
- (e) organisation of local operational support in areas such as *civil protection*, asylum, migration, *integration* and border control;
- (f) IT capacity building, *with an emphasis on interoperable or common solutions amongst Member States*, including expertise related to development, maintenance, operation and quality control of the IT infrastructure and applications needed to implement the relevant reforms, cybersecurity, *open software and hardware solutions, data protection solutions* as well as expertise related to programmes geared towards the digitalisation of public services, *in particular in services such as healthcare, care, education or the judiciary, which have a major client driven component*;
- (g) studies, research, analyses and surveys, *feasibility studies*, evaluations and impact assessments, *including gender impact assessments* and *technical documentation of both results and impacts, quantitative and qualitative, in line with the objectives set* and the development and publication of guides, reports and educational material *to be made available online*;
- (h) communication projects for learning, including e-learning, cooperation, awareness raising, dissemination activities and exchange of good practices; organisation of awareness-raising and information campaigns, media campaigns and events, including corporate communication and communication, where appropriate, through social networks *and/or platforms taking into account the needs of a communication strategy*;
- (i) compilation and publication of materials to disseminate information and the results of technical support provided under the instrument, including through the development, operation and maintenance of systems and tools using information and communication technologies; and
- (j) any other relevant activity in support of the general and specific objectives set out in Articles 3 and 4.

Article 8

Request for technical support

1. A Member State wishing to receive technical support under the instrument shall submit a request for technical support to the Commission, identifying the policy areas and the priorities for support within the scope as set out in Article 5. **Such** requests shall be submitted by 31 October of a calendar year. The Commission may provide guidance on the main elements to be included in the request for support *and may further*

promote and encourage the use of the instrument by Member States with high support needs.

- 1a. *In order for the reforms pursued to gather wide support and ownership, Member States wishing to benefit from the instrument shall consult relevant stakeholders as part of the request for technical support, in line with national laws and practices and where appropriate.*
2. Members States may submit a request for technical support in the following circumstances linked to:
- (a) the implementation of reforms by Member States, undertaken on their own initiative *and in line with the general and specific objectives set out in Articles 3 and 4* **■** ;
 - (aa) *the implementation of growth- and resilience enhancing, socially and environmentally sustainable reforms in the context of the economic governance processes, effectively addressing the country-specific recommendations issued in the context of the European Semester or actions related to counter-cyclicality and/or the implementation of Union law;*
 - (b) the implementation of economic adjustment programmes for Member States that receive Union financial assistance under existing instruments, in particular in accordance with Regulation (EU) No 472/2013 of the European Parliament and of the Council¹⁵ as regards the Member States whose currency is the euro and Council Regulation (EC) No 332/2002¹⁶ as regards Member States whose currency is not the euro;
 -
 - (d) the preparation of recovery and resilience plans pursuant to Regulation (EU) No YYY/XX and the implementation thereof undertaken by Member States;
 - (e) *the revision and improvement of recovery and resilience plans pursuant to Regulation (EU) No YYY/XX.*
- 2a. *Member States may at any time submit requests that fall under point (e) of paragraph 2 of this Article with a view to amending or replacing their proposals in accordance with Article 18 of Regulation (EU) No YYY/XX.*
3. Taking into account the principles of transparency, equal treatment and sound financial management, and further to a dialogue with the Member State, including in the context of the European Semester, the Commission shall analyse the request for support referred to in paragraph 1 based on the urgency, breadth and depth of the **challenges** identified, support needs in respect of the policy areas concerned, analysis of socioeconomic indicators *and institutional* and general administrative capacity of the Member State.

Based on that analysis, and taking into account the existing actions and measures financed by Union funds or other Union programmes, the Commission shall come to

¹⁵ Regulation (EU) No 472/2013 of the European Parliament and of the Council of 21 May 2013 on the strengthening of economic and budgetary surveillance of Member States in the euro area experiencing or threatened with serious difficulties with respect to their financial stability (OJ L 140, 27.5.2013, p. 1)

¹⁶ Council Regulation (EC) No 332/2002 of 18 February 2002 establishing a facility providing medium-term financial assistance for Member States' balances of payments (OJ L 53, 23.2.2002, p. 1)

an agreement with the Member State concerned on the priority areas for support, the objectives, *clear reform commitments where applicable*, an indicative timeline, *milestones where applicable*, the scope of the support measures to be provided and the estimated global financial contribution for such technical support, which shall be set out in a cooperation and support plan.

4. The cooperation and support plan referred to in paragraph 3 shall identify, separately from other technical support, the measures linked to the recovery and resilience plans for the Member States pursuant to Regulation (EU) No YYY/XX.

Article 9

Information to the European Parliament and the Council and communication on the cooperation and support plans

1. The Commission shall transmit **■** the cooperation and support plan *simultaneously* to the European Parliament and the Council without undue delay *for the purposes of democratic accountability and visibility of Union action.* **■**
■
3. The Commission *shall* engage in communication activities to ensure the visibility of **■** Union funding for *packages of* support measures envisaged in the cooperation and support plans, including through joint communication activities with the national authorities, *and the representation offices of the European Parliament and of the Commission in the Member State* concerned. *The Commission shall publish on its website a complete list of the projects supported and for the amounts allocated to each of them. That list shall be regularly updated. The Commission shall regularly inform the representation offices of the European Parliament and of the Commission and the Europa Experience centres of these projects in the Member States concerned.*

Article 10

Transfers of resources to the instrument

1. In addition to the financial envelope set out in Article 6(1), the technical support budget may be financed through voluntary transfers from Member States made in accordance with Article 21 of Regulation [CPR successor], and pursuant to the procedure set out in that Article, as referred to in Article 6(3) of this Regulation.
- 1a. *In addition to the financial envelope set out in Article 6(1), Member States may propose to allocate part of their Reform and Resilience Plan to the Technical Support Instrument. The amount allocated shall contribute to increase the technical support for preparing, amending and improving their Recovery and Resilience Plans. The amount allocated shall be implemented in accordance with the rules of the Technical Support Instrument. The Commission shall implement those resources in accordance with point (a) of Article 62(1) of the Financial Regulation.*
2. A transfer made by a Member State in accordance with paragraph 1 shall be used exclusively in that Member State.

Article 11
Complementary funding

Actions financed under the instrument may receive support from other Union programmes, instruments or funds under the Union's budget provided that such support does not cover the same costs *in order to achieve a good absorption capacity of funds*.

Article 12
Implementation of technical support

1. The Commission shall implement the instrument in accordance with the Financial Regulation, *including full compliance with the rules for the protection of the Union's budget in the case of generalised deficiencies as regards the rule of law in the Member States in accordance with Regulation (EU) YYY/XX of the European Parliament and of the Council [Rule of Law Mechanism in the MFF]¹⁷*.
2. The measures under the instrument may be implemented either directly by the Commission or, indirectly, by entities and persons other than Member States in accordance with Article XX of the Financial Regulation. In particular, Union support for actions pursuant to Article 7 shall take the form of:
 - (a) grants;
 - (b) public procurement contracts;
 - (c) reimbursement of costs incurred by external experts, including experts from the national, regional or local authorities of Member States providing or receiving support;
 - (d) contributions to trust funds set up by international organisations; and
 - (e) actions carried out through indirect management.
3. Grants may be awarded to the national authorities of Member States, the European Investment Bank group, international organisations, public or private bodies and entities legally established in:
 - (a) Member States;
 - (b) European Free Trade Association countries which are party to the European Economic Area Agreement, in accordance with the conditions laid down therein.

The co-financing rate for grants shall be up to 100 % of the eligible costs.

- 3a. Grants shall only be paid out upon achievement of the objectives and progress made within indicative timelines, as set out in the cooperation and support plans.*
4. Technical support measures may be provided with the cooperation of other Member States' entities and international organisations.
5. Technical support may also be provided by individual experts, who may be invited to contribute to selected activities organised wherever that is necessary for the achievement of the specific objectives set out in Article 4.

¹⁷ OJ C, , p. .

6. In order to implement the technical support, the Commission shall adopt work programmes by way of *delegated acts, in accordance with Article 16a*.

Work programmes shall set out the allocation for the instrument. They shall also set out the measures needed for their implementation, in line with the general and specific objectives referred to in Articles 3 and 4 and, the selection and award criteria for grants, and all the elements required by the Financial Regulation.

7. To ensure timely availability of resources, a limited part of the work programme, ***not exceeding 10 % of the yearly allocation***, shall be reserved for special measures in the event of unforeseen and duly justified grounds of urgency requiring an immediate response, including a serious disturbance in the economy or significant circumstances seriously affecting the economic or social ***or health*** conditions in a Member State going beyond its control.

The Commission may, on request by a Member State wishing to receive technical support, adopt special measures in accordance with the objectives and actions defined in the instrument to provide technical support to the national authorities in addressing urgent needs. Such special measures shall be interim in nature, and shall be linked the circumstances laid down in Article 8(2). The special measures shall end within six months and may be replaced by technical support measures in accordance with the conditions set out in Article 8.

CHAPTER III

Complementarity, monitoring and evaluation

Article 13

Coordination and complementarity

1. The Commission and the Member States concerned shall, in a measure commensurate to their respective responsibilities, foster synergies and ensure effective coordination, ***complementarity and coherence*** between the ■ instrument and other Union programmes and instruments, and in particular with measures financed by the Union funds, ***to avoid any duplications or overlaps***. For that purpose, they shall:
- (a) ensure complementarity, synergy, coherence and consistency among different instruments at Union, national and, where appropriate, regional ***and local*** levels, in particular in relation to measures financed by Union funds, both in the planning phase and during implementation;
 - (b) optimise mechanisms for coordination to avoid duplication of effort; and
 - (c) ensure close cooperation between those responsible for implementation at Union, national and, where appropriate, regional ***and local*** levels to deliver coherent and streamlined support actions under the instrument.
2. The Commission shall endeavour to ensure complementarity and synergies with support provided by other relevant international organisations.

Article 14
Monitoring of implementation

1. The Commission shall monitor the implementation of the instrument and measure the achievement of the general and specific objectives set out in Articles 3 and 4 **by making use of the cooperation and support plans**. Indicators to be used for reporting on progress and for the purpose of monitoring and evaluation of this Regulation towards the achievement of the general and specific objectives are set in the Annex. The monitoring of implementation shall be targeted and proportionate to the activities carried out under the instrument.
2. The performance reporting system shall ensure that data for monitoring the implementation of the instrument and results are collected efficiently, effectively, **in a timely manner and, whenever possible, in a gender-disaggregated form**. To that end, proportionate reporting requirements shall be imposed on recipients of Union funding.

Article 15
Biannual report

1. The Commission shall submit **twice a year** a **report simultaneously** to the European Parliament and the Council on the implementation of this Regulation.
2. The **biannual** report shall include information on:
 - (a) requests for support submitted by Member States pursuant to Article 8(1);
 - (b) the analysis of the application of the criteria, referred to in Article 8(2), used to analyse the requests for support submitted by Member States;
 - (c) cooperation and support plans **as** referred to in Article 8(3);
 - (d) special measures adopted pursuant to Article 12(7); and
 - (e) **the** implementation of support measures **per Member State and, where relevant, region**.

Article 15a
Reform support dialogue

In order to enhance the dialogue between the Union institutions, in particular the European Parliament, the Council and the Commission, and to ensure greater transparency and accountability, the competent committee of the European Parliament may invite representatives of the Council and the Commission to appear before it to discuss all measures taken pursuant to this Regulation, including the biannual report pursuant to Article 15.

Article 16
Mid-term evaluation and ex-post evaluation

1. **No later than four** years after the entry into force of this Regulation, the Commission shall **submit to** the European Parliament, **the** Council, the European Economic and Social Committee and the Committee of the Regions with an independent mid-term evaluation report on the implementation of this Regulation. The Commission shall also

submit to those institutions with an independent ex post evaluation report no later than three years after the end of the period specified in Article 1.

2. The mid-term evaluation report shall, in particular, assess *the extent to which* the objectives of the instrument referred to Articles 3 and 4 have been achieved, *adequacy and* the efficiency of the use of resources, **■** the European added value *and the communication activities that have been established to ensure the visibility of Union funding*. It shall also consider the continued relevance of all objectives and actions.
3. The ex-post evaluation report shall consist of a global assessment of the implementation of this Regulation and shall include information on its impact in the long-term *and shall be submitted simultaneously to the European Parliament and the Council*.
- 3a. *If appropriate, the mid-term or ex-post evaluation reports shall be accompanied by legislative proposals for amending this Regulation.*

Article 16 a *Transparency*

Beneficiaries shall ensure, for the benefit of the general public, maximum transparency concerning the actions and financial flows under this instrument. Such transparency may only be limited by legal acts related to commercial confidentiality, applicable data protection rules or undergoing administrative or criminal investigations by the Union bodies. Beneficiaries shall publish all relevant information in line with Directive (EU) 2019/1024 of the European Parliament and of the Council¹⁸. All public procurements shall be published on the EU Open Data Portal.

CHAPTER IIIA

Exercise of delegation

Article 16b *Exercise of the delegation*

1. *The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.*
2. *The power to adopt delegated acts referred to in Article 12(6) shall be conferred on the Commission until 31 December 2028.*
3. *The delegation of power referred to in Article 12(6) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.*

¹⁸ 1a Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (OJ L 172, 26.6.2019, p. 56).

4. *Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.*
5. *As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.*
6. *A delegated act adopted pursuant to Article 12(6) shall enter into force if no objection has been expressed either by the European Parliament or by the Council within a period of three months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by three months at the initiative of the European Parliament or of the Council.*

CHAPTER IV

Transitional and final provisions

Article 17

Information, communication and publicity

1. The recipients of Union funding shall acknowledge the origin *of those funds* and ensure the visibility of the Union funding, in particular when promoting the actions and their results, by providing coherent, effective and proportionate targeted information to multiple audiences, including the media and the public.
2. The Commission shall implement information and communication actions relating to the instrument, its actions and its results, *including through joint communication activities with the national authorities and the representation offices of the European Parliament and the Commission in the Member State concerned.* Financial resources allocated to the instrument shall also contribute to the corporate communication of the political priorities of the Union, as far as they are related to the objectives referred to in Articles 3 and 4.

Article 18

Transitional provision

1. Technical support actions and activities initiated on or before 31 December 2020 pursuant to Regulation (EU) No 2017/825 shall continue to be governed by that Regulation until their completion.
- 1a Actions under this Regulation shall be eligible for financing if started from 1 February 2020 onwards, provided they pursue the objectives set out in Articles 3 and 4.*
2. The financial envelope set out in Article 6(1) may also cover technical and administrative assistance expenses, including monitoring, communication and evaluation required pursuant to Regulation No (EU) 2017/825 and not completed by 31 December 2020.

3. *If* necessary, appropriations may be entered in the budget beyond 2020 to cover the expenses provided for in Article 6(2) relating to the management of actions not completed by 31 December 2020.

Article 19

Entry into force

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

ANNEX

Indicators

The achievement of the objectives referred to in Articles 3 and 4 shall be measured on the basis of the following indicators, broken down by Member State and by area of intervention.

Indicators shall be used in accordance with data and information available, including quantitative and/or qualitative data.

Output indicators:

- (a) number of cooperation and support plans concluded;
- (a) number of technical support activities carried out;
- (b) deliverables provided by the technical support activities such as action plans, roadmaps, guidelines, handbooks, and recommendations;

Result indicators:

- (c) outcomes of the technical support activities provided, such as adoption of a strategy, adoption of a new law /act or modification of an existing one, adoption of (new) procedures and actions to enhance the implementation of reforms;

Impact indicators:

- (d) the objectives set in the cooperation and support plans, which have been achieved due, inter alia, to the technical support received.

The ex-post evaluation referred to in Article 16 shall be undertaken by the Commission also with the purpose of establishing the links between the technical support provided and the implementation of the relevant measures in the Member State concerned with a view to enhancing resilience, sustainable growth, jobs and cohesion.

30.9.2020

OPINION OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL AFFAIRS

for the Committee on Budgets and the Committee on Economic and Monetary Affairs

on the proposal for a regulation of the European Parliament and of the Council on establishing a Technical Support Instrument
(COM(2020)0409 – C9-0148/2020 – 2020/0103(COD))

Rapporteur for opinion: Dragoş Pîslaru

SHORT JUSTIFICATION

Having withdrawn its proposal for the Reform Support Programme (RSP), which included a technical support instrument, on 28 May 2020 the Commission put forward a proposal for the establishment of a standalone Technical Support Instrument available to all Member States, on a voluntary basis, as a successor to the Structural Reform Support Programme (SRSP). This instrument is part of the initiatives taken by the Commission in response to the outbreak of the COVID-19 pandemic, for helping Member States mitigate the negative economic and social consequences. It is very important to strengthen the resilience of the European economies and it is necessary to strategically plan the recovery and ensure sustainable growth.

As a successor to the SRSP, the Technical Support Instrument aims to provide support for strengthening the administrative capacity and long-term structural reforms in the Member States that, in turn, can have a significant impact on their labour market and social security systems. It also provides support to foster the implementation of the country specific recommendations addressed to Member States in the context of the European Semester. The instrument aims to promote cohesion by supporting Member States' efforts to implement reforms necessary to achieve economic and social recovery, resilience and convergence, and to strengthen their administrative capacity to implement Union law in relation to challenges faced by institutions, governance, public administration, and economic and social sectors.

In parallel to the Technical Support Instrument, in order to respond to the new challenges in the current context, the Commission has also proposed a regulation for a Recovery and Resilience Facility that will provide large scale financial support for public investments and reforms that make Member States economies more resilient, and better prepared for the future. Thus, the instrument can support Member States in the preparation, implementation,

revision and improvement of recovery and resilience plans under the Recovery and Resilience Facility.

The Rapporteur welcomes the fact that the current Commission proposal takes into account the position expressed both in the joint draft report of the BUDG and ECON Committees on the technical support instruments contained in the RSP proposal, published on 20 April 2020, as well as in the EMPL opinion on the Reform Support Programme adopted on May 26 2020. The rapporteur wishes to propose some changes linked to the current context, which highlight the importance of socially responsible, smart, sustainable and inclusive reforms and investments, which would support a sustainable and fair recovery well beyond the COVID-19 crisis.

The Commission proposal puts specific emphasis to actions that foster the green and digital transitions. In this context, the Rapporteur highlights the importance of digitisation across all areas of EU economy and society and the possible role of the instrument in supporting Member States in ensuring a digital recovery via reforms and investments in digital infrastructure and skills that will contribute to the final aim of creating a Digital Single Market.

The Rapporteur proposes extension of the scope of the instrument (Article 5) by including e.g. youth policies; social protection policies with focus on vulnerable groups; policies to reduce gender discrimination and to promote gender equality; policies to improve access to education for children and students; VET education, access to lifelong learning and integration into the labour market; policies to improve the capacity of public institutions to guarantee mobile and cross-border workers' rights, etc.

In the Rapporteur's view, the instrument should also encourage the convergence towards the accession to the euro area of the Member States whose currency is not the euro.

In a broader perspective, the Technical Support Instrument will also contribute to the implementation of the commitments of the Union and of Member States in the context of the European Pillar of Social Rights and the Charter of Fundamental Rights of the European Union.

AMENDMENTS

The Committee on Employment and Social Affairs calls on the Committee on Budgets and the Committee on Economic and Monetary Affairs, as the committees responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) The outbreak of the COVID-19 pandemic in early 2020 changed the

Amendment

(3) The outbreak of the COVID-19 pandemic in early 2020 changed the

economic outlook for the years to come in the EU and in the world. In the Union, new priorities have emerged, linked with the crisis, specifically ***focussing*** on recovery and resilience. They require an urgent and coordinated response from the Union in order to cope with the economic consequences for Member States as well to mitigate the social and economic fallouts. The current COVID-19 pandemic as well as the previous economic and financial crisis have shown that developing sound and resilient economies and financial systems built on strong economic and social structures helps Member States to respond more efficiently to shocks and recover more swiftly from them. ***Growth enhancing reforms and investments to address structural weaknesses of the economies and strengthen their resilience*** will therefore be essential to set the economies and societies back on a sustainable recovery path and overcome the economic, social and territorial divergences in the Union.

economic outlook for the years to come in the EU and in the world. In the Union, new priorities have emerged, linked with the crisis, specifically ***focusing*** on recovery and resilience ***and providing support to the most vulnerable groups affected by the crisis***. They require an urgent and coordinated response from the Union in order to cope with the economic consequences for Member States as well to mitigate the ***territorial***, social and economic fallouts. The current COVID-19 pandemic as well as the previous economic and financial crisis have shown that developing sound and resilient economies and financial ***and social welfare*** systems built on strong economic and social structures helps Member States to respond more efficiently to shocks and recover more swiftly from them. ***Socially responsible, smart, sustainable and inclusive reforms, which enhance the potential to strengthen adjustment capacity and social protection systems, boost growth, create quality jobs, foster investment and support the process of upward economic, social and territorial cohesion and convergence*** will therefore be essential to set the economies and societies back on a sustainable recovery path and overcome the economic, social and territorial divergences in the Union.

Amendment 2

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) At Union level, the European Semester of economic policy coordination is the framework to identify national reform priorities and monitor their implementation. Member States develop their own national multiannual investment strategies in support of those reform priorities. Those strategies ***are*** presented

Amendment

(4) At Union level, the European Semester of economic policy coordination is the ***principal*** framework to identify ***challenges and*** national reform priorities ***in the economic and social policy areas*** and monitor their implementation. ***Such reforms should be based on solidarity, integration, social justice and a fair***

alongside the yearly National Reform Programmes as a way to outline and coordinate priorities to be supported by national and/or Union funding. They should also serve to use Union funding in a coherent manner and to maximise the added value of the financial support to be received notably from the programmes supported by the Union under the structural and cohesion funds, and from other programmes.

distribution of wealth and income, so as to ensure equality and access to opportunities and social protection, to protect vulnerable groups, and to improve the living standards of all, which are key principles of the European Pillar of Social Rights. Member States develop their own national multiannual investment strategies in support of those reform priorities. Those strategies *should be designed based on a wide-ranging and documented public consultation process, in cooperation with the social partners, and then* presented alongside the yearly National Reform Programmes as a way to outline and coordinate priorities to be supported by national and/or Union funding. They should also serve to use Union funding in a coherent manner and to maximise the added value of the financial support to be received notably from the programmes supported by the Union under the structural and cohesion funds, and from other programmes.

Amendment 3

Proposal for a regulation Recital 6

Text proposed by the Commission

(6) Member States have increasingly taken up technical support under the SRSP in the past, therefore, through this Regulation, a technical support instrument should be established with a view to continuing to support Member States in the implementation of reforms.

Amendment

(6) Member States have increasingly taken up technical support under the SRSP in the past, therefore, through this Regulation, a technical support instrument should be established with a view to continuing to support Member States in the implementation of reforms *and of investments that will support a sustainable and fair recovery beyond the COVID-19 pandemic and will make national systems more resilient.*

Amendment 4

Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) Reflecting the European Green Deal as Europe's growth strategy and the translation of the Union's commitments to implement the Paris Agreement and the United Nations' Sustainable Development Goals, the technical support instrument will contribute to mainstreaming climate actions and to the achievement of an overall target of 25% of the EU budget expenditures supporting climate objectives. Relevant actions should be identified during the instrument's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes. ***This should also*** tackle broader environmental and social challenges within the Union, including ***the protection of*** natural capital and ***the support to*** the circular economy and be in line with the 2030 Agenda for Sustainable Development.

Amendment

(7) Reflecting the European Green Deal as Europe's growth strategy and the translation of the Union's commitments to implement the Paris Agreement and the United Nations' Sustainable Development Goals, the technical support instrument will contribute to mainstreaming climate actions and to the achievement of an overall target of 25% of the EU budget expenditures supporting climate objectives. Relevant actions should be identified during the instrument's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes. ***The instrument will also contribute to reforms that ensure the implementation of the principles of the European Pillar of Social Rights and*** tackle broader environmental and social challenges within the Union, including ***reducing inequalities, ensuring high quality public services, protecting*** natural capital and ***supporting*** the circular economy and be in line with the 2030 Agenda for Sustainable Development.

Amendment 5

Proposal for a regulation
Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) The Technical Support Instrument will also contribute to the implementation of the commitments of the Union and of Member States in the context of the European Pillar of Social Rights and to reforms and investments based on the principles of the Charter of Fundamental Rights of the European Union.

Amendment 6

Proposal for a regulation Recital 7 b (new)

Text proposed by the Commission

Amendment

(7b) The Technical Support Instrument should help to build the capacity of national authorities, public and private organisations and the populations that benefit from the projects it supports, paving the way for more efficient and effective use of recovery and resilience funds, with better implementation and a real impact on the delivery of policies that are in line with Member States' needs and their development strategies, promoting decent work that is fairly paid and based on collective bargaining; that promote public investment in infrastructure and productive sectors, supporting green and innovative development that safeguards social and territorial cohesion; that boost and invest in public services, providing high-quality and universal social responses.

Amendment 7

Proposal for a regulation Recital 7 c (new)

Text proposed by the Commission

Amendment

(7c) Acknowledging the importance of digitisation across all areas of Union economy and society, the Technical Support Instrument will support Member States in ensuring a digital transformation via reforms and investments in digital infrastructure and skills that will contribute to the overall aim of creating a Digital Single Market.

Amendment 8

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) The general objective of the technical support instrument should be to promote the Union's economic, social and territorial cohesion by supporting Member States efforts to implement reforms ***necessary to achieve*** economic ***and*** social recovery, ***resilience and convergence***. To that effect, it should support the strengthening of the administrative capacity of the Member States to implement Union law, in relation to challenges faced by institutions, governance, public administration, and economic and social sectors.

Amendment

(8) The general objective of the technical support instrument should be to ***strengthen the administrative capacity of Member States and their regional and local authorities insofar as their institutions, public administration and economic and social sectors are concerned and to assist national, regional and local authorities in their endeavours to design, develop and implement reforms. Furthermore, it should*** promote the Union's economic, social and territorial cohesion by supporting Member States efforts to implement ***socially responsible reforms and investments that will support a sustainable and fair*** economic, social ***and gender-equal*** recovery ***beyond the COVID-19 pandemic***. To that effect, it should support the strengthening of the administrative capacity of the Member States to implement Union law, in relation to challenges faced by institutions, governance, public administration and economic and social sectors.

Amendment 9

Proposal for a regulation Recital 9

Text proposed by the Commission

(9) The specific objectives of the technical support instrument should be to assist national authorities in their endeavours to design, develop and implement reforms, including through exchange of good practices, appropriate processes and methodologies and a more effective and efficient human resources

Amendment

(9) The specific objectives of the technical support instrument should be to assist national ***and local*** authorities ***and the social partners*** in their endeavours to design, develop and implement ***socially responsible and sustainable*** reforms ***and strengthen social dialogue***, including through exchange of ***data and*** good practices, appropriate processes and

management.

methodologies and a more effective and efficient human resources management.

Amendment 10

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) With a view to helping Member States address reform needs in all the key economic and societal areas, technical support should continue to be provided by the Commission, upon request from a Member State, in a broad range of policy domains, which include areas related to public financial and asset management, institutional and administrative reform, business environment, the financial sector, markets for products, services and labour, education and training, sustainable development, public health and social welfare. Specific emphasis should be given to the actions that foster the green and digital transitions.

Amendment

(10) With a view to helping Member States address reform needs in all the key economic and societal areas, technical support should continue to be provided by the Commission, upon request from a Member State, in a broad range of policy domains, which include areas related to public financial and asset management, institutional and administrative reform, business environment, the financial sector, markets for products, services and **quality jobs**, education and training, sustainable development, **demographic change**, public health and social welfare, **promotion of active ageing, economic, social and territorial cohesion, civil protection, asylum, migration and border policies, and development of infrastructure in all of those areas**. Specific emphasis should be given to the actions that foster the green and digital transitions **and social progress**. ***The Technical Support Instrument should also support actions to stimulate convergence towards accession to the euro area by those Member States whose currency is not the euro.***

Amendment 11

Proposal for a regulation

Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) In order for the reforms to gather wide support, Member States that wish to benefit from the Technical Support

Instrument should be required, as part of the process of drawing up proposals for packages, to consult relevant stakeholders, such as local and regional authorities, the economic and social partners and civil society, in line with the relevant provisions of Commission Delegated Regulation (EU) No 240/2014^{1a}, as well as national parliaments.

^{1a} Commission Delegated Regulation (EU) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds

Amendment 12

Proposal for a regulation Recital 12

Text proposed by the Commission

(12) In order to cater for additional needs under the Technical Support Instrument, Member States should have the possibility to transfer to the budget of that instrument resources programmed in shared management under the Union funds, in accordance with the procedure thereof. Transferred resources should be implemented in accordance with the rules of that instrument and should be used exclusively for the benefit of the Member State concerned. The Commission should provide feedback to the Member State concerned on the use of the additional voluntary contributions.

Amendment

(12) In order to cater for additional needs under the Technical Support Instrument, Member States should have the possibility to transfer to the budget of that instrument resources programmed in shared management under the Union funds, in accordance with the procedure thereof ***and subject to a maximum limit of 10 % of the budgetary envelope of the Member State.*** Transferred resources should be implemented in accordance with the rules of that instrument and should be used exclusively for the benefit of the Member State concerned. The Commission should provide feedback to the Member State concerned on the use of the additional voluntary contributions.

Amendment 13

Proposal for a regulation

Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) Due to the exceptional circumstances deriving from the effects of the COVID-19 pandemic, relevant actions started from 1 February 2020 onwards should be eligible for financing under the Technical Support Instrument, provided they pursue the objectives set out in this Regulation.

Amendment 14

Proposal for a regulation

Recital 13

Text proposed by the Commission

Amendment

(13) The Technical Support Instrument should be provided on request, in order to support the implementation of reforms undertaken ***at the initiative of*** the Member States, reforms in the context of economic governance processes or actions related to the implementation of Union law, and reforms in relation to the implementation of economic adjustment programmes. ***It*** should also provide technical support for the preparation and implementation of recovery plans to be undertaken under Regulation (EU) No YYY/XX.

(13) The Technical Support Instrument should be provided on request, in order to support the implementation of reforms undertaken ***in*** the Member States, reforms in the context of economic governance processes or actions related to the implementation of Union law, and reforms in relation to the implementation of economic adjustment programmes. ***The Technical Support Instrument is highly recommended and*** should also provide technical support for the preparation, ***revision, improvement*** and implementation of recovery plans to be undertaken under Regulation (EU) No YYY/XX^{1a}.

^{1a} ***Regulation (EU) YYY/XX Establishing a Recovery and Resilience Facility***

Amendment 15

Proposal for a regulation

Recital 13 a (new)

(13a) The Technical Support Instrument should also support reforms implemented through local authorities and other stakeholders. Where the European Semester, in particular the country-specific recommendations, identifies challenges that require urgent reforms but the Member State concerned makes inadequate use of the allocated funding, or such funding has been suspended by the Commission, regional and local level actions that contribute to addressing those challenges should continue to benefit from the instrument.

Amendment 16

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) In line with the rules and practice already existing under the previous programme, the SRSP, a light process for the submission of requests for technical support should be established. For this reason, requests by Member States should be submitted by 31 October of a calendar year. Respecting the overarching principle of equal treatment, sound financial management and transparency, appropriate criteria for the analysis of the requests submitted by Member States should be laid down. Those criteria should be based on the urgency, the severity and extent of the problems, as well as on the support needs identified in respect of the policy areas where technical support is envisaged.

Amendment

(14) In line with the rules and practice already existing under the previous programme, the SRSP, a light process for the submission of requests for technical support should be established. For this reason, requests by Member States should be submitted, ***following adequate consultations with relevant social partners***, by 31 October of a calendar year, ***except for requests linked to the revision and improvement of Member States' recovery and resilience plans, in particular requests made with the purpose of amending or replacing recovery and resilience plans, in accordance with Article 18 of Regulation (EU) No YYY/XX, which should be able to be submitted at any point throughout*** the year. Respecting the overarching principle of equal treatment, sound financial management and transparency, appropriate criteria for the analysis of the requests submitted by Member States should be laid

down. Those criteria should be based on the urgency, the severity and extent of the problems, as well as on the support needs identified in respect of the policy areas where technical support is envisaged.

Amendment 17

Proposal for a regulation Recital 16

Text proposed by the Commission

(16) For the purposes of accountability, transparency and to ensure visibility of the Union action, subject to certain conditions that protect sensitive information, the cooperation and support plans should be provided to the European Parliament and the Council and communication activities should be carried out by the Commission as appropriate.

Amendment

(16) For the purposes of accountability, transparency and to ensure visibility of the Union action, subject to certain conditions that protect sensitive information, the cooperation and support plans should be provided to ***and scrutinised by*** the European Parliament and the Council ***simultaneously*** and communication activities should be carried out by the Commission as appropriate.

Amendment 18

Proposal for a regulation Recital 17

Text proposed by the Commission

(17) Provisions on the implementation of the Technical Support Instrument should be laid down, in particular the management modes, the forms of funding for the technical support measures and the content of work programmes, which should be adopted by way of ***implementing*** acts. In view of the importance of sustaining the efforts of Member States in pursuing and implementing reforms, it is necessary to allow for a co-financing rate for grants of up to 100% of the eligible costs. To allow for a rapid mobilisation of technical support in case of urgency, provision should be made for the adoption of special measures for ***a limited*** period of time. To

Amendment

(17) Provisions on the implementation of the Technical Support Instrument should be laid down, in particular the management modes, the forms of funding for the technical support measures and the content of work programmes, which should be adopted by way of ***delegated*** acts. In view of the importance of sustaining the efforts of Member States in pursuing and implementing reforms, it is necessary to allow for a co-financing rate for grants of up to 100% of the eligible costs. To allow for a rapid mobilisation of technical support in case of urgency, provision should be made for the adoption of special measures for ***the*** period of time ***needed to***

that effect, a limited amount of the budget within the work programme of the Technical Support Instrument should be set aside for special measures.

overcome the challenges caused by the urgency. To that effect, a limited amount of the budget within the work programme of the Technical Support Instrument, ***not exceeding 5%^{1a} thereof***, should be set aside for special measures.

1a

https://ec.europa.eu/info/sites/info/files/annual_work_programme_of_the_structural_reform_support_programme.pdf

Amendment 19

Proposal for a regulation Recital 19

Text proposed by the Commission

(19) Pursuant to paragraphs 22 and 23 of the Interinstitutional Agreement for Better Law-Making of 13 April 2016, there is a need to evaluate the instrument established by this Regulation on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burdens, in particular on Member States. These requirements, where appropriate, should include measurable indicators, as a basis for evaluating the effects of the instrument on the ground.

Amendment

(19) Pursuant to paragraphs 22 and 23 of the Interinstitutional Agreement for Better Law-Making of 13 April 2016, there is a need to evaluate the instrument established by this Regulation on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burdens, ***simplifying administrative procedures and promoting administrative cooperation***, in particular on Member States. These requirements, where appropriate, should include measurable indicators, as a basis for evaluating the effects of the instrument on the ground.

Amendment 20

Proposal for a regulation Recital 21

Text proposed by the Commission

(21) The work programmes for the implementation of technical support should be established. ***In order to ensure uniform conditions for the implementation of this***

Amendment

(21) The work programmes for the implementation of technical support should be established. ***In order to implement the technical support the power to adopt acts***

Regulation, implementing powers should be conferred on the Commission.

Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty apply to this Regulation. These rules are laid down in Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council (the Financial Regulation)¹⁷ and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective EU funding.

¹⁷ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the adoption of work programmes. Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty apply to this Regulation. These rules are laid down in Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council (the Financial Regulation)¹⁷ and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States ***in accordance with Regulation (EU) YYY/XX of the European Parliament and of the Council^{17a}***, as the respect for the rule of law is an essential precondition for sound financial management and effective EU funding.

¹⁷ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

^{17a} Regulation (EU) YYY/XX of the European Parliament and of the Council on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States.

Amendment 21

Proposal for a regulation

Article 2 – paragraph 1 – point 1

Text proposed by the Commission

(1) ‘technical support’ means measures that help Member States to carry out institutional, administrative **and growth-sustaining and resilience-enhancing** reforms;

Amendment

(1) ‘technical support’ means measures that help Member States **at national, regional or local level to draw up, review and** carry out institutional **or** administrative reforms **that improve sustainability and resilience**;

Amendment 22

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

The general objective of the instrument shall be to promote the Union’s economic, social and territorial cohesion by supporting Member States efforts to implement reforms **necessary to achieve** economic and social recovery, resilience and upward economic and social convergence, and to support Member States’ efforts to strengthen their administrative capacity to implement Union law in relation to challenges faced by institutions, governance, public administration, and economic and social sectors.

Amendment

The general objective of the instrument shall be to promote the Union’s economic, social and territorial cohesion by supporting Member States efforts to implement reforms **and investments that support a sustainable** economic and social recovery, resilience and upward economic and social convergence, and to support Member States’ efforts to strengthen their administrative capacity to implement Union law, **including the implementation of the principles of the European Pillar of Social Rights**, in relation to challenges faced by institutions, governance **and** public administration, **including at regional and local levels**, and economic and social sectors.

Amendment 23

Proposal for a regulation

Article 4 – paragraph 1

Text proposed by the Commission

To achieve the general objective set out in

Amendment

To achieve the general objective set out in

Article 3, the instrument shall have the specific objectives of **assisting** national authorities in improving their capacity to design, develop and implement reforms, including through exchange of good practices, appropriate processes and methodologies and a more effective and efficient human resources management. Those specific objectives shall be pursued in close cooperation with the Member States concerned.

Article 3, the instrument shall have the specific objectives of **supporting** national **and, where appropriate, regional and local** authorities **and the social partners** in improving their capacity to design, develop and implement reforms **and strengthen social dialogue, and in particular the preparation, implementation, revision and improvement of national recovery and resilience plans in accordance with Regulation (EU) No YYY/XX**, including through, **among others**, exchange of **data and** good practices, appropriate processes and methodologies, **broad stakeholder involvement**, and a more effective and efficient human resources management. Those specific objectives shall be pursued in close cooperation with the Member States concerned, **and, when relevant, namely for policy areas referred to in points (d) and (e) of Article 5 (1), in accordance with the laws and practice of the Member State concerned, with the social partners of the Member State concerned.**

Amendment 24

Proposal for a regulation

Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

The specific objectives set out in Article 4 shall refer to policy areas related to cohesion, competitiveness, education, productivity, research and innovation, smart, fair, sustainable, and inclusive growth, jobs **and** investment, with specific emphasis to actions that foster the green and digital transitions, and **in particular to** one or more of the following:

Amendment

The specific objectives set out in Article 4 shall refer to policy areas related to cohesion, competitiveness, education **and training, health, social protection, insertion into the labour market**, productivity, **harnessing digital development**, research and innovation, smart, fair, sustainable, and inclusive growth, jobs, investment **and infrastructure**, with specific emphasis to actions that foster the green and digital transitions, **and actions that foster the implementation of the principles of the European Pillar of Social Rights**, and **shall focus on** one or more of the

following:

Amendment 25

Proposal for a regulation

Article 5 – paragraph 1 – point b

Text proposed by the Commission

(b) institutional reform and efficient and service-oriented functioning of public administration and e-government, including, where appropriate, through the simplification of **rules**, effective rule of law, reform of the justice systems and reinforcement of the fight against fraud, corruption and money laundering;

Amendment

(b) institutional reform and efficient, **non-discriminatory** and service-oriented functioning of public administration and e-government, **digitalisation and improved functioning of public employment services**, including, where appropriate, through the **improvement of the accessibility and affordability of public services**, simplification of **procedures and promotion of administrative cooperation**, effective rule of law **and checks and balances**, reform of the justice systems and reinforcement of the fight against fraud, corruption, money laundering **and tax evasion**;

Amendment 26

Proposal for a regulation

Article 5 – paragraph 1 – point c

Text proposed by the Commission

(c) business environment, **including** for small and medium-sized enterprises and social economy enterprises, re-industrialisation, private sector development, product and service markets, investment, public participation in enterprises, privatisation processes, trade and foreign direct investment, competition and public procurement, sustainable sectoral development and support for research **and** innovation **and** digitisation;

Amendment

(c) **a sustainable** business environment, **especially** for small and medium-sized enterprises and social economy enterprises, re-industrialisation, private sector development, product and service markets, **promoting sustainable and social** investment, public participation in enterprises, privatisation processes, trade and foreign direct investment, competition and public procurement, sustainable sectoral development and support for research, innovation, digitisation and **automation**;

Amendment 27

Proposal for a regulation

Article 5 – paragraph 1 – point d

Text proposed by the Commission

(d) education and training, labour market policies, ***including social dialogue***, for the creation of jobs, up- and re-skilling, in particular digital skills, media literacy, active citizenship, the fight against poverty ***and*** excessive income ***inequality, gender equality***, the promotion of social inclusion, adequate and inclusive social security and social welfare systems, accessible and affordable public health and healthcare systems, as well as cohesion, asylum, migration and border policies;

Amendment

(d) education and training, ***lifelong learning, youth policies, inclusive*** labour market policies for the creation of ***high quality*** jobs, ***individualised*** up- and re-skilling, in particular digital skills, ***including upskilling scientists and implementing better individual career plans for all academic staff, and measures to improve the research and development (R&D) sector, including a better deployment of R&D results in the market and access to R&D funding, as well as*** media literacy, active citizenship, the fight against poverty, excessive income ***and wealth inequalities***, the promotion of social inclusion, adequate, ***high quality, affordable*** and inclusive social security and social welfare systems, accessible and affordable public health and healthcare systems, ***the promotion of active ageing***, as well as ***economic, social and territorial cohesion, civil protection***, asylum, migration and border policies;

Amendment 28

Proposal for a regulation

Article 5 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) social protection measures with a focus on vulnerable groups, including people with disabilities, minorities, children in poverty, the elderly, migrants, participation and representation of workers, strengthening social dialogue and capacity building of social partners, reducing inequalities and all forms of discrimination, including through social assistance schemes, support allowances,

and scholarships, as well as pension reforms measures, with a focus on the sustainability of pension systems for workers and the self-employed and on equal opportunities for women and men to acquire pension rights, in line with the implementation of the European Pillar of Social Rights, while helping to ensure that no-one is left behind;

Amendment 29

Proposal for a regulation

Article 5 – paragraph 1 – point d b (new)

Text proposed by the Commission

Amendment

(db) measures to reduce gender discrimination and to promote gender equality, tackling the gender pay gap, suitable family leave and flexible working arrangements and increasing the labour market participation of women, including through ensuring equal opportunities and career progression, accessible and affordable care infrastructure, including affordable high-quality child care and care for the elderly and for persons with disabilities;

Amendment 30

Proposal for a regulation

Article 5 – paragraph 1 – point d c (new)

Text proposed by the Commission

Amendment

(dc) vocational education and training (VET), access to lifelong learning and integration on the labour market, including of young people, with a focus on skills to support the digital and green transitions, entrepreneurial and transversal skills, as well as pursuing improved working conditions for all workers, including for mobile and cross-

border workers;

Amendment 31

Proposal for a regulation

Article 5 – paragraph 1 – point d d (new)

Text proposed by the Commission

Amendment

(dd) measures to improve access to education for children and students, as well as the integration of young people into the labour market, including by reducing poverty, improving education infrastructure, access to formal and non-formal education and providing labour market opportunities, including paid internships;

Amendment 32

Proposal for a regulation

Article 5 – paragraph 1 – point d e (new)

Text proposed by the Commission

Amendment

(de) measures to improve the capacity of public institutions to guarantee mobile and cross-border workers' rights, including safe and equal working conditions, wages in accordance with the law ;

Amendment 33

Proposal for a regulation

Article 5 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) policies for implementing the digital **and the green** transitions, e-government solutions, e-procurement, connectivity, data access and governance, e-learning, use of Artificial Intelligence based solutions, the environmental pillar of

(e) **climate change mitigation** policies for implementing the **green and** digital transitions, e-government solutions, e-procurement, connectivity, data access and governance, e-learning **and digital education**, use of Artificial Intelligence

sustainable development and environmental protection, climate action, mobility, promoting the circular economy, energy and resource efficiency, renewable energy sources, achieving energy diversification and ensuring energy security, and for the agricultural sector, soil and biodiversity protection, fisheries and the sustainable development of rural areas; and

based solutions ***guaranteeing the “human-in-control principle”***, the environmental pillar of sustainable development and environmental protection, climate action, ***sustainable*** mobility, promoting the circular economy, energy and resource efficiency, renewable energy sources, achieving energy diversification and ensuring energy security, and for the agricultural sector, soil and biodiversity protection, fisheries and the sustainable development of rural, ***remote or depopulating*** areas; and

Amendment 34

Proposal for a regulation

Article 5 – paragraph 1 – point f

Text proposed by the Commission

(f) financial sector policies, including: the promotion of financial literacy, financial stability, access to finance and lending to the real economy; and production, provision and quality monitoring of data and statistics.

Amendment

(f) financial sector policies, including: the promotion of financial literacy ***and the fight against overindebtedness***, financial stability, access to finance and lending to the real economy; and production, provision and quality monitoring of data and statistics.

Amendment 35

Proposal for a regulation

Article 5 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) measures for further development of national infrastructure in the areas of political, economic, administrative, digital, security, housing, health, transport, environment, procurement, and education functions;

Amendment 36

Proposal for a regulation

Article 5 – paragraph 1 – point f b (new)

Text proposed by the Commission

Amendment

(fb) measures that are relevant for the preparation for euro area membership of the Member States, as well as policies encouraging nominal and real convergence towards accession to the euro area by those Member States whose currency is not the euro;

Amendment 37

Proposal for a regulation

Article 6 – paragraph 2

Text proposed by the Commission

Amendment

2. The financial envelope for the instrument may also cover expenses pertaining to preparatory, monitoring, control, audit and evaluation activities, which are required for the management of the instrument and the achievement of its objectives, in particular studies, meetings of experts, information and communication actions, including corporate communication of the political priorities of the Union, in so far as they are related to the objectives of this Regulation, expenses linked to IT networks focusing on information processing and exchange, including corporate information technology tools, and all other technical and administrative assistance expenses incurred by the Commission for the management of the instrument. Expenses may also cover the costs of other supporting activities such as quality control and monitoring of technical support projects on the ground and the costs of peer counselling and experts for the assessment and implementation of structural reforms.

2. The financial envelope for the instrument may also cover expenses pertaining to preparatory, monitoring, control, audit and evaluation activities, which are required for the management of the instrument and the achievement of its objectives, in particular studies, meetings of **stakeholders and** experts, information and communication actions, including corporate communication of the political priorities of the Union, in so far as they are related to the objectives of this Regulation, expenses linked to IT networks focusing on information processing and exchange, including corporate information technology tools, and all other technical and administrative assistance expenses incurred by the Commission for the management of the instrument. Expenses may also cover the costs of other supporting activities such as quality control and monitoring of technical support projects on the ground and the costs of peer counselling and experts for the assessment and implementation of structural reforms.

Amendment 38

Proposal for a regulation Article 6 – paragraph 3

Text proposed by the Commission

3. Resources allocated to Member States under shared management may, at their request, be transferred to the instrument. The Commission shall implement those resources directly in accordance with point (a) of Article 62(1) of the Financial Regulation or indirectly in accordance with point (c) of that Article. Those resources shall be used for the benefit of the Member State concerned.

Amendment

3. Resources allocated to Member States under shared management may, at their request, be transferred to the instrument ***subject to a maximum limit of 10 % of the budgetary envelope of the Member State***. The Commission shall implement those resources directly in accordance with point (a) of Article 62(1) of the Financial Regulation or indirectly in accordance with point (c) of that Article. Those resources shall be used for the benefit of the Member State concerned, ***including at regional and local levels***.

Amendment 39

Proposal for a regulation Article 7 – paragraph 1 – point c – point i a (new)

Text proposed by the Commission

Amendment

(ia) consultations with a broad range of stakeholders through different fora, including women's organisations, representatives of vulnerable groups and the social partners;

Amendment 40

Proposal for a regulation Article 7 – paragraph 1 – point c – point ii

Text proposed by the Commission

Amendment

(ii) ***working visits to*** relevant Member States or third countries to enable officials to acquire or increase their expertise or knowledge in relevant matters;

(ii) ***exchange of best practices with*** relevant Member States or third countries to enable officials to acquire or increase their expertise or knowledge in relevant

matters;

Amendment 41

Proposal for a regulation

Article 7 – paragraph 1 – point g

Text proposed by the Commission

(g) studies, research, analyses and surveys, evaluations and impact assessments, and the development and publication of guides, reports and educational material;

Amendment

(g) studies, research, analyses and surveys, ***feasibility studies, technical projects and documentation***, evaluations and impact assessments, ***gender impact assessments, the results of which shall be automatically exchanged among Member States and with the Commission in order to ensure the highest level of transparency and to secure Union-wide policy coherence in the field of gender equality***, and the development and publication of guides, reports and educational material;

Amendment 42

Proposal for a regulation

Article 7 – paragraph 1 – point h

Text proposed by the Commission

(h) communication projects for learning, including e-learning, cooperation, awareness raising, dissemination activities and exchange of good practices; organisation of awareness-raising and information campaigns, media campaigns and events, including corporate communication and communication, where appropriate, through social networks;

Amendment

(h) communication projects for learning, including e-learning, cooperation, awareness raising, dissemination activities and exchange of good practices, ***including through technical study visits to Member States that have implemented similar reforms***; organisation of awareness-raising and information campaigns, media campaigns and events, including corporate communication and communication, where appropriate, through social networks;

Amendment 43

Proposal for a regulation

Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The types of action set out in the first subparagraph of this paragraph shall be eligible for financing if started from 1 February 2020 onwards, provided they pursue the objectives set out in Articles 3 and 4.

Amendment 44

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

Amendment

1. A Member State wishing to receive technical support under the instrument shall submit a request for technical support to the Commission, identifying the policy areas and the priorities for support within the scope as set out in Article 5. These requests shall be submitted by 31 October of a calendar year. The Commission may provide guidance on the main elements to be included in the request for support.

1. A Member State wishing to receive technical support under the instrument shall submit a request for technical support to the Commission ***following adequate consultations with relevant social partners***, identifying the policy areas and the priorities for support within the scope as set out in Article 5. These requests shall be submitted by 31 October of a calendar year. The Commission may provide guidance on the main elements to be included in the request for support ***and may further promote and encourage the use of technical support by Member States with high support needs.***

Amendment 45

Proposal for a regulation

Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Member States may at any time submit requests that fall under points (d) and (e) of paragraph 2 of this Article, in particular requests for revision and improvement of recovery and resilience plans, with the purpose of amending or replacing their proposals in accordance

*with Article 18 of Regulation (EU) No
YYY/XX(Recovery and Recovery and
Resilience Facility).*

Amendment 46

Proposal for a regulation

Article 8 – paragraph 2 – point a

Text proposed by the Commission

(a) the implementation of reforms by Member States, undertaken on their own initiative, in particular to support recovery [in line with Regulation (EU) No YYY/XX], achieve sustainable economic growth **and** job creation **and** enhance resilience;

Amendment

(a) the implementation of reforms by Member States, undertaken on their own initiative, in particular to support **a sustainable** recovery [in line with Regulation (EU) No YYY/XX], **to** achieve sustainable economic growth, **to promote high-quality** job creation, **social inclusion, adequate social protection, increased economic competitiveness, environmental protection, climate change mitigation, gender equality as well as to** enhance **social and economic** resilience;

Amendment 47

Proposal for a regulation

Article 8 – paragraph 2 – point c

Text proposed by the Commission

(c) the implementation of **growth-sustaining** and resilience-enhancing reforms in the context of economic governance processes, in particular the country-specific recommendations issued in the context of the European Semester or actions related to the implementation of Union law;

Amendment

(c) the implementation of **growth-enhancing, socially balanced,** and resilience-enhancing reforms **which support sustainable development and sustainable employment** in the context of economic governance processes, in particular the country-specific recommendations issued in the context of the European Semester or actions related to the implementation of Union law, **of the principles of the European Pillar of Social Rights, or of the United Nations Sustainable Development Goals;**

Amendment 48

Proposal for a regulation

Article 8 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) the revision and improvement of recovery and resilience plans;

Amendment 49

Proposal for a regulation

Article 8 – paragraph 2 – point d b (new)

Text proposed by the Commission

Amendment

(db) in the policy areas set out in points (d) and (e) of Article 5(1), the Member State submitting a request for technical support will specify how its request impacts labour market institutions, including social partners, and if possible will specify how social partners are to be involved in accordance with national rules and practices;

Amendment 50

Proposal for a regulation

Article 8 – paragraph 2 – point d c (new)

Text proposed by the Commission

Amendment

(dc) if the technical support is required in order to implement a country-specific recommendation that requires the involvement of social partners, social partners are promptly informed about the existence of the request and modalities of their involvement.

Amendment 51

Proposal for a regulation

Article 8 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Based on that analysis, and taking into account the existing actions and measures financed by Union funds or other Union programmes, the Commission shall come to an agreement with the Member State concerned on the priority areas for support, the objectives, an indicative timeline, the scope of the support measures to be provided and the estimated global financial contribution for such technical support, which shall be set out in a cooperation and support plan.

Amendment

Based on that analysis, and taking into account the existing actions and measures financed by Union funds or other Union programmes, the Commission shall come to an agreement with the Member State concerned on the priority areas for support, the objectives, an indicative timeline, the scope of the support measures to be provided and the estimated global financial contribution for such technical support, ***involvement of social partners when relevant***, which shall be set out in a cooperation and support plan.

Amendment 52

Proposal for a regulation
Article 9 – paragraph 1

Text proposed by the Commission

1. The Commission shall transmit, ***with the consent of the Member State concerned***, the cooperation and support plan to the European Parliament and the Council without undue delay. ***The Member State concerned may refuse to give such consent in the case of sensitive or confidential information, the disclosure of which would jeopardise public interests of the Member State.***

Amendment

1. The Commission shall transmit the cooperation and support plan to the European Parliament and the Council ***simultaneously***, without undue delay, ***namely for the purposes of democratic accountability and to ensure visibility of the Union action.***

Amendment 53

Proposal for a regulation
Article 9 – paragraph 2

Text proposed by the Commission

2. ***Notwithstanding the provisions of paragraph 1, the Commission shall transmit the cooperation and support plan to the European Parliament and the***

Amendment

deleted

Council in the following circumstances:

(a) as soon as the Member State concerned has redacted all sensitive or confidential information, the disclosure of which would jeopardise public interests of the Member State;

(b) after a reasonable period of time, when the disclosure of relevant information would not adversely affect the implementation of the support measures, and in any case no later than two months after the delivery of such measures under the cooperation and support plan.

Amendment 54

Proposal for a regulation

Article 12 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Where the European Semester, in particular country-specific recommendations, identifies challenges that require urgent reforms but the Member State concerned makes inadequate use of the allocated funding, or such funding has been suspended by the Commission, regional and local level actions that contribute to addressing those challenges shall continue to benefit from the Technical Support Instrument.

Amendment 55

Proposal for a regulation

Article 12 – paragraph 6 – introductory part

Text proposed by the Commission

Amendment

6. In order to implement the technical support, the Commission shall adopt work programmes by way of **implementing acts, and inform the European Parliament and the Council thereof.**

6. In order to implement the technical support, the Commission shall adopt work programmes by way of **delegated acts in accordance with Article 16b.**

Amendment 56

Proposal for a regulation

Article 12 – paragraph 7 – subparagraph 1

Text proposed by the Commission

To ensure timely availability of resources, a limited part of the work programme shall be reserved for special measures in the event of unforeseen and duly justified grounds of urgency requiring an immediate response, including a serious disturbance in the economy or significant circumstances seriously affecting the economic or social conditions in a Member State going beyond its control.

Amendment

To ensure timely availability of resources, a limited part of the work programme, not **exceeding 5 % thereof^{1a}**, shall be reserved for special measures in the event of unforeseen and duly justified grounds of urgency requiring an immediate response, including a serious disturbance in the economy or significant circumstances seriously affecting the economic or social conditions in a Member State going beyond its control.

1a.

https://ec.europa.eu/info/sites/info/files/annual_work_programme_of_the_structural_reform_support_programme.pdf

Amendment 57

Proposal for a regulation

Article 13 – paragraph 1 – point a

Text proposed by the Commission

(a) ensure complementarity, synergy, coherence and consistency among different instruments at Union, national **and, where appropriate**, regional levels, in particular in relation to measures financed by Union funds, both in the planning phase and during implementation;

Amendment

(a) ensure complementarity, synergy, coherence and consistency among different instruments at Union, national, regional **and local** levels, in particular in relation to measures financed by Union funds, both in the planning phase and during implementation;

Amendment 58

Proposal for a regulation

Article 13 – paragraph 1 – point c

Text proposed by the Commission

(c) ensure close cooperation between those responsible for implementation at Union, national ***and, where appropriate,*** regional levels to deliver coherent and streamlined support actions under the instrument.

Amendment

(c) ensure close cooperation between those responsible for implementation at Union, national, regional ***and local*** levels to deliver coherent and streamlined support actions under the instrument.

Amendment 59

Proposal for a regulation
Article 15 – title

Text proposed by the Commission

Annual report

Amendment

Biannual report

Amendment 60

Proposal for a regulation
Article 15 – paragraph 1

Text proposed by the Commission

1. The Commission shall provide ***an annual*** report to the European Parliament and the Council on the implementation of this Regulation.

Amendment

1. The Commission shall provide ***a biannual*** report to the European Parliament and the Council ***simultaneously*** on the implementation of this Regulation.

Amendment 61

Proposal for a regulation
Article 15 – paragraph 2 – introductory part

Text proposed by the Commission

2. The ***annual*** report shall include information on:

Amendment

2. The ***biannual*** report shall include information on:

Amendment 62

Proposal for a regulation
Article 16 – paragraph 2

Text proposed by the Commission

2. The mid-term evaluation report shall, in particular, assess to which extent the objectives of the instrument referred to Articles 3 and 4 have been achieved, the efficiency of the use of resources and the European added value. It shall also consider the continued relevance of all objectives and actions.

Amendment

2. The mid-term evaluation report shall, in particular, assess to which extent the objectives of the instrument referred to Articles 3 and 4 have been achieved, the **sufficiency and the** efficiency of the use of resources and the European added value. It shall also consider the continued relevance of all objectives and actions.

Amendment 63

**Proposal for a regulation
Article 16 a (new)**

Text proposed by the Commission

Amendment

Article 16a

Transparency

1. Beneficiaries shall ensure, for the benefit of the general public, maximum transparency concerning the actions and financial flows under the Technical Support Instrument. Such transparency shall only be limited by legal acts related to commercial confidentiality, applicable data protection rules or undergoing administrative or criminal investigations by Union bodies.

2. Beneficiaries shall, in line with Directive (EU) 2019/1024^{1a} publish all relevant information concerning their projects in a standardised and comparable open and machine readable format on an official publicly available register, including but not only: project proposals, declaration on non-conflict of interest, meeting minutes, impact assessments, contracts, evaluation and audit reports, as well as all public procurements shall be published on the EU Open Data Portal.

3. Member States shall make all the results of the cooperation (including data, studies, software tools, etc.) available to

the general public, or else explain the nature of the confidentiality of the file.

4. All the published data referred to in paragraphs 1, 2 and 3 shall be available indefinitely. Union institutions and the Member States shall offer their cooperation in logistical measures to keep all of that data available to the general public even after the beneficiary ceases to exist.

^{1a} Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information

Amendment 64

Proposal for a regulation Article 16 b (new)

Text proposed by the Commission

Amendment

Article 16b

Exercise of the delegation

- 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.*
- 2. The power to adopt delegated acts referred to in Article 12(6) shall be conferred on the Commission until 31 December 2028.*
- 3. The delegation of power referred to in Article 12(6) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.*

4. *Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.*
5. *As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.*
6. *A delegated act adopted pursuant to Article 12(6) shall enter into force if no objection has been expressed either by the European Parliament or by the Council within a period of three months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by three months at the initiative of the European Parliament or of the Council.*

Amendment 65

Proposal for a regulation Article 17 – paragraph 1

Text proposed by the Commission

1. The recipients of Union funding shall acknowledge the origin and ensure the visibility of the Union funding, in particular when promoting the actions and their results, by providing coherent, effective and proportionate targeted information to **multiple audiences**, including the media **and the public**.

Amendment

1. The recipients of Union funding shall acknowledge the origin and ensure the visibility of the Union funding, in particular when promoting the actions and their results, by providing coherent, effective and proportionate targeted information to **the public**, including **through** the media **on a non-discriminatory basis**.

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Establishing a Technical Support Instrument
References	COM(2020)0409 – C9-0148/2020 – 2020/0103(COD)
Committees responsible Date announced in plenary	BUDG ECON 17.6.2020 17.6.2020
Opinion by Date announced in plenary	EMPL 17.6.2020
Rapporteur Date appointed	Dragoș Pîslaru 25.6.2020
Rule 58 – Joint committee procedure Date announced in plenary	23.7.2020
Discussed in committee	31.8.2020
Date adopted	21.9.2020
Result of final vote	+: 40 –: 11 0: 4
Members present for the final vote	Atidzhe Alieva-Veli, Marc Angel, Dominique Bilde, Gabriele Bischoff, Vilija Blinkevičiūtė, Andrea Bocskor, Milan Brglez, Sylvie Brunet, David Casa, Leila Chaibi, Margarita de la Pisa Carrión, Özlem Demirel, Klára Dobrev, Jarosław Duda, Estrella Durá Ferrandis, Lucia Ďuriš Nicholsonová, Rosa Estaràs Ferragut, Nicolaus Fest, Cindy Franssen, Hélène Fritzon, Helmut Geuking, Alicia Homs Ginel, France Jamet, Agnes Jongerius, Radan Kanev, Ádám Kósa, Stelios Kympouropoulos, Katrin Langensiepen, Miriam Lexmann, Elena Lizzi, Radka Maxová, Kira Marie Peter-Hansen, Dragoș Pîslaru, Manuel Pizarro, Dennis Radtke, Elżbieta Rafalska, Guido Reil, Daniela Rondinelli, Mounir Satouri, Monica Semedo, Beata Szydło, Eugen Tomac, Romana Tomc, Yana Toom, Marie-Pierre Vedrenne, Marianne Vind, Maria Walsh, Stefania Zambelli, Tatjana Ždanoka, Tomáš Zdechovský
Substitutes present for the final vote	Konstantinos Arvanitis, Brando Benifei, Marc Botenga, Samira Rafaela, Anne Sander

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

40	+
ECR	Lucia Ďuriš Nicholsonová, Margarita de la Pisa Carrión
PPE	Andrea Bocskor, David Casa, Jarosław Duda, Rosa Estaràs Ferragut, Cindy Franssen, Radan Kanev, Ádám Kósa, Stelios Kypourouopoulos, Miriam Lexmann, Dennis Radtke, Anne Sander, Eugen Tomac, Romana Tomc, Maria Walsh, Tomáš Zdechovský
Renew	Atidzhe Alieva-Veli, Sylvie Brunet, Dragoş Pîslaru, Samira Rafaela, Monica Semedo, Yana Toom, Marie-Pierre Vedrenne
S&D	Marc Angel, Brando Benifei, Gabriele Bischoff, Vilija Blinkevičiūtė, Milan Brglez, Klára Dobrev, Estrella Durá Ferrandis, Helène Fritzon, Alicia Homs Ginel, Agnes Jongerius, Manuel Pizarro, Marianne Vind
Verts/ALE	Katrin Langensiepen, Kira Marie Peter-Hansen, Mounir Satouri, Tatjana Ždanoka

11	-
ECR	Helmut Geuking, Elżbieta Rafalska, Beata Szydło
GUE/NGL	Leila Chaïbi, Özlem Demirel
ID	Dominique Bilde, Nicolaus Fest, France Jamet, Elena Lizzi, Guido Reil, Stefania Zambelli

4	0
GUE/NGL	Konstantinos Arvanitis, Marc Botenga
NI	Daniela Rondinelli
Renew	Radka Maxová

Key to symbols:

+ : in favour

- : against

0 : abstention

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Establishing a Technical Support Instrument			
References	COM(2020)0409 – C9-0148/2020 – 2020/0103(COD)			
Date submitted to Parliament	28.5.2020			
Committees responsible Date announced in plenary	BUDG 17.6.2020	ECON 17.6.2020		
Committees asked for opinions Date announced in plenary	EMPL 17.6.2020	ENVI 17.6.2020	ITRE 17.6.2020	REGI 17.6.2020
	AGRI 17.6.2020	PECH 17.6.2020	CULT 17.6.2020	JURI 17.6.2020
	LIBE 17.6.2020	FEMM 17.6.2020		
Not delivering opinions Date of decision	ENVI 10.6.2020	ITRE 25.6.2020	REGI 5.6.2020	AGRI 22.9.2020
	PECH 12.6.2020	CULT 22.6.2020	JURI 15.6.2020	LIBE 29.6.2020
	FEMM 7.7.2020			
Rapporteurs Date appointed	Alexandra Geese 22.7.2020	Othmar Karas 22.7.2020	Dragoş Pîslaru 22.7.2020	
Rule 58 – Joint committee procedure Date announced in plenary	23.7.2020			
Date adopted	1.10.2020			
Result of final vote	+: –: 0:	74 10 13		
Members present for the final vote	Rasmus Andresen, Gunnar Beck, Marek Belka, Isabel Benjumea Benjumea, Stefan Berger, Robert Biedroń, Anna Bonfrisco, Gilles Boyer, Olivier Chastel, Lefteris Christoforou, David Cormand, Paolo De Castro, Francesca Donato, Derk Jan Eppink, Engin Eroglu, Markus Ferber, José Manuel Fernandes, Jonás Fernández, Frances Fitzgerald, José Manuel García-Margallo y Marfil, Eider Gardiazabal Rubial, Luis Garicano, Alexandra Geese, Sven Giegold, Valentino Grant, Claude Gruffat, Elisabetta Gualmini, José Gusmão, Enikő Győri, Valérie Hayer, Eero Heinäluoma, Niclas Herbst, Monika Hohlmeier, Danuta Maria Hübner, Stasys Jakeliūnas, Herve Juvin, Othmar Karas, Billy Kelleher, Mislav Kolakušić, Moritz Körner, Ondřej Kovařík, Joachim Kuhs, Zbigniew Kuźmiuk, Georgios Kyrtos, Ioannis Lagos, Aurore Lalucq, Philippe Lamberts, Hélène Laporte, Pierre Larroustourou, Janusz Lewandowski, Aušra Maldeikienė, Margarida Marques, Pedro Marques, Costas Mavrides, Jörg Meuthen, Silvia Modig, Csaba Molnár, Siegfried Mureşan, Caroline Nagtegaal, Victor Negrescu, Luděk Niedermayer, Lefteris Nikolaou-Alavanos, Andrey Novakov, Jan Olbrycht, Dimitrios Papadimoulis, Piernicola Pedicini, Kira Marie			

	Peter-Hansen, Sirpa Pietikäinen, Dragoș Pîslaru, Evelyn Regner, Karlo Ressler, Antonio Maria Rinaldi, Bogdan Rzońca, Alfred Sant, Joachim Schuster, Ralf Seekatz, Pedro Silva Pereira, Nicolae Ștefănuță, Paul Tang, Irene Tinagli, Nils Torvalds, Ernest Urtasun, Nils Ušakovs, Inese Vaidere, Johan Van Oortveldt, Angelika Winzig, Stéphanie Yon-Courtin, Marco Zanni, Roberts Zile
Substitutes present for the final vote	Matteo Adinolfi, Erik Bergkvist, Damian Boeselager, Fabienne Keller, Peter Liese, Eva Maydell, Mick Wallace
Substitutes under Rule 209(7) present for the final vote	Robert Roos
Date tabled	2.10.2020

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

74	+
ECR	Johan Van Overtveldt
NI	Ioannis Lagos
PPE	Isabel Benjumea Benjumea, Stefan Berger, Lefteris Christoforou, Markus Ferber, José Manuel Fernandes, Frances Fitzgerald, José Manuel García-Margallo Y Marfil, Enikő Győri, Niclas Herbst, Monika Hohlmeier, Danuta Maria Hübner, Othmar Karas, Georgios Kyrtos, Janusz Lewandowski, Peter Liese, Aušra Maldeikienė, Eva Maydell, Siegfried Mureşan, Luděk Niedermayer, Andrey Novakov, Jan Olbrycht, Sirpa Pietikäinen, Karlo Ressler, Ralf Seekatz, Inese Vaidere, Angelika Winzig
Renew	Gilles Boyer, Olivier Chastel, Engin Eroglu, Luis Garicano, Valérie Hayer, Billy Kelleher, Fabienne Keller, Ondřej Kovář, Moritz Körner, Caroline Nagtegaal, Dragoş Pîslaru, Nicolae Ştefănuţă, Nils Torvalds, Stéphanie Yon-Courtin
S&D	Marek Belka, Erik Bergkvist, Robert Biedroń, Paolo De Castro, Jonás Fernández, Eider Gardiazabal Rubial, Elisabetta Gualmini, Eero Heinäluoma, Aurore Lalucq, Pierre Larrourou, Margarida Marques, Pedro Marques, Costas Mavrides, Csaba Molnár, Victor Negrescu, Evelyn Regner, Alfred Sant, Joachim Schuster, Pedro Silva Pereira, Paul Tang, Irene Tinagli, Nils Ušakovs
Verts/ALE	Rasmus Andresen, Damian Boeselager, David Cormand, Alexandra Geese, Sven Giegold, Claude Gruffat, Stasys Jakeliūnas, Philippe Lamberts, Kira Marie Peter-Hansen, Ernest Urtasun

10	-
GUE/NGL	José Gurmão, Mick Wallace
ID	Gunnar Beck, Herve Juvin, Joachim Kuhs, Hélène Laporte, Jörg Meuthen
NI	Mislav Kolakušić, Lefteris Nikolaou-Alavanos, Piernicola Pedicini

13	0
ECR	Derk Jan Eppink, Zbigniew Kuźmiuk, Robert Roos, Bogdan Rzońca, Roberts Zīle
GUE/NGL	Silvia Modig, Dimitrios Papadimoulis
ID	Matteo Adinolfi, Anna Bonfrisco, Francesca Donato, Valentino Grant, Antonio Maria Rinaldi, Marco Zanni

Key To Symbols:

+ : in favour
 - : against
 0 : abstention

