



EUROPEAN PARLIAMENT

2009 - 2014

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*Committee on Agriculture and Rural Development*

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**2012/0295(COD)**

28.3.2013

## **OPINION**

of the Committee on Agriculture and Rural Development

for the Committee on Employment and Social Affairs

on the Proposal for a Regulation of the European Parliament and of the Council  
on the Fund for European Aid to the Most Deprived  
(COM(2012)0617 – C7-0358/2012 – 2012/0295(COD))

Rapporteur: Marc Tarabella

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## **SHORT JUSTIFICATION**

### **I. Summary of the Commission proposal**

In its Europe 2020 strategy, the EU set itself the objective of reducing by at least 20 million the number of people in or at risk of poverty or social exclusion by 2020. In 2010, nearly one quarter of Europeans (116 million) were indeed at risk of poverty or social exclusion. As the Commission rightly points out, this situation is getting worse by the day, affecting all EU countries, increasingly large numbers of people and new social categories such as poor workers or low-income pensioners. Some of these people, namely 43 million of them, suffer from severe material deprivation and find it impossible to meet their most basic survival needs, since they do not have access to sufficient, quality food. In addition, the most vulnerable of them are too far removed from the labour market to benefit from the social inclusion measures of the ESF.

The Commission is proposing a Fund for European Aid to the Most Deprived (FEAD), to replace the Food Distribution programme for the Most Deprived People (MDP), which some Member States called into question on the grounds that this problem was a social issue which was purely a matter for the Member States. This new Fund, which should operate in accordance with the rules governing the Structural Funds, is targeted at food deprivation, homelessness and the material deprivation of children. It would finance the purchase of food products and basic consumer goods for personal use, in addition to accompanying measures aiming at social inclusion. The Fund will be linked to EU economic, social and territorial cohesion policies and will be funded solely by the ESF.

### **II. Critical review of the Commission proposal**

#### **1) The resources are tragically insufficient**

a) For the period 2014 - 2020, the Commission has proposed EUR 2.5 billion in budgetary resources. This means reducing aid by EUR 1 billion compared to what is currently being done for food aid alone in the 20 Member States participating in the MDP programme. The negotiations under way between the heads of state and government have even reduced those resources to EUR 2.1 billion. It is worth noting that the current MDP programme had made provision for EUR 3.5 billion in the previous multiannual period. At a time when the situation is worsening, it is particularly shocking that the budget for the most deprived people is being reduced. Many citizens do not understand this, which is strengthening anti-EU feelings.

b) Limited as it is to certain sections of the population, the proposal even runs counter to the objective of the Europe 2020 strategy. The criteria used for allocating the funding cover only two of the four indicators used in Europe 2020 in relation to poverty and social exclusion, namely people suffering from severe material deprivation and people living in households with very low work intensity. These two criteria omit an entire population, be it people who are already excluded or those who are living in poverty and are at high risk of exclusion. Article 4, in fact, refers mainly to homeless persons and children.

c) Over and beyond food distribution, part of the Fund may be used for the purchase of basic consumer goods for homeless persons or children (clothes). The Fund can also support social inclusion activities.

Your rapporteur takes the view that given the insufficient resources allocated to feeding the most deprived people, it would be advisable not to dissipate too many resources on items other than food. In his view, the necessary social inclusion is already being addressed, as in their next national programmes the Member States will be required to devote 20% of ESF resources to it.

## **2) The implementing arrangements for the Fund are extremely rigid and complex**

Most of the regulatory proposals relating to the Fund are based on the rules of the current Structural Funds and are full of excessive red tape. The management arrangements described are not in keeping with the objective of the Fund, which requires flexibility and the ability to adapt to situations of emergency. In addition, the Member States have to advance the funds required for the implementation of the actions, which could cause difficulties for many of them.

Your rapporteur believes that such burdensome implementing arrangements could result in inefficiency and in the ironic situation whereby the resources exist but are not used.

## **3) 2014 will be a difficult year of transition**

Given the complexity of implementing the Fund, it is highly likely that it will only become operational in autumn 2014. It will therefore be too late to meet the fundamental needs of the most deprived people for 2014.

## **III. The rapporteur's proposals**

Concerning the budget and principles:

- Funding should be kept at the current level of EUR 3.5 billion over 7 years.
- People who meet the four indicators used by the EU in its Europe 2020 strategy should be considered eligible for aid.
- Priority should be given to food, which meets the vital needs of the most deprived whilst giving each Member State the choice of delivering aid according to who needs it the most.
- To improve efficiency, EU action should take a comprehensive and consistent approach to the fight against poverty and exclusion – an approach which encompasses people's needs. Accordingly, it is vital to mobilise all EU policies and all available resources: ESF, EAFRD, ERDF, etc.
- The products in intervention stocks will continue to be able to be used for distribution among the most deprived people. However, your rapporteur would stress that the value of these stocks should not be deducted from the resources allocated to the Fund.
- Food donations should also be encouraged.

Concerning the 2014 transition year:

- A transitional solution should be proposed. Based on the model of the MDP programme, EU financial appropriations, from different funds, could be made available to each Member State so that they can start their programmes.

#### **IV. Possible contributions from the CAP to supplement the Fund – Rapporteur's proposals**

##### **a) Facilitating food donations whilst reducing food waste**

Your rapporteur believes it is essential to combat food wastage, which is a real problem in Europe. The Commission and the European Parliament (through its resolution of 19 January 2012<sup>1</sup> – Caronna report) have estimated that the amount of food wasted throughout the distribution chain is currently around 190 kg per year per European.

To that end, your rapporteur proposes:

- giving consumers information regarding certain health-related wording, based on EU rules, which appears on agricultural and food products, such as 'use-by date' and 'best before date', since these words cause great confusion among consumers and are the reason for a great deal of waste;
- revising EU rules on marketing standards for agricultural products (especially in the fruit and vegetable sector) in order to encourage the supply of ungraded fruit and vegetables;
- authorising the right of establishment and right to operate a business for large-scale retailers on the express condition that they donate their unsold food.

##### **b) Mobilising EAFRD resources**

There are certain measures under two of the rural development reform priorities that can help better to feed the most deprived people.

- Priority 3: Promoting food chain organisation, with short supply circuits in particular. By reducing the number of middlemen and creating social links, these short supply circuits enable farmers to sell their products honestly at an affordable price for consumers. Furthermore, investments could be made in platforms for logistics and for the processing and canning of unsold products.
- Priority 6: promoting social inclusion, poverty reduction and economic development.

##### **c) Making the most of the next reform of the CMO in fruit and vegetables**

The populations targeted by the Fund should be able to eat balanced meals of good nutritional quality. Fruit and vegetables are an important part of a meal. Under the current rules these products may be distributed free of charge to charities, foundations managed by the Member States or public bodies (hospitals, schools, hospices, etc.). The Fund's partner organisations should receive more of these fruit and vegetables.

## AMENDMENTS

The Committee on Agriculture and Rural Development calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following amendments in its report:

### Amendment 1 Proposal for a regulation

#### Recital 1

*Text proposed by the Commission*

(1) **In** line with the conclusions of the European Council of 17 June 2010, whereby the Union strategy for smart, sustainable and inclusive growth was adopted, the Union and the Member States have set themselves the objective of having at least 20 million fewer people at risk of poverty and social exclusion by 2020.

*Amendment*

(1) ***The provision of foodstuffs and agricultural products and assistance for the most deprived persons is an imperative, and whereas*** ***in*** line with the conclusions of the European Council of 17 June 2010, whereby the Union strategy for smart, sustainable and inclusive growth was adopted, the Union and the Member States have set themselves the objective of having at least 20 million fewer people at risk of poverty and social exclusion by 2020.

### Amendment 2 Proposal for a regulation

#### Recital 2

*Text proposed by the Commission*

(2) The number of persons suffering from material or even severe material deprivation in the Union is increasing and those persons are often too excluded to benefit from the activation measures of Regulation (EU) No [...CPR], and, in particular of Regulation (EU) No [...ESF].

*Amendment*

(2) The number of persons suffering from ***food and*** material or even severe ***food and*** material deprivation in the Union is increasing and those persons are often too excluded to benefit from the activation measures of Regulation (EU) No [...CPR], and, in particular of Regulation (EU) No [...ESF].

**Amendment 3**  
**Proposal for a regulation**

**Recital 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***(2a) In 2010, nearly one quarter of all the people living in the EU (119.6 million) were at risk of poverty or social exclusion, i.e. nearly 4 million more than in 2009. Of those 119.6 million, 18 million were dependent almost every day on food parcels or meals distributed by charitable associations.***

**Amendment 4**  
**Proposal for a regulation**

**Recital 4**

*Text proposed by the Commission*

*Amendment*

(4) The Fund for European Aid to the Most Deprived (hereinafter the 'Fund') should strengthen social cohesion by contributing to the reduction of poverty in the Union by supporting national schemes that provide non-financial assistance to the most deprived persons to alleviate food deprivation, ***homelessness and material deprivation of children.***

(4) The Fund for European Aid to the Most Deprived (hereinafter the 'Fund') should strengthen social cohesion by contributing to the reduction of poverty in the Union by supporting, ***primarily through the provision of food supplies***, national schemes that provide non-financial assistance to the most deprived persons to alleviate food ***and material*** deprivation, ***particularly among the homeless*** and children.

*Justification*

*The symbolic amount offered in this Fund should focus primarily on emergency food provision. However the Fund should in no way be seen by Member States as an opportunity for them to reduce the budgets of their national poverty eradication and social reintegration programmes, which remain a Member State responsibility.*

**Amendment 5**  
**Proposal for a regulation**

**Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***(4a) The Fund cannot replace public policies undertaken by Member State governments to limit the need for emergency food aid and to develop sustainable targets and policies for the full eradication of hunger, poverty and social exclusion.***

*Justification*

*Member States must continue to develop long-term, sustainable projects to eradicate poverty, deprivation and social exclusion. This responsibility can in no way be replaced or reduced by using resources from the European Fund.*

## **Amendment 6**

### **Proposal for a regulation**

#### **Recital 6**

*Text proposed by the Commission*

*Amendment*

(6) Those provisions also ensure that the operations supported shall comply with applicable Union and national laws, notably in regard to the safety of the goods that are distributed to the most deprived persons.

(6) Those provisions also ensure that the operations supported shall comply with applicable Union and national laws, notably in regard to the safety of the goods ***and the quality of the food products*** that are distributed to the most deprived persons.

## **Amendment 7**

### **Proposal for a regulation**

#### **Recital 6 a (new)**

*Text proposed by the Commission*

*Amendment*

***(6a) The provisions should also ensure that the Fund complies with the social and environmental policies of the Union, such as the fight against food waste.***

*Justification*

*Food wastage is a major European scandal which the EU has decided to combat. All the*

*stakeholders of the Fund should integrate tools and mechanisms to help combat food wastage.*

## **Amendment 8**

### **Proposal for a regulation**

#### **Recital 7**

##### *Text proposed by the Commission*

(7) In order to set out an appropriate financial framework, the Commission should establish, by means of implementing acts, an annual breakdown of global resources by Member State using an objective and transparent method reflecting disparities in terms of poverty and material deprivation.

##### *Amendment*

(7) In order to set out an appropriate financial framework, the Commission should establish, by means of implementing acts, an annual breakdown of global resources by Member State using an objective and transparent method reflecting disparities in terms of poverty and material deprivation, ***such as the relative poverty threshold, and taking account of the number of people classifiable in each Member State as ‘most deprived’.***

## **Amendment 9**

### **Proposal for a regulation**

#### **Recital 8**

##### *Text proposed by the Commission*

(8) The operational programme of each Member State should identify and justify the forms of material deprivation to be addressed, and describe the objectives and features of the assistance to the most deprived persons that will be provided through the support of national schemes. ***It*** should also include elements necessary to ensure effective and efficient implementation ***of the operational programme.***

##### *Amendment*

(8) The operational programme of each Member State should identify and justify the forms of material deprivation to be addressed, and describe the objectives and features of the assistance to the most deprived persons that will be provided through the support of national schemes. ***The first deprivation to be addressed by the Member States should be that concerning access to food. The programme*** should also include elements necessary to ensure ***its*** effective and efficient implementation.

**Amendment 10**  
**Proposal for a regulation**

**Recital 12**

*Text proposed by the Commission*

(12) In order to improve the quality and design of each operational programme and evaluate the effectiveness and efficiency of the Fund, *ex ante and ex post* evaluations should be conducted. *Those evaluations should be supplemented by surveys on the most deprived persons who have benefited from the operational programme and, if necessary, by evaluations during the programming period. The responsibilities of Member States and the Commission in this respect should be specified.*

**Amendment 11**  
**Proposal for a regulation**

**Recital 13**

*Text proposed by the Commission*

(13) Citizens have the right to know how the Union's financial resources are invested and to what effects. For the purpose of ensuring wide dissemination of information about the achievements of the Fund and to ensure accessibility and transparency of funding opportunities, detailed rules about information and communication, especially in relation to the responsibilities of the Member States and the beneficiaries, should be set out.

*Amendment*

(12) In order to improve the quality and design of each operational programme and evaluate the effectiveness and efficiency of the Fund, evaluations should be conducted.

*Amendment*

(13) Citizens have the right to know how the Union's financial resources are invested and to what effects. For the purpose of ensuring wide dissemination of information about the achievements of the Fund and to ensure accessibility and transparency of funding opportunities, detailed rules about information and communication, especially in relation to the responsibilities of the Member States and the beneficiaries, should be set out *in such a way that the dignity of the end recipients is not undermined.*

## Amendment 12

### Proposal for a regulation Recital 15

*Text proposed by the Commission*

(15) *It is necessary to establish a maximum level of co-financing from the Fund to the operational programmes to provide for a multiplier effect of Union resources, while the situation of Member States facing temporary budget difficulties should be addressed.*

*Amendment*

(15) *The minimum level of financing from the Fund to the operational programmes should be 85%. Furthermore, it is appropriate to address the situation of Member States facing temporary budget difficulties in order to ensure the highest possible uptake of the Fund.*

## Amendment 13 Proposal for a regulation

### Recital 16

*Text proposed by the Commission*

(16) Uniform **and** equitable rules on the eligibility period, operations and expenditures for the Fund should be applied across the Union. The conditions of eligibility should reflect the specific nature of the Fund's objectives and target populations, notably through adequate conditions of eligibility of the operations as well as forms of support and rules and conditions of reimbursement.

*Amendment*

(16) Uniform, equitable **and simple** rules on the eligibility period, operations and expenditures for the Fund should be applied across the Union. The conditions of eligibility should reflect the specific nature of the Fund's objectives and target populations, notably through **simple and** adequate conditions of eligibility of the operations as well as forms of support and rules and conditions of reimbursement.

## Amendment 14 Proposal for a regulation

### Recital 16 a (new)

*Text proposed by the Commission*

*Amendment*

*(16a) Much of the work undertaken by associations working with the provision of food to Europe's most deprived is undertaken by volunteers. Therefore, the process for applying to be a beneficiary of*

***the Fund must not be prohibitively complicated.***

*Justification*

*Although it is essential that European funds are proportionately controlled in order to ensure that they are correctly used, it is also essential that those in need are able to access the available funding. Therefore the application process to participate in the Fund must not be prohibitively complicated.*

**Amendment 15**

**Proposal for a regulation  
Recital 17**

*Text proposed by the Commission*

(17) [Proposal for a] Regulation of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products (Single CMO Regulation) provides that products bought under public intervention may be disposed of by making them available for the scheme for food distribution to the most deprived in the Union if that scheme so provides. Given that, depending on the circumstances, obtaining of food from the use, processing or sale of such stocks might be economically the most favourable option, it is appropriate to provide for such a possibility in this Regulation. The amounts derived from a transaction concerning the stocks should be used for the benefit of the most deprived, ***and should not be applied so as to diminish the obligation of the Member States to co-finance the programme.*** In order to ensure the most efficient possible use of the intervention stocks and the proceeds thereof, the Commission should in accordance with Article 19(e) of the Regulation (EU) No [CMO] adopt implementing acts establishing procedures by which the products in intervention stocks may be used, processed or sold for the purposes of the most deprived

*Amendment*

(17) [Proposal for a] Regulation of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products (Single CMO Regulation) provides that products bought under public intervention may be disposed of by making them available for the scheme for food distribution to the most deprived in the Union if that scheme so provides. Given that, depending on the circumstances, obtaining of food from the use, processing or sale of such stocks might be economically the most favourable option, it is appropriate to provide for such a possibility in this Regulation. The amounts derived from a transaction concerning the stocks should be used for the benefit of the most deprived ***to complement the resources of the Fund without the costs of that use being deducted from the relevant financial appropriations.*** In order to ensure the most efficient possible use of the intervention stocks and the proceeds thereof, the Commission should in accordance with Article 19(e) of the Regulation (EU) No [CMO] adopt implementing acts establishing procedures by which the products in intervention stocks may be used, processed or sold for the purposes of

programme.

the most deprived programme.

### *Justification*

*Intervention stocks, where they exist, should be added to, and not deducted from, the resources allocated, in order to ensure predictability for the partner organisations as to the financial appropriations granted.*

## **Amendment 16** **Proposal for a regulation**

### **Recital 17 a (new)**

*Text proposed by the Commission*

*Amendment*

*(17a) However, the use of intervention stocks and food that would otherwise be wasted does not preclude the need for good supply management and wise management of the food chain which avoids systematic structural surpluses and which matches European production with demand.*

## **Amendment 17** **Proposal for a regulation**

### **Recital 17 b (new)**

*Text proposed by the Commission*

*Amendment*

*(17b) In order to ensure broad support within society for the most deprived persons and to tackle food waste, Member States should remove obstacles to the donation of food or basic consumer goods by firms to food banks, civil society organisations and other stakeholders.*

## **Amendment 18** **Proposal for a regulation**

### **Recital 19**

*Text proposed by the Commission*

(19) In accordance with the principle of shared management, Member States should have the primary responsibility, through their management and control system, for the implementation and control of their operational programme.

*Amendment*

(19) In accordance with the principle of shared management, Member States should have the primary responsibility, through their management and control system, for the implementation and control of their operational programme, ***while seeking at all times to improve effectiveness and reduce bureaucracy.***

**Amendment 19**  
**Proposal for a regulation**

**Recital 21**

*Text proposed by the Commission*

(21) Member States should designate ***a managing authority, a certifying authority and a functionally independent auditing authority*** for their operational programme. ***To provide flexibility for Member States in the set-up of control systems, it is appropriate to provide the option for the functions of the certifying authority to be carried out by the managing authority. The Member States should also be allowed to designate intermediate bodies to carry out certain tasks of the managing authority or the certifying authority. The Member States should in that case lay down clearly their respective responsibilities and functions.***

*Amendment*

(21) Member States should designate for their operational programme ***the authorities responsible for the sound management of the Fund. Member States should carry out appropriate administrative and physical checks and provide for penalties in the case of irregularities in order to ensure that the operational programmes are implemented in accordance with the applicable rules.***

**Amendment 20**  
**Proposal for a regulation**

**Recital 22**

*Text proposed by the Commission*

(22) ***The managing authority bears the main responsibility for the effective and efficient implementation of the Fund and***

*Amendment*

***deleted***

*thus fulfils a substantial number of functions related to operational programme management and monitoring, financial management and controls as well as project selection. Its responsibilities and functions should be set out.*

**Amendment 21**  
**Proposal for a regulation**

**Recital 23**

*Text proposed by the Commission*

*Amendment*

*(23) The certifying authority should draw up and submit to the Commission payment applications. It should draw up the annual accounts, certifying the completeness, accuracy and veracity of the annual accounts and that the expenditure entered in the accounts complies with applicable Union and national rules. Its responsibilities and functions should be set out.* *deleted*

**Amendment 22**  
**Proposal for a regulation**

**Recital 24**

*Text proposed by the Commission*

*Amendment*

*(24) The audit authority should ensure that audits are carried out on the management and control systems, on an appropriate sample of operations and on the annual accounts. Its responsibilities and functions should be set out.* *deleted*

**Amendment 23**  
**Proposal for a regulation**

**Recital 25**

*Text proposed by the Commission*

*Amendment*

***(25) Without prejudice to the Commission's powers as regards financial control, cooperation between the Member States and the Commission in the framework of this Regulation should be ensured and criteria should be established which allow the Commission to determine, in the context of its strategy of control of national systems, the level of assurance it should obtain from national audit bodies.***

***deleted***

**Amendment 24**  
**Proposal for a regulation**

**Recital 26**

*Text proposed by the Commission*

*Amendment*

***(26) The powers and responsibilities of the Commission to verify the effective functioning of the management and control systems, and to require Member State action, should be laid down. The Commission should also have the power to carry out audits focused on issues relating to sound financial management in order to draw conclusions on the performance of the Fund.***

***deleted***

**Amendment 25**  
**Proposal for a regulation**

**Recital 27**

*Text proposed by the Commission*

*Amendment*

(27) Union budget commitments should be effected annually. In order to ensure effective programme management, it is necessary to lay down common rules for interim payment requests, the payment of

(27) Union budget commitments should be effected annually. In order to ensure effective programme management, it is necessary to lay down ***simple*** common rules for interim payment requests, the payment of the annual balance and the final

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balance.

## **Amendment 26**

### **Proposal for a regulation**

#### **Recital 32**

##### *Text proposed by the Commission*

(32) In order to ensure that expenditure financed by the Union budget in any given financial year is used in accordance with the applicable rules, an appropriate framework should be created for the annual examination and acceptance of accounts. Under this framework, the designated bodies should submit to the Commission, in respect of the operational programme, a management declaration accompanied by the certified annual accounts, an annual summary of the final audit reports and of controls carried out and an independent audit opinion and control report.

##### *Amendment*

(32) In order to ensure that expenditure financed by the Union budget in any given financial year is used in accordance with the applicable rules, an appropriate **and simple** framework should be created for the annual examination and acceptance of accounts. Under this framework, the designated bodies should submit to the Commission, in respect of the operational programme, a management declaration accompanied by the certified annual accounts, an annual summary of the final audit reports and of controls carried out and an independent audit opinion and control report.

## **Amendment 27**

### **Proposal for a regulation**

#### **Recital 35**

##### *Text proposed by the Commission*

(35) The frequency of audits on operations should be proportionate to the extent of the Union's support from the Fund. In particular, the number of audits carried out should be reduced where the total eligible expenditure for an operation does not exceed EUR 100 000. Nevertheless, it should be possible to carry out audits at any time where there is evidence of an irregularity or fraud, or as part of an audit sample. In order that the level of auditing by the Commission is proportionate to the risk, the Commission should be able to reduce its audit work in relation to operational programmes where there are no

##### *Amendment*

(35) The frequency of audits on operations should be proportionate to the extent of the Union's support from the Fund. In particular, the number of audits carried out should be reduced where the total eligible expenditure for an operation does not exceed EUR 100 000. Nevertheless, it should be possible to carry out audits at any time where there is evidence of an irregularity or fraud, or as part of an audit sample. In order that the level of auditing by the Commission is proportionate to the risk, the Commission should be able to reduce its audit work in relation to operational programmes where there are no

significant deficiencies or where the audit authority can be relied on. In addition, the scope of audits should take fully into account the objective and the features of the target populations of the Fund.

significant deficiencies or where the audit authority can be relied on. In addition, the scope of audits should take fully into account the objective and the features of the target populations of the Fund, ***as well as the voluntary nature of the beneficiary bodies.***

## **Amendment 28**

### **Proposal for a regulation**

#### **Recital 41**

*Text proposed by the Commission*

(41) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union, including respect for human dignity and for private and family life, the right to the protection of personal data, the rights of the child, the rights of the elderly, equality between men and women, and the prohibition of discrimination. This Regulation must be applied according to these rights and principles.

*Amendment*

(41) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union, including respect for human dignity and for private and family life, the right to the protection of personal data, the rights of the child, ***the right to social assistance and housing***, the rights of the elderly, equality between men and women, and the prohibition of discrimination. This Regulation must be applied according to these rights and principles.

## **Amendment 29**

### **Proposal for a regulation**

#### **Recital 41 a (new)**

*Text proposed by the Commission*

*Amendment*

***(41a) In order to ensure that delays in the implementation of this Regulation at the beginning of 2014 do not lead to a sudden drop-off in food aid, the Commission should take the transitional measures necessary to guarantee that persons dependent on food aid are not at risk of food poverty.***

**Amendment 30**  
**Proposal for a regulation**

**Article 1 – paragraph 1**

*Text proposed by the Commission*

1. This Regulation establishes the Fund for European Aid to the Most Deprived (hereinafter ‘the Fund’) for the period from 1 January 2014 to 31 December 2020 and determines the objectives of the Fund, the scope of its support, the financial resources available and the criteria for their allocation and lays down the rules necessary to ensure *the effectiveness of* the Fund.

*Amendment*

This Regulation establishes the Fund for European Aid to the Most Deprived (hereinafter ‘the Fund’) for the period from 1 January 2014 to 31 December 2020 and determines the objectives of the Fund, the scope of its support, the financial resources available and the criteria for their allocation and lays down the rules necessary to ensure *that the Fund is effective and easy to implement*.

**Amendment 31**  
**Proposal for a regulation**

**Article 2 – point 1**

*Text proposed by the Commission*

(1) 'most deprived persons' means physical persons, whether individuals, families, households or groups composed of such persons, whose need for assistance has been established according to the objective criteria *adopted* by the national competent authorities, *or defined by* the partner organisations *and which are approved by those competent authorities*;

*Amendment*

(1) 'most deprived persons' means physical persons, whether individuals, families, households or groups composed of such persons, whose need for assistance has been established according to the objective criteria *defined* by the national competent authorities *in cooperation with* the partner organisations, *in particular national, regional or local organisations which are already working to hand out food to the most deprived, or which are providing assistance to homeless persons and people affected by poverty or social exclusion*;

## Amendment 32

### Proposal for a regulation Article 2 – point 2

#### *Text proposed by the Commission*

(2) 'partner organisations' means public bodies or non-for-profit organisations that deliver the food **or** goods directly or through other partner organisations to the most deprived persons, and whose operations have been selected by the managing authority in accordance with Article 29(3)(b);

#### *Amendment*

(2) 'partner organisations' means public bodies or non-for-profit organisations that deliver the food **and** goods directly or through other partner organisations to the most deprived persons, and whose operations have been selected by the managing authority in accordance with Article 29(3)(b);

#### *Justification*

*People's most basic need is for food. Addressing this need enables partner organisations and Member States to make contact with people on the margins of society. This is the best way to ensure that the Fund is effective.*

## Amendment 33 Proposal for a regulation

### Article 2 – point 6

#### *Text proposed by the Commission*

(6) 'beneficiary' means a public or private body responsible for initiating or initiating and implementing operations;

#### *Amendment*

(6) 'beneficiary' means **a not-for-profit organisation or** a public or private body, **excluding commercial enterprises**, responsible for initiating or initiating and implementing operations;

## Amendment 34 Proposal for a regulation

### Article 2 – point 7

#### *Text proposed by the Commission*

(7) 'end recipient' means the most deprived persons receiving the food or goods and/or benefiting from **the** accompanying measures;

#### *Amendment*

(7) 'end recipient' means the most deprived persons receiving the food or goods and benefiting from **possible** accompanying measures;

**Amendment 35**  
**Proposal for a regulation**

**Article 2 – point 9**

*Text proposed by the Commission*

(9) 'intermediate body' means any public or private body which acts under the responsibility of a managing or certifying authority, or which carries out duties on behalf of such an authority in relation to beneficiaries' implementing operations;

*Amendment*

(9) 'intermediate body' means any ***not-for-profit organisation or*** any public or private body, ***excluding commercial enterprises,*** which acts under the responsibility of a managing or certifying authority, or which carries out duties on behalf of such an authority in relation to beneficiaries' implementing operations;

**Amendment 36**  
**Proposal for a regulation**

**Article 3**

*Text proposed by the Commission*

The Fund shall promote social cohesion in the Union by contributing to achieving the poverty reduction target of at least 20 million of the number of persons at risk of poverty and social exclusion in accordance with the Europe 2020 strategy. The Fund shall contribute to achieving the specific objective of alleviating the worst forms of poverty in the Union by providing non-financial assistance to the most deprived persons. This objective shall be measured by the number of persons receiving assistance from the Fund.

*Amendment*

The Fund shall promote social ***and territorial*** cohesion in the Union by contributing to achieving the poverty reduction target of at least 20 million of the number of persons at risk of poverty and social exclusion in accordance with the Europe 2020 strategy. The Fund shall contribute to achieving the specific objective of alleviating the worst forms of poverty in the Union, ***first and foremost food insecurity,*** by providing non-financial assistance to the most deprived persons ***and through local and regional food supply chains that benefit the most deprived persons, by supplying them with nutritious, healthy and high-quality food, in particular fresh and seasonal products.*** This objective shall be measured by the number of persons receiving assistance from the Fund ***and the use of local and regional food supply networks.***

**Amendment 37**  
**Proposal for a regulation**

**Article 3 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***The Fund shall be used to complement national strategies, not to replace or scale down national long-term and sustainable poverty eradication and social inclusion programmes, which remain the responsibility of Member States.***

*Justification*

*Member States must continue to develop long-term, sustainable projects to eradicate poverty, deprivation and social exclusion. The Fund should therefore under no circumstances take the place of national projects.*

**Amendment 38**

**Proposal for a regulation**  
**Article 4 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The Fund shall support national schemes whereby food products and basic consumer goods for the personal use of homeless persons or of children are distributed to the most deprived persons through partner organisations selected by Member States.

1. The Fund shall support national schemes whereby ***healthy*** food products, ***as a first priority***, and basic consumer goods for personal use are distributed to the most deprived persons through partner organisations selected by Member States.

**Amendment 39**  
**Proposal for a regulation**

**Article 5 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

(6) In accordance with their respective responsibilities, the Commission and the Member States shall ensure coordination with the European Social Fund, and with other Union policies and instruments.

(6) In accordance with their respective responsibilities, the Commission and the Member States shall ensure coordination with the European Social Fund, and with other Union policies and instruments, ***such as the European Agricultural Fund for***

***Rural Development in a manner consistent with priorities three (promoting food chain organisation) and six (promoting social inclusion and poverty reduction) of Article 5 of Regulation (EU) No XXX/XXXX of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD).***

*Justification*

*In order to improve efficiency, EU action should take a comprehensive and consistent approach to the fight against poverty and exclusion – an approach which encompasses people's needs. Accordingly, it is vital to mobilise all EU policies and all available resources, including the EAFRD.*

**Amendment 40**  
**Proposal for a regulation**

**Article 5 – paragraph 8**

*Text proposed by the Commission*

(8) The Commission and the Member States shall ensure the effectiveness of the Fund, in particular through monitoring, reporting and evaluation.

*Amendment*

(8) The Commission and the Member States shall ensure the effectiveness of the Fund, in particular through monitoring, reporting and evaluation. ***They shall also inform the public about what has been achieved as a result of the Fund and how available appropriations are being used.***

**Amendment 41**  
**Proposal for a regulation**

**Article 5 – paragraph 9**

*Text proposed by the Commission*

(9) The Commission and the Member States shall ***carry out their respective roles in relation to the Fund with the aim of reducing the administrative burden for*** beneficiaries.

*Amendment*

(9) The Commission and the Member States shall ***take action to guarantee the effectiveness of the Fund, in particular through monitoring, reporting and evaluation. They shall also ensure that the Fund is easy for the partner organisations***

*and beneficiaries to implement.*

**Amendment 42**  
**Proposal for a regulation**

**Article 5 – paragraph 10**

*Text proposed by the Commission*

(10) The Commission and the Member States shall ensure that equality between men and women and the integration of the gender perspective are promoted during the various stages of the implementation of the Fund. The Commission and the Member States shall take appropriate steps to prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation in obtaining access to the Fund.

*Amendment*

(10) The Commission and the Member States shall ensure that equality between men and women and the integration of the gender perspective are promoted during the various stages of the implementation of the Fund. The Commission and the Member States shall take appropriate steps to prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, ***place of residence***, age or sexual orientation in obtaining access to the Fund.

*Justification*

*It is important to ensure that place of residence, especially in remote rural areas, does not hinder people from accessing the Fund.*

**Amendment 43**  
**Proposal for a regulation**

**Article 5 – paragraph 11**

*Text proposed by the Commission*

(11) Operations financed by the Fund shall comply with applicable Union and national law. In particular, the Fund may only be used to support distribution of food or goods that are in conformity with the Union legislation on consumer product safety.

*Amendment*

(11) Operations financed by the Fund shall comply with applicable Union and national law. In particular, the Fund may only be used to support distribution of food or goods that are in conformity with the Union legislation on consumer product safety. ***In order to prevent waste and to encourage the donation of food products which have not been sold or consumed because their expiry dates have passed, the Commission should make the definitions of use-by date and best-before date contained in EU rules clearer for***

*distributors and consumers, so that foods which can still safely be eaten are not thrown away.*

**Amendment 44**  
**Proposal for a regulation**

**Article 5 – paragraph 11 a (new)**

*Text proposed by the Commission*

*Amendment*

*(11a) Operations financed by the Fund may also include the processing of certain highly perishable agricultural products for the purpose of conserving them for longer periods so that they can be distributed to the most deprived persons, thereby also preventing waste. This provision shall apply to agricultural products which have not been harvested by producers or agricultural products which have not been sold by distributors. It may also apply to fruit or vegetables which have been withdrawn from the market by producer groups, using their operational funds, and which, under current law, may be made available to charitable bodies or foundations approved by the Member States.*

**Amendment 45**  
**Proposal for a regulation**

**Article 5 – paragraph 12**

*Text proposed by the Commission*

*Amendment*

(12) Member States and beneficiaries shall choose the food products and the goods on the basis of objective criteria. **The** selection criteria for the food products, and where appropriate for goods, shall also take into consideration climatic and environmental aspects, in particular with a view to

(12) Member States and beneficiaries shall choose the food products and the goods on the basis of objective **and fair** criteria **which ensure that priority is given to the provision of basic foods and goods.** **Priority shall be given, under the** selection criteria for the food products, **to products of European origin. The selection criteria**

reduction of food waste.

*for the food products shall be set with a view to helping the end recipients achieve a healthy and balanced diet. The selection criteria for the food products, and where appropriate for goods, shall also take into consideration climatic and environmental aspects, in particular with a view to reduction of food waste.*

#### *Justification*

*The provision of basic foods and goods should supersede other priorities, in order to ensure that the almost 43 million Europeans who do not have enough food or the right types of food can at least see their basic needs met.*

#### **Amendment 46**

##### **Proposal for a regulation**

##### **Article 5 – paragraph 12 a (new)**

*Text proposed by the Commission*

*Amendment*

*(12a) The Commission, the Member States and the partner organisations shall contribute to the fight against food waste at every stage of the food supply chain, in particular through measures to recover food that is still perfectly edible but can no longer be sold. In addition, the education of recipients must also contribute to avoiding food waste.*

#### **Amendment 47**

##### **Proposal for a regulation**

##### **Article 5 – paragraph 12 b (new)**

*Text proposed by the Commission*

*Amendment*

*(12b) The Commission shall ensure that the rules on VAT are interpreted uniformly throughout the Union, in such a way that the donation of foodstuffs to the partner organisations does not serve*

*to penalise potential donors.*

*Justification*

*VAT is a tax paid by consumers. If a distribution firm decides to make a donation to the partner organisations that hand out food and goods to the most deprived persons, that firm will have paid VAT which it cannot then recover by selling the product on. This gives rise to problems in Member States, particularly as regards the interpretation of EU law on VAT. The Commission should clarify the situation for Member States in order to promote the uniform application of the law and thereby encourage food donations.*

**Amendment 48**

**Proposal for a regulation**

**Article 6 – paragraph 1**

*Text proposed by the Commission*

1. The global resources available for budgetary commitment from the Fund for the period 2014-2020 shall be EUR **2 500 000 000** at 2011 prices, in accordance with the annual breakdown set out in Annex II.

*Amendment*

1. The global resources available for budgetary commitment from the Fund for the period 2014-2020 shall be EUR **3 500 000 000** at 2011 prices, in accordance with the annual breakdown set out in Annex II.

*Justification*

*The budget proposed by the Commission would mean a EUR 1 billion cut in funding for food aid alone for the 20 Member States participating in the MDP programme. At the very least, the budget earmarked for the MDP programme, i.e. 3.5 billion over seven years, should be maintained.*

**Amendment 49**

**Proposal for a regulation**

**Article 6 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. The level of resources available may be revised on the Commission's initiative in order to take account of the impact of economic changes on living standards.***

## Amendment 50

### Proposal for a regulation Article 6 – paragraph 3

#### *Text proposed by the Commission*

3. The Commission shall adopt a decision, by means of implementing acts, setting out the annual breakdown of the global resources by Member State, in accordance with Article 84(5) of Regulation (EU) No... (CPR), without prejudice to paragraph 4 of this Article, taking into account the following indicators established by Eurostat:

- (a) the population suffering from severe material deprivation;
- (b) the population living in households with very low work intensity.

#### *Amendment*

3. The Commission shall adopt a decision, by means of implementing acts, setting out the annual breakdown of the global resources by Member State, in accordance with Article 84(5) of Regulation (EU) No... (CPR), without prejudice to paragraph 4 of this Article, taking into account the following indicators established by Eurostat:

***(-a) the population suffering from food poverty;***

- (a) the population suffering from severe material deprivation;
- (b) the population living in households with very low work intensity;

***(ba) the relative poverty threshold, i.e. the percentage of the population living in a household which does not have an income of at least 60% of the national median income.***

## Amendment 51

### Proposal for a regulation

#### Article 7 – paragraph 1 – subparagraph 1 – introductory part

#### *Text proposed by the Commission*

*Each Member State* shall submit to the Commission one operational programme covering the period between 1 January 2014 and 31 December 2020 within three months of the entry into force of this Regulation, containing the following items:

#### *Amendment*

***Member States without existing national programmes that choose to implement the Fund*** shall submit to the Commission one operational programme covering the period between 1 January 2014 and 31 December 2020 within three months of the entry into force of this Regulation, containing the following items:

**Amendment 52**  
**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) an identification of ***and a justification for selecting*** the type(s) of material deprivation to be addressed under the operational programme and a description for each type of material deprivation addressed of the main characteristics and the objectives of the distribution of food or goods and the accompanying measures to be provided, ***having regard to the results of the ex ante evaluation carried out in accordance with Article 14;***

(a) an identification of the type(s) of material deprivation to be addressed under the operational programme and a description for each type of material deprivation addressed of the main characteristics and the objectives of the distribution of food or goods and ***any*** accompanying measures to be provided;

*Justification*

*The provision of basic foods and goods should supersede other priorities, in order to ensure that the almost 43 million Europeans who do not have enough food or the right types of food can at least see their basic needs met.*

**Amendment 53**  
**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) the partner organisations and competent authorities;***

**Amendment 54**  
**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

***(c) a description of the mechanism setting the eligibility criteria for the most deprived persons, differentiated if necessary by type of material deprivation***

***deleted***

*addressed;*

#### **Amendment 55**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – subparagraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

*(d) the criteria for the selection of operations and a description of the selection mechanism differentiated if necessary by type of material deprivation addressed;* *deleted*

#### **Amendment 56**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – subparagraph 1 – point e**

*Text proposed by the Commission*

*Amendment*

*(e) the criteria for the selection of the partner organisations differentiated if necessary by type of material deprivation addressed;* *deleted*

#### **Amendment 57**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – subparagraph 1 – point f**

*Text proposed by the Commission*

*Amendment*

*(f) a description of the mechanism used to ensure complementarity with the European Social Fund;* *deleted*

#### **Amendment 58**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – subparagraph 1 – point j – subpoint i**

*Text proposed by the Commission*

(i) a table specifying for each year in accordance with Article 18 the amount of the financial appropriation envisaged for support from the Fund ***and the co-financing in accordance with Article 18;***

*Amendment*

(i) a table specifying for each year in accordance with Article 18 the amount of the financial appropriation envisaged for support from the Fund;

**Amendment 59**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

***The partner organisations referred to in point (e) that deliver directly the food or goods shall themselves undertake activities complementing the provision of material assistance, aiming at the social inclusion of the most deprived persons, whether or not these activities are supported by the Fund.***

*Amendment*

***deleted***

**Amendment 60**

**Proposal for a regulation**

**Article 7 – paragraph 3**

*Text proposed by the Commission*

***3. The Member States shall draft their operational programmes in accordance with the template set out in Annex I.***

*Amendment*

***deleted***

**Amendment 61**

**Proposal for a regulation**

**Article 8 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall assess the consistency of the operational programme

*Amendment*

1. The Commission shall assess the consistency of the operational programme

with this Regulation and its contribution to the objectives of the Fund, *taking into account the ex ante evaluation carried out in accordance with Article 14.*

with this Regulation and its contribution to the objectives of the Fund.

## **Amendment 62** **Proposal for a regulation**

### **Article 9 – paragraph 3**

*Text proposed by the Commission*

3. The Commission shall, by means of implementing acts, approve the amendment of an operational programme no later than *five* months after their formal submission by the Member State provided that any observations made by the Commission have been satisfactorily taken into account.

*Amendment*

3. The Commission shall, by means of implementing acts, approve the amendment of an operational programme no later than *three* months after their formal submission by the Member State provided that any observations made by the Commission have been satisfactorily taken into account.

## **Amendment 63** **Proposal for a regulation**

### **Article 11 – title**

*Text proposed by the Commission*

Implementation reports *and indicators*

*Amendment*

Implementation reports

## **Amendment 64** **Proposal for a regulation**

### **Article 11 – paragraph 2**

*Text proposed by the Commission*

*2. The Member States shall draft the annual implementation report in accordance with the template adopted by the Commission, including the list of common input and outcome indicators.*

*Amendment*

*deleted*

**Amendment 65**  
**Proposal for a regulation**

**Article 11 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. The annual implementation reports shall be admissible where they contain all the information required in accordance with the template referred in paragraph 2, including the common indicators. The Commission shall inform the Member State concerned within 15 working days from the date of receipt of the annual implementation report if it is not admissible. Where the Commission has not sent that information within the time limit, the report shall be deemed admissible.**

**deleted**

**Amendment 66**  
**Proposal for a regulation**

**Article 11 – paragraph 5 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

**The Member States shall draft the final implementation report in accordance with the template adopted by the Commission.**

**deleted**

**Amendment 67**  
**Proposal for a regulation**

**Article 11 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

**6. The Commission shall adopt the template for the annual implementation report, *including the list of common indicators* and for the final implementation report by means of an implementing act. This implementing act shall be adopted in accordance with the advisory procedure**

**6. The Commission shall adopt the template for the annual implementation report and for the final implementation report by means of an implementing act. This implementing act shall be adopted in accordance with the advisory procedure referred to in Article 60(2).**

referred to in Article 60(2).

**Amendment 68**  
**Proposal for a regulation**

**Article 11 – paragraph 7**

*Text proposed by the Commission*

7. The Commission may address observations to a Member State concerning the implementation of the operational programme. ***The managing authority shall within three months inform the Commission of the corrective measures taken.***

*Amendment*

7. The Commission may address observations to a Member State concerning the implementation of the operational programme.

**Amendment 69**  
**Proposal for a regulation**

**Article 11 – paragraph 8**

*Text proposed by the Commission*

***8. The managing authority shall make public a summary of the contents of each annual and final implementation report.***

*Amendment*

***deleted***

**Amendment 70**  
**Proposal for a regulation**

**Article 12 – paragraph 1**

*Text proposed by the Commission*

1. The Commission and each Member State shall meet ***every year from 2014 to 2022, unless otherwise agreed,*** to examine the progress in implementing the operational programme, ***taking account of the annual implementation report and the Commission's observations referred to in Article 11(7), where applicable.***

*Amendment*

1. The Commission and each Member State shall meet to examine the progress in implementing the operational programme, ***in the event that such meetings are necessary.***

**Amendment 71**  
**Proposal for a regulation**

**Article 12 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. The bilateral review meeting shall be chaired by the Commission.**

**deleted**

**Amendment 72**  
**Proposal for a regulation**

**Article 12 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. The Member State shall ensure that appropriate follow-up is given to any comments of the Commission following the meeting.**

**deleted**

**Amendment 73**  
**Proposal for a regulation**

**Article 13 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. Member States shall provide the resources necessary for carrying out evaluations, and shall ensure that procedures are in place to produce and collect the data necessary for evaluations, **including data related to the common indicators referred to in Article 11.**

1. Member States shall provide the resources necessary for carrying out evaluations, and shall ensure that procedures are in place to produce and collect the data necessary for evaluations.

**Amendment 74**  
**Proposal for a regulation**

**Article 15 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. During the programming period, the

1. During the programming period, the

**managing** authority may carry out evaluations for assessing the effectiveness and efficiency of the operational programme.

**competent** authority may carry out evaluations for assessing the effectiveness and efficiency of the operational programme.

**Amendment 75**  
**Proposal for a regulation**

**Article 15 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. The managing authority shall carry out a structured survey on end recipients in 2017 and 2021, in accordance with the template provided by the Commission. The Commission shall adopt the template by means of an implementing act. This implementing act shall be adopted in accordance with the advisory procedure referred to in Article 60(2).**

**deleted**

**Amendment 76**  
**Proposal for a regulation**

**Article 15 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. The Commission may carry out, at its own initiative, evaluation of operational programmes.**

**3. The Commission may carry out, at its own initiative, evaluation of operational programmes *where it has evidence suggesting any irregularity in their implementation.***

**Amendment 77**  
**Proposal for a regulation**

**Article 16**

*Text proposed by the Commission*

*Amendment*

**At its own initiative and in close cooperation with the Member States, the Commission shall carry out, with the**

**At its own initiative and in close cooperation with the Member States, the Commission shall carry out, with the**

assistance of external experts, an ex-post evaluation, to assess the effectiveness and sustainability of results obtained as well as to measure the added value of the Fund. This ex post evaluation shall be completed by 31 December 2023.

assistance of external experts, an ex-post evaluation, to assess the ***ease of management of the programmes***, the effectiveness and sustainability of results obtained ***and the needs indicated by the partner organisations***, as well as to measure the added value of the Fund. This ex post evaluation shall be completed by 31 December 2023.

## **Amendment 78**

### **Proposal for a regulation**

#### **Article 17 – paragraph 1**

##### *Text proposed by the Commission*

1. The Member States shall provide information on and promote the actions supported by the Fund. The information shall be addressed to the most deprived persons, the media and the wider public. It shall highlight the role of the Union and ensure that the contribution from the Fund is visible.

##### *Amendment*

1. The ***Commission and the*** Member States shall provide information on and promote the actions supported by the Fund. The information shall be addressed to the most deprived persons, the media and the wider public. It shall highlight the role of the Union and ensure that the contribution from the Fund, the partner organisations and their volunteers is visible.

## **Amendment 79**

### **Proposal for a regulation**

#### **Article 17 – paragraph 2 – subparagraph 1**

##### *Text proposed by the Commission*

The ***managing*** authority shall, in order to ensure transparency in the support of the Fund, maintain a list of operations supported by the Fund in CSV or XML format which shall be accessible through a website. ***The*** list shall include at least information on the ***beneficiary name, its address and*** allocated amount of Union funding as well as the type of material deprivation addressed.

##### *Amendment*

The ***competent*** authority shall, in order to ensure transparency in the support of the Fund, maintain a list of operations supported by the Fund in CSV or XML format which shall be accessible through a website. ***For each operation supported,*** the list shall include at least information on ***the number of beneficiaries and*** the allocated amount of Union funding as well as the type of material deprivation addressed.

**Amendment 80**  
**Proposal for a regulation**

**Article 17 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

During the implementation of an operation, the beneficiaries and partner organisations shall inform the public about the support obtained from the Fund by placing at least one poster with information about the operation (minimum size A3), including about the financial support from the Union, at a location readily visible to the public, at each place of provision of the food, goods and any accompanying measure, except if this is not possible due to the circumstances of the distribution.

*Amendment*

During the implementation of an operation, the beneficiaries and partner organisations shall inform the public about the support obtained from the Fund by placing ***either*** at least one poster with information about the operation (minimum size A3), including about the financial support from the Union, at a location readily visible to the public, at each place of provision of the food, goods and any accompanying measure, ***or a European flag***, except if this is not possible due to the circumstances of the distribution.

**Amendment 81**  
**Proposal for a regulation**

**Article 17 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

***Those beneficiaries*** and partner organisations ***which have websites*** shall also ***provide a short description of the operation, including its aims and results,*** and highlighting the financial support from the Union.

*Amendment*

***Beneficiaries*** and partner organisations shall also ***be obliged to offer the public access to all information on the activities carried out, with the exception of information on the identity of the final recipients,*** highlighting the financial support from the Union.

**Amendment 82**  
**Proposal for a regulation**

**Article 17 – paragraph 5**

*Text proposed by the Commission*

5. The ***managing*** authority shall inform

*Amendment*

5. The ***competent*** authority shall inform

beneficiaries of publication of the list of operations in accordance with paragraph 2. The managing authority shall provide information and publicity kits, including templates in electronic format, to help beneficiaries and partner organisations to meet their obligations as set out in paragraph 3.

beneficiaries of publication of the list of operations in accordance with paragraph 2. The managing authority shall provide information and publicity kits, including templates in electronic format, to help beneficiaries and partner organisations to meet their obligations as set out in paragraph 3.

**Amendment 83**  
**Proposal for a regulation**

**Article 17 – paragraph 6**

*Text proposed by the Commission*

6. In processing personal data pursuant to this Article, the **managing** authority as well as the beneficiaries and partner organisations shall comply with Directive 95/46/EC.

*Amendment*

6. In processing personal data pursuant to this Article, the **competent** authority as well as the beneficiaries and partner organisations shall **abide by all confidential data protection rules and** comply with Directive 95/46/EC.

**Amendment 84**

**Proposal for a regulation**  
**Article 18 – title**

*Text proposed by the Commission*

Article 18

**Co-financing**

*Amendment*

Article 18

**Financing**

**Amendment 85**

**Proposal for a regulation**  
**Article 18 – paragraph 1**

*Text proposed by the Commission*

1. The **co-financing** rate **at the level** of the operational programme shall **not be higher than** 85% of the public eligible expenditure.

*Amendment*

1. The **financing** rate of the operational programme shall **be at least** 85% of the public eligible expenditure, **and it can go up to 100%.**

*The Fund shall be used to complement national strategies, not to replace Member States' authorities' responsibilities, for eradicating poverty and social exclusion, notably through the provision of long-term, sustainable programmes aiming at social reintegration rather than alleviating immediate food deprivation and material needs.*

## **Amendment 86**

### **Proposal for a regulation Article 18 – paragraph 2**

*Text proposed by the Commission*

2. The Commission decision adopting an operational programme shall fix the **co-financing** rate applicable to the operational programme and the maximum amount of support from the Fund.

*Amendment*

2. The Commission decision adopting an operational programme shall fix the **financing** rate applicable to the operational programme and the maximum amount of support from the Fund.

## **Amendment 87**

### **Proposal for a regulation**

#### **Article 18 – paragraph 3**

*Text proposed by the Commission*

**3. The technical assistance measures implemented at the initiative of, or on behalf of, the Commission may be financed at the rate of 100%.**

*Amendment*

**deleted**

## **Amendment 88**

### **Proposal for a regulation**

#### **Article 18 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3a. The distribution of food to the most deprived people in rural areas may be**

*financed at the rate of 100%.*

*Justification*

*It is very often in rural areas that people are living below the poverty line. Allowing 100% financing is likely to make it easier for local authorities to reach as many potential recipients of the Fund as possible.*

**Amendment 89**

**Proposal for a regulation**

**Article 19 – paragraph 1 – introductory phrase**

*Text proposed by the Commission*

**1. At the request of a Member State, interim payments and payments of the final balance may be increased by 10 percentage points above the co-financing rate applicable to the operational programme.** The increased rate, which can not exceed 100%, shall apply to requests for payment relating to the accounting period in which the Member State has submitted its request and subsequent accounting periods during which the Member State meets one of the following conditions:

*Amendment*

**1. Member States facing temporary budget difficulties may, on request, benefit from a financing rate of 100%.** The increased rate, which can not exceed 100%, shall apply to requests for payment relating to the accounting period in which the Member State has submitted its request and subsequent accounting periods during which the Member State meets one of the following conditions:

**Amendment 90**

**Proposal for a regulation**

**Article 20 – paragraph 2**

*Text proposed by the Commission*

2. Operations shall not be selected for support by the operational programme where they have been physically completed or fully implemented before the application for funding under the operational programme is submitted by the beneficiary to the **managing** authority, irrespective of whether all related payments have been made by the beneficiary.

*Amendment*

2. Operations shall not be selected for support by the operational programme where they have been physically completed or fully implemented before the application for funding under the operational programme is submitted by the beneficiary to the **competent** authority, irrespective of whether all related payments have been made by the beneficiary.

## Amendment 91

### Proposal for a regulation

#### Article 21 – paragraph 3 – subparagraph 1

*Text proposed by the Commission*

The food and the goods for **homeless persons or for children** may be purchased by the partner organisations themselves.

*Amendment*

The food and the goods for **the end recipients** may be purchased by the partner organisations themselves.

*Justification*

*The Fund is targeted at the most deprived people, who are a broader category of people needing aid. Article 2(1) and( 7) and Articles 3 and 21(4), amongst others, refer explicitly to the most deprived persons; this amendment thus seeks to make this regulation more consistent.*

## Amendment 92

### Proposal for a regulation

#### Article 21 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

They may also be purchased by a public body and made available free of charge to the partner organisations. In that case, the food may be obtained from the use, processing or sale of the products in intervention stocks made available in accordance with Article 15 of the Regulation (EU) No [CMO], provided that this is economically the most favourable option and does not unduly delay the delivery of the food products to the partner organisations. Any amount derived from a transaction concerning those stocks shall be used for the benefit of the most deprived persons, **and shall not be applied so as to diminish the obligation of the Member States, provided in Article 18 of this Regulation, to co-finance the programme.**

*Amendment*

They may also be purchased by a public body and made available free of charge to the partner organisations. In that case, the food may be obtained from the use, processing or sale of the products in intervention stocks made available in accordance with Article 15 of the Regulation (EU) No [CMO], provided that this is economically the most favourable option and does not unduly delay the delivery of the food products to the partner organisations. Any amount derived from a transaction concerning those stocks shall be used for the benefit of the most deprived persons **to complement the resources of the Fund without the costs of that use being deducted from the relevant financial appropriations.**

*Justification*

*Intervention stocks, where they exist, should be added to, and not deducted from, the*

*resources allocated, in order to ensure predictability for the partner organisations as to the financial appropriations granted.*

**Amendment 93**  
**Proposal for a regulation**

**Article 21 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. Material assistance may be provided in the form of vouchers exclusively intended for food purchases.***

**Amendment 94**  
**Proposal for a regulation**

**Article 21 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. That material assistance shall be distributed free of charge to the most deprived persons.

4. That material assistance shall be distributed free of charge to the most deprived persons, ***or sold at a price no greater than 10% of the market price and not exceeding the distribution costs borne by the designated organisations.***

**Amendment 95**  
**Proposal for a regulation**

**Article 24 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

a) the costs of purchasing food and basic consumer goods for personal use of ***homeless persons or of children;***

a) the costs of purchasing food ***meeting quality and food safety requirements*** and basic consumer goods for personal use of ***end recipients;***

*Justification*

*The Fund is targeted at the most deprived people, who are a broader category of people needing aid. Article 2(1) and( 7) and Articles 3 and 21(4), amongst others, refer explicitly to the most deprived persons; this amendment thus seeks to make this regulation more*

*consistent.*

## **Amendment 96**

### **Proposal for a regulation**

#### **Article 24 – paragraph 1 – point b**

##### *Text proposed by the Commission*

(b) where a public body purchases the food or basic consumer goods for personal use of ***homeless persons or of children*** and *provide* them to partner organisations, the costs of transporting of food or goods to the storage depots of the partner organisations at a flat rate of 1 % of the costs referred to in point (a);

##### *Amendment*

(b) where a public body purchases the food or basic consumer goods for personal use of ***end recipients*** and *provides* them to partner organisations, the costs of transporting of food or goods to the storage depots of the partner organisations at a flat rate of 1 % of the costs referred to in point (a);

##### *Justification*

*The Fund is targeted at the most deprived people, who are a broader category of people needing aid. Article 2(1) and( 7) and Articles 3 and 21(4), amongst others, refer explicitly to the most deprived persons; this amendment thus seeks to make this regulation more consistent.*

## **Amendment 97**

### **Proposal for a regulation**

#### **Article 24 – paragraph 1 – point c a (new)**

##### *Text proposed by the Commission*

##### *Amendment*

***ca) the costs of products which, without having consistently and recognisably proved to be economically the most favourable option, were comparable in terms of value for money (and durability, where applicable) to the products or goods available;***

## **Amendment 98**

### **Proposal for a regulation**

#### **Article 24 – paragraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

*(d) the costs of social inclusion activities undertaken and declared by the partner organisations delivering directly the material assistance to the most deprived persons at a flat rate of 5% of the costs referred to in point (a);* **deleted**

#### **Amendment 99**

#### **Proposal for a regulation**

#### **Article 24 – paragraph 1 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

***(ea) value added tax.***

#### *Justification*

*Many potential donors are discouraged from providing food and other goods to people in need because they are concerned about having to pay VAT. This is particularly the case for small businesses and associations. VAT should therefore be a fully eligible cost.*

#### **Amendment 100**

#### **Proposal for a regulation**

#### **Article 24 – paragraph 2 – point c**

*Text proposed by the Commission*

*Amendment*

***(c) value added tax. However, VAT amounts shall be eligible where they are not recoverable under national VAT legislation and are paid by a beneficiary other than a non-taxable person as defined in the first subparagraph of Article 13(1) of Council Directive 2006/112/EC.*** **deleted**

#### *Justification*

*A consequence of the amendment in paragraph 1.*

**Amendment 101**  
**Proposal for a regulation**

**Article 25 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 25a**

- 1. Member States shall carry out administrative and physical checks to ensure that operational programmes are implemented in compliance with the applicable rules and shall establish the penalties applicable in the event of irregularities.**
- 2. Member States shall fulfil the management, control and audit obligations and assume the resulting responsibilities laid down in the rules on shared management set out in the Financial Regulation and this Regulation.**
- 3. Member States shall prevent, detect and correct irregularities and shall recover amounts unduly paid, together with any interest on late payments.**
- 4. Member States shall establish and implement a procedure for the independent examination and resolution of complaints concerning the selection or implementation of operations cofinanced by the Fund.**

**Amendment 102**  
**Proposal for a regulation**

**Article 26**

*Text proposed by the Commission*

*Amendment*

**Article 26**

**deleted**

**General principles of Member State management and control systems**

**Management and control systems shall provide for:**

- (a) a description of the functions of each body concerned in management and control, and the allocation of functions within each body;*
- (b) compliance with the principle of separation of functions between and within such bodies;*
- (c) procedures for ensuring the correctness and regularity of expenditure declared;*
- (d) computerised systems for accounting, for the storage and transmission of financial data and data on indicators, for monitoring and for reporting;*
- (e) systems for reporting and monitoring where the responsible body entrusts execution of tasks to another body;*
- (f) arrangements for auditing the functioning of the management and control systems;*
- (g) systems and procedures to ensure an adequate audit trail;*
- (h) the prevention, detection and correction of irregularities, including fraud, and the recovery of amounts unduly paid, together with any interest;*

**Amendment 103**  
**Proposal for a regulation**

**Article 27**

*Text proposed by the Commission*

*Amendment*

**Article 27**

*deleted*

**Responsibilities of Member States**

**1. Member States shall fulfil the management, control and audit obligations and assume the resulting responsibilities laid down in the rules on shared management set out in the Financial Regulation and this Regulation. In accordance with the principle of**

*shared management, Member States shall be responsible for the management and control of operational programmes.*

*2. Member States shall prevent, detect and correct irregularities and shall recover amounts unduly paid, together with any interest on late payments. They shall notify these irregularities to the Commission and shall keep the Commission informed of the progress of related administrative and legal proceedings.*

*When amounts unduly paid to a beneficiary cannot be recovered and this is as a result of fault or negligence on the part of a Member State, the Member State shall be responsible for reimbursing the amounts concerned to the general budget of the Union.*

*The Commission shall be empowered to adopt delegated acts in accordance with Article 59 laying down detailed rules concerning the obligations of the Member States specified in this paragraph.*

*3. Member States shall establish and implement a procedure for the independent examination and resolution of complaints concerning the selection or implementation of operations co-financed by the Fund. Member States shall report the results of such examinations to the Commission upon request.*

*4. All official exchanges of information between the Member State and the Commission shall be carried out using an electronic data exchange system established in compliance with the terms and conditions laid down by the Commission by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 60(3).*

**Amendment 104**  
**Proposal for a regulation**

**Article 28**

*Text proposed by the Commission*

*Amendment*

**Article 28**

*deleted*

***Designation and organisation of  
management and control bodies***

- 1. The Member State shall designate a national public authority or body as managing authority.***
- 2. The Member State shall designate a national public authority or body as a certifying authority, without prejudice to paragraph 3.***
- 3. The Member State may designate a managing authority which carries out in addition the functions of the certifying authority.***
- 4. The Member State shall designate a national public authority or body, functionally independent from the managing authority and the certifying authority, as audit authority.***
- 5. Provided that the principle of separation of functions is respected, the managing authority, the certifying authority, where applicable, and the audit authority may be part of the same public authority or body.***
- 6. The Member State may designate one or more intermediate bodies to carry out certain tasks of the managing or the certifying authority under the responsibility of that authority. The relevant arrangements between the managing authority or certifying authority and the intermediate bodies shall be formally recorded in writing.***
- 7. The Member State or the managing authority may entrust the management of part of the operational programme to an intermediate body by way of an agreement***

*in writing between the intermediate body and the Member State or managing authority. The intermediate body shall provide guarantees of its solvency and competence in the domain concerned, as well as its administrative and financial management.*

*8. The Member State shall lay down in writing rules governing its relations with the managing authority, certifying authority and audit authority, the relations between such authorities, and the relations of such authorities with the Commission.*

## **Amendment 105**

### **Proposal for a regulation**

#### **Article 29**

*Text proposed by the Commission*

*Amendment*

#### *Article 29*

*deleted*

#### *Functions of the managing authority*

*1. The managing authority shall be responsible for managing the operational programme in accordance with the principle of sound financial management.*

*2. As regards the management of the operational programme, the managing authority shall:*

*(a) draw up and submit to the Commission annual and final implementation reports;*

*(b) make available to intermediate bodies and beneficiaries information that is relevant to the execution of their tasks and the implementation of operations respectively;*

*(c) establish a system to record and store in computerised form data necessary for monitoring, evaluation, financial management, verification and audit;*

*(d) ensure that the data referred to in point (c) is collected, entered and stored in the system, in compliance with the provisions Directive 95/46/CE.*

**3. As regards the selection of operations, the managing authority shall:**

*(a) Draw up and apply appropriate selection procedures and criteria that are non-discriminatory and transparent;*

*(b) ensure that the selected operation:*

*(i) falls within the scope of the Fund and the operational programme;*

*(ii) fulfils the criteria set out in the operational programme and in Articles 20, 21 and 24;*

*(iii) takes into account the principles set out in Article 5(10), (11) and (12).*

*(c) provide to the beneficiary a document setting out the conditions for support of each operation including the specific requirements concerning the products or services to be delivered under the operation, the financing plan, and the time-limit for execution;*

*(d) satisfy itself that the beneficiary has the administrative, financial and operational capacity to fulfil the conditions defined in point (c) before approval of the operation;*

*(e) satisfy itself that, where the operation has started before the submission of an application for funding to the managing authority, Union and national rules relevant for the operation have been complied with;*

*(f) determine the type of material assistance to which the expenditure of an operation shall be attributed.*

**4. As regards the financial management and control of the operational programme, the managing authority shall:**

*(a) verify that the co-financed products and services have been delivered and that expenditure declared by the beneficiaries has been paid by them and that it complies with applicable Union and national law, the operational programme and the conditions for support of the operation;*

*(b) ensure that beneficiaries involved in the implementation of operations reimbursed pursuant to Article 23(1)(a) maintain either a separate accounting system or an adequate accounting code for all transactions relating to an operation;*

*(c) put in place effective and proportionate anti-fraud measures taking into account the risks identified;*

*(d) set up procedures to ensure that all documents regarding expenditure and audits required to ensure an adequate audit trail are held in accordance with the requirements of Article 26(g);*

*(e) draw up the management declaration and annual summary referred to in Article 56 (5) (a) and (b) of the Financial Regulation.*

**5. Verifications pursuant to paragraph 4(a) shall include the following procedures:**

*(a) administrative verifications in respect of each application for reimbursement by beneficiaries;*

*(b) on-the-spot verifications of operations.*

*The frequency and coverage of the on-the-spot verifications shall be proportionate to the amount of public support to an operation and the level of risk identified by these verifications and audits by the audit authority for the management and control system as a whole.*

**6. On-the-spot verifications of individual operations pursuant to paragraph (5)(b)**

*may be carried out on a sample basis.*

*7. Where the managing authority is also a beneficiary under the operational programme, arrangements for the verifications referred to in paragraph 4(a) shall ensure adequate separation of functions.*

*8. The Commission shall adopt delegated acts, in accordance with Article 59, laying down the modalities of the exchange of information in paragraph 2(c).*

*9. The Commission shall adopt delegated acts, in accordance with Article 59, laying down rules concerning arrangements for the audit trail referred to in paragraph 4(d).*

*10. The Commission shall adopt, by means of implementing acts, the template for the management declaration referred to in paragraph 4(e). Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 60(2).*

## **Amendment 106**

### **Proposal for a regulation**

#### **Article 30**

*Text proposed by the Commission*

*Amendment*

#### **Article 30**

*deleted*

#### **Functions of the certifying authority**

*The certifying authority shall be responsible in particular for the following:*

*1. drawing up and submitting to the Commission payment applications and certifying that these result from reliable accounting systems, are based on verifiable supporting documents and have been subject to verifications by the managing authority;*

*2. drawing up the annual accounts referred to in Article 56 (5) (a) of the Financial Regulation;*

*3. certifying the completeness, accuracy and veracity of the annual accounts and that the expenditure entered in the accounts complies with applicable Union and national rules and has been incurred in respect of operations selected for funding in accordance to the criteria applicable to the operational programme and complying with Union and national rules;*

*4. ensuring that there is a system which records and stores, in computerised form, accounting records for each operation, and which supports all the data required for drawing up payment applications and annual accounts, including records of amounts recoverable, amounts recovered and amounts withdrawn following cancellation of all or part of the contribution for an operation or the operational programme;*

*5. ensuring for the purposes of drawing up and submission of payment applications that it has received adequate information from the managing authority on the procedures and verifications carried out in relation to expenditure;*

*6. taking into account when drawing up and submitting payment applications the results of all audits carried out by or under the responsibility of the audit authority;*

*7. maintaining accounting records in a computerised form of expenditure declared to the Commission and the corresponding public contribution paid to the beneficiaries;*

*8. keeping an account of amounts recoverable and of amounts withdrawn following cancellation of all or part of the contribution for an operation. Amounts recovered shall be repaid to the general*

*budget of the Union prior to the closure of the operational programme by deducting them from the next statement of expenditure.*

**Amendment 107**  
**Proposal for a regulation**

**Article 31**

*Text proposed by the Commission*

*Amendment*

**Article 31**

*deleted*

***Functions of the audit authority***

***1. The audit authority shall ensure that audits are carried out on the management and control systems, on an appropriate sample of operations and on the annual accounts.***

***The Commission shall be empowered to adopt delegated acts in accordance with Article 59 to set out the conditions which those audits shall fulfil.***

***2. Where audits are carried out by a body other than the audit authority, the audit authority shall ensure that any such body has the necessary functional independence.***

***3. The audit authority shall ensure that audit work takes account of internationally accepted audit standards.***

***4. The audit authority shall, within six months of adoption of the operational programme, prepare an audit strategy for performance of audits. The audit strategy shall set out the audit methodology, the sampling method for audits on operations and the planning of audits in relation to the current accounting year and the two subsequent accounting years. The audit strategy shall be updated annually from 2016 until and including 2022. The audit authority shall submit the audit strategy to the Commission upon request.***

***5. The audit authority shall draw up the following:***

***(a) an audit opinion in accordance with Article 56(5) of the Financial Regulation;***

***(b) an annual control report setting out the findings of the audits carried out during the preceding accounting year.***

***The report under point (b) shall set out any deficiencies found in the management and control system and any corrective measures taken or proposed to be taken.***

***6. The Commission shall adopt, by means of implementing acts, models for the audit strategy, the audit opinion and the annual control report, as well as the methodology for the sampling method referred to in paragraph 4. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 60(3)***

***7. Implementing rules concerning the use of data collected during audits carried out by Commission officials or authorised Commission representatives shall be adopted by the Commission in accordance with the examination procedure referred to in Article 60(3).***

## **Amendment 108**

### **Proposal for a regulation**

#### **Article 32**

*Text proposed by the Commission*

*Amendment*

#### **Article 32**

***deleted***

***Procedure for designation of the managing and the certifying authorities***

***1. Member states shall notify to the Commission the date and form of the designation of the managing authority and, where appropriate the certifying authority, within six months of the adoption of decision adopting the***

*operational programme.*

*2. The designation referred to in paragraph 1 shall be based on a report and an opinion of an independent audit body that assesses the management and control system, including the role of intermediate bodies therein, and its compliance with Articles 26, 27, 29 and 30, in accordance with criteria on internal environment, control activities, information and communication, and monitoring established by the Commission by means of delegated act in accordance with Article 59.*

*3. The independent body shall carry out its work in accordance with internationally accepted audit standards.*

*4. Member States may decide that a managing authority or a certifying authority which has been designated in relation to an ESF co-financed operational programme pursuant to Regulation (EU) No [CPR] is deemed to be designated for the purposes of this Regulation.*

*The Commission may request, within two months of receipt of the notification referred to in paragraph 1, the report and the opinion of the independent audit body and the description of the management and control system.*

*The Commission may make observations within two months of receipt of those documents.*

*5. The Member State shall supervise the designated body and withdraw its designation by formal decision if one or more of the criteria referred to in paragraph 2 are no longer met, unless the body takes the necessary remedial actions within a period of probation to be determined by the Member State according to the severity of the problem. The Member State shall notify the Commission immediately of the setting of*

*any probation period for a designated body and of any withdrawal decision.*

**Amendment 109**  
**Proposal for a regulation**

**Article 33**

*Text proposed by the Commission*

*Amendment*

**Article 33**

***deleted***

***Commission powers and responsibilities***

***1. The Commission shall satisfy itself on the basis of available information, including the information on the designation of the managing authority and the certifying authority, annual management declaration, annual control reports, annual audit opinion, annual implementation report and audits carried out by national and Union bodies, that the Member States have set up management and control systems that comply with this Regulation and that these systems function effectively during the implementation of operational programme.***

***2. Without prejudice to audits carried out by Member States, Commission officials or authorised Commission representatives may carry out on-the-spot audits or checks upon giving adequate prior notice. The scope of such audits or checks may include, in particular, verification of the effective functioning of management and control systems in an operational programme or a part thereof, operations and assessment of the sound financial management of operations or operational programme. Officials or authorised representatives of the Member State may take part in such audits.***

***Commission officials or authorised Commission representatives, duly empowered to carry out on-the-spot***

*audits, shall have access to all records, documents and metadata, irrespective of the medium in which they are stored, relating to operations supported by the Fund or to management and control systems. Member States shall provide copies of such records, documents and metadata to the Commission upon request.*

*The powers set out in this paragraph shall not affect the application of national provisions which reserve certain acts for agents specifically designated by national legislation. Commission officials and authorised representatives shall not take part, inter alia, in home visits or the formal questioning of persons within the framework of national legislation. However, they shall have access to the information thus obtained.*

*3. The Commission may require a Member State to take the actions necessary to ensure the effective functioning of their management and control systems or the correctness of expenditure in accordance with this Regulation.*

*4. The Commission may require a Member State to examine a complaint submitted to the Commission concerning the implementation of operations co-financed by the Fund or the functioning of the management and control system.*

## **Amendment 110**

### **Proposal for a regulation**

#### **Article 34**

*Text proposed by the Commission*

*Amendment*

*Article 34*

*deleted*

*Cooperation with audit authority*

***1. The Commission shall cooperate with audit authorities to coordinate their audit plans and methods and shall immediately exchange the results of audits carried out on management and control systems.***

***2. The Commission and the audit authority shall meet on a regular basis and at least once a year, unless otherwise agreed, to examine the annual control report, the opinion and the audit strategy, and to exchange views on issues relating to improvement of the management and control systems.***

## **Amendment 111**

### **Proposal for a regulation**

#### **Article 39 – paragraph 1**

*Text proposed by the Commission*

1. ***Managing*** authority shall ensure that, in the case of grants to partner organisations, beneficiaries are provided with a flow sufficient to ensure proper implementation of the operations.

*Amendment*

1. ***The competent*** authority shall ensure that, in the case of grants to partner organisations, beneficiaries are provided with a flow sufficient to ensure proper implementation of the operations.

## **Amendment 112**

### **Proposal for a regulation**

#### **Article 39 – paragraph 2**

*Text proposed by the Commission*

2. ***Managing*** authority shall ensure that the beneficiaries receive the total amount of public support as quickly as possible and in full and in any event before the inclusion of the corresponding expenditure in the payment application. No amount shall be deducted or withheld and no specific charge or other charge with equivalent effect shall be levied that would reduce these amounts for the beneficiaries.

*Amendment*

2. ***The competent*** authority shall ensure that the beneficiaries receive the total amount of public support as quickly as possible and in full and in any event before the inclusion of the corresponding expenditure in the payment application. No amount shall be deducted or withheld and no specific charge or other charge with equivalent effect shall be levied that would reduce these amounts for the beneficiaries.

**Amendment 113**  
**Proposal for a regulation**

**Article 41 – paragraph 1**

*Text proposed by the Commission*

1. Following the Commission decision adopting the operational programme, *a* pre-financing amounting **11%** of the *Fund* overall contribution to the operational programme concerned shall be paid by the Commission.

*Amendment*

1. Following the Commission decision adopting the operational programme, pre-financing amounting *to* **20%** of the *Fund's* overall contribution to the operational programme concerned shall be paid by the Commission.

**Amendment 114**  
**Proposal for a regulation**

**Article 42 – paragraph 1**

*Text proposed by the Commission*

1. The **certifying** authority shall submit on a regular basis an application for interim payment covering amounts entered in its accounts as public support paid to beneficiaries in the accounting year ending 30 June.

*Amendment*

1. The **competent** authority shall submit on a regular basis an application for interim payment covering amounts entered in its accounts as public support paid to beneficiaries in the accounting year ending 30 June.

**Amendment 115**  
**Proposal for a regulation**

**Article 42 – paragraph 2**

*Text proposed by the Commission*

2. The **certifying** authority shall submit the final application for interim payment by 31 July following the end of the previous accounting year and, in any event, before the first application for interim payment for the next accounting year.

*Amendment*

2. The **competent** authority shall submit the final application for interim payment by 31 July following the end of the previous accounting year and, in any event, before the first application for interim payment for the next accounting year.

**Amendment 116**  
**Proposal for a regulation**

**Article 42 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. The first application for interim payment shall not be made before the notification to the Commission of the designation of the ***managing authority and the certifying authority in accordance to Article 32(1).***

3. The first application for interim payment shall not be made before the notification to the Commission of the designation of the ***competent authorities.***

**Amendment 117**  
**Proposal for a regulation**

**Article 43**

*Text proposed by the Commission*

*Amendment*

**Article 43**

***deleted***

***Interruption of the time limit payment***

***1. The time limit for the payment of an interim payment claim may be interrupted by the authorising officer by delegation within the meaning of the Financial Regulation for a maximum period of nine months when the following conditions are met:***

***(a) on the basis of the information provided by a national or Union audit body, there is evidence to suggest a significant deficiency in the functioning of the management and control system;***

***(b) the authorising officer by delegation has to carry out additional verifications following information coming to his attention alerting him that expenditure in a request for payment is linked to an irregularity having serious financial consequences;***

***(c) there is a failure to submit one of the documents required under Article 45(1).***

***2. The authorising officer by delegation may limit the interruption to the part of the expenditure covered by the payment claim affected by the elements referred to in paragraph 1. The authorising officer by***

*delegation shall inform the Member State and the managing authority immediately of the reason for interruption and shall ask them to remedy the situation. The interruption shall be ended by the authorising officer by delegation as soon as the necessary measures have been taken.*

## **Amendment 118**

### **Proposal for a regulation**

#### **Article 44**

*Text proposed by the Commission*

*Amendment*

#### **Article 44**

*deleted*

##### ***Suspension of payments***

***1. All or part of the interim payments may be suspended by the Commission where:***

***(a) there is a serious deficiency in the management and control system of the operational programme for which corrective measures have not been taken;***

***(b) expenditure in a statement of expenditure is linked to an irregularity having serious financial consequences which has not been corrected;***

***(c) the Member State has failed to take the necessary action to remedy the situation giving rise to an interruption under Article 43;***

***(d) there is a serious deficiency in the quality and reliability of the monitoring system or of the data on indicators.***

***2. The Commission may decide, by means of implementing acts, to suspend all or part of interim payments, after having given the Member State the opportunity to present its observations.***

***3. The Commission shall end suspension of all or part of interim payments where the Member State has taken the necessary***

*measures to enable the suspension to be lifted.*

## **Amendment 119**

### **Proposal for a regulation**

#### **Article 46 – paragraph 1 – point a**

##### *Text proposed by the Commission*

(a) the total amount of eligible expenditure entered into the accounts of the **certifying** authority as having been incurred and paid by beneficiaries in implementing operations, the total amount of public eligible expenditure incurred in implementing operations and the corresponding eligible public contribution which has been paid to beneficiaries;

##### *Amendment*

(a) the total amount of eligible expenditure entered into the accounts of the **competent** authority as having been incurred and paid by beneficiaries in implementing operations, the total amount of public eligible expenditure incurred in implementing operations and the corresponding eligible public contribution which has been paid to beneficiaries;

## **Amendment 120**

### **Proposal for a regulation**

#### **Article 46 – paragraph 2**

##### *Text proposed by the Commission*

2. The **certifying** authority may specify in the accounts a provision, which shall not exceed 5 % of the total expenditure in payment applications presented for a given accounting year, where the assessment of the legality and regularity of the expenditure is subject to an on-going procedure with the audit authority. The amount covered shall be excluded from the total amount of eligible expenditure referred to in paragraph 1(a). These amounts shall be definitively included in, or excluded from, the annual accounts of the following year.

##### *Amendment*

2. The **competent** authority may specify in the accounts a provision, which shall not exceed 5 % of the total expenditure in payment applications presented for a given accounting year, where the assessment of the legality and regularity of the expenditure is subject to an on-going procedure with the audit authority. The amount covered shall be excluded from the total amount of eligible expenditure referred to in paragraph 1(a). These amounts shall be definitively included in, or excluded from, the annual accounts of the following year.

## **Amendment 121**

### **Proposal for a regulation**

#### **Article 48**

**Article 48**

***deleted***

***Availability of documents***

***1. The managing authority shall ensure that all supporting documents on operations are made available to the Commission and the European Court of Auditors upon request for a period of three years. This three year period shall run from 31 December of the year of the decision on acceptance of accounts by the Commission pursuant to Article 47 or, at the latest, from the date of payment of the final balance.***

***This three year period shall be interrupted either in the case of legal or administrative proceedings or by a duly justified request of the Commission.***

***2. The documents shall be kept either in the form of the originals, or certified true copies of the originals, or on commonly accepted data carriers including electronic versions of original documents or documents existing in electronic version only.***

***3. The documents shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the data were collected or for which they are further processed.***

***4. The Commission shall be empowered to adopt delegated acts in accordance with Article 59 to set out which data carriers can be considered as commonly accepted.***

***5. The procedure for certification of conformity of documents held on commonly accepted data carriers with the original document shall be laid down by the national authorities and shall ensure that the versions held comply with national legal requirements and can be***

*relied on for audit purposes.*

**6. Where documents exist in electronic version only, the computer systems used must meet accepted security standards that ensure that the documents held comply with national legal requirements and can be relied on for audit purposes.**

## **Amendment 122**

### **Proposal for a regulation**

#### **Article 50 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. The Member State shall make the financial corrections required in connection with individual or systemic irregularities detected in operations or the operational programme. Financial corrections shall consist of cancelling all or part of the public contribution to an operation or the operational programme. The Member State shall take into account the nature and gravity of the irregularities and the financial loss to the Fund and shall apply a proportionate correction. Financial corrections shall be recorded in the annual accounts by the managing authority for the accounting year in which the cancellation is decided** *deleted*

## **Amendment 123**

### **Proposal for a regulation**

#### **Article 50 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. The contribution from the Fund cancelled in accordance with paragraph 2 may be reused by the Member State within the operational programme concerned, subject to paragraph 4.** *deleted*

**Amendment 124**  
**Proposal for a regulation**

**Article 50 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

**4. The contribution cancelled in accordance with paragraph 2 may not be reused for any operation that was the subject of the correction or, where a financial correction is made for a systemic irregularity, for any operation affected by the systemic irregularity.** *deleted*

**Amendment 125**  
**Proposal for a regulation**

**Article 50 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

**5. A financial correction by the Commission shall not prejudice the Member State's obligation to pursue recoveries under the present Article.** *deleted*

**Amendment 126**  
**Proposal for a regulation**

**Article 51**

*Text proposed by the Commission*

*Amendment*

**Article 51** *deleted*  
**Financial corrections by the Commission**  
**1. The Commission shall make financial corrections, by means of implementing act, by cancelling all or part of the Union contribution to an operational programme and effecting recovery from the Member State in order to exclude from Union financing expenditure which is in breach of applicable Union and national law, including in relation to deficiencies in the**

*management and control systems of Member States which have been detected by the Commission or the European Court of Auditors.*

*2. A breach of applicable Union or national law shall lead to a financial correction only when one of the following conditions is met:*

*(a) the breach has or could have affected the selection of an operation by the managing authority for support by the Fund;*

*(b) the breach has or could have affected the amount of expenditure declared for reimbursement by the Union budget.*

## **Amendment 127**

### **Proposal for a regulation**

#### **Article 52**

*Text proposed by the Commission*

*Amendment*

#### **Article 52**

*deleted*

*Criteria for financial correction by the Commission*

*1. The Commission shall make financial corrections after carrying out the necessary examination, it concludes that:*

*(a) there is a serious deficiency in the management and control system of the operational programme which has put at risk the Union contribution already paid to the operational programme;*

*(b) the Member State has not complied with its obligations under Article 50 prior to the opening of the correction procedure under this paragraph;*

*(c) expenditure contained in a payment application is irregular and has not been corrected by the Member State prior to the opening of the correction procedure under this paragraph.*

*The Commission shall base its financial corrections on individual cases of irregularity identified and shall take account of whether an irregularity is systemic. When it is not possible to quantify precisely the amount of irregular expenditure charged to the Fund, the Commission shall apply a flat rate or extrapolated financial correction.*

*2. The Commission shall, when deciding the amount of a correction under paragraph 1, take account of the nature and gravity of the irregularity and the extent and financial implications of the deficiencies in management and control systems found in the operational programme.*

*3. Where the Commission bases its position on reports of auditors other than those of its own services, it shall draw its own conclusions regarding the financial consequences after examining the measures taken by the Member State concerned under Article 50(2), the notifications sent under Article 27(2), and any replies from the Member State.*

*4. The Commission shall be empowered to adopt delegated acts in accordance with Article 59 establishing the criteria for establishing the level of financial correction to be applied.*

## **Amendment 128**

### **Proposal for a regulation**

#### **Article 53**

*Text proposed by the Commission*

*Amendment*

#### **Article 53**

*deleted*

#### **Procedure for financial corrections by the Commission**

*1. Before taking a decision on a financial correction, the Commission shall launch the procedure by informing the Member*

*State of the provisional conclusions of its examination and requesting the Member State to submit its comments within two months.*

*2. Where the Commission proposes a financial correction on the basis of extrapolation or a flat rate, the Member State shall be given the opportunity to demonstrate, through an examination of the documentation concerned, that the actual extent of irregularity is less than the Commission's assessment. In agreement with the Commission, the Member State may limit the scope of this examination to an appropriate proportion or sample of the documentation concerned. Except in duly justified cases, the time allowed for this examination shall not exceed a further period of two months after the two-month period referred to in paragraph 1.*

*3. The Commission shall take account of any evidence supplied by the Member State within the time limits set out in paragraphs 1 and 2.*

*4. Where the Member State does not accept the provisional conclusions of the Commission, the Member State shall be invited to a hearing by the Commission, in order to ensure that all relevant information and observations are available as a basis for conclusions by the Commission on the application of the financial correction.*

*5. In order to apply financial corrections the Commission shall take a decision, by means of implementing acts, within six months of the date of the hearing, or of the date of receipt of additional information where the Member State agrees to submit such additional information following the hearing. The Commission shall take account of all information and observations submitted during the course of the procedure. If no hearing takes place, the six month period*

*shall begin to run two months after the date of the letter of invitation to the hearing sent by the Commission.*

*6. Where irregularities affecting annual accounts sent to the Commission are detected by the Commission or by the European Court of Auditors, the resulting financial correction shall reduce support from the Fund to the operational programme.*

## **Amendment 129**

### **Proposal for a regulation**

#### **Article 54**

*Text proposed by the Commission*

*Amendment*

#### **Article 54**

*deleted*

#### **Repayments to the Union Budget - Recoveries**

*1. Any repayment due to be made to the general budget of the Union shall be effected before the due date indicated in the order for recovery drawn up in accordance with Article 77 of the Financial Regulation. The due date shall be the last day of the second month following the issuing of the order.*

*2. Any delay in effecting repayment shall give rise to interest on account of late payment, starting on the due date and ending on the date of actual payment. The rate of such interest shall be one-and-a-half percentage points above the rate applied by the European Central Bank in its main refinancing operations on the first working day of the month in which the due date falls.*

## **Amendment 130**

### **Proposal for a regulation**

#### **Article 55**

**Article 55**

***deleted***

***Proportional control of operational programmes***

***1. Operations for which the total eligible expenditure does not exceed EUR 100 000 shall not be subject to more than one audit by either the audit authority or the Commission prior to the examination of all the expenditure concerned under Article 47. Other operations shall not be subject to more than one audit per accounting year by the audit authority and the Commission prior to the examination of all the expenditure concerned under Article 47. Those provisions are without prejudice to paragraphs 5 and 6.***

***2. Audit of an operation may cover all stages of its implementation and all levels of the distribution chain, with the exception of control of the actual end recipients, unless a risk assessment establishes a specific risk of irregularity or fraud.***

***3. When the most recent audit opinion on the operational programme indicates that there are no significant deficiencies, the Commission may agree with the audit authority in the subsequent meeting referred to in Article 34(2) that the level of audit work required may be reduced so that it is proportionate to the risk established. In such cases, the Commission will not carry out its own on-the-spot audits unless there is evidence suggesting deficiencies in the management and control system affecting expenditure declared to the Commission in an accounting year for which the accounts have been accepted.***

***4. If the Commission concludes that it can rely on the opinion of the audit authority for the operational programme, it may***

*agree with the audit authority to limit its own on the spot audits to audit the work of the audit authority unless there is evidence of deficiencies in the work of the audit authority work for an accounting year for which the accounts have been accepted.*

*5. The audit authority and the Commission may carry out audits of operations at any time where a risk assessment establishes a specific risk of irregularity or fraud, in case of evidence of serious deficiencies in the management and control system of the operational programme, and, during the 3 years following acceptance of all the expenditure of an operation under Article 47, as part of an audit sample.*

*6. The Commission may at any time carry out audits of operations for the purpose of assessing the work of an audit authority by re-performance of its audit activity.*

## **Amendment 131**

### **Proposal for a regulation**

#### **Article 56**

*Text proposed by the Commission*

*Amendment*

#### **Article 56**

*deleted*

#### **Rules on decommitment**

*1. The Commission shall decommit any part of the amount calculated in accordance with the second subparagraph in an operational programme that has not been used for payment of the pre-financing, interim payments and annual balance by 31 December of the second financial year following the year of budget commitment under the operational programme or for which a payment application drawn up in accordance with Article 38 has not been sent in accordance with Article 42.*

*For the purposes of the decommitment, the Commission shall calculate the amount by adding one sixth of the annual budget commitment related to the 2014 total annual contribution to each of the 2015 to 2020 budget commitments.*

*2. By way of derogation from the first subparagraph of paragraph 1, the deadlines for decommitment shall not apply to the annual budget commitment related to the 2014 total annual contribution.*

*3. If the first annual budget commitment is related to the 2015 total annual contribution, by way of derogation from paragraph 1, the deadlines for decommitment shall not apply to the annual budget commitment related to the total annual contribution of 2015. In such cases, the Commission shall calculate the amount under the first sub-paragraph of paragraph 1 by adding one fifth of the annual budget commitment related to the 2015 total amount contribution to each of the 2016 to 2020 budget commitments.*

*4. That part of commitments still open on 31 December 2022 shall be decommitted if any of the documents required under Article 47(2) has not been submitted to the Commission by 30 September 2023.*

## **Amendment 132**

### **Proposal for a regulation**

#### **Article 57**

*Text proposed by the Commission*

*Amendment*

#### **Article 57**

*deleted*

#### **Exception to the decommitment**

*1. The amount concerned by decommitment shall be reduced by the amounts that the responsible body has not been able to declare to the Commission*

*because of:*

*(a) operations suspended by a legal proceeding or by an administrative appeal having suspensory effect; or*

*(b) reasons of force majeure seriously affecting implementation of all or part of the operational programme. The national authorities claiming force majeure shall demonstrate the direct consequences of the force majeure on the implementation of all or part of the operational programme;*

*(c) The reduction may be requested once if the suspension or force majeure lasted up to one year, or several times corresponding to the duration of the force majeure or the number of years between the date of the legal or administrative decision suspending the implementation of the operation and the date of the final legal or administrative decision.*

*2. By 31 January, the Member State shall send to the Commission information on the exceptions referred to in paragraph 1 for the amount to be declared by the end of the preceding year.*

## **Amendment 133**

### **Proposal for a regulation**

#### **Article 58**

*Text proposed by the Commission*

*Amendment*

#### **Article 58**

*deleted*

#### **Procedure for decommitments**

*1. The Commission shall inform the Member State and the managing authority in good time whenever there is a risk of application of decommitment under Article 56.*

*2. On the basis of the information it has on 31 January, the Commission shall inform the Member State and the*

*managing authority of the amount of the decommitment resulting from the information in its possession.*

*3. The Member State shall have two months to agree to the amount to be decommitted or to submit its observations.*

*4. By 30 June, the Member State shall submit to the Commission a revised financing plan reflecting for the financial year concerned the reduced amount of support of the operational programme. Failing such submission, the Commission shall revise the financing plan by reducing the contribution from the Fund for the financial year concerned.*

*5. The Commission shall amend the decision adopting the operational programme, by means of implementing act, no later than 30 September.*

#### **Amendment 134** **Proposal for a regulation**

#### **Article 60 a (new)**

*Text proposed by the Commission*

*Amendment*

#### **Article 60a**

*1. A transitional scheme is established for 2014 whereby food products may be distributed to the most deprived persons in the Union through organisations, which shall not be commercial undertakings, designated by Member States. For the purposes of this food distribution scheme, products in intervention stocks shall be made available or, where there are no intervention stocks suitable for the food distribution scheme, food products shall be purchased on the market.*

*2. Each Member State wishing to participate in the food distribution scheme provided for in paragraph 1 shall submit to the Commission a food distribution*

*programme containing the following:*

*(a) details of the main characteristics and objectives of the programme;*

*(b) the organisations designated;*

*(c) the requests for quantities of food products to be distributed in 2014 and other relevant information.*

*Member States shall choose the food products on the basis of objective criteria including nutritional value and suitability for distribution. For that purpose, Member States may give preference to food products of Union origin.*

*3. The Commission shall adopt the plan for 2014 on the basis of the requests and other relevant information referred to in point (c) of the first subparagraph of paragraph 2 and submitted by Member States as part of their food distribution programmes. The EU financial allocation by Member State is then established.*

*When food products included in the 2014 plan are not available in intervention stocks in the Member State where such products are required, the Commission shall make provision for the transfer of those products to that Member State from Member States where they are available in intervention stocks.*

*4. The food products shall be released to designated organisations free of charge. The distribution of the food products to the most deprived persons shall be:*

*(a) free of charge; or*

*(b) at a price which is in no case greater than that justified by the costs incurred by the designated organisations in their distribution and that are not eligible costs under points (a) and (b) of the second subparagraph of paragraph 7.*

*5. Member States participating in the food distribution scheme provided for in paragraph 1 shall:*

*(a) submit to the Commission an annual report on implementation of their food distribution programmes;*

*(b) keep the Commission informed in a timely manner on developments affecting the implementation of their food distribution programmes.*

*6. The Union shall finance the eligible costs under the scheme. This financing shall be consistent with the operational programmes submitted for the period 2014-2020.*

*7. The eligible costs under the scheme shall be:*

*a) the cost of food products released from intervention stocks;*

*(b) the cost of food products purchased on the market; and*

*(c) the cost of transporting food products in intervention stocks between Member States.*

*Within the financial resources available to implement the 2014 plan in each Member State, the national competent authorities may consider eligible the following costs:*

*(a) the cost of transporting food products to the storage depots of the designated organisations;*

*(b) the following costs incurred by the designated organisations, to the extent that they are directly linked with the implementation of the 2014 plan*

*(i) administrative costs;*

*(ii) transport costs between the storage depots of the designated organisations and the points of final distribution; and*

*(iii) storage costs.*

*8. Member States shall carry out administrative and physical controls to ensure that the 2014 plan is implemented in compliance with the applicable rules*

*and shall establish the penalties applicable in the event of irregularities.*

*9. The words "European Union aid" accompanied by the emblem of the European Union shall be clearly marked on the packing of food distributed through the 2014 plan as well as at the distribution points.*

*10. The food distribution scheme provided for in paragraph 1 shall be without prejudice to any national schemes, whereby food products are distributed to most deprived persons, that are in conformity with Union law.*

*11. This article shall apply until the completion of the 2014 plan.*

#### *Justification*

*The new scheme is scheduled to enter into force on 1 January 2014. Under the provisional schedule, it should become operational in the Member States some 10 months earlier. This is impossible, given that the regulation will not be adopted until mid-2013 at the earliest. A simplified transitional procedure exclusively covering food aid, which is the top priority, is therefore required for 2014. It is proposed that this should involve taking the MDP procedure over into the proposal (which will mean using ESF funding).*

#### **Amendment 135** **Proposal for a regulation**

#### **Annex 1**

*Text proposed by the Commission*

*Amendment*

***This annex is deleted.***

## PROCEDURE

<b>Title</b>	Fund for European Aid to the Most Deprived						
<b>References</b>	COM(2012)0617 – C7-0358/2012 – 2012/0295(COD)						
<b>Committee responsible</b> Date announced in plenary	EMPL 19.11.2012						
<b>Opinion by</b> Date announced in plenary	AGRI 19.11.2012						
<b>Rapporteur</b> Date appointed	Marc Tarabella 3.12.2012						
<b>Discussed in committee</b>	21.2.2013						
<b>Date adopted</b>	25.3.2013						
<b>Result of final vote</b>	<table> <tr> <td>+:                   </td><td>27</td></tr> <tr> <td>–:                   </td><td>3</td></tr> <tr> <td>0:                   </td><td>4</td></tr> </table>	+:	27	–:	3	0:	4
+:	27						
–:	3						
0:	4						
<b>Members present for the final vote</b>	Eric Andrieu, José Bové, Luis Manuel Capoulas Santos, Michel Dantin, Paolo De Castro, Albert Deß, Herbert Dorfmann, Hynek Fajmon, Mariya Gabriel, Iratxe García Pérez, Julie Girling, Martin Häusling, Peter Jahr, Elisabeth Jeggle, Jarosław Kalinowski, Elisabeth Köstinger, George Lyon, Mairead McGuinness, Rareş-Lucian Niculescu, Wojciech Michał Olejniczak, Marit Paulsen, Britta Reimers, Ulrike Rodust, Alfreds Rubiks, Giancarlo Scottà, Czesław Adam Siekierski, Sergio Paolo Francesco Silvestris, Csaba Sándor Tabajdi, Marc Tarabella, Janusz Wojciechowski						
<b>Substitute(s) present for the final vote</b>	María Auxiliadora Correa Zamora, Spyros Danellis, Jean-Paul Gauzès, Christa Kläß, Astrid Lulling, Jacek Włosowicz, Milan Zver						