



2016/2114(REG)

18.10.2016

PARERE

della commissione per il controllo dei bilanci

destinato alla commissione per gli affari costituzionali

sulla revisione generale del regolamento del Parlamento europeo
(2016/2114(REG))

Relatore per parere: Ingeborg Gräßle

PA_REG

SUGGERIMENTI

La commissione per il controllo dei bilanci invita la commissione per gli affari costituzionali, competente per il merito, a includere nella proposta di risoluzione che approverà i seguenti suggerimenti:

Emendamento 1

Regolamento del Parlamento europeo Articolo 94 – parte introduttiva

Testo in vigore

Le disposizioni che disciplinano la procedura relativa al discarico alla Commissione per l'esecuzione del bilancio si applicano anche alla procedura relativa al discarico da dare:

Emendamento

Le disposizioni che disciplinano la procedura relativa al discarico alla Commissione per l'esecuzione del bilancio, ***in conformità dell'articolo 319 del trattato sul funzionamento dell'Unione europea***, si applicano anche alla procedura relativa al discarico da dare:

Emendamento 2

Regolamento del Parlamento europeo Articolo 94 – comma 1 bis (nuovo)

Testo in vigore

Emendamento

Il discarico agli organi di cui al primo comma, quarto trattino, forma oggetto di relazioni distinte, una per ogni organo.

Motivazione

The proposed change reinstates the original wording of this paragraph clarifying that: (1) discharge is granted on the basis of article 319 of the treaty and (2) the long current practice of preparing individual reports for the discharged bodies referred to in the fourth indent for the following reasons:

1. In recent year's the bodies covered by rule 94 (fourth indent) have been at the center of the discharge procedure. The proposal to deal with those bodies in a single report would make it more difficult to early identify possible problems and to ensure proper financial management for agencies and joint undertakings.

2. A single report would also diffuse the accountability of each separate body, and would make it more challenging for the Committee on Budgetary Control, and consequently the Parliament, to scrutinise in detail the implementation of the tasks and the budget execution of

individual agencies and joint undertakings.

3. Furthermore a number of considerations of political and practical nature also speak in favour of maintaining Rule 94 in its current version, such as a better visibility of Parliament's scrutiny of each agency and other bodies and a stronger public accountability of their financial management, as well as the Council's practice to present individual discharge recommendations on each of them;

4. Under Rule 94 (fourth indent) CONT Committee prepares the discharge reports for two different legal entities: EU decentralised agencies and joint undertakings. With due regard to that CONT has different "Rapporteurs" and inclusive different Political Groups responsible for those reports. It appears therefore that they shouldn't be treated under the same report. CONT also reflects on a thematic regrouping of the discharge reports for EU decentralised agencies in order to have more than one rapporteur for this sector.

5. EU agencies are set up to perform specific tasks under EU law. The legal basis for each decentralised agency is set by its individual founding regulation. The EU agencies are established upon Commission's proposal by the European Parliament and the Council of the European Union;
6. Joint undertakings are established on the basis of Article 187 TFEU (ex Article 171 TEC) to realise public-private partnerships at European level in the field of industrial research. The founding members of the joint undertakings are typically the European Commission, not-for-profit industry-led associations and some Member States;

7. Moreover according to Article 208 of the Financial Regulation, Parliament, on the recommendation of the Council, has to grant discharge to all bodies "set up under the TFEU and the Euratom Treaty and which have legal personality and receive contributions charged to the budget". Articles 108 and 109 of the Commission framework financial regulation for the bodies referred to in Article 208 of the Financial RegulationI, as well as the constituent acts establishing the agencies and other bodies contain more detailed provisions on the discharge of these bodies;

8. It results from these provisions that Parliament has to examine the implementation of the budget (accounts, financial statements) of each of the agencies and other bodies individually in the light of the individual reports of the Court of Auditors and take an individual and distinct decision on granting, postponing or rejecting the discharge as regards each of them;

9. The amendment ("dealt with in a single report which shall contain separate sections") is not clear in this respect. Even if they were assembled in a single report, the discharge decisions for each body constitute legally distinct decisions which have to be separately adopted by Parliament and could not be replaced by a single vote;

10. Taking this into account, the proposed amendment obstructs the culture of responsibility within the agencies and joint undertakings. In the light of general principles of Union law, such as transparency (Article 1(2) TEU) and legal certainty, the existing version of Rule 94 and Parliament's current practice to adopt separate discharge reports on each of the entities referred to in Article 208 of the Financial Regulation appears preferable;

11. Preparing only a single report for 41 bodies (33 EU agencies and 8 joint undertakings) would undermine the importance of the tasks performed by those bodies as well as their autonomy, in particular of the regulatory agencies and those with the function of independent

information collection;

**ESITO DELLA VOTAZIONE FINALE
IN SEDE DI COMMISSIONE COMPETENTE PER PARERE**

Approvazione	26.9.2016
Esito della votazione finale	+: 23 -: 0 0: 0
Membri titolari presenti al momento della votazione finale	Nedzhmi Ali, Inés Ayala Sender, Ryszard Czarnecki, Dennis de Jong, Martina Dlabajová, Luke Ming Flanagan, Jens Geier, Ingeborg Gräble, Verónica Lope Fontagné, Georgi Pirinski, Petri Sarvamaa, Claudia Schmidt, Bart Staes, Marco Valli, Derek Vaughan, Tomáš Zdechovský, Joachim Zeller
Supplenti presenti al momento della votazione finale	Cătălin Sorin Ivan, Andrey Novakov, Julia Pitera, Richard Sulík
Supplenti (art. 200, par. 2) presenti al momento della votazione finale	John Stuart Agnew, Edouard Ferrand