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Legislation

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Price: EUR 6

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

All amounts in this budget document are expressed in euro unless otherwise indicated.

II

(Acts whose publication is not obligatory)

PARLIAMENT

FINAL ADOPTION of supplementary and amending budget No 5 of the European Union for the financial year 2002

(2002/955/EC, Euratom)

THE PRESIDENT OF THE EUROPEAN PARLIAMENT,

Having regard to the Treaty establishing the European Community, and in particular Article 272(4), penultimate subparagraph, thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 177 thereof,

Having regard to the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities, as last amended by Regulation (EC, ECSC, Euratom) No 762/2001 ⁽¹⁾, and in particular Article 15 thereof,

Having regard to the general budget of the European Union for the financial year 2002 finally adopted on 13 December 2001 ⁽²⁾,

Having regard to the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure ⁽³⁾,

Having regard to preliminary draft supplementary and amending budget No 5 of the European Union for the financial year 2002 submitted by the Commission on 13 November 2002,

Having regard to draft supplementary and amending budget No 5 of the European Union for the financial year 2002 established by the Council on 20 November 2002 (C5-0543/2002),

⁽¹⁾ OJ L 111, 20.4.2001, p. 1.

⁽²⁾ OJ L 29, 31.1.2002.

⁽³⁾ OJ C 172, 18.6.1999, p. 1.

Having regard to the decision of the European Parliament and of the Council of 21 November 2002 to mobilise the flexibility mechanism relating to the European Union Solidarity Fund for an amount of EUR 728 million ⁽⁴⁾,

Having regard to Rule 92 of and Annex IV to its Rules of Procedure,

Having regard to the resolution adopted by the European Parliament on 21 November 2002,

The procedure laid down in Article 272 of the Treaty establishing the European Community and Article 177 of the Treaty establishing the European Atomic Energy Community having thus been completed,

DECLARES:

Sole Article

Supplementary and amending budget No 5 of the European Union for the financial year 2002 has been finally adopted.

Done at Strasbourg, 21 November 2002.

The President

Pat COX

⁽⁴⁾ P5-TA-PROV(2002) 0557.

**SUPPLEMENTARY AND AMENDING BUDGET No 5
OF THE EUROPEAN UNION FOR
THE FINANCIAL YEAR 2002**

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SECTION III

COMMISSION

COMMISSION

General summary of appropriations

Part B

[illegible]

COMMISSION

General summary of appropriations

Part B (cont'd)

[illegible]

PART B**OPERATING APPROPRIATIONS**

Part B appropriations cover operating expenditure directly related to the objective of the relevant programme or action, including expenditure on evaluation and technical and administrative assistance benefiting partners only. Special provisions apply to the following:

- expenditure on technical assistance, studies and information concerning the Structural Funds and the Cohesion Fund is governed by the provisions of Council Regulations (EC) No 1260/1999, (EC) No 1257/1999, (EC) No 1258/1999, (EC) No 1263/1999, (EC) No 2792/1999, (EC) No 1261/1999, (EC) No 1262/1999 and (EC) No 1164/94 as amended by (EC) No 1264/1999,
- appropriations in subsection B6 are governed by the special provisions of Title 27 of the Financial Regulation,
- expenditure on technical and administrative assistance is authorised if the remarks against the relevant heading expressly provide for this type of expenditure and lay down the expenditure ceiling.

For new programmes or actions, provision will have to be made in the specific legislation governing the relevant programme or action for expenditure on technical and administrative assistance to be charged against Part B and a decision will have to be taken by the budgetary authority laying down the ceiling.

The Commission undertakes to submit a special report to the budgetary authority, when the preliminary draft is drawn up, on the use of the appropriations entered in the BA lines (see below).

Upon a reasoned request from either arm of the budgetary authority, the Commission must forward all appropriate information, including the results of work carried out by experts, concerning the implementation of programmes or actions.

ADMINISTRATIVE APPROPRIATIONS

The appropriations entered in the 'B ... A' lines are intended to finance inter alia:

- expenditure on technical assistance concerning public authority tasks delegated by the Commission to implementing agencies governed by Community law;

- expenditure on technical and administrative assistance not involving public authority tasks outsourced by the Commission under ad hoc research or service contracts to bodies governed by private law.

The Commission undertakes to inform the budgetary authority about transfers from the main line (B) to the B ... A line, and vice versa, and to report to it at the end of the financial year on the use of appropriations against the B ... A line.

Implementation

There must be regular assessment of implementation of all programmes and grants to organisations financed or cofinanced by the operating part of the European Union budget. The budgetary authority must be informed about the results of those assessments, even if this is not expressly provided for in the legal basis.

Recipients of Commission budget allocations are requested to make it perfectly clear to the public that they are receiving financial assistance from the European Union.

SUBSECTION B2

**STRUCTURAL OPERATIONS, STRUCTURAL AND COHESION EXPENDITURE, FINANCIAL MECHANISM,
OTHER AGRICULTURAL AND REGIONAL OPERATIONS, TRANSPORT AND FISHERIES**

COMMISSION

Subsection B2

(Structural operations, structural and cohesion expenditure, financial mechanism, other agricultural and regional operations, transport and fisheries)

General summary of appropriations

[illegible]

COMMISSION

Subsection B2

(Structural operations, structural and cohesion expenditure, financial mechanism, other agricultural and regional operations, transport and fisheries)

TITLE B2-4

EUROPEAN UNION SOLIDARITY FUND — MEMBER STATES

CHAPTER B2-4 0 — EUROPEAN UNION SOLIDARITY FUND — MEMBER STATES

B2-4 0 0 *European Union Solidarity Fund — Member States*

Budget 2002		Supplementary and amending budget No 5		New amount	
Commitments	Payments	Commitments	Payments	Commitments	Payments
p.m.	p.m.	+ 599 000 000	—	599 000 000,—	p.m.

This article is intended to accommodate the appropriations resulting from the mobilisation of the European Union Solidarity Fund.

Legal basis

Interinstitutional Agreement of 7 November 2002 between the European Parliament, the Council and the Commission on the financing of the European Union Solidarity Fund supplementing the Interinstitutional Agreement of 6 May 1999 on budgetary discipline and improvement of the budgetary procedure (OJ C 283, 20.11.2002, p. 1).

Council Regulation (EC) No 2012/2002 of 11 November 2002 establishing the European Union Solidarity Fund (OJ L 311, 14.11.2002, p. 3).

*SUBSECTION B7***EXTERNAL ACTIONS**

All contracts for outside staff charged to operating expenditure should be centralised and harmonised by a unit for the management and supervision of outside contracts under the responsibility of the Commissioner responsible for the budget.

COMMISSION
Subsection B7
(External actions)

General summary of appropriations

[illegible]

TITLE B7-0
PRE-ACCESSION STRATEGY

CHAPTER B7-0 9 — EUROPEAN UNION SOLIDARITY FUND — COUNTRIES NEGOTIATING FOR ACCESSION

B7-0 9 0 *European Union Solidarity Fund — countries negotiating for accession*

Budget 2002		Supplementary and amending budget No 5		New amount	
Commitments	Payments	Commitments	Payments	Commitments	Payments
p.m.	p.m.	+ 129 000 000	—	129 000 000,—	p.m.

This article is intended to accommodate the appropriations resulting from the mobilisation of the European Union Solidarity Fund.

Legal basis

Interinstitutional Agreement of 7 November 2002 between the European Parliament, the Council and the Commission on the financing of the European Union Solidarity Fund supplementing the Interinstitutional Agreement of 6 May 1999 on budgetary discipline and improvement of the budgetary procedure (OJ C 283, 20.11.2002, p. 1).

Council Regulation (EC) No 2012/2002 of 11 November 2002 establishing the European Union Solidarity Fund (OJ L 311, 14.11.2002, p. 3).