

# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Decision	2008/0024(COD) Procedure completed
Culture Programme 2007-2013; Commission implementing powers Amending Decision No 1855/2006/EC <a href="#">2004/0150(COD)</a>	
Subject 4.45.02 Cultural programmes and actions, assistance	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>CULT</b> Culture and Education		31/03/2008
		PSE <a href="#">BATZELI Katerina</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Education, Youth, Culture and Sport</a>	<a href="#">2905</a>	20/11/2008
European Commission	Commission DG	Commissioner	
	<a href="#">Education, Youth, Sport and Culture</a>	FIGEL' Ján	

Key events			
06/02/2008	Legislative proposal published	<a href="#">COM(2008)0057</a>	Summary
21/02/2008	Committee referral announced in Parliament, 1st reading		
24/06/2008	Vote in committee, 1st reading		Summary
27/06/2008	Committee report tabled for plenary, 1st reading	<a href="#">A6-0273/2008</a>	
02/09/2008	Results of vote in Parliament		
02/09/2008	Decision by Parliament, 1st reading	<a href="#">T6-0370/2008</a>	Summary
20/11/2008	Act adopted by Council after Parliament's 1st reading		
16/12/2008	Final act signed		
16/12/2008	End of procedure in Parliament		
24/12/2008	Final act published in Official Journal		

Technical information	
Procedure reference	2008/0024(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Decision

	Amending Decision No 1855/2006/EC <a href="#">2004/0150(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 151-p5
Stage reached in procedure	Procedure completed
Committee dossier	CULT/6/59256

### Documentation gateway

Legislative proposal	<a href="#">COM(2008)0057</a>	07/02/2008	EC	Summary
Committee draft report	<a href="#">PE406.029</a>	09/06/2008	EP	
Amendments tabled in committee	<a href="#">PE407.847</a>	10/06/2008	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0273/2008</a>	27/06/2008	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T6-0370/2008</a>	02/09/2008	EP	Summary
Commission response to text adopted in plenary	SP(2008)6073	17/10/2008	EC	
Draft final act	<a href="#">03679/2008/LEX</a>	16/12/2008	CSL	
Follow-up document	<a href="#">COM(2010)0411</a>	30/07/2010	EC	Summary

### Additional information

National parliaments	<a href="#">IPEX</a>
European Commission	<a href="#">EUR-Lex</a>

### Final act

[Decision 2008/1352](#)  
[OJ L 348 24.12.2008, p. 0128](#) Summary

## Culture Programme 2007-2013; Commission implementing powers

**PURPOSE:** to reduce the time required for awarding grants covered by the 'Culture' programme, 2007-2013.

**LEGISLATIVE ACT:** Decision of the European Parliament and of the Council.

**BACKGROUND:** this proposal relates to the legislative act establishing the [Culture](#) programme 2007-2013 and its implementing powers. In order to implement the programme's objectives, namely to promote the transnational mobility of cultural players, the circulation of cultural and artistic works and inter-cultural dialogue, the Commission relies on its implementing rights as expressed through 'comitology' procedures. This is particularly pertinent in the case of selecting grant projects following calls for proposals.

To recall, the Commission's right of implementation is set out, inter alia, in Decision No 1999/468/EC. In this Decision a number of procedures are set out including the 'management' procedure and the 'consultation' procedure. Both of these procedures involve the participation of the European Parliament. Under the consultation procedure, the Parliament has one month in which to examine a draft measure before the Commission makes a formal decision.

Under the terms of the Culture programme, the 'management' procedure is applied in cases relating to multi-annual cooperation projects only. In principle, all other decisions are not subject to a comitology procedure. Wording in the Decision, however, implies that the 'consultation' procedure should be applied to all selection decisions. The current wording can cause serious problems by delaying the adoption of decisions – some times by up to two to three months. Yet, in general, the projects affected are of a short-time frame only.

With Parliamentary consent, temporary solutions have been found in order to reduce the time required for scrutiny. Nevertheless, it is important that a long-term solution is put in place in order to prevent unnecessary delays.

**CONTENT:** the purpose of this proposal, therefore, is to amend Council Decision 1855/2006/EC, setting up the Culture programme, in order to find a definitive solution.

The wording of the amendments has been framed so that the consultative procedure will disappear and be replaced, on the basis of a Commission declaration, with a procedure whereby the Commission provides the programme committee and the European Parliament with immediate information on the selection decisions which it adopts. This arrangement is fully in line with the legislator's original intention when

the Decision was being negotiated.

Upon approval, the amended Decision will make it possible to reduce, by two to three months, the time required for grants to be awarded and to ensure effective implementation of the activities and measures covered by the programme. The programme committee and the European Parliament will be informed immediately of the selection decisions. It will also help strengthen the principles of simplification and proportionality.

A similar revision of the basic instruments establishing programmes on (i) education and (ii) youth and (iii) citizenship, is planned in parallel with this proposal.

## Culture Programme 2007-2013; Commission implementing powers

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The Committee on Culture and Education adopted a report drafted by Katerina BATZELI (PES, EL) and amended the proposal for a decision of the European Parliament and of the Council on amending Decision No 1855/2006/EC establishing the Culture Programme (2007 to 2013).

The Commission had proposed eliminating the advisory procedure for selection decisions in order to simplify decision-making procedures in the interests of potential beneficiaries of the grants. The committee felt that comitology was important, and that it was necessary to replace the advisory procedure with an obligation on the Commission to inform the European Parliament and the Member States without delay about any measures taken for the implementation of the Decision without the assistance of a committee.

Accordingly, a new clause states that the Commission shall inform the Committee and the European Parliament, of all other selection decisions taken by the Commission for the implementation of the Decision, within two working days of the adoption of the decisions in question. This information shall include descriptions and an analysis of the applications received, a description of the assessment and selection procedure, and lists of both the projects proposed for funding and the projects rejected for funding.

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

## Culture Programme 2007-2013; Commission implementing powers

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The European Parliament adopted by 621 votes to 46, with 15 abstentions, a legislative resolution under 1st reading of the codecision procedure, amending the proposal for a decision of the European Parliament and of the Council amending Decision No 1855/2006/EC establishing the Culture Programme (2007 to 2013). The report had been tabled for consideration in plenary by Katerina BATZELI (PES, EL) on behalf of the Committee on Culture and Education. The amendments were the result of agreement between Parliament and Council.

The Commission had proposed eliminating the advisory procedure for selection decisions in order to simplify decision-making procedures in the interests of potential beneficiaries of the grants. However, Parliament considered that in order to allow selection decisions to be implemented more quickly and efficiently, it was necessary to replace the advisory procedure with an obligation on the Commission to inform the European Parliament and the Member States without delay about any measures taken for the implementation of Decision No 1855/2006/EC without the assistance of a committee.

Accordingly, a new clause states that the Commission shall inform the Committee and the European Parliament, of all other selection decisions taken by the Commission for the implementation of the Decision, within two working days of the adoption of the decisions in question. This information shall include descriptions and an analysis of the applications received, a description of the assessment and selection procedure, and lists of both the projects proposed for funding and the projects rejected for funding.

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

## Culture Programme 2007-2013; Commission implementing powers

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**PURPOSE:** to reduce the time required for awarding grants covered by the 'Culture' programme, 2007-2013.

**LEGISLATIVE ACT:** Decision No 1352/2008/EC of the European Parliament and of the Council amending Decision No 1855/2006/EC establishing the Culture Programme (2007 to 2013).

**CONTENT:** until now, the implementing measures of [Decision No 1855/2006/EC](#) establishing the 'Culture' programme were adopted in accordance with the procedure referred to in Article 8(3) of that Decision, namely in accordance with the advisory procedure established by [Council Decision 1999/468/EC](#) laying down the procedures for the exercise of implementing powers conferred on the Commission. However, the wording of this paragraph of the Decision results in particular selection decisions being subject to the advisory procedure and to the European Parliament's right of scrutiny. Yet these selection decisions mainly concern projects of limited duration whose life cycle is incompatible with lengthy decision-making procedures and do not involve politically sensitive decision making.

However, these procedural requirements add two to three months to the process of awarding grants to applicants, causing many delays for recipients and providing no added value given the nature of the grants awarded.

In order to allow selection decisions to be implemented more quickly and efficiently, the European Parliament and the Council have decided, with this Decision, to replace the advisory procedure with an obligation on the Commission to inform the European Parliament and the Member States without delay about any measures taken for the implementation of Decision No 1855/2006/EC without the assistance of a committee.

In accordance with the compromise reached at first reading between the Parliament and the Council, it is provided that the Commission shall inform the Committee (referred to in the Decision) and the European Parliament of all other selection decisions it has taken for the

implementation of this Decision within two working days of the adoption of the decisions in question (for example, descriptions and an analysis of the applications received, a description of the assessment and selection procedure, and lists of both the projects proposed for funding and those rejected).

It is also provided that the Commission shall report to the European Parliament and to the Council on the impact of this Decision by 25 June 2010.

ENTRY INTO FORCE: 25/12/2008.