



Procedure file

| Basic information | |
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| <p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p> <p>2009/0105(COD)</p> | Procedure completed |
| <p>European Regional Development Fund (ERDF): eligibility of housing interventions in favour of marginalised communities</p> <p>Amending Regulation (EC) No 1080/2006 2004/0167(COD)</p> <p>Subject</p> <p>4.10.05 Social inclusion, poverty, minimum income</p> <p>4.10.12 Housing policy</p> <p>4.70.07 European Regional Development Fund (ERDF)</p> <p>8.20.02 Enlargement 2004: new Member States</p> <p>8.20.03 Enlargement 2007: Bulgaria and Romania</p> | |

| Key players | | | |
|-------------------------------|---|---|------------|
| European Parliament | Committee responsible | Rapporteur | Appointed |
| | REGI Regional Development | PPE VAN NISTELROOIJ Lambert | 05/10/2009 |
| | | Shadow rapporteur | |
| | | S&D STAVRAKAKIS Georgios | |
| | | ALDE PAKARINEN Riikka | |
| | | ECR VLASÁK Oldřich | |
| | Committee for opinion | Rapporteur for opinion | Appointed |
| | BUDG Budgets | The committee decided not to give an opinion. | |
| Council of the European Union | Council configuration | Meeting | Date |
| | General Affairs | 3010 | 26/04/2010 |
| European Commission | Commission DG | Commissioner | |
| | Regional and Urban Policy | HAHN Johannes | |

| Key events | | | |
|------------|---|-------------------------------|---------|
| 17/07/2009 | Legislative proposal published | COM(2009)0382 | Summary |
| 14/09/2009 | Committee referral announced in Parliament, 1st reading | | |
| 04/11/2009 | Vote in committee, 1st reading | | Summary |
| 09/11/2009 | Committee report tabled for plenary, 1st reading | A7-0048/2009 | |
| 09/02/2010 | Debate in Parliament | | |

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| 10/02/2010 | Results of vote in Parliament |  | |
| 10/02/2010 | Decision by Parliament, 1st reading | T7-0012/2010 | Summary |
| 26/04/2010 | Act adopted by Council after Parliament's 1st reading | | |
| 19/05/2010 | Final act signed | | |
| 19/05/2010 | End of procedure in Parliament | | |
| 29/05/2010 | Final act published in Official Journal | | |

Technical information

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| Procedure reference | 2009/0105(COD) |
| Procedure type | COD - Ordinary legislative procedure (ex-codecision procedure) |
| Procedure subtype | Legislation |
| Legislative instrument | Regulation |
| | Amending Regulation (EC) No 1080/2006 2004/0167(COD) |
| Legal basis | Treaty on the Functioning of the EU TFEU 178-p1 |
| Other legal basis | Rules of Procedure EP 159 |
| Stage reached in procedure | Procedure completed |
| Committee dossier | REGI/7/00731 |

Documentation gateway

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|---|--------------------------------|------------|-----|---------|
| Legislative proposal | COM(2009)0382 | 17/07/2009 | EC | Summary |
| Committee draft report | PE428.277 | 28/09/2009 | EP | |
| Amendments tabled in committee | PE430.334 | 22/10/2009 | EP | |
| Economic and Social Committee: opinion, report | CES1720/2009 | 04/11/2009 | ESC | |
| Committee report tabled for plenary, 1st reading/single reading | A7-0048/2009 | 09/11/2009 | EP | |
| Text adopted by Parliament, 1st reading/single reading | T7-0012/2010 | 10/02/2010 | EP | Summary |
| Commission response to text adopted in plenary | SP(2010)1339 | 17/03/2010 | EC | |
| Draft final act | 00006/2010/LEX | 19/05/2010 | CSL | |

Additional information

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| National parliaments | IPEX |
| European Commission | EUR-Lex |

Final act

[Regulation 2010/437](#)
[OJ L 132 29.05.2010, p. 0001](#) Summary

European Regional Development Fund (ERDF): eligibility of housing interventions in favour of marginalised communities

PURPOSE: to amend Regulation (EC) No 1080/2006 on the European Regional Development Fund (ERDF) in order to permit financial support for housing interventions in favour of marginalised communities living in the Member States that acceded to the EU on or after 1 May 2004.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

BACKGROUND: the proposal notes that currently, Article 7(2) of the ERDF Regulation provides for the eligibility of expenditure on housing in the new Member States. The experience to-date, however, proves that the conditions of eligibility do not fully fit the needs on the ground. Under the current ERDF provisions, housing interventions can take place in the framework of urban development operations and in the form of renovation of existing houses. Therefore, support for housing interventions in rural areas or for the replacement of 'houses' of a very poor quality in urban or rural areas cannot be eligible under the ERDF.

The [European Parliament](#) and the Council have repeatedly asked the Commission to take action to promote inclusion of communities facing extreme deprivation and marginalisation, with particular reference to the Roma community. This proposal aims to remedy the situation.

IMPACT ASSESSMENT: the present proposal permits the ERDF financial support for housing interventions in cases where marginalised communities living conditions are extremely poor and social exclusion is high. This could not be possible without modification of the existing regulatory framework.

CONTENT: the proposal states that allocations shall be made available also for housing interventions in favour of communities currently ineligible under the ERDF, i.e. for i) housing interventions not limited to the urban areas and ii) housing interventions consisting of the replacement of houses of extremely poor quality, irrespectively of the area ('urban' or 'rural?'). Expenditure shall be limited to one of the following interventions:

- renovation of the common parts in existing multi-family housing,
- renovation and change of use of existing buildings owned by public authorities or non-profit operators for use as housing designated for low-income households or people with special needs.

Interventions may include the replacement of existing housing by newly constructed houses.

Furthermore, the amended Article 7(2) of the ERDF Regulation confers the Commission implementing powers for the definition of the criteria for the selection of areas and of the list of eligible housing interventions.

The proposal notes that in order to avoid unjustified discriminations, the guiding principle of the proposed interventions should be the 2nd Basic Principle on Roma Inclusion according to which interventions focusing on Roma people as target group should not exclude other people sharing similar socio-economic circumstances. Moreover, housing interventions in favour of marginalised communities characterised by extreme deprivation are only part of a complex issue. They should be tackled in the framework of a multi-dimensional integrated approach, to be defined at national level, with strong partnerships and taking on board aspects relating to education, social affairs, integration, culture, health, employment, security etc. Hence, the aim of the proposal amending the current ERDF Regulation is to provide, in the framework of an integrated approach, acceptable housing conditions. In this context, the role of public authorities at all stages of the implementation is of an utmost importance.

BUDGETARY IMPLICATIONS: the proposal has no implication for the Community budget.

European Regional Development Fund (ERDF): eligibility of housing interventions in favour of marginalised communities

The Committee on Regional Development adopted the report drawn up by Lambert van NISTELROOIJ (EPP, NL), amending under the first reading of the codecision procedure, the proposal for a regulation (EC) No .../2009 of the European Parliament and of the Council amending Regulation (EC) No 1080/2006 on the European Regional Development Fund as regards the eligibility of housing interventions in favour of marginalised communities.

The main amendments were as follows:

- according to MEPs, the new provision about housing interventions for marginalized communities should concern all Member States and not only those that acceded to the EU on or after 1 May 2004;
- expenditures on the renovation of existing housing or on its replacement, including by newly constructed housing, should also be eligible;
- intervention in the field of housing for marginalised communities should have the objective of furthering the sustainable integration of these communities;
- lastly, MEPs propose that the European Commission may continue to carry out its original duty assigned by the regulation in the field of evaluation and fixation of criteria for the interventions, in particular in the sector of housing interventions in the new Member States, in order to guarantee efficiency and added value in politics, also in consideration of its cost.

European Regional Development Fund (ERDF): eligibility of housing interventions in favour of marginalised communities

The European Parliament adopted by 558 votes to 57, with 16 abstentions, a legislative resolution amending, under the first reading of the ordinary legislative procedure, the proposal for a regulation (EC) No .../2009 of the European Parliament and of the Council amending

Regulation (EC) No 1080/2006 on the European Regional Development Fund as regards the eligibility of housing interventions in favour of marginalised communities.

The amendments adopted in plenary are the result of a compromise negotiated between the European Parliament and the Council.

The main amendments were as follows:

The compromise underlines that in several Member States, for marginalised communities living in urban or outside urban areas, housing constitutes a decisive factor of integration. Therefore, it is necessary to extend the eligibility of expenditure on housing interventions in all Member States in favour of these communities living in urban or rural areas.

The amended text states that expenditure on housing, except for energy efficiency and the use of renewable energy shall be eligible in the following cases:

- for the Member States that acceded to the European Union on or after 1 May 2004 and in the framework of an integrated urban development approach for areas experiencing or threatened by physical deterioration and social exclusion;
- for all Member States only in the framework of an integrated approach for marginalised communities. In this case, the expenditure may include the renovation and change of use of existing buildings.

The Commission shall adopt the list of criteria needed for determining the targeted areas and the list of eligible interventions in accordance with the procedure referred to in Article 103(3) of Regulation (EC) No 1083/2006.

A new recital states that uniform conditions of implementation should be ensured for the adoption of the list of criteria needed for determining the areas experiencing or threatened by physical deterioration and social exclusion and of the list of eligible interventions. According to Article 291 of the Treaty on the Functioning of the European Union, rules and general principles concerning mechanisms for the control by Member States of the Commission's exercise of its implementing powers shall be laid down in advance by a regulation adopted in accordance with the ordinary legislative procedure. Pending the adoption of that new regulation and in order to avoid any disruption in the Union's legislative action the provisions of Council Decision 1999/468/EC (comitology) should continue to be applied.

European Regional Development Fund (ERDF): eligibility of housing interventions in favour of marginalised communities

PURPOSE: to permit financial support for the European Regional Development Fund as regards the eligibility of housing interventions in favour of marginalised communities.

LEGISLATIVE ACT: Regulation (EU) No 437/2010 of the European Parliament and of the Council amending Regulation (EC) No 1080/2006 on the European Regional Development Fund as regards the eligibility of housing interventions in favour of marginalised communities.

CONTENT: the Council adopted a regulation allowing the extension of financial support from the European Regional Development Fund (ERDF) for housing interventions for very poor and marginalised communities, including many Roma communities.

The German delegation voted against adoption of the regulation, and the Hungarian delegation abstained.

The Regulation provides that expenditure on housing, except for energy efficiency and the use of renewable energy, shall be eligible in the following cases:

- § for those Member States that acceded to the European Union on or after 1 May 2004, in the framework of an integrated urban development approach for areas experiencing or threatened by physical deterioration and social exclusion;
- § for all Member States, in the framework of an integrated approach for the marginalised Community. In this case, intervention may include the renovation or replacement of existing housing.

The allocation to housing expenditure shall be either a maximum of 3% of the ERDF allocation to the operational programmes concerned or 2% of the total ERDF allocation.

Expenditure shall be limited to the following interventions:

- renovation of the common parts in existing multi-family housing;
- renovation and change of use of existing buildings owned by public authorities or non-profit operators for use as housing designated for low-income households or people with special needs.

The Commission shall adopt the list of criteria needed for determining the areas referred to under point (a) of paragraph 2 and the list of eligible interventions in accordance with the procedure referred to in Article 103(3) of Regulation (EC) No 1083/2006.

ENTRY INTO FORCE: 18/06/2010.