

# Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p> <p>2016/0282A(COD)</p>	<p>Procedure completed</p> <p>14/06/2017 Decision to enter into interinstitutional negotiations confirmed by plenary (Rule 69c)</p>
<p>Financial rules applicable to the general budget of the Union: simplification</p> <p>Repealing Regulation (EU, Euratom) No 966/2012 <a href="#">2010/0395(COD)</a>            Amending Regulation (EU) No 1304/2013 <a href="#">2011/0268(COD)</a>            Amending Regulation (EU) No 1309/2013 <a href="#">2011/0269(COD)</a>            Amending Regulation (EU) No 1296/2013 <a href="#">2011/0270(COD)</a>            Amending Regulation (EU) No 1301/2013 <a href="#">2011/0275(COD)</a>            Amending Regulation (EU) No 1303/2013 <a href="#">2011/0276(COD)</a>            Amending Regulation (EU) No 283/2014 <a href="#">2011/0299(COD)</a>            Amending Regulation (EU) No 1316/2013 <a href="#">2011/0302(COD)</a>            Amending Regulation (EU) No 223/2014 <a href="#">2012/0295(COD)</a>            Amending Decision No 541/2014/EU <a href="#">2013/0064(COD)</a></p>	
<p>Subject</p> <p>8.70 Budget of the Union            8.70.02 Financial regulations            8.70.03 Budgetary control and discharge, implementation of the budget</p>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>BUDG</b> Budgets (Associated committee)	Shadow rapporteur	
		PPE <a href="#">SARVAMAA Petri</a> S&D <a href="#">AYALA SENDER Inés</a> S&D <a href="#">MAŇKA Vladimír</a> ALDE <a href="#">ALI Nedzhmi</a> GUE/NGL <a href="#">FLANAGAN Luke Ming</a> GUE/NGL <a href="#">Ní RIADA Liadh</a> Verts/ALE <a href="#">STAES Bart</a> Verts/ALE <a href="#">TARAND Indrek</a> EFDD <a href="#">VALLI Marco</a>	
	<b>CONT</b> Budgetary Control (Associated committee)	Shadow rapporteur	
		PPE <a href="#">SARVAMAA Petri</a> S&D <a href="#">AYALA SENDER Inés</a> S&D <a href="#">MAŇKA Vladimír</a> ALDE <a href="#">ALI Nedzhmi</a> GUE/NGL <a href="#">FLANAGAN Luke Ming</a> GUE/NGL <a href="#">Ní RIADA Liadh</a> Verts/ALE <a href="#">STAES Bart</a> Verts/ALE <a href="#">TARAND Indrek</a> EFDD <a href="#">VALLI Marco</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>AFET</b> Foreign Affairs		12/01/2017
		S&D <a href="#">CRISTEA Andi</a>	

	<b>DEVE</b> Development		11/10/2016
		S&D <a href="#">MCAVAN Linda</a>	
	<b>EMPL</b> Employment and Social Affairs (Associated committee)		06/12/2016
		PPE <a href="#">LAVRILLEUX Jérôme</a>	
	<b>ENVI</b> Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
	<b>ITRE</b> Industry, Research and Energy (Associated committee)		09/11/2016
		PPE <a href="#">BUZEK Jerzy</a>	
	<b>TRAN</b> Transport and Tourism (Associated committee)		08/11/2016
		PPE <a href="#">VAN DE CAMP Wim</a>	
	<b>REGI</b> Regional Development (Associated committee)		11/01/2017
		S&D <a href="#">KREHL Constanze</a>	
	<b>AGRI</b> Agriculture and Rural Development (Associated committee)		25/01/2017
		PPE <a href="#">DESS Albert</a>	
	<b>PECH</b> Fisheries		26/10/2016
		PPE <a href="#">ITURGAIZ Carlos</a>	
	<b>LIBE</b> Civil Liberties, Justice and Home Affairs		14/11/2016
		S&D <a href="#">VIOTTI Daniele</a>	
	Committee for opinion on the legal basis	Rapporteur for opinion	Appointed
	<b>JURI</b> Legal Affairs		03/04/2017
		S&D <a href="#">GUTELAND Jytte</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">3632</a>	16/07/2018
	<a href="#">Agriculture and Fisheries</a>	<a href="#">3529</a>	03/04/2017
European Commission	Commission DG	Commissioner	
	<a href="#">Budget</a>	KING Julian	
European Economic and Social Committee			
European Committee of the Regions			

Key events			
14/09/2016	Legislative proposal published	COM(2016)0605	Summary
21/11/2016	Committee referral announced in Parliament, 1st reading/single reading		
19/01/2017	Referral to associated committees announced in Parliament		
19/01/2017	Referral to joint committee announced in Parliament		
03/04/2017	Debate in Council	<a href="#">3529</a>	
30/05/2017	Vote in committee, 1st reading/single reading		
30/05/2017	Committee decision to open interinstitutional negotiations with report adopted in committee		

08/06/2017	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A8-0211/2017</a>	Summary
04/07/2018	Debate in Parliament		
05/07/2018	Results of vote in Parliament		
05/07/2018	Decision by Parliament, 1st reading/single reading	<a href="#">T8-0309/2018</a>	Summary
16/07/2018	Act adopted by Council after Parliament's 1st reading		
18/07/2018	Final act signed		
18/07/2018	End of procedure in Parliament		
30/07/2018	Final act published in Official Journal		

## Technical information

Procedure reference	2016/0282A(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	<p>Repealing Regulation (EU, Euratom) No 966/2012 <a href="#">2010/0395(COD)</a></p> <p>Amending Regulation (EU) No 1304/2013 <a href="#">2011/0268(COD)</a></p> <p>Amending Regulation (EU) No 1309/2013 <a href="#">2011/0269(COD)</a></p> <p>Amending Regulation (EU) No 1296/2013 <a href="#">2011/0270(COD)</a></p> <p>Amending Regulation (EU) No 1301/2013 <a href="#">2011/0275(COD)</a></p> <p>Amending Regulation (EU) No 1303/2013 <a href="#">2011/0276(COD)</a></p> <p>Amending Regulation (EU) No 283/2014 <a href="#">2011/0299(COD)</a></p> <p>Amending Regulation (EU) No 1316/2013 <a href="#">2011/0302(COD)</a></p> <p>Amending Regulation (EU) No 223/2014 <a href="#">2012/0295(COD)</a></p> <p>Amending Decision No 541/2014/EU <a href="#">2013/0064(COD)</a></p>
Legal basis	Treaty on the Functioning of the EU TFEU 349-p1sub1-as1; Treaty on the Functioning of the EU TFEU 178-p1; Treaty on the Functioning of the EU TFEU 168-p4; Treaty on the Functioning of the EU TFEU 189; Treaty on the Functioning of the EU TFEU 177-p1; Treaty on the Functioning of the EU TFEU 212; Treaty on the Functioning of the EU TFEU 172; Treaty on the Functioning of the EU TFEU 164; Treaty on the Functioning of the EU TFEU 149; Treaty on the Functioning of the EU TFEU 043-p2; Treaty on the Functioning of the EU TFEU 322-p2; Rules of Procedure EP 58; Treaty on the Functioning of the EU TFEU 175-p3; Treaty on the Functioning of the EU TFEU 042-p1; Treaty on the Functioning of the EU TFEU 046; Treaty on the Functioning of the EU TFEU 209-p1; Treaty on the Functioning of the EU TFEU 153-p2-a1
Mandatory consultation of other institutions	<a href="#">European Economic and Social Committee</a> <a href="#">European Committee of the Regions</a>
Stage reached in procedure	Procedure completed
Committee dossier	CJ13/8/09028

## Documentation gateway

Legislative proposal		COM(2016)0605	14/09/2016	EC	Summary
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Follow-up document		<a href="#">COM(2016)0603</a>	14/09/2016	EC	
Follow-up document		SWD(2016)0299	14/09/2016	EC	
Court of Auditors: opinion, report		N8-0015/2017 <a href="#">OJ C 091 23.03.2017, p. 0001</a>	26/01/2017	CofA	Summary
Committee draft report		<a href="#">PE601.115</a>	10/03/2017	EP	
Committee opinion	<a href="#">PECH</a>	<a href="#">PE599.707</a>	24/03/2017	EP	
Committee opinion	<a href="#">LIBE</a>	<a href="#">PE597.563</a>	12/04/2017	EP	
Committee opinion	<a href="#">AFET</a>	<a href="#">PE597.548</a>	18/04/2017	EP	
Amendments tabled in committee		<a href="#">PE603.011</a>	18/04/2017	EP	
Amendments tabled in committee		<a href="#">PE603.035</a>	18/04/2017	EP	
Committee opinion	<a href="#">ITRE</a>	<a href="#">PE597.745</a>	25/04/2017	EP	
Committee opinion	<a href="#">REGI</a>	<a href="#">PE597.458</a>	27/04/2017	EP	
Committee opinion	<a href="#">DEVE</a>	<a href="#">PE601.032</a>	03/05/2017	EP	
Committee opinion	<a href="#">TRAN</a>	<a href="#">PE597.693</a>	05/05/2017	EP	
Committee of the Regions: opinion		<a href="#">CDR5838/2016</a>	11/05/2017	CofR	
Committee opinion	<a href="#">AGRI</a>	<a href="#">PE599.808</a>	12/05/2017	EP	
Committee opinion	<a href="#">EMPL</a>	<a href="#">PE599.609</a>	19/05/2017	EP	
Specific opinion	<a href="#">JURI</a>	<a href="#">PE604.641</a>	22/05/2017	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A8-0211/2017</a>	08/06/2017	EP	Summary
Coreper letter confirming interinstitutional agreement		<a href="#">GEDA/A/(2018)003079</a>	19/04/2018	CSL	
Amendments tabled in committee		PE621.012	23/04/2018	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T8-0309/2018</a>	05/07/2018	EP	Summary
Draft final act		<a href="#">00013/2018/LEX</a>	06/07/2018	CSL	
Commission response to text adopted in plenary		<a href="#">SP(2018)547</a>	12/09/2018		
Follow-up document		<a href="#">COM(2019)0305</a>	26/06/2019	EC	Summary

## Final act

[Regulation 2018/1046](#)  
[OJ L 193 30.07.2018, p. 0001](#) Summary

Final legislative act with provisions for delegated acts

## Delegated acts

[2018/2997\(DEA\)](#)

Examination of delegated act

[2019/2646\(DEA\)](#)

Examination of delegated act

## 2016/0282A(COD) - 14/09/2016 Legislative proposal

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**PURPOSE:** to revise the financial rules applicable to the general budget of the Union in the aim of simplification.

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

**ROLE OF THE EUROPEAN PARLIAMENT:** the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

**BACKGROUND:** the Commission considers that simpler and more flexible EU financial rules are key in enhancing EU budgets ability to adapt to changing circumstances and to respond to unexpected developments.

Over the last 30 years, the number of general financial rules contained in the [Financial Regulation](#) has increased sharply. In addition, a number of sectoral financial rules have emerged: the [rules for participation to the Framework Programme](#) for Research and Innovation, the [Common Provisions](#) to the European Structural and Investment Funds and the [Common Implementing Rules](#) for the External Action.

Users of EU funds have repeatedly complained about the proliferation of rules both at general and at sectoral level, their heterogeneity and their complexity making it costly and prone to errors.

A first step towards more coherent and simpler financial rules was achieved in 2012, however, there is room for further simplification. This is confirmed by the experience gained since 2014 and by the work of the High Level Group of Independent Experts on Monitoring Simplification for Beneficiaries of the European Structural and Investment Funds.

The Commission proposed that efforts must continue in order to remove bottlenecks, ensure synergies and complementarities between ESI Funds and the other EU funds and improve efficiency of delivery and control requirements.

Simpler and more flexible financial rules will contribute to optimising spending and impact of the MFF 2014-2020 and constitute as such one of the key elements of the Commission's initiative for a Budget Focused on Results (BFOR).

**CONTENT:** this legislative proposal forms an integral part of the mid-term review/revision of the [multiannual financial framework \(MFF\) 2014-2020](#). It contributes to two of its main objectives: simplification and flexibility. It paves the way for the preparation of the next generation of spending programmes (post-2020).

The Commission therefore proposes in a single act an ambitious revision of the general financial rules accompanied by corresponding changes to the sectoral financial rules set out in 15 legislative acts concerning multiannual programmes:

(1) Simplification for recipients of EU funds: many measures aim at simplifying life for recipients of EU funds. They relate to: (i) grants; (ii) simpler rules for "contribution in kind" valuation; (iii) recognition of volunteer work; (iv) grant awards without calls for proposal under specific conditions; (v) simplified forms of grants; (vi) removal of the non-cumulative award check for low-value grants and of the non-profit principle.

(2) From multiple layers of controls to cross reliance on audit, assessment or authorisation, and harmonisation of reporting requirements: the aim of these measures is to encourage reliance as far as possible on one single audit, assessment or authorisation (conformity to State aids for instance), when the audit, assessment or authorisation meets the necessary conditions to be taken into account in the EU system.

More generally, in order to avoid multiple layers of controls, rules for implementing partners (international organisations, EIB/EIF, national promotional banks, national agencies, NGOs) will be simplified by relying increasingly on their procedures and policies once assessed positively.

(3) Allowing the application of only one set of rules to hybrid actions or in the case of combination of measures or instruments: the proposal aims at achieving further simplification for the partners of the EU by a number of measures to avoid the parallel application of different rules and procedures, notably through facilitating the combination of European Structural and Investment Funds (ESIF) funding with financial instruments and the European Fund for Strategic Investments (EFSI).

(4) More effective use of financial instruments: (i) optimise use of reflows; (ii) ensuring a level playing field among key EU implementing partners; (iii) reducing burdensome requirements related to publication of individual data of final recipients or to the exclusion criteria.

(5) More flexible budget management: the proposal sets out several ways for more budgetary flexibility, in order to allow the Union to respond to unforeseen challenges and new tasks more effectively and to achieve swifter crisis management - among which:

- the creation of a "flexibility cushion" for unforeseen needs and new crises in the external actions geographic instruments budget;
- a more efficient activation of the solidarity and globalization adjustment funds, and the extension of Trust-Funds to internal policies;
- the creation of a EU crisis reserve with the reuse of decommitted appropriations;
- the creation of a common provisioning fund holding the resources provisioned for financial operations.

(6) Focus on results and streamlining of reporting: the proposal includes a series of measures aimed at focusing better the budget on results, establishing a clear performance framework, enhancing transparency and streamlining reporting.

(7) Simpler and leaner EU administration: the proposal provides for a series of simplification measures aims at allowing the EU institutions to work more efficiently, notably by implementing jointly administrative appropriations to achieve economies of scale.

(8) Providing possibility for citizen engagement: the proposal provides a possibility for citizens to be consulted on the implementation of the Union budget by the Commission, Member States and any other entity implementing the Union budget.

## 2016/0282A(COD) - 26/01/2017 Court of Auditors: opinion, report

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OPINION No 1/2017 of the Court of Auditors.

On 9 December 2016, the Council requested an opinion from the Court on the Commission proposal to revise the financial rules applicable to the general budget of the Union. The Financial Regulation (FR) sets out the principles and procedures governing the establishment and spending of the European Union (EU) budget and the control of the EU funds.

The Court made the following observations and recommendations:

Governance: the Court suggested that the Commission should use the revision of the FR as an opportunity to update its governance arrangements in order to comply with international best practice. The Commission should in particular:

- further streamline reporting, by issuing a single accountability report or a suite of reports;
- publish as part of the annual accounts or accompanying information an estimate of the level of error based on a consistent methodology and present this information together with the provisional accounts;
- introduce specific requirements for the creation and functioning of an audit committee within EU institutions with a spending role.

Annual report and special reports: the Court opposed the Commission proposal as regards the way in which the Court presents its special reports, considering that this would undermine the legitimate administrative autonomy of the Court.

Simplification for recipients of EU funds: the Court supported the measures introduced by the Commission although it does not see the need to remove the no-profit principle for grant recipients.

It suggested that the Commission should clarify: (i) proposals on combining methods of implementation or budget implementation instruments by putting in place adequate safeguards to address the risks linked to combining funding sources; (ii) the proposed amendment on the financial instruments, in particular by defining in the FR proposal, the basis for the operation of the common provisioning fund and calculation of the effective provisioning rate.

Budget flexibility: the Court considered that it is possible to considerably simplify the budgetary provisions. It suggested rejecting the change proposed for the flexibility cushion, negative reserve and carry-overs as it introduces further complexity. It considered that budgetary flexibility should not be achieved by holding more funds in reserve and that a new approach to the carry-over procedure would be simpler, more flexible and promote efficiency. The Court did not support the proposed changes to the use of assigned revenue. It recommended that there should be no expansion in the use of internal assigned revenue and that all internally generated revenue should be accounted for as general revenue.

Trust funds: the proposal would enable trust funds to operate within the EU funded through internal policy instruments. The Court considered that the premature extension of the use of trust funds to internal policies raised issues of administration, cost, audit and accountability in relation to the creation of trust funds for external actions. The Court, therefore, did not support the proposal to extend the use of trust funds.

Payment based on conditions fulfilled or results achieved: the Court supported the increased use of payments based on conditions fulfilled or results achieved. It called for a clear definition of performance in relation to sound financial management and not to reduce the number of criteria that need to be covered by ex ante evaluations.

Streamlining of reporting: the Court welcomed the consolidation of the reports prepared by the Commission but considered that the implications of such changes have not been fully assessed. The Court considered the proposals on reporting to be inappropriate. The Court suggested that if changes were made, they would constitute a complete reporting package, and include the information from the annual activity reports (AARs) that is significant to external stakeholders. In this way, a significant simplification in reporting would be achieved.

Audit arrangements: the Court shared the Commission's opinion that it should simplify its relationship with international organisations by relying upon their existing audit arrangements wherever possible. This could avoid a multiplication of audit examination of the same projects and allow for a more adequate use of financial and human resources. It recommended requiring the Commission to consolidate all information concerning recoveries and corrections into one document presented to us together with the provisional accounts.

Lastly, the Court addressed other proposed changes, including certain issues such as changes in sectoral rules.

## 2016/0282A(COD) - 08/06/2017 Committee report tabled for plenary, 1st reading/single reading

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The Committee on Budgets, in conjunction with the Committee on Budgetary Control, adopted the report drawn up by Ingeborg GRÄSSLE (EPP, DE) and Richard ASHWORTH (ECR, UK) on the proposal for a regulation of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union.

The Committees on Employment and Social Affairs, Industry, Research and Energy, Transport and Tourism, Regional Development and Agriculture and Rural Development, exercising their prerogatives as associated committees in accordance with [Article 54 of the Rules of Procedure](#), also gave their opinions on the report.

The Commission proposed, in a single text, a revision of the general financial rules accompanied by corresponding amendments to the sectoral financial rules contained in 15 legislative acts on multiannual programmes.

The committee recommended that the European Parliament's position adopted at first reading in accordance with the ordinary legislative procedure should amend the Commission proposal.

The amendments concern in particular the following points:

Timetable: Members regretted the fact that deadlines for the examination of the proposal do not allow appropriate consideration of the opinions of the European Parliament and of the Council. They also regretted that the proposal under consideration was not preceded by an impact assessment and suggested an amendment in order to ensure that future major amendments to the Financial Regulation are accompanied by an impact assessment.

Performance: Members suggest integrating performance more into spending decisions. Performance should be described on the basis of the achievement of objectives and the direct application of the principle of sound financial management. Without seeking to prejudge the relevance of the programme concerned, there should be a link between objectives set and performance, indicators, results, additionality and economy, efficiency and effectiveness in the use of appropriations.

Transparency: communication should be more targeted at recipients, aimed at increasing visibility for citizens, while ensuring through defined-measures that the messages are received by beneficiaries. The utmost transparency regarding data on beneficiaries should be sought, without prejudice to the rules on the protection of personal data.

Horizontal principles: the report stressed that horizontal principles, i.e. partnership involvement, sustainable development, gender equality and non-discrimination, have generated important contributions to effective implementation of ESI Funds and should be upheld as forerunners for any kind of investment involving the Union budget, including financial instruments and EFSI.

Simplification in favour of recipients of EU funds: Member States should increasingly make use of simplified cost options and of single lump sum financing in order to make the associated administration less burdensome and to simplify the rules governing the allocation of funds.

Union public procurement should ensure the efficient, transparent and appropriate use of Union funds while reducing the administrative burden on recipients of Union funding and on managing authorities.

Audits and controls: these should focus more on beneficiaries who represent a high risk for the Union budget, taking into account past irregularities.

Non-profit rule: whereas the Commission intends to abolish the non-profit rule, Members proposed to retain it. The non-profit rule should be seen as one of the main instruments to avoid misuse of the public money.

Audit: in line with the principle of sound financial management, additional safeguards should be put in place for cross-reliance on audits. The Commission should therefore preserve the right of audit if necessary. In addition, funds and projects should be audited when EU funds account for more than 50 % of the funding.

Trust funds: Members considered it too early to extend the scope of Union trust funds to internal actions on the grounds that these funds can significantly change the budgets adopted by the European Parliament and the Council and carry the risk of using funds from financing instruments for purposes not foreseen in the basic acts establishing those instruments.

Blending facilities: this should promote a wide mix of contributions from national and EU budgets or private investors in order to optimise the use of available resources and attract as much private investment as possible and follow a well-defined and transparent governance process.

Reports: Members proposed a number of changes to the reporting requirements. They aim to streamline reporting requirements, reduce the number of reports and ensure that budget authorities have sufficient time to prepare the discharge.

## 2016/0282A(COD) - 05/07/2018 Text adopted by Parliament, 1st reading/single reading

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The European Parliament adopted, by 485 votes to 41, with 109 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union and amending Regulation (EC) No 2012/2002, Regulations (EU) No 1296/2013, (EU) 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1305/2013, (EU) No 1306/2013, (EU) No 1307/2013, (EU) No 1308/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, (EU) No 652/2014 of the European Parliament and of the Council and Decision No 541/2014/EU of the European Parliament and of the Council.

The proposed Regulation provides, in a single text, for a revision of the general financial rules accompanied by corresponding amendments to the sectoral financial rules contained in 15 legislative acts covering multiannual programmes.

The European Parliament's position, adopted at first reading under the ordinary legislative procedure, has brought changes to the Commission proposal. The amendments concern, inter alia, the following points:

Simplification in favour of the recipients of EU funds: in the interest of increased efficiency, Member States and other recipients of Union funds shall be able to make more frequent use of simplified cost options. In this context, the conditions for using lump sums, unit costs and flat rates shall be made more flexible.

Performance: the concept of performance as regards the budget shall be clarified. Performance shall be linked to the direct application of the principle of sound financial management. The Regulation defines the principle of sound financial management and a link should be established between objectives set and performance indicators, results and economy, efficiency and effectiveness in the use of appropriations.

Transparency: with regard to budget implementation, the application of that principle implies that citizens should know where, and for what purpose, funds are spent by the Union. Such information fosters democratic debate, contributes to the participation of citizens in the Union's decision-making process, reinforces institutional control and scrutiny over Union expenditure, and contributes to boosting its credibility. Communication shall be more targeted and shall aim to increase the visibility of the Union contribution for citizens. Without prejudice to the rules on the protection of personal data, the utmost transparency regarding information on recipients shall be sought.

Indirect budget implementation: the Commission shall have the possibility to implement the budget indirectly through Member State organisations. For reasons of legal certainty, it is therefore appropriate to define a Member State organisation as an entity established in a Member State as a public-law entity, or as a body governed by private law entrusted with a public-service mission and provided with sufficient financial guarantees by the Member State concerned.

Best practice: in order to promote best practices in the implementation of the European Regional Development Fund (ERDF), the European Social Fund (ESF), the Cohesion Fund, the European Agricultural Fund for Rural Development (EAFRD), and the European Maritime and Fisheries Fund (EMFF), as well as the European Agricultural Guarantee Fund (EAGF), the Commission shall, for information purposes, be able to make available to bodies responsible for management and control activities a non-binding methodological guide setting out its own control strategy and approach, including checklists, and examples of best practice. That guide should be updated whenever necessary.

Internal audit progress committee: each EU institution shall set up an internal audit progress committee to ensure the independence of the internal auditor, monitor the quality of internal audit work and ensure that internal and external audit recommendations are duly taken into account and followed up by its services.

The non-profit principle: in order to protect one of the fundamental principles of public finances, the non-profit principle shall be maintained in the Regulation.

Grants: in principle, these shall be awarded following a call for proposals. Where exceptions are allowed, they should be interpreted and applied restrictively in terms of scope and duration.

Trust funds: the Regulation clarifies the procedure for establishing EU trust funds and specifies the principles applicable to contributions to

trust funds. The Commission shall consult the European Parliament and the Council on its intention to establish a Union trust fund for emergency and post-emergency actions. The establishment of a Union trust fund for thematic actions shall be subject to the approval of the European Parliament and of the Council.

Migrants, refugees: in order to respond to the challenges posed by increasing flows of migrants and refugees, the objectives to which the ERDF can contribute in its support of migrants and refugees shall be spelled out with a view to enabling Member States to provide investments focusing on legally staying third-country nationals, including applicants for asylum and beneficiaries of international protection.

Single audit: in order to ease the administrative burden resulting from overlapping controls, especially for small beneficiaries, without undermining the principle of sound financial management, the single audit principle for the ERDF, the ESF, the Cohesion Fund and the EMFF shall prevail and the thresholds below which an operation is not to be subject to more than one audit shall be doubled.

In addition, the visibility of the ESI Funds shall be enhanced in order to better communicate their results and achievements to the public.

Horizontal principles such as sustainable development and gender equality and non-discrimination shall play a leading role in the effective implementation of the ESI funds.

## 2016/0282A(COD) - 18/07/2018 Final act

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PURPOSE: to revise the financial rules applicable to the general budget of the Union to make them simpler and more focused on results.

LEGISLATIVE ACT: Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012.

CONTENT: the Regulation amends the existing Financial Regulation, which establishes the general framework for budgetary management, as well as a number of acts governing the EU's multi-annual programmes in different areas, including cohesion policy. The improvements introduced aim to reduce the administrative burden faced by all actors involved in the implementation of the EU budget.

The main changes include the following:

- broaden the possibility for recipients of EU funds to use simplified cost options and focus on results rather than on determining the costs actually incurred;
- strengthen performance measurement of EU-funded projects. Performance will be linked to the direct application of the principle of sound financial management defined as the implementation of the budget in accordance with the principles of economy, efficiency and effectiveness;
- avoid multiple controls by ensuring that any information already available from the Union institutions, managing authorities or other bodies and entities implementing Union funds is reused;
- ensure that the principle of a single audit prevails for the ERDF, ESF, Cohesion Fund and EMFF and double the thresholds below which an operation is not subject to more than one audit;
- combine financing from EU structural funds with financial instruments and the European Fund for Strategic Investments through so-called 'blending'. It will also be possible to blend grants and financial instruments under the Connecting Europe Facility to finance projects in the fields of transport, energy, and information and communication technology;
- establish a more comprehensive framework for the use of financial instruments and budget guarantees to stimulate investment;
- clarify the procedure for establishing EU trust funds and specify the principles applicable to contributions to trust funds;
- make it easier to use EU structural funds for the integration of migrants and refugees and to combat tax evasion and money laundering more effectively;
- provide for the provision to the bodies responsible for management and control activities of a non-binding methodological guide setting out the Commission's control strategy and method;
- increase transparency by improving the visibility of the Union's contribution to citizens.

Horizontal principles such as sustainable development and gender equality and non-discrimination shall play a key role in the effective implementation of the ESI Funds. In addition, in order to protect one of the fundamental principles of public finances, the no-profit principle is maintained in this Regulation.

ENTRY INTO FORCE: 2.8.2018. The EU institutions are given additional time to adapt to the new rules on their administrative expenditure. They shall apply them from 1.1.2019.

## 2016/0282A(COD) - 26/06/2019 Follow-up document

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The Commission presents the long-term forecast of future inflows and outflows covering the next five years (2020-2024).

This years forecast report covers the first four years of the next Multiannual Financial Framework, for which negotiations are still on-going. The payment forecast is therefore based on the Commission's proposals of May 2018.

The analysis takes into account the principles and terms set out in the draft Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.

The scope of the forecast captures the elements of the current and the next financial frameworks. It is based on the level of appropriations for 2020 as included in the Draft Budget for that year. For the years 2021-2024, the commitments presented in the Commissions proposal for the next Multiannual Financial Framework are taken into account.

Compared to the forecast of last year which covered the period 2019-2023, this new forecast captures one additional year (2024). The estimates for the payments on the commitments of the current financial framework are updated to take account of the actual implementation



results for 2018, the 2019 budget and its proposed amendments (the Draft Amending Budgets N°15, N°26 and N°37), and the Draft Budget for 2020.

As for the payments in relation to the post-2021 commitments, given that the negotiations for the next Multiannual Financial Framework are on-going those estimates remain consistent with the parameters of the Commission proposal for the future financial period, as reflected in last years report.

#### Main results of the forecast

##### Payments

The report includes the estimates from the Draft Budget 2020, the last year of the current financial framework. The forecast for the 2020 payment levels is in total EUR 7 billion lower than in last years long-term forecast report. This is mainly in relation to Headings 1b, 2 and 4. For the funds in shared management, the Draft Budget is built on the latest implementation projections provided by Member States in January 2019, which are slightly lower than their projections of July 2018 on which last years forecast was based. In the external action field, the Draft Budget 2020 is actually below the level of the previous year, predominantly due to the lower payments for the Facility for Refugees in Turkey.

Almost all payments in 2020 relate to the commitments made under the 2014-2020 programmes. Less than 1% of the payments will cover commitments outstanding from the pre-2014 financial framework under Headings 1a and 4. The bulk of the 2007-2013 programmes under the cohesion policy is expected to be closed by the end of 2019 with no further payments anticipated in 2020.

##### Payments in the next financial framework (2021-2024)

Overall, for the first four years of the next financial framework payments are expected to total some EUR 687 billion. This amount is not evenly distributed across the years but follows the expected parallel evolution of: 1) the phasing-in of payments for the new spending programmes (around 62% of the 4-year payments total) and 2) the payments for outstanding commitments from the 2014-2020 period (the remaining 38% of the payments).

##### Payments on pre-2021 commitments

The proposed level of payments in the Draft Budget 2020 also has an impact on the payment needs in the following years. The lower level of payments for 2020 compared to previous forecasts is expected to lead to additional needs in the following years. As a consequence, the overall payment estimates for 2021 to 2024 are by around EUR 5 billion above the payment ceiling proposed by the Commission for the next period, of which EUR 4 billion would fall in 2024. These additional needs will, in combination with the impact of the future implementing modalities for the cohesion policy funds, have to be taken into account in setting the payment ceilings for the next financial framework or would automatically lead to a need for mobilising special instruments, in particular the Contingency Margin, which according to the Commission's proposal would allow for mobilising payments of up to 0.03% of EU gross national income in a given year (to be offset against the ceilings in later years).

##### Revenue

The EU budget is financed by own resources and other revenue. The overall amount of own resources needed to finance the budget is determined by total expenditure less other revenue. Accordingly, the forecast of the EU budget revenue for 2020-2024 is based on the principle that expenditure must be matched by revenue; therefore total revenue must equal total expenditure.

##### De-commitments

The overall amount of de-commitments forecast for 2020-2024 is EUR 8 billion. Around 77% of the de-commitments relate to the programmes of the 2014-2020 period (EUR 6 billion) while the de-commitments of the programmes originating before 2014 continue to phase out as is the case for the related payments. No de-commitments are anticipated for the commitments proposed for the 2021-2027 financial framework.

As only 2024 is within the scope of this report, the tentative assumption is that roughly one third of all decommitments on the 2014-2020 ESI funds could fall in that year. Compared to last years report, the 5-year de-commitment estimate increases by around EUR 1.6 billion. This is the combined effect of the increased de-commitment forecast for Headings 1b and 2, and decreases across the other Headings.

##### RAL outstanding commitments

The build-up of outstanding commitments (or RAL for *reste-a-liquider*) is a natural consequence of the implementation of the EU budget with differentiated appropriations and the nominally increasing volume of the EU budget over the years. The RAL at the start of the reporting period is expected to stand at around EUR 291 billion and to reach EUR 303 billion at the end of the current financial framework.

By the end of 2024, the RAL is projected at around EUR 313 billion, which results in an 8% increase in nominal value over the five analysed years.

##### Conclusions

Developments in two areas will be particularly important for payments in the next financial framework:

- the ongoing negotiations on the proposals for the next financial framework show diverging views on key elements influencing future payment needs. Given there is no consensus on those elements at this stage, the current forecast remains based on the Commission proposal of 2018;
- the payment forecast depends on the implementation of the current financial framework and the level of outstanding commitments at the start of 2021. For most of the expenditure headings the 2020 Draft Budget is below the level forecast last year. This automatically shifts payments to the post-2020 period, which come in addition to the payments assumed at the time of proposing the payment ceilings for the years 2021-2027. These developments will have to be taken into account in the negotiations for the next Multiannual Financial Framework. The payment ceilings under negotiation may need to be adjusted to accommodate the additional needs resulting from the higher level of outstanding commitments at the end of 2020 and from amendments of the implementation modalities for future programmes.