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Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation 2018/0258(COD)	Awaiting Council's 1st reading position 19/03/2019: MFF 2021-2027/ <a href="#">Progress report - state of play in the Council</a>
Integrated Border Management Fund: instrument for financial support for customs control equipment 2021?2027 See also <a href="#">2018/0249(COD)</a>	
Subject 2.10.01 Customs union, tax and duty-free, Community transit 6.20.02 Export/import control, trade defence, trade barriers 7.30.02 Customs cooperation	
Legislative priorities <a href="#">Multiannual Financial Framework 2021-2027</a>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 <a href="#">Internal Market and Consumer Protection</a>		19/06/2018
		PPE <a href="#">POSPÍŠIL Jiří</a>	
		Shadow rapporteur	
		 <a href="#">MALDONADO LÓPEZ Adriana</a>	
		 <a href="#">LØKKEGAARD Morten</a>	
		 <a href="#">CAVAZZINI Anna</a>	
		 <a href="#">FIDANZA Carlo</a>	
		 <a href="#">PELLETIER Anne-Sophie</a>	
	Former committee responsible		
 Internal Market and Consumer Protection		19/06/2018	
	PPE <a href="#">POSPÍŠIL Jiří</a>		
Former committee for opinion			
 International Trade	The committee decided not to give an opinion.		
 Budgets		28/06/2018	
	PPE <a href="#">KYRTSOS Georgios</a>		
 Budgetary Control		17/09/2018	
	ALDE <a href="#">ALI Nedzhmi</a>		
 Civil Liberties, Justice and Home Affairs		09/07/2018	
	PPE <a href="#">LENAERS Jeroen</a>		
Council of the European Union			

## Key events

12/06/2018	Legislative proposal published	<a href="#">COM(2018)0474</a>	Summary
02/07/2018	Committee referral announced in Parliament, 1st reading/single reading		
06/12/2018	Vote in committee, 1st reading/single reading		
12/12/2018	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A8-0460/2018</a>	Summary
15/01/2019	Results of vote in Parliament		
15/01/2019	Decision by Parliament, 1st reading/single reading	<a href="#">T8-0001/2019</a>	Summary
15/01/2019	Matter referred back to the committee responsible		
03/04/2019	Debate in Parliament		
16/04/2019	Decision by Parliament, 1st reading/single reading	<a href="#">T8-0384/2019</a>	Summary
08/10/2019	Committee decision to open interinstitutional negotiations after 1st reading in Parliament		
09/10/2019	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72)		

## Technical information

Procedure reference	2018/0258(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	See also <a href="#">2018/0249(COD)</a>
Legal basis	Rules of Procedure EP 59-p4; Treaty on the Functioning of the EU TFEU 207; Treaty on the Functioning of the EU TFEU 114; Treaty on the Functioning of the EU TFEU 033
Other legal basis	Rules of Procedure EP 159
Mandatory consultation of other institutions	<a href="#">European Economic and Social Committee</a>
Stage reached in procedure	Awaiting Council's 1st reading position
Committee dossier	IMCO/8/13758

## Documentation gateway

Legislative proposal	<a href="#">COM(2018)0474</a>	12/06/2018	EC	Summary
Document attached to the procedure	<a href="#">SWD(2018)0347</a>	13/06/2018	EC	

Document attached to the procedure		SWD(2018)0348	13/06/2018	EC	
Committee draft report		<a href="#">PE628.634</a>	15/10/2018	EP	
Economic and Social Committee: opinion, report		<a href="#">CES4010/2018</a>	17/10/2018	ESC	
Committee opinion	<b>BUDG</b>	<a href="#">PE626.954</a>	06/11/2018	EP	
Amendments tabled in committee		<a href="#">PE630.495</a>	14/11/2018	EP	
Committee opinion	<b>CONT</b>	<a href="#">PE627.870</a>	21/11/2018	EP	
Committee opinion	<b>LIBE</b>	<a href="#">PE627.838</a>	22/11/2018	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A8-0460/2018</a>	12/12/2018	EP	Summary
Text adopted by Parliament, partial vote at 1st reading/single reading		<a href="#">T8-0001/2019</a>	15/01/2019	EP	Summary
Text adopted by Parliament, 1st reading/single reading		<a href="#">T8-0384/2019</a>	16/04/2019	EP	Summary
Commission response to text adopted in plenary		<a href="#">SP(2019)440</a>	08/08/2019	EC	

## 2018/0258(COD) - 12/06/2018 Legislative proposal

**PURPOSE:** to establish, as part of the integrated border management fund, the instrument for financial support for customs control equipment for the period 2021-2027.

**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:** in order to respond to increased migratory and security challenges, the Commission has proposed the establishment of a new integrated border management fund under the next multiannual financial framework for the period 2021-2027. This new fund aims to provide enhanced support to Member States with a view to securing the Unions common external borders.

Within this framework, it is proposed that the integrated border management fund shall consist of two instruments: a financial support instrument in the field of border and visa management and a financial support instrument for customs control equipment. This proposal only concerns customs control equipment. The Commission shall at the same time present a separate [proposal](#) on the instrument in the field of border management and visas.

The 2 140 customs offices that are present over the external borders of the European Union need to be properly equipped to ensure the operation of the customs union. In order to avoid the diversion of flows of goods towards the weakest points, it is essential to ensure equivalence in the performance of customs controls throughout the Customs Union.

**CONTENT:** the proposal for a Regulation - presented for a Union of 27 Member States - seeks to create the financial support instrument for customs control equipment as part of integrated border management fund. It lays down the objectives of the Instrument, the budget for the period 2021 2027, the forms of Union funding and the rules for providing such funding.

**Objective:** the proposed instrument aims to ensure greater uniformity in the performance of customs controls at the external borders by addressing the current imbalances between Member States due to geographical differences and disparities in capacity and available resources. It shall complement the actions foreseen under the [Customs programme](#).

The specific objective of this instrument is to contribute to adequate and equivalent customs control through the purchase, maintenance and upgrade of customs control equipment.

The instrument shall be implemented in direct management, by means of grants. The Commission shall set up a coordination mechanism ensuring efficiency and interoperability between all the equipment purchased with the support of Union programmes and instruments.

**Eligible equipment:** equipment shall be eligible only if it relates to at least one of the six following purposes: (i) non-intrusive inspection; (ii) indication of hidden objects on humans; (iii) radiation detection and nuclide identification; (iv) analysis of samples in laboratories; (v) sampling and field analysis of samples; (vi) handheld search.

Annex 1 lays down an indicative list of customs control equipment that may be used to achieve the customs control purposes. The Commission may amend this list by means of delegated acts.

In addition to the purchase, maintenance and upgrade of eligible equipment, and where appropriate, the instrument will also support the purchase or upgrade of customs control equipment for testing new pieces or new functionalities in operational conditions.

**Proposed budget:** the Commissions [proposal](#) for the next multi-annual framework includes a proposal of EUR 9.31 billion (in current prices) for

the integrated border management fund for the period 2021-2027.

Within this global envelope, the financial resources available for the implementation of this specific Regulation amount to EUR 1.3 billion (in current prices).

## 2018/0258(COD) - 12/12/2018 Committee report tabled for plenary, 1st reading/single reading

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The Committee on the Internal Market and Consumer Protection adopted the report by Jiří POSPÍL (EPP, CZ) on the proposal for a regulation of the European Parliament and of the Council establishing, as part of the Integrated Border Management Fund, the instrument for financial support for customs control equipment.

The committee recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the Commission's proposal as follows.

### Subject matter

This Regulation establishes the Instrument for financial support for customs control equipment, as part of the Integrated Border Management Fund ('the Fund') to provide financial support for the purchase, maintenance and upgrade of customs control equipment. It lays down the objectives of the Instrument, the budget for the period 2021-2027, the forms of Union funding and the rules for providing such funding.

### Instrument objectives

The Instrument has the specific objective of contributing to adequate and equivalent customs controls through the fully transparent purchase, maintenance and upgrade of relevant, state-of-the-art, secure, cyber-resilient, safe, environmental-friendly and reliable customs control equipment. An additional objective is to improve the quality of customs controls throughout Member States to avoid the diversion of goods towards weaker points in the Union. It shall contribute to the implementation of the European Integrated Border Management by supporting interagency cooperation, co-sharing and interoperability of new equipment acquired through the Instrument.

### Budget

The financial envelope for the implementation of the Instrument for the period 2021-2027 shall be EUR 1 149 000 000 in current prices.

### Implementation and forms of EU funding

When the action supported involves the purchase or upgrade of equipment, the Commission shall set up adequate safeguards and contingency measures to ensure that all the equipment purchased with the support of Union programmes and instruments is put to use by the relevant customs authorities in all relevant cases.

When the action supported involves the purchase or upgrade of equipment, the Commission shall set up a coordination mechanism ensuring efficiency and interoperability between all the equipment purchased with the support of Union programmes and instruments, which shall allow for the consultation and participation of relevant Union agencies, in particular the European Border and Coast Guard Agency. The coordination mechanism shall include the participation and consultation of the European Border and Coast Guard Agency to maximise the Union added value in the field of border management.

### Evaluation

Evaluations of actions funded under the Instrument shall assess the Instrument's results, impact and effectiveness, and shall be carried out in a timely manner to ensure their efficient use in the decision-making process.

The interim evaluation of the Instrument shall be performed once there is sufficient information available about the implementation of the Instrument, but no later than three years (as opposed to four years as proposed by the Commission) after the start of the implementation of the Instrument.

The interim evaluation shall present findings necessary to make a decision about a follow-up to the Programme beyond 2027 and its objectives.

### Work programme

The preparation of the work programmes shall be supported by an individual assessment of needs, which shall consist, among others, of the following: (a) an assessment of an optimal level of customs control equipment by reference to the category of border crossing points; and (b) a detailed estimate of financial needs depending on the size of customs operations and the relative workload.

### Transparency

In order to ensure transparency, the Commission shall regularly provide information to the public relating to the Instrument, its actions and results, referring to, inter alia, the work programmes.

### Monitoring and reporting

The reporting requirements shall include at least the annual communication to the Commission of the following information where the cost of a piece of customs control equipment exceeds EUR 10 000 exclusive of taxes:

- the presence and condition five years after commissioning of items of equipment funded from the Union budget;
- information on instances of maintenance of the customs control equipment;
- information on the procurement procedure;
- justification of the expenses.

The Commission shall present to the European Parliament and the Council information on the performance of the Programme. The Commissions reporting on performance shall include information on both progress and shortfalls.

The interim evaluation shall present findings necessary to make a decision about a follow-up to the Programme beyond 2027 and its objectives.

## 2018/0258(COD) - 15/01/2019 Text adopted by Parliament, partial vote at 1st reading/single reading

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The European Parliament adopted by 602 votes to 47, with 32 abstentions, amendments to the proposal for a regulation of the European Parliament and of the Council establishing, as part of the Integrated Border Management Fund, the instrument for financial support for customs control equipment.

The matter was referred back to the competent committee for interinstitutional negotiations.

The main amendments adopted in plenary concern the following issues:

### Instruments objectives

Parliament noted that the Instrument has the general objective to support the customs union and customs authorities to protect the financial and economic interests of the Union and its Member States to promote inter-agency cooperation at Union borders as regards controls of goods and persons. As part of the Integrated Border Management Fund and with a view to the long-term aim that all customs controls in the Union are standardised, the Instrument has the general objective to support the customs union and customs authorities to protect the financial and economic interests of the Union and its Member States.

The Instrument has the specific objective of contributing to adequate and equivalent customs controls through the fully transparent purchase, maintenance and upgrade of relevant, state-of-the-art, secure, cyber-resilient, safe, environmental-friendly and reliable customs control equipment. An additional objective is to improve the quality of customs controls throughout Member States to avoid the diversion of goods towards weaker points in the Union. It shall contribute to the implementation of the European Integrated Border Management by supporting interagency cooperation, co-sharing and interoperability of new equipment acquired through the Instrument.

### Budget

The financial envelope for the implementation of the Instrument for the period 2021-2027 shall be EUR 1 149 000 000 in current prices.

### Implementation and forms of EU funding

When the action supported involves the purchase or upgrade of equipment, the Commission shall:

- set up adequate safeguards and contingency measures to ensure that all the equipment purchased with the support of Union programmes and instruments is put to use by the relevant customs authorities in all relevant cases;
- set up a coordination mechanism ensuring efficiency and interoperability between all the equipment purchased with the support of Union programmes and instruments, which shall allow for the consultation and participation of relevant Union agencies, in particular the European Border and Coast Guard Agency.

The coordination mechanism shall include the participation and consultation of the European Border and Coast Guard Agency to maximise the Union added value in the field of border management.

All the costs related to actions referred to in Article 6 shall be eligible for funding under Instrument, with the exception of costs relating to training or the upgrading of skills necessary for the use of the equipment and costs associated with electronic systems, with the exception of software and software updates directly necessary to use the customs control equipment.

### Evaluation

Evaluations of actions funded under the Instrument shall assess the Instrument's results, impact and effectiveness, and shall be carried out in a timely manner to ensure their efficient use in the decision-making process.

The interim evaluation of the Instrument shall be performed once there is sufficient information available about the implementation of the Instrument, but no later than three years (as opposed to four years as proposed by the Commission) after the start of the implementation of the Instrument.

The interim evaluation shall present findings necessary to make a decision about a follow-up to the Programme beyond 2027 and its objectives.

### Work programme

The preparation of the work programmes shall be supported by an individual assessment of needs, which shall consist, among others, of the following: (a) an assessment of an optimal level of customs control equipment by reference to the category of border crossing points; and (b) a detailed estimate of financial needs depending on the size of customs operations and the relative workload.

### Transparency

In order to ensure transparency, the Commission shall regularly provide information to the public relating to the Instrument, its actions and results, referring to, inter alia, the work programmes.

### Monitoring and reporting

The reporting requirements shall include at least the annual communication to the Commission of the following information where the cost of a piece of customs control equipment exceeds EUR 10 000 exclusive of taxes:

- the presence and condition five years after commissioning of items of equipment funded from the Union budget;
- information on instances of maintenance of the customs control equipment;

- information on the procurement procedure;
- justification of the expenses.

The Commission shall present to the European Parliament and the Council information on the performance of the Programme. The Commissions reporting on performance shall include information on both progress and shortfalls.

The interim evaluation shall present findings necessary to make a decision about a follow-up to the Programme beyond 2027 and its objectives.

## 2018/0258(COD) - 16/04/2019 Text adopted by Parliament, 1st reading/single reading

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The European Parliament adopted a legislative resolution on the proposal for a regulation of the European Parliament and of the Council establishing, as part of the Integrated Border Management Fund, the instrument for financial support for customs control equipment, thus concluding its first reading.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission's proposal as follows:

### Instruments objectives

Parliament noted that the Instrument has the general objective to support the customs union and customs authorities to protect the financial and economic interests of the Union and its Member States to promote inter-agency cooperation at Union borders as regards controls of goods and persons. As part of the Integrated Border Management Fund and with a view to the long-term aim that all customs controls in the Union are standardised, the Instrument has the general objective to support the customs union and customs authorities to protect the financial and economic interests of the Union and its Member States.

The Instrument shall make it possible to detect practices such as counterfeiting and other illegal commercial practices. It has the specific objective of contributing to adequate and equivalent customs controls through the fully transparent purchase, maintenance and upgrade of relevant, state-of-the-art, secure, cyber-resilient, safe, environmental-friendly and reliable customs control equipment. An additional objective is to improve the quality of customs controls throughout Member States to avoid the diversion of goods towards weaker points in the Union. It shall contribute to the implementation of the European Integrated Border Management by supporting interagency cooperation, co-sharing and interoperability of new equipment acquired through the Instrument.

Indicators to report on the progress of the Instrument in achieving the general and specific objectives have been defined in Annex 2 of the Regulation.

### Budget

Parliament called for the financial envelope for the implementation of the Instrument for the period 2021-2027 to be EUR 1 149 175 000 in 2018 prices (EUR 1 300 000 000 in current prices).

### Implementation and forms of EU funding

When the action supported involves the purchase or upgrade of equipment, the Commission shall:

- set up adequate safeguards and contingency measures to ensure that all the equipment purchased with the support of Union programmes and instruments is put to use by the relevant customs authorities in all relevant cases;
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The interim evaluation of the Instrument shall be performed once there is sufficient information available about the implementation of the Instrument, but no later than three years (as opposed to four years as proposed by the Commission) after the start of the implementation of the Instrument.

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