

European Aviation Safety Agency

DECISION OF THE MANAGEMENT BOARD¹ ADOPTING THE REVISED FINANCIAL REGULATION OF THE AGENCY

The Management Board,

Having regard to the Regulation (EC) 216/2008² of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC³, Regulation (EC) No 1592/2002⁴ and Directive 2004/36/EC⁵ thereof, hereinafter called Basic Regulation, and in particular Article 63 thereof,

Having regard to the European Parliament and of the Council Regulation (EC, Euratom) No 966/2012 of 25 October 2012 on the financial rules applicable to the general budget of the Union, hereinafter called "General Financial Regulation", and in particular Article 208 thereof⁶,

Having regard to the Commission Regulation adopted on 30 September 2013 and repealing the Commission Regulation (EC, Euratom) No 2343/2002⁷ of 19 November 2002, amended by regulation (EC, Euratom) No 652/2008⁸ of 9 July 2008, on the Framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 966/2012; hereinafter called the "Framework Financial Regulation" and in particular Article 2 thereof,

Having regard to the opinions of the European Commission N° Ares(2013)3083132 - 19/09/2013 and Ares(2013)3653746 - 06/12/2013 received on the 19 September and 6 December 2013.

Whereas:

(1) Regulation (EC) 216/2008, established the European Aviation Safety Agency, hereinafter referred to as "the Agency", a Community body having legal personality and which by virtue of this Regulation, enjoys not only independence in technical matters but also has legal, administrative and financial autonomy.

(2) The budget of the Agency is governed by specific financial rules, modelled after the Framework Financial Regulation which lays down the rules governing the establishment, implementation and scrutiny of the budget of the Community bodies that actually receive grants charged to the Community budget.

¹ Adopted at MB 04/2013 of 10 December 2013.

² OJ L 79, 19.3.2008, p. 1–49

³ OJ L 373, 31.12.1991, p. 21–25

⁴ OJ L 240, 7.9.2002, p. 1–21

⁵ OJ L 143, 30.4.2004, p. 76–86

⁶ OJ L 298, 26.10.2012, p. 1

⁷ OJ L 357, 31.12.2002, p. 72

⁸ OJ L 181, 10.07.2008, p. 23

(3) A new Framework Financial Regulation was adopted by the European Commission on 30 September 2013⁹. The new Framework Financial Regulation contains essential rules on the basis of which the Union Bodies referred to in Article 208 of the Regulation of the European Parliament and the Council on the financial rules applicable to the general budget of the Union (General Financial Regulation 966/2012 from 25 October 2012) should adopt their own financial rules.

(5) Pending the modification of the Agency's constituent act, and in order to allow the Agency to receive grants as foreseen in other legislative acts, in particular for international cooperation projects, it is necessary to adapt article 7.1 of the Framework Financial Regulation.

Has adopted the Annexed Revised Financial Regulation.

Done at Cologne,

[Signed]

Michael Smethers

Chair of the Management Board

⁹ OJ L 181/23, 10.07.2008