



COMMISSION OF THE EUROPEAN COMMUNITIES

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95/0099 (CNS)

Amended proposal for a

COUNCIL REGULATION (EC)

AMENDING

**COUNCIL REGULATION (EC) NO 2965/94 OF 28 NOVEMBER 1994
SETTING UP A TRANSLATION CENTRE FOR BODIES OF THE
EUROPEAN UNION**

(presented by the Commission pursuant to Article 189 a (2)
of the EC-Treaty)

**AMENDED PROPOSAL FOR A COUNCIL REGULATION AMENDING
COUNCIL REGULATION (EC) NO 2965/94 OF 28 NOVEMBER 1994
SETTING UP A TRANSLATION CENTRE FOR BODIES OF THE
EUROPEAN UNION**

EXPLANATORY MEMORANDUM

Following the opinion delivered by the European Parliament on 20 September 1995 the Commission hereby submits to the Council an amended proposal which incorporates all amendments presented by Parliament.

Amendment n° 1, which aims at avoiding a parallel structure of coordination and at using the Translation Centre for interinstitutional collaboration in the medium term in areas on which all the bodies concerned are agreed, is accepted as a logical and useful expansion of the Commission proposal.

Amendments n° 2 and 3 logically follow from amendment n° 1, and amendments n° 4 and 6 take account of the fact that if the Centre is to perform work for the institutions the latter must be in a position to contribute to the revenue of the Centre. The Commission therefore accepts these amendments as well.

Amendment n° 5 is accepted as it has proved difficult in practice to apply the percentage approach enshrined in the original Regulation. It therefore makes sense to provide that the contributing bodies should contribute a lump sum from their budgets at the start of the financial year.

<p>Proposal for a Council Regulation amending Council Regulation (EC) No 2965/94 of 28 November 1994 setting up a Translation Centre for bodies of the European Union¹</p>	<p>Amended proposal following the opinion of the European Parliament²</p>
<p>THE COUNCIL OF THE EUROPEAN UNION,</p> <p>Having regard to the Treaty establishing the European Community, and in particular Article 235 thereof,</p> <p>Having regard to the proposal from the Commission,</p> <p>Having regard to the opinion of the European Parliament,</p> <p>Whereas it is necessary to strengthen the administrative collaboration between the institutions and bodies of the Union with a view to rationalising working methods and making overall savings;</p> <p>Whereas translation constitutes one of the sectors of activity where such interinstitutional collaboration can be strengthened;</p> <p>Whereas the Translation Centre set up by Council Regulation (EC) No 2965/94³ should form an integral part of such interinstitutional collaboration in the translation domain;</p>	<p>unchanged</p> <p>unchanged</p> <p>unchanged</p> <p>unchanged</p> <p>unchanged</p> <p>unchanged</p> <p>Whereas the Translation Centre set up by Council Regulation (EC) No 2965/94⁴ should form an integral part of such interinstitutional collaboration in the translation domain; whereas one of the aims of such integration shall be to avoid the development of a parallel structure for collaboration between the translation services, and in the medium term to use the Centre for such activities;</p>

¹ OJ C143, 9 June 1995, p. 25

² EP 193.732

³ OJ L 314, 7 December 1994, p. 1

⁴ OJ L314, 7 December 1994, p. 1

<p>Whereas it is therefore necessary to extend the scope of the services provided by the Centre to enable those institutions and bodies of the Union which already have a translation service to have access to the Centre's services;</p>	<p>unchanged</p>
<p>Whereas, in order to avoid any confusion over the broader scope of the Regulation, it is necessary to replace, in the earlier text of the Regulation, the word "bodies" by the term "agencies and offices" wherever necessary;</p>	<p>unchanged</p>
<p>Whereas the Treaty does not provide specific powers of action for the adoption of this Regulation, other than those contained in Article 235,</p>	<p>unchanged</p>
<p>HAS ADOPTED THIS REGULATION:</p>	
<p>CHAPTER ONE</p>	
<p>Amendment to Council Regulation (EC) No 2965/94 of 28 November 1994 setting up a Translation Centre for the bodies of the European Union</p>	<p>unchanged</p>
<p><u>Article 1</u></p>	
<p>1. <u>Article 2(1) is amended as follows:</u></p>	
<p>1. The Centre shall provide the necessary translation services for the operation of the following agencies and offices:</p> <ul style="list-style-type: none"> -the European Environment Agency; -the European Training Foundation; -the European Monitoring Centre for Drugs and Drug Addiction; -the European Agency for the Evaluation of Medical Products; -the Agency for Health and Safety at Work; -the Office for Harmonization in the Internal Market (trademarks, designs and models); -the European Police Office (Europol) and the European Drugs Unit. 	<p>unchanged</p>
<p>The Centre and each of the agencies and offices mentioned above shall make arrangements covering the ways in which they will cooperate.</p>	
<p>2. <u>Article 2(2) is amended as follows:</u></p>	
<p>2. Agencies and offices set up by the Council other than those referred to in paragraph 1 may have access to the services of the Centre on the basis of arrangements to be agreed with the Centre.</p>	<p>unchanged</p>

<p>3. <u>A new Article 2(3) is inserted as follows:</u></p> <p>3. The institutions and bodies of the Union which already have their own translation service may have access to the services of the Centre on a reciprocal basis, to be determined in accordance with arrangements to be agreed between the parties.</p> <p style="text-align: center;"><u>Article 2</u></p> <p>1. <u>Article 4(1) is amended as follows:</u></p> <p>1. The Centre shall have a Management Board consisting of:</p> <p>(a) a representative from each of the agencies and offices listed in Article 2(1); any arrangement referred to in Article 2(2) may envisage a representation of the agency or office party to that arrangement;</p> <p>(b) a representative from each of the Member States of the European Union;</p> <p>and</p> <p>(c) two representatives from the Commission.</p>	<p>unchanged</p> <p>New Article 2(4)</p> <p>The Centre shall participate as a full member in the work of the interinstitutional committee for translation in all areas covered by the collaboration. This collaboration shall also seek to have the activities whose amalgamation has been agreed between the institutions, offices and agencies carried out in the medium term via the Centre.</p> <p>unchanged</p> <p>unchanged</p> <p>(b) a representative from each of the Member States of the European Union;</p> <p>(c) two representatives from the Commission</p> <p>and</p> <p>d) one representative each from the institutions, agencies and offices which have their own translation services but have concluded agreements with the Centre for collaboration on a reciprocal basis.</p>
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Article 3

1. Article 10(2) is amended as follows:

2.(a) The revenue and expenditure shown in the Centre's budget shall be in balance.

unchanged

(b) Subject to the provision set out in subparagraph (c) concerning the start-up period, the revenue shall come from the payments made by the agencies and offices serviced by the Centre in return for work performed by it.

(b) Subject to the provision set out in subparagraph (c) concerning the start-up period, the revenue shall come from the payments made by the agencies and offices serviced by the Centre and the institutions with which collaboration has been agreed in return for work performed by it.

(c) In the start-up period, which shall not exceed three budgetary exercises:

(c) In the start-up period, which shall not exceed three financial years:

- the offices and agencies serviced by the Centre shall contribute a lump sum contribution which will be a percentage of their budget, based on the best possible information, and which will be adapted in the light of the actual work performed;

- the offices, agencies and institutions serviced by the Centre shall at the start of a financial year make a lump sum contribution from their budgets, based on the best possible information, and which will be adapted in the light of the actual work performed;

- a contribution may be made from the general budget of the European Communities to the Centre to ensure its operation.

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Article 4

1. Article 11(1) is amended as follows:

1. Before the review provided for in Article 19, any agency or office referred to in Article 2(1) which is experiencing particular difficulties in connection with the provision of services by the Centre may approach the Centre in order to seek the most appropriate solutions to those difficulties.

unchanged

2. Article 11(2) is amended as follows:

2. If it proves impossible to arrive at such solutions within three months, the agency or office in question may send a duly substantiated communication to the Commission, so that the Commission can take the necessary measures and, if appropriate, organize, under the auspices of the Centre and with its assistance, more systematic recourse to third parties for translation of the documents concerned.

unchanged

<p style="text-align: center;"><u>Article 5</u></p> <p>1. <u>Article 13(2) is amended as follows:</u></p> <p>2. The Management Board shall adopt the statement of estimates accompanied by the establishment plan and shall transmit them immediately to the Commission, which on that basis shall establish the estimates corresponding to the subsidies granted to the agencies and offices listed in Article 2 in the preliminary draft budget which it places before the Council pursuant to Article 203 of the Treaty.</p> <p>2. <u>Article 13(3) is amended as follows:</u></p> <p>3. The Management Board shall adopt the Centre's budget before the beginning of the financial year, adjusting it where necessary to the payments made by the agencies and offices mentioned in Article 2.</p> <p style="text-align: center;">CHAPTER II</p> <p style="text-align: center;">Final provisions</p> <p><u>Article 6</u></p> <p>This Regulation shall enter into force on the seventh day following its publication in the Official Journal of the European Communities.</p> <p>This Regulation shall be binding in its entirety and directly applicable in all Member States.</p> <p>Done at Brussels</p> <p style="text-align: center;">For the Council The President</p>	<p>unchanged</p> <p>unchanged</p> <p>unchanged</p>
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