

the participants themselves and such costs would be reimbursed if they meet the criteria established by the research contract (i.e. actual, economic and necessary, incurred during the life of the project, determined in accordance with the contractor's usual accounting principles and recorded in their accounts).

In summary for the research projects in both FP5 and FP6 it is an internal decision of the consortium how the travel budget is distributed between the participants. As this is an internal decision for the consortia, no coefficient for taking account the geographical distance is applied. The Commission has currently not foreseen to carry out a comparison of the travelling costs of different projects according to the geographical origin of the participants. Under FP6 the Commission does not require a detailed breakdown of the costs by category (such as travel) for each participant, but requires a management level justification of the costs and their certification by an external auditor.

(¹) <http://www.cordis.lu/fp5/>.

(²) <http://fp6.cordis.lu/fp6/home.cfm>.

(2003/C 268 E/085)

WRITTEN QUESTION P-0255/03

by Roy Perry (PPE-DE) to the Commission

(29 January 2003)

Subject: Lloyd's of London

In the Commission press release of 21 January 2003 outlining the Commission's continuation of infringement procedures concerning the regulation and supervision of Lloyd's of London, the Commission 'recognises the improvements achieved through the FSMA 2000 regime, but still has some remaining concerns over compliance with the Directive' (73/239/EEC (¹)).

Could the Commission detail how the new regime improves on the past regime?

Furthermore, the Commission's press release states that 'in the light of past failings, the Commission still has concerns about the current regulatory and supervisory framework'.

Could the Commission specify what it considered these past failings to have been and elaborate which of them remain at present?

(¹) OJ L 228, 16.8.1973, p. 3.

Answer given by Mr Bolkestein on behalf of the Commission

(27 February 2003)

The Commission is very much aware of the interest of the Honourable Member, as well as that of many other parties, with regard to the Commission's investigations in this complex and sensitive file. For this reason the Commission decided to issue a press release on the despatch of both the first and the supplementary letters of formal notice, although this is not normal at this stage of the Commission's enquiries.

Further evidence of the Commission's goodwill and general wish for transparency is demonstrated by the three personal interventions of the Member of the Commission in charge of Internal Market to the Parliament and the other efforts undertaken by the Commission to keep the Members of the Petitions Committee regularly updated on the progress of this file.

However, the Honourable Member will understand that, in proceedings under Article 226 of the EC Treaty and in accordance with Article 10 of the same Treaty, the Commission must respect a climate of mutual confidence in conducting its investigations and in pursuing its dialogue with a Member State. The objective of such proceedings is to restore or to ensure compliance by a Member State with its Community obligations, not to establish past compatibility or incompatibility. This objective requires confidentiality in order not to prejudice the Commission in the fulfilment of one of its core tasks — the control of the application of Community law.

For this reason, the Commission cannot expand further on the precise nature of the possible failings and allegations examined.
