

DECISION OF THE ADMINISTRATIVE BOARD OF 14 NOVEMBER 2014

renewing the Decision of 20 November 2012 establishing an Administrative and Finance Committee, as amended by the Decision of the Administrative Board of 13 November 2013

THE ADMINISTRATIVE BOARD OF THE EUROPEAN MARITIME SAFETY AGENCY (EMSA),

Having regard to Regulation (EC) N° 1406/2002 of the European Parliament and of the Council establishing a European Maritime Safety Agency, as amended, in particular Articles, 10, 18, 19 and 21 thereof;

Whereas:

- (1) The Administrative Board of EMSA decided at its meeting of 20 November 2012 to establish an Administrative and Finance Committee aiming to further increase efficiency in conducting its meetings,
- (2) It is foreseen in article 6, that the decision of 20 November 2012 would be renewed annually by the Administrative Board and amended as deemed appropriate,

HAS DECIDED AS FOLLOWS:

Article 1 - Renewal of the decision of 20 November 2012 establishing an Administrative and Finance Committee

The Decision of 20 November 2012 establishing an Administrative and Finance Committee, as amended by the Decision of the Administrative Board of 13 November 2013, is renewed in its entirety.

Article 2 – Entry into force

This decision shall take effect on the day following that of its adoption.

Done at Lisbon, on 14 November 2014

Frans Van Rompuy
Chairman of the Administrative Board

A handwritten signature in blue ink, appearing to read "Frans Van Rompuy", is written over a faint blue rectangular stamp.

Annex: Consolidated version of the Decision of the Administrative Board of the European Maritime Safety Agency establishing an Administrative and Finance Committee of 12 November 2012, as amended by the Decision of the Administrative Board of 13 November 2013

CONSOLIDATED VERSION OF THE DECISION OF THE ADMINISTRATIVE BOARD

establishing an Administrative and Finance Committee of 20 November 2012, as amended by Decision of the Administrative Board of 13 November 2013

THE ADMINISTRATIVE BOARD OF THE EUROPEAN MARITIME SAFETY AGENCY (EMSA),

Having regard to Regulation (EC) N° 1406/2002 of the European Parliament and of the Council establishing a European Maritime Safety Agency, as amended, in particular Articles, 10, 18, 19 and 21 thereof;

Whereas:

- (1) The Administrative Board of EMSA decided at its meeting of 1 April 2003 to establish a standing Sub-Committee on financial/budgetary issues in order to facilitate the Board deliberations,
- (2) The Administrative Board aims to further increase efficiency in conducting its meetings,
- (3) The establishment of the Administrative and Finance Committee does not constitute delegation of any of the Administrative Board powers as defined in the Regulation (CE) N° 1406/2002 of the European Parliament and of the Council establishing a European Maritime Safety Agency, as amended.

HAS DECIDED AS FOLLOWS:

Article 1 - Establishment

1. The Administrative and Finance Committee is established and replaces the Sub-Committee on financial/budgetary issues.
2. The objective of the Administrative and Finance Committee is to provide a list of "A" items for adoption, as defined in Article 3.2 and to provide an opinion to the Administrative Board on "B" items for discussion as defined in Article 3.4.
3. In addition to the tasks already identified in article 3, the Administrative and Finance Committee shall provide its assistance to the Administrative Board to monitor the findings and recommendations stemming from various audit reports and evaluations, whether internal or external, and the EMSA follow up.

Article 2 - Composition

1. The Administrative and Finance Committee is composed in total of eight members of the Administrative Board, of which two members are representatives of the European Commission.
2. The members are appointed for a period of three years and may be reappointed.
3. The Administrative Board appoints the Chairperson of the Administrative and Finance Committee.
4. The Agency's and additional Commission's staff may take part in meetings of the Committee as experts.
5. The Agency provides the Secretariat of the Administrative and Finance Committee.

Article 3 - Functions

1. The Administrative and Finance Committee has an advisory function.
2. The Administrative and Finance Committee shall prepare either for adoption or for discussion by the Administrative Board the following items, referred to as possible "A" items:
 - a. Internal Audit Service Strategic Audit Plan
 - b. Reports of the Internal Auditor and follow-up on action plan
 - c. Information on budget transfers
 - d. EMSA accounts/financial statement
 - e. Budget amendments
 - f. EMSA Financial Regulation and EMSA Implementing Rules to the Financial Regulation and their amendments
 - g. EMSA Implementing Rules to Staff Regulations and their amendments
 - h. Practical arrangements for implementing Regulation (EC) No 1049/2001 regarding public access to documents
 - i. Annual report on the implementation of the Social Measure
3. "A" items are grouped under one agenda item for adoption by the Administrative Board. The Administrative Board is invited to adopt these items "en bloc", unless an Administrative Board Member asks for a separate deliberation on a specific point.
4. The Administrative and Finance Committee shall also provide an opinion to the Administrative Board on the following items, referred to as "B" items:
 - a. Draft and Final Budget
 - b. Draft and Final Establishment Plan
 - c. Multi Annual Staff Policy Plan
 - d. Budget transfers beyond the limits envisaged by the Financial Regulation
5. The Administrative and Finance Committee shall endeavour to establish its opinions by consensus. In case a member has a dissenting opinion, the issue will be a "B" item.

Article 4 - Meetings

1. The Administrative and Finance Committee shall usually meet preceding Administrative Board meetings. The Chairperson of the Administrative and Finance Committee shall convene the meeting. The meeting shall take place only if 5 (2/3) of its members are present. In the absence of a quorum, upon decision of the Chairperson, the meeting may take place, but all items shall become "B" items. If the Chairperson is unavailable, the meeting shall be chaired by the Member of the Committee, from a Member State, who is the longest serving Member of the Administrative Board.
2. The Members of the Administrative and Finance Committee are entitled to the same rules for reimbursement of costs as Administrative Board Members.

Article 5 - Adaptation

Article 3bis of the Decision of the Administrative Board on general provisions for implementing Article 43 of the Staff Regulations adopted on 24 November 2006, as amended on 10 November 2011, shall read as follows:

'The Executive Director shall act as Reporting Officer for the Accounting Officer of the Agency. The Chairperson of the Administrative and Finance Committee shall act as Countersigning Officer.'

Article 6 – Review of mandate

This decision will be renewed annually by the Administrative Board and amended as deemed appropriate.

Article 7 – Entry into force

This decision shall take effect on the day following that of its adoption.

