This document is meant purely as a documentation tool and the institutions do not assume any liability for its contents

►B **COMMISSION REGULATION (EC, EURATOM) No 2343/2002**

of ►C1 19 November 2002 ◄

on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities

(OJ L 357, 31.12.2002, p. 72)

Amended by:

		Official Journal		
		No	page	date
►M1	Commission Regulation (EC, Euratom) No 652/2008 of 9 July 2008	L 181	23	10.7.2008
►M2	Commission Delegated Regulation (EU) No 1271/2013 of 30 September 2013	L 328	42	7.12.2013

Corrected by:

►C1	Corrigendum, OJ L 2, 7.1.2003, p. 39 (2343/2002)

▼B

COMMISSION REGULATION (EC, EURATOM) No 2343/2002

of ►C1 19 November 2002 ◄

on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities

TITLE I	SUBJECT MATTER
TITLE II	BUDGETARY PRINCIPLES
Chapter 1	Principles of unity and of budget accuracy
Chapter 2	Principle of annuality
Chapter 3	Principle of equilibrium
Chapter 4	Principle of unit of account
Chapter 5	Principle of universality
Chapter 6	Principle of specification
Chapter 7	Principle of sound financial management
Chapter 8	Principle of transparency
TITLE III	ESTABLISHMENT AND STRUCTURE OF THE BUDGET
Chapter 1	ESTABLISHMENT OF THE BUDGET
Chapter 2	Structure and presentation of the budget
TITLE IV	IMPLEMENTATION OF THE BUDGET
Chapter 1	General provisions
Chapter 2	Financial actors
Section 1	Principle of segregation of duties
Section 2	Authorising officer
Section 3	Accounting officer
Section 4	Imprest administrator
Chapter 3	Liability of the financial actors
Section 1	General rules
Section 2	Rules applicable to the authorising officer and authorising officers by delegation or subdelegation
Section 3	Rules applicable to accounting officers and imprest administrators
Chapter 4	Revenue operations
Section 1	General provisions
Section 2	Estimate of amounts receivable
Section 3	Establishment of amounts receivable
Section 4	Authorisation of recovery
Section 5	Recovery
Section 6	Specific provisions applicable to fees and charges
Chapter 5	Expenditure operations
Section 1	Commitment of expenditure
Section 2	Validation of expenditure

▼B

Section 3	Authorisation of expenditure
Section 4	Payment of expenditure
Section 5	Time limits for expenditure operations
Chapter 6	Information Technology Systems
Chapter 7	Internal auditor
TITLE V	PROCUREMENT
TITLE VA	PROJECTS WITH SIGNIFICANT BUDGET IMPLICATIONS
TITLE VB	EXPERTS
TITLE VI	GRANTS AWARDED BY THE COMMUNITY BODY
TITLE VII	PRESENTATION OF THE ACCOUNTS AND ACCOUNTING
Chapter 1	Presentation of the accounts
Chapter 2	Accounting
Section 1	Common provisions
Section 2	General accounts
Section 3	Budgetary accounts
Chapter 4	Property inventories
TITLE VIII	EXTERNAL AUDIT AND DISCHARGE
Chapter 1	External audit
Chapter 2	Discharge
TITLE IX	TRANSITIONAL AND FINAL PROVISIONS

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities, and in particular Article 185(1) thereof ([1]),

Having regard to the opinion of the European Parliament ([2]),

Having regard to the opinion of the Council ([2]),

Having regard to the opinion of the Court of Auditors ([2]),

Whereas:

(1) The Community bodies set up to assume the burden of carrying out certain Community activities have legal personality and hence their own budget governed by specific financial rules.

(2) In order to guarantee a certain degree of consistency in these rules compared with Regulation (EC, Euratom) No 1605/2002 (hereinafter 'the general Financial Regulation') and pursuant to Article 185(1) of that Regulation, this framework Financial Regulation must lay down the rules governing the establishment, implementation and scrutiny of the budget of the said Community bodies which actually receive grants charged to the Community budget (hereinafter 'Community bodies'). It is on the basis of this framework Financial Regulation that each of those

([1]) OJ L 248, 15.9.2002, p. 1.
([2]) Not yet published in the Official Journal.

▼B

Community bodies will adopt its own financial rules, which, as indicated in the abovementioned Article 185, may depart from the framework Financial Regulation in accordance with the specific management needs of those bodies, but only with the Commission's consent.

(3) Like the general Financial Regulation, this framework Financial Regulation confines itself to stating the broad principles and basic rules governing the whole of the budgetary sector concerned, while detailed provisions may subsequently be adopted by these bodies in order to make their financial rules easier to read.

(4) For the purposes of establishing and implementing the budget, the four fundamental principles of budgetary law (unity, universality, specification, annuality), and the principles of equilibrium, unit of account, sound financial management and transparency must be reasserted.

(5) It is necessary to define the powers and responsibilities of the accounting officer, the internal auditor and authorising officers. The last mentioned are fully responsible for all revenue and expenditure operations executed under their authority and must be held accountable for their actions, including, where necessary, through disciplinary proceedings.

(6) Like the institutions, these Community bodies must not be allowed to raise loans, in accordance with Article 14 of the general Financial Regulation.

(7) The internal audit function within the Community bodies must be performed by the Commission's internal auditor, who will therefore act as the guarantor of the overall consistency of the system and its working methods in accordance with Article 185(3) of the general Financial Regulation.

(8) The timetable for establishing the budget, presenting the accounts and granting discharge must be aligned on the equivalent provisions of the general Financial Regulation, and the authority responsible for granting the Community bodies discharge will now be the same as for the general budget (Article 185(2) of the general Financial Regulation).

(9) The accounting rules applied by the Community bodies must allow for consolidation with the accounts of the institutions, and to this end they must be adopted by the Commission's accounting officer in accordance with Article 133 of the new general Financial Regulation.

(10) In accordance with Article 46 of the general Financial Regulation, the establishment plan must now be submitted to the budgetary authority for approval.

(11) Each body could have access to the panel referred to in Article 66(4) of the general Financial Regulation set up by the Commission to examine irregularities so that a similar assessment can be made of identical cases.

▼B

(12) Since they receive a grant charged to the Community budget, the Community bodies must strictly observe the same requirements as the institutions in the award of public contracts and grants, in so far as such contracts and grants are authorised by the Instruments setting up those bodies; in this respect a reference to the relevant provisions of the general Financial Regulation will suffice.

(13) Like the institutions, the Community bodies may, for the performance of the tasks entrusted to them, employ external private sector bodies only where necessary and not for tasks involving any public service mission or any use of discretionary powers of judgement, in order to guarantee that each body is accountable for the implementation of its budget and adheres to the objectives assigned to it on its creation.

(14) In support of their requests for payment of the Community subsidy, Community bodies must submit a cash-flow forecast, and the funds paid by the Communities in respect of that subsidy must bear interest for the benefit of the Communities.

(15) There must be specific provisions organising the collection of fees and charges, which are one of the resources of these bodies.

(16) In view of the statutory requirements arising from the instruments setting up Community bodies, the procedure for presenting the accounts should be adapted and provision made for the management board to give its opinion on the accounts.

(17) The new budget structure adopted in the general financial regulation must also be used by the Community bodies in so far as this is justified by the nature of their activities.

(18) The only provisions of the general Financial Regulation that must be included in this Regulation are those which are relevant to the Community bodies.

In particular this Regulation must therefore not include the provisions relating to areas of activity that have no connection with the Community bodies, the various methods of implementation embodying the concept of externalisation and the information on the budget to be sent to the European Parliament and the Council. Additionally, only some of the categories of assigned revenue in the general Financial Regulation should be taken into consideration and, finally, the procedure for transfers of appropriations and establishment of the budget must be less detailed and less complex,

HAS ADOPTED THIS DECISION:

▼M2

_____

▼M1

Article 27

▼M2

_____

▼M1

4. The Community body shall send to the Commission and the budgetary authority by 31 March each year at the latest the following:

▼M1

(a) its draft work programme;

(b) its updated multi-annual staff policy plan, established in line with the guidelines set by the Commission;

(c) information on the number of officials, temporary and contract staff as defined in the Staff Regulations and the Conditions of Employment of Other Servants (hereinafter 'the Staff Regulations') for the years n-1 and n as well as an estimate for the year N+1;

(d) information on contributions in kind granted by the host Member State to the Community body;

(e) an estimate of the balance of the outturn account within the meaning of Article 81 for the year N-1.

▼M2

_____

▼M1

7. The budget and the establishment plan shall be adopted by the management board. They become definitive after final adoption of the general budget setting the amount of the subsidy and the establishment plan and if necessary the budget and the establishment plan shall be adjusted accordingly.

▼M2

_____

▼B

Article 40

▼M1

1. The authorising officer shall report to the management board on the performance of his duties in the form of an annual activity report, together with financial and management information confirming that the information contained in the report presents a true and fair view except as otherwise specified in any reservations related to defined areas of revenue and expenditure.

The annual activity report shall indicate the results of his operations by reference to the objectives set, the risks associated with these operations, the use made of the resources provided and the efficiency and effectiveness of the internal control system. The internal auditor within the meaning of Article 71 shall take note of the annual activity report and any other pieces of information identified.

▼B

2. By no later than 15 June each year, the management board shall send the budgetary authority and the Court of Auditors an analysis and an assessment of the authorising officer's annual report on the previous financial year. This analysis and assessment shall be included in the annual report of the Community body, in accordance with the provisions of the constituent instrument.

▼M2

_____