COUNCIL REGULATION (EC) No 1655/2003

of 18 June 2003

amending Regulation (EEC) No 337/75 establishing a European Centre for the Development of Vocational Training and repealing Regulation (EEC) No 1416/76

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

Having regard to the proposal from the Commission ([1]),

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

Having regard to the opinion of the Court of Auditors ([3]),

Whereas:

(1) Certain provisions of Council Regulation (EC) No 337/75 of 10 February 1975 establishing a European Centre for the Development of Vocational Training ([4]) should be brought into line with Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ([5]) (hereinafter referred to as 'the general Financial Regulation'), and in particular Article 185 thereof. Pursuant to that Article, the European Centre for the Development of Vocational Training must adopt financial rules in conformity with Commission Regulation (EC, Euratom) No 2343/2002 of 23 December 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 ([6]). Consequently, Council Regulation (EEC) No 1416/76 of 1 June 1976 on the financial provision applying to the European Centre for the Development of Vocational Training ([7]) must be repealed with effect from the entry into force of the financial rules adopted by the Management Board of the Centre.

(2) The general principles and limits governing right of access to documents provided for in Article 255 of the Treaty have been laid down by Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents ([8]).

(3) When Regulation (EC) No 1049/2001 was adopted, the three institutions agreed in a joint declaration that the agencies and similar bodies should implement rules conforming to those of that Regulation.

(4) Appropriate provisions should therefore be included in Regulation (EEC) No 337/75 to make Regulation (EC) No 1049/2001 applicable to the European Centre for the Development of Vocational Training, as should a provision on appeals against a refusal of access to documents.

(5) Regulation (EEC) No 337/75 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 337/75 is hereby amended as follows:

1. Articles 10, 11, 12 and 12a shall be replaced by the following:

'*Article 10*

1. Estimates of all the revenue and expenditure of the Centre shall be prepared for each financial year, corresponding to the calendar year, and shall be shown in the budget of the Centre, which shall include an establishment plan.

2. The revenue and expenditure shown in the budget shall be in balance.

Article 11

1. Each year the Management Board, on the basis of a draft drawn up by the Director, shall produce an estimate of revenue and expenditure for the Centre for the following financial year. This estimate, which shall include a draft establishment plan, shall be forwarded by the Management Board to the Commission by 31 March at the latest.

([1]) OJ C 331 E, 31.12.2002, p. 82.
([2]) Opinion delivered on 27.3.2003 (not yet published in the Official Journal).
([3]) OJ C 285, 21.11.2002, p. 4.
([4]) OJ L 39, 13.2.1975, p. 1. Regulation as last amended by Regulation (EC) No 354/95 (OJ L 41, 23.2.1995, p. 1).
([5]) OJ L 248, 16.9.2002, p. 1, with Corrigendum in OJ L 25, 30.1.2003, p. 43.
([6]) OJ L 357, 31.12.2002, p. 72, with Corrigendum in OJ L 2, 7.1.2003, p. 39.
([7]) OJ L 164, 24.6.1976, p. 1. Regulation as last amended by Regulation (EEC) No 1948/93 (OJ L 181, 23.7.1993, p. 15).
([8]) OJ L 145, 31.5.2001, p. 43.