COUNCIL REGULATION (EC) No 1645/2003

of 18 June 2003

amending Regulation (EC) No 2965/94 setting up a Translation Centre for the bodies of the European Union

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 2965/94 of 28 November 1994 setting up a Translation Centre for bodies of the European Union [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.

(2) Article 10 of Regulation (EC) No 2965/94 should be amended to clarify the arrangements for financing the Centre.

(3) 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 [6].

(4) 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.

(5) Appropriate provisions should therefore be included in Regulation (EC) No 2695/94 to make Regulation (EC) No 1049/2001 applicable to the Translation Centre for the bodies of the European Union, as should a provision on a right of appeal against a refusal of access to documents.

(6) Regulation (EC) No 2965/94 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2965/94 is hereby amended as follows:

1. Article 8(3) shall be replaced by the following:

'3. The Management Board shall adopt the annual report on the Centre's activities and transmit it by 15 June at the latest to the European Parliament, the Council, the Commission, the Court of Auditors and the bodies referred to in Article 2.

4. The Centre shall forward annually to the budgetary authority any information relevant to the outcome of the evaluation procedures.';

2. Article 10(2):

(a) point (b) shall be replaced by the following:

'(b) The Centre's revenue shall comprise payments made by the bodies for which the Centre works and by the institutions and organs with which collaboration has been agreed in return for work performed by it, including interinstitutional activities, and a Community subsidy.';

(b) point (c) shall be deleted;

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[1] OJ C 331 E, 31.12.2002, p. 50.
[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 314, 7.12.1994, p. 1. Regulation as amended by Regulation (EC) No 2610/95 (OJ L 268, 10.10.1995, p. 1).
[5] OJ L 248, 16.9.2002, p. 1; corrigendum in OJ L 25, 30.1.2003, p. 43.
[6] OJ L 145, 31.5.2001, p. 43.