



**DECISION ON THE PROVISIONAL APPLICATION OF THE
GENERAL FINANCIAL REGULATION APPLICABLE TO THE BUDGET
OF THE COMMUNITY AND THE FINANCIAL CONTROLLER**

THE MANAGEMENT BOARD OF THE EUROPEAN FOOD SAFETY AUTHORITY,

HAVING REGARD to the Regulation (EC) No 178/2002¹ of the European Parliament and of the Council of 28 January 2002, laying down the general principles and requirements of food law, establishing the European Food Safety Authority (hereinafter called the Authority) and laying down procedures in matters of food safety and in particular Articles 25, 43 and 44 thereof,

HAVING REGARD to the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities²³, and in particular Article 24 thereof,

WHEREAS:

1) the Authority's budget shall be implemented under a specific Financial Regulation, which is in accordance with the Financial Regulation of the European Communities, adopted by the Management Board, after having received the approval of the Commission and the opinion of Court of Auditors, in compliance with Article 142 of the Financial Regulation applicable to the general budget of the European Communities⁴ (hereinafter referred to as "the General Financial Regulation").

2) the Management Board acknowledges the transitory nature of this arrangement, which is justified by the urgency to execute certain budgetary commitments without delay, and invites the future Executive Director to finalise a proposal for a specific Financial Regulation for the Authority.

¹ Official Journal L31, 1.2.2002, p. 1.

² OJ L 356, 31.12.1977, p. 1

³ http://europa.eu.int/comm/budget/furtherinfo/index_en.htm

⁴ OJ L 356, 31.12.1977, p. 1. Regulation last amended by regulation (EC, ECSC, Euratom) No 762/2001 (OJ L 111, 20.04.2001, p.1).

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3) it is imperative to be in possession of necessary means to implement the budget immediately, in order to ensure that the appropriate administrative and financial decisions can be taken, allowing the Authority to build up an appropriate administration, assure continuity of scientific advice in the field of the mission of the Authority and to set up a transitory arrangements in Brussels.

4) it is to that end necessary that the Management Board empowers the Director General of Directorate General Health and Consumer Protection of the European Commission, Mr Robert Coleman, to implement, as authorising officer, the Authority's budget provisionally in accordance with the General Financial Regulation.

5) the Commission's Financial Controller shall carry out a control of commitments and payments in respect of all expenditure and shall supervise the establishment and collection of all the Authority's revenue.

6) the Management Board shall adopt a new text regarding its Financial Regulation once the existing General Financial Regulation is replaced and the new Framework Regulation for Financial Regulations for Community Agencies has been adopted.

HAS DECIDED AS FOLLOWS:

Article 1

The Financial Regulation applicable to the General Budget of the European Community shall be the provisional Financial Regulation of the Authority.

Article 2

The Director General of the Directorate General of the European Commission, Health and Consumer Protection, Mr R. Coleman, shall be empowered to implement, as authorising officer, the Authority's budget provisionally on the basis of and in accordance with the General Financial Regulation. This delegation shall be withdrawn automatically with the coming into office of the Executive Director of the Authority.

Article 3

While the General Financial Regulation is in place, the Financial Controller of the Commission shall carry out the Financial Control of the Authority.

Adopted 19 September 2002

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Article 4

This Decision shall have immediate effect.

Done at Brussels, 19 September 2002.

For the Management Board,

Dr Stuart A. Slorach
The Chair