



Management Board Meeting

16 December 2004

**EFSA IMPLEMENTING RULES & FINANCIAL REGULATIONS**

1. The following is submitted to the Management Board for approval.
2. In the framework of the adoption by the Commission of the implementing rules applicable to Art.36 of the Regulation 178/2002 dealing with the networking of organisations operating in the fields within the Authority's mission, EFSA Implementing Rules as well as modifications to Art.75 and 99 of EFSA Financial Regulation are submitted to the Management Board for approval.
3. In accordance with Art.25.9 of Regulation 178/2002, the Executive Director has obtained the approval from the Commission pertaining to the modifications to Art. 75 and 99 of the Financial Regulation. It was even considered by the Commission that these technical modifications do not require formal prior approval.

**Financial Regulation**

The adoption of (i) the Regulation on the implementing rules applicable to Art.36 of the Regulation 178/2002 and (ii) EFSA Implementing Rules concurrently requires some technical modifications to the Financial Regulation.

The modifications are the following :

- Art.99
  - Old : The Management Board decides that ad interim and awaiting a proposal from the Executive Director the implementing rules applicable to the general budget of the Communities shall apply mutatis mutandis
  - New : The Management Board shall adopt detailed rules for implementing the Financial Regulation of the Authority, on a proposal from the Executive Director

- Art.75

Old : Where the Authority may award grants in accordance with its Authority's founding Regulation, especially Article 36.2 thereof, the relevant provisions of the general Financial Regulation and the detailed rules for implementing that Regulation shall apply.

New : Where the Authority may award grants in accordance with its Authority's founding Regulation, especially Article 36.2 thereof, the relevant provisions of (i) the general Financial Regulation, (ii) the detailed rules for implementing that Regulation and (iii) the provisions of the Regulation on the implementation of Art.36 shall apply.

### **Implementing Rules**

Art.99 of EFSA Financial Regulation provides that, awaiting a proposal from the Executive Director, the Implementing Rules applicable to the general budget of the communities shall apply *mutatis mutandis*.

EFSA implementing rules are an indispensable accompaniment to EFSA Financial Regulation. They contain the detailed and more technical rules which are essential for applying the Financial Regulation. Taken together, these two instruments constitute the extensive body of rules required to meet the needs of modern financial management.

The proposed Implementing rules are hereto attached.

This document contains the following annexes:

- I. Proposed Regulation laying down the implementation rules applicable to the Financial Regulation of the Authority
- II. Letter from the Commission on the modifications of Art 75 and 99 of the Financial Regulation