

PROCEDURAL ACT OF THE MINISTERIAL COUNCIL OF THE ENERGY COMMUNITY

2014/XX/MC-EnC amending Procedural Act N° 2006/03/MC-EnC laying down the *Energy Community Procedures for the Establishment and Implementation of Budget, Auditing and Inspection*

THE MINISTERIAL COUNCIL OF THE ENERGY COMMUNITY,

Having regard to the Treaty establishing the Energy Community, and in particular Articles 74, 86 and 88 thereof,

Having regard to the Energy Community *Procedures for the Establishment and Implementation of Budget, Auditing and Inspection* (Procedural Act No 2006/03/MA-EnC) and in particular Article 89 thereof,

Having regard to the proposal from the European Commission established by a decision of 12 June 2014 (C(2014) 3923 final),

Whereas:

- 1) Article 74 of the Energy Community Treaty provides that the Ministerial Council of the Energy Community shall adopt a Procedural Act specifying the procedure for the implementation of the budget, and for presenting and auditing accounts and inspection;
- 2) Article 88 of the Energy Community Treaty provides that the Procedural Acts on budgetary matters provided for in Articles 73 and 74 shall be adopted by unanimity on a proposal from the European Commission;
- 3) On 17 November 2006, the Ministerial Council adopted the Energy Community *Procedures for the Establishment and Implementation of Budget, Auditing and Inspection* (Procedural Act N° 2006/03/MC-EnC);
- 4) The Treaty establishing the Energy Community ("the Treaty"), which was concluded for a period of 10 years, was extended for another 10 years by decision of the Ministerial Council of the Energy Community on 24 October 2013 (D/2013/03/MC-EnC *on extending the duration of the Energy Community Treaty*);
- 5) It is appropriate to amend the existing budgetary rules in the light of the experience and evolution of the Energy Community in order to remove redundancy, update the terminology and further clarify some provisions to ease their implementation. Some of the articles have also been updated to align them with those of Regulation 966/2012 on the financial rules applicable to the general budget of the European Union;
- 6) The proposed changes are contained in the annexed text elaborated by the Energy Community Secretariat;

ADOPTS THE FOLLOWING PROCEDURAL ACT:

Article 1

The European Commission's proposal established by its Decision C(2014) 3923 final of 12 June 2014 on amending the Procedural Act N° 2006/03/MC-EnC on Energy Community *Procedures for the Establishment and Implementation of Budget, Auditing and Inspection* is hereby adopted.

Article 2

This Procedural Act shall enter into force upon adoption.

Article 3

The Director of the Energy Community Secretariat shall publish the amended Procedures for the Establishment and Implementation of Budget, Auditing and Inspection on the Energy Community website within seven days of adoption of this Procedural Act.

Done in Kiev on 23 September 2014

For the Energy Community

Presidency