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#### 'I/A' ITEM NOTE

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From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

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Subject: Joint statement on the European Union Agency for the Cooperation of Energy Regulators (ACER), the European Insurance and Occupational Pensions Authority (EIOPA), the European Agency for Network and Information Security (ENISA), the European Labour Authority (ELA), the European Securities and Markets Authority (ESMA), the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA), the European Union Agency for Law Enforcement Cooperation (EUROPOL), the European Union Agency for Law Enforcement Training (CEPOL), the European Border and Coast Guard Agency (FRONTEX) and the European Food Safety Authority (EFSA)

– *Approval*

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1. Following discussions between the European Parliament, the Council and the Commission at the trilogue on 20 March 2019, an agreement was reached on the draft joint statement set out in the ANNEX.
2. The Permanent Representatives Committee is invited to advise the Council to confirm its agreement on this draft joint statement.

**Draft joint statement on the European Union Agency for the Cooperation of Energy Regulators (ACER), the European Insurance and Occupational Pensions Authority (EIOPA), the European Agency for Network and Information Security (ENISA), the European Labour Authority (ELA), the European Securities and Markets Authority (ESMA), the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA), the European Union Agency for Law Enforcement Cooperation (EUROPOL), the European Union Agency for Law Enforcement Training (CEPOL), the European Border and Coast Guard Agency (FRONTEX) and the European Food Safety Authority (EFSA)**

In accordance with Point 31 of the Interinstitutional Agreement (IIA) of 2 December 2013, the European Parliament, the Council and the Commission agree on the following, on the basis of the information transmitted by the Commission:

- The financing of the amounts presented in the financial statements for:
  - the *Agency for the Cooperation of Energy Regulators (ACER)*;
  - the *European Insurance and Occupational Pensions Authority (EIOPA)* related to the Pan-European Personal Pension Product (PEPP); and
  - the *European Network and Information Security Agency (ENISA)*

can be secured within the agreed expenditure ceiling of heading 1a of the multiannual financial framework for the period 2014-2020. The annual amount and the establishment plan posts for ACER, EIOPA and ENISA for the financial year 2019 have already been included in the 2019 budget, whereas the annual EU contribution and the total number of establishment plan posts for ACER, EIOPA and ENISA for the financial year 2020 will be decided in the framework of the annual budgetary procedure.

- The financing of the amounts presented in the revised financial statement for the *European Labour Authority* (ELA) and for the *European Securities and Markets Authority* (ESMA) related to the Central Clearing Counterparties (CCPs), can be secured within the agreed expenditure ceiling of heading 1a of the multiannual financial framework for the period 2014-2020. The annual amount and the establishment plan posts for ELA and ESMA for the financial year 2019 have already been included in the 2019 budget, whereas the annual EU contribution and the total number of establishment plan posts for ELA and ESMA for the financial year 2020 will be decided in the framework of the annual budgetary procedure. The annual EU contribution and the total number of establishment plan posts for ELA and ESMA for the post-2020 period are without prejudice to the decisions on the next multiannual financial framework.
  
- The financing of the amounts presented in the revised financial statement for the *Interoperability of IT systems* can be secured within the agreed expenditure ceiling of heading 3 of the multiannual financial framework for the period 2014-2020, which may entail the use of special instruments as defined in the MFF Regulation. The annual amount and the establishment plan posts related to *Interoperability* for EU-LISA and EUROPOL for the financial year 2019 have already been included in the 2019 budget, whereas the annual EU contribution and the total number of establishment plan posts for EU-LISA, EUROPOL and CEPOL for the financial year 2020 will be decided in the framework of the annual budgetary procedure. The annual EU contribution and the total number of establishment plan posts for EU-LISA, EUROPOL, CEPOL and FRONTEX for the post-2020 period are without prejudice to the decisions on the next multiannual financial framework.

- The financing of the amounts presented in the financial statement for the *European Food Safety Authority (EFSA)* related to the revision of the General Food Law can be secured within the agreed expenditure ceiling of heading 3 of the multiannual financial framework for the period 2014-2020, which may entail the use of special instruments as defined in the MFF Regulation. The annual EU contribution and the total number of establishment plan posts for EFSA for the financial year 2020 will be decided in the framework of the annual budgetary procedure. The annual EU contribution and the total number of establishment plan posts for EFSA for the post-2020 period are without prejudice to the decisions on the next multiannual financial framework.
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