



Council of the  
European Union

147920/EU XXV. GP  
Eingelangt am 20/06/17

Brussels, 19 June 2017  
(OR. en)

---

---

**Interinstitutional File:**  
**2016/0325 (COD)**

---

---

10341/17  
ADD 1

CODEC 1064  
RECH 238  
MED 49  
AGRI 334  
MIGR 106

**'I/A' ITEM NOTE**

---

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft Decision of the European Parliament and of the Council on the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) jointly undertaken by several Member States <b>(first reading)</b> - Adoption of the legislative act = Statement

---

**Statement by the Commission**  
**on financial guarantees for the PRIMA Implementation Structure**

1. In relation to the PRIMA initiative, the EU Financial Regulation in its Article 58(1)(c)(vi) stipulates that the Commission may entrust implementation of the Union budget to a body governed by private law with a public service mission (Implementation Structure – IS). Such a body must provide adequate financial guarantees.
2. In order to respect sound financial management of EU funds, these guarantees should cover, without limitation of scope or amounts, any debt of the IS towards the Union related to all implementation tasks as foreseen in the Delegation Agreement. The Commission normally expects the guarantors to accept the joint and several liability for debts of the IS.

3. However, on the basis of a detailed risk assessment, in particular if the outcome of the ex-ante pillar assessment carried out to the IS in line with Article 61 of the Financial Regulation is deemed to be adequate, the Commission Authorising Officer in charge of PRIMA will envisage that:

- Taking into account the principle of proportionality, the financial guarantees requested from the IS may be limited to the maximum amount of the Union contribution.
- In accordance, the liability of each guarantor may be proportionate to the share of their contribution to PRIMA.

The guarantors may agree on the modalities in which they will cover this liability in their respective letters of declaration on liabilities.

---