



Council of the
European Union

**Brussels, 16 November 2020
(OR. en)**

12122/20

CMPT 5
AG 49
INST 245
FIN 762

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: DECISION OF THE COURT OF AUDITORS regarding the amendment of
Article 19 of its Rules of Procedure

**DECISION No .../2020
OF THE COURT OF AUDITORS**

of ...

regarding the amendment of Article 19 of its Rules of Procedure

THE COURT OF AUDITORS,

Having regard to the Treaty on the Functioning of the European Union, and in particular the fifth subparagraph of Article 287(4) thereof,

Having regard to the approval of the Council given on ...⁺,

⁺ OJ: please insert the date.

Whereas:

- (1) The Rules of Procedure of the Court of Auditors (Court) do not provide for the possibility for the Court to adopt its decisions remotely, namely, by means of video or telephone conference, in exceptional circumstances which constitute force majeure.
- (2) In order to enable the Court to adopt its decisions remotely in exceptional circumstances which constitute force majeure, and to ensure the continuity of decision-making by the Court in such circumstances, it is necessary to amend its Rules of Procedure,

HAS ADOPTED THIS DECISION:

Article 1

Article 19 of the Rules of Procedure of the Court of Auditors is hereby replaced by the following:

'Article 19

Decision-making procedure

1. The Court shall adopt its decisions in formal session, save where it applies the written procedure laid down in Article 25(5).
2. In duly justified and exceptional circumstances which constitute force majeure, in particular, major public health crises, natural disasters or acts of terrorism, determined by the President, the Court may adopt its decisions in formal session, by means of a remote meeting, namely by video or telephone conference, in which Members may participate either at the Court or at another location. The President shall call and chair such meetings and be responsible for their proper conduct. The written procedure laid down in Article 25(5) shall apply *mutatis mutandis*.
3. Paragraph 2 shall apply to meetings of the Chambers and of the Committees. The Dean or Chairperson of the respective Chamber or Committee shall call and chair such meetings and be responsible for their proper conduct.

4. Decisions provided for in Articles 4(4), 7(2) and 13(1), which are taken by secret ballot, may be adopted by the Court in a remote meeting under paragraph 2 of this Article, provided that the secrecy of the vote is ensured.'

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg,

For the Court of Auditors

The President
