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'I' ITEM NOTE

From: Budget Committee

To: Permanent Representatives Committee

Subject: Budgetary scrutiny of proposal on European Health Emergency Preparedness and Response Authority (HERA)
- Approval of a letter

1. On 16 September 2021, the Commission issued a proposal for a Council Regulation on a framework of measures for ensuring the supply of crisis-relevant medical countermeasures in the event of a public health emergency at Union level¹, based on Article 122 TFEU (HERA proposal). At the same time, the Commission issued its Communication Introducing HERA, the European Health Emergency preparedness and Response Authority, the next step towards completing the European Health Union².

¹ Doc. 11956/21

² Doc. 11958/21

2. In this context, the European Parliament addressed on 25 October 2021 a letter to the Council³ and to the Commission containing a request that the budgetary scrutiny procedure provided for in the joint declaration on budgetary scrutiny of new proposals based on Article 122 TFEU with potential implications for the Union budget be initiated in relation to the HERA proposal.

The joint declaration foresees that, without prejudice to the powers of the Council under Article 122 TFEU, the European Parliament and the Council will engage in a constructive dialogue with a view to seeking a joint understanding of the budgetary implications of the envisaged legal act having due regard to the urgency of the matter.

The procedure will take place in a Joint Committee consisting of representatives of the European Parliament and of the Council at the appropriate level. The Commission will participate in the work of the Joint Committee.

The procedure should take place during a period not exceeding two months.

3. The Presidency is proposing to agree to the European Parliament's request and enter into technical discussion on the actual organisation of the Joint Committee and the appropriate representation of the institutions. The Commission should be invited to attend that discussion, as well as the work of the Joint Committee.
4. The Budget Committee discussed this proposal at its meeting on 15 November 2021.
5. In view of the above, the Permanent Representatives Committee is invited to approve the letter set out in the Annex to be sent on behalf of the Council to the President of the European Parliament, in accordance with point (k) of Article 19(7) of the Council's Rules of Procedure.

³ Doc. WK 13654/2021

DRAFT LETTER

from: Chair of the Permanent Representatives Committee

to: President of the European Parliament

cc: President of the European Commission

Sir,

I take note of your letter of 25 October 2021 concerning the request to initiate the budgetary scrutiny procedure for proposals based on Article 122 TFEU with potential appreciable implications for the Union budget, in relation to the Commission proposal for a Council Regulation on a framework of measures for ensuring the supply of crisis-relevant medical countermeasures in the event of a public health emergency at Union level (HERA proposal). I have the pleasure to inform you that the Council is ready to accept this request.

As the joint declaration makes clear, the scrutiny procedure is without prejudice to the powers of the Council under Article 122 TFEU and shall aim at a constructive dialogue between the two branches of the budgetary authority with a view to seeking a joint understanding of the budgetary implications of the envisaged legal act having due regard to the urgency of the matter.

As a consequence, I note the importance for the institutions to be represented in the Joint Committee by representatives at the appropriate level.

Bearing this in mind, we are at your disposal for discussing the practical arrangements of organising the procedure.

This letter is sent for information to the President of the Commission with an invitation to join the discussion on the organisation of the procedure and the work of the Joint Committee.

(Complimentary close)