



**REGULATION LAYING DOWN DETAILED RULES  
FOR THE IMPLEMENTATION OF CERTAIN PROVISIONS OF  
THE FINANCIAL REGULATION FOR THE AUTHORITY**

*Adopted by the Management Board*

**Done at The Hague,  
16<sup>th</sup> December, 2004**

**Dr Stuart Slorach  
The Chair**

**REGULATION LAYING DOWN DETAILED RULES FOR THE IMPLEMENTATION OF CERTAIN  
PROVISIONS OF THE FINANCIAL REGULATION FOR THE AUTHORITY**

*CONTENTS*

	<i>Page</i>
<b>TITLE I</b> .....	5
<b>DELEGATION OF POWERS</b> .....	5
<b>TITLE II</b> .....	5
<b>EX ANTE AND EX POST EVALUATION</b> .....	5
<b>IMPLEMENTATION OF THE BUDGET</b> .....	6
<b>CHAPTER 1</b> .....	6
<b>Rules applicable to the accounting officer, to the assistant accounting officers and to the imprest administrators</b> .....	6
<b>CHAPTER 2</b> .....	6
<b>Keeping of accounts and the preparation of financial statements</b> .....	6
<b>Cash management</b> .....	6
<b>TITLE IV</b> .....	7
<b>RECOVERY OF DEBTS</b> .....	7
<b>TITLE V</b> .....	9
<b>EXPENDITURE</b> .....	9
<b>CHAPTER 1</b> .....	9
<b>Commitment of expenditure</b> .....	9
<b>CHAPTER 2</b> .....	10
<b>Registration of proposals for the commitment of expenditure after the authorising officer has granted approval</b> .....	10
<b>CHAPTER 3</b> .....	10
<b>Approval of proposals for the commitment of expenditure</b> .....	10
<b>TITLE VI</b> .....	11
<b>SUPPORTING DOCUMENTS</b> .....	11
Article 22 .....	11
<b>TITLE VII</b> .....	12
<b>VALIDATION AND PAYMENT OF EXPENDITURE</b> .....	12
For payments corresponding to grants, the endorsement 'passed for payment' shall certify that: 13	
<b>THE GRANTING OF ADVANCES</b> .....	15
<b>TITLE IX</b> .....	15
<b>BANK ACCOUNTS</b> .....	15
<b>TITLE X</b> .....	17
<b>IMPRESTS</b> .....	17
<b>TITLE XI</b> .....	19
<b>MANAGEMENT BY MEANS OF IT SYSTEMS</b> .....	19
<b>TITLE XII</b> .....	19
<b>RULES APPLICABLE TO THE INTERNAL AUDITOR</b> .....	19
Article 51 .....	19
<b>TITLE XIII</b> .....	20
<b>PROCUREMENT</b> .....	20
<b>TITLE XV</b> .....	20
<b>GRANTS</b> .....	20
<b>PRESENTATION OF THE ACCOUNTS AND ACCOUNTING</b> .....	21
<b>CHAPTER 1</b> .....	21
<b>Presentation of the accounts</b> .....	21
<b>Accounting</b> .....	27
Section 1 .....	27
<b>Organisation of the accounts</b> .....	27
<b>Accounting ledgers</b> .....	27
Section 3 .....	28
<b>Chart of accounts</b> .....	28
Section 4 .....	29
Section 5 .....	30
<b>Reconciliation and verification</b> .....	30
Section 6 .....	31
<b>Budget accounts</b> .....	31
<b>CHAPTER 3</b> .....	32
<b>Property inventories</b> .....	32
<b>TITLE XVI</b> .....	33

**COURT OF AUDITORS..... 33**  
**TITLE XVII ..... 34**  
**FINAL PROVISIONS..... 34**

THE MANAGEMENT BOARD of the European Food Safety Authority, hereinafter referred to as the Authority

Having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities<sup>1</sup>, and in particular Article 185 thereof;

Having regard to the Commission Regulation (EC, Euratom) No 2343/2002 of 23 December 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities<sup>2</sup>,

Having regard to Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities<sup>3</sup>,

Having regard to the Financial Regulation of the Authority as adopted by the Management Board on 13 October 2003,

Having regard to Commission Regulation (EC) No 2909/2000 of 29 December 2000 on the accounting management of the European Communities' non-financial fixed assets<sup>4</sup>,

Having regard to the Charters of tasks and responsibilities of the Authorising officer, authorising officer by delegation and Accounting officer,

Having regard to the proposal from the Executive Director;

Whereas certain provisions of the Financial Regulation of the Authority explicitly provide for detailed implementing rules;

Whereas it would be clearer and more rational to lay down rules to implement other provisions of the Financial Regulation of the Authority;

Whereas the drawing-up of the rules in question does not preclude the drawing-up at a later date of other implementing rules for which no formal provision is made in the Financial Regulation but which might subsequently appear appropriate,

**HAS ADOPTED THESE IMPLEMENTING RULES:**

---

<sup>1</sup> OJ L 248, 16.09.2002, page 1

<sup>2</sup> OJ L 357, 31.12.2002, page 72

<sup>3</sup> OJ L 357, 31.12.2002, page 1

<sup>4</sup> OJ L 336, 30.12.2000, page 75

**TITLE I**  
**DELEGATION OF POWERS**  
(Article 34 of the Financial Regulation\*)

*Article 1*

Delegation of powers shall be spelled out in written decisions. In each case the act of delegation or sub delegation shall specify the limits within which the delegates or sub delegates are authorised to act on financial or other matters, to draw up proposals for the establishment of debts and for recovery orders, proposals for the commitment of expenditure and payment orders, the numbers of the articles and items in respect of which powers have been delegated and, where appropriate, the length of time for which powers have been delegated.

*Article 2*

The decisions referred to in Article 1, accompanied by a specimen signature of the member of staff to whom powers have been delegated, shall be communicated:

- a) to the delegate;
- b) to the accounting officer and the security officer safeguarding the budgetary and accounting IT systems, who may not make any payment/ allocate user rights which has been authorised by staff not empowered to do so;
- c) to the internal auditor appointed under Article 71 of the Financial Regulation;
- d) to the authorising officers and the internal auditor in the case of delegation of powers by the accounting officer;
- e) to the sub delegate, the accounting officer and the internal auditor in the case of the sub delegation of powers by authorising officers within the limits of the powers delegated to them;
- f) to the Management Board;
- g) to the Court of Auditors.

The decisions amending or terminating such delegations of powers shall also be communicated as set out above.

*Article 3*

The Head of Finance shall be responsible for maintaining in summary form a list of all current delegations and sub delegations together with the specimen signatures.

**TITLE II**  
**EX ANTE AND EX POST EVALUATION**  
(Article 26 of the Financial Regulation)

*Article 4*

Activities occasioning expenditure, revenue or a reduction in revenue for the budget may, depending on the outcome of a risk analysis be subject of an ex ante evaluation and/ or ex post evaluation.

---

\*wherever in the text the wording « Financial Regulation » is mentioned, this refers to the Financial Regulation of the Authority

**TITLE III**  
**IMPLEMENTATION OF THE BUDGET**

**CHAPTER 1**

**Rules applicable to the accounting officer, to the assistant accounting officers and to the imprest administrators**

(Articles 43 & 44 of the Financial Regulation)

*Article 5*

The accounting officer shall exercise his specific responsibilities in accordance with the provisions of the Financial Regulation.

In particular, the accounting officer shall ensure objectiveness in the keeping of the accounts and the preparation of the financial statements in accordance with Articles 76-80 of the Financial Regulation.

The accounting officer, assistant accounting officers and imprest administrators shall be liable to disciplinary action and, where appropriate, to payment of compensation as provided in the applicable provisions in the Staff Regulations of officials and other servants of the European Communities in respect of any payments they make without complying with the requirements of Articles 46.2 48 and 49 of the Financial Regulation.

**CHAPTER 2**

**Keeping of accounts and the preparation of financial statements**

*Article 6*

In the event of an accounting officer terminating his duties, an interim statement of account shall be drawn up on the date of the termination of the officer's duties. The statement shall be signed in acceptance by the accounting officer who is terminating his/her duties and by the new accounting officer.

**CHAPTER 3**

**Cash management**

*Article 7*

In accordance with Articles 27.3(c), 43.1(f) and 55 -58 of the Financial Regulation, the accounting officer, who is responsible for the collection of revenue and the payment of expenditure, shall manage the corresponding moneys.

To this end he/she shall open or cause to be opened the necessary bank accounts after negotiating the terms in accordance with the principles of sound financial management. The operating terms for the accounts shall be subject to periodic review and, where necessary, to renegotiation.

**CHAPTER 4**  
**Liability of the Authority**

*Article 8*

Without prejudice to:

- the applicable provisions of the Staff Regulations and the Conditions of employment of officials and other servants,
- Article 46.2 of the Financial Regulation,
- the Authority's right of recovery vis-à-vis third parties,

the Authority shall bear all risks and deficits not covered by the accountant.

**TITLE IV**  
**RECOVERY OF DEBTS**  
(Articles 54-58 of the Financial Regulation)

*Article 9*

In accordance with Article 54 of the Financial Regulation, the competent authorising officer shall draw up an estimate for any measure, which may give rise to or modify a debt due to the Authority. An estimate shall also be drawn up even where it is not possible from the act or decision giving rise to a future debt to ascertain the amount or due date: where possible, it shall indicate the estimated amount and the probable due date.

The estimate shall be forwarded to the accounting officer for registration and to take action.

*Article 10*

1. In accordance with Article 54 of the Financial Regulation, the competent authorising officer shall make out a recovery order without delay in respect of every established debt.
2. In particular, the recovery order shall indicate
  - a) the due date;
  - b) the references of the act or legal commitment which is the source of the debt and given rise to the entitlement to recovery;
  - c) the budget article, and any other subdivision that may apply, including where appropriate, the references of the corresponding budget commitment;
  - d) the amount to be recovered expressed in euro;
  - e) the name and address of the debtor;
  - f) and the possible method of recovery, including in particular recovery by offsetting or enforcement of any guarantee lodged.
3. The recovery order shall be sent to the accounting officer for action.
4. Upon actual recovery of the sum due the accounting officer shall make out a revenue voucher, which shall be registered in the accounts. He shall inform the authorising officer of the recovery effected.
5. Where a debt is not paid by the due date, the accounting officer shall take all due care to initiate the procedure for effecting recovery.

6. Where a debt is to be recovered in successive instalments either in the course of a single financial year or over several financial years, it shall be registered in the accounts by means of a recovery order made out for the full amount as soon as it is established.
7. Where the accounting officer, in collaboration with the authorising officer, may allow additional time for payment only at the written request of the debtor, with due indication of the reasons, and provided that the debtor agrees to pay interest at the rate specified in the detailed rules for implementation of the general Financial Regulation for the entire additional period allowed and the debtor must provide a financial guarantee covering both the principal sum and the interest.

#### *Article 11*

Where no recovery order has been made out pursuant to Article 53.2 of the Financial Regulation in respect of a payment received, the amount in question shall be immediately credited to a suspense account in the general accounts.

Any sum credited to such an account, which is found to have been wrongly paid, shall be repaid as soon as possible.

#### *Article 12*

Estimates and recovery orders shall be entered in separate accounts and numbered chronologically so that the following can be readily ascertained in respect of all the Authority's debts:

- a) measures which may give rise to a debt;
- b) amounts of debts to be recovered;
- c) due dates for payment of the debts;
- d) debts which have been recovered;
- e) debts still to be recovered together with the steps taken to secure recovery.

#### *Article 13*

In accordance with Article 55.3 of the Financial Regulation any proposal to waive the right to recover an established debt shall specify in particular the debtor, the type of revenue, the estimated amount, the budget item in question, the steps taken to secure recovery and the grounds for the proposed waiver.

The waiver proposal and the decision by the authorising officer, which may not be delegated, shall be registered.



**TITLE V**  
**EXPENDITURE**

**CHAPTER 1**

**Commitment of expenditure**

(Articles 61-63 of the Financial Regulation)

*Article 14*

For every measure that may give rise to expenditure chargeable to the budget the authorising officer shall first draw up a commitment proposal. A provisional commitment may be entered into in respect of current expenditure.

Proposals for commitments shall be supported by relevant documents showing the purpose of the expenditure, the estimated amount involved, if possible the currency of payment, the budget item to which it is to be charged and the identity of the creditor.

The authorising officer must ensure in advance that this measure is consistent with the principles of sound financial management and in particular those of economy and cost-effectiveness. Such proposals shall in principle be drawn up in accordance with a standard form to be adopted by common agreement by the authorising officer and the accounting officer.

*Article 15*

Draft decisions of a general nature taken by the Authority and entailing obligation vis-à-vis third parties to incur expenditure shall constitute measures that may give rise to expenditure, without any further decision being necessary.

*Article 16*

Provisional commitments within the meaning of Article 61.5 of the Financial Regulation shall be strictly limited to routine expenditure. In the case of provisional commitments, the authorising officer shall check, on his own responsibility, that the individual commitments do not exceed the provisional commitment covering them.

Such provisional commitments shall not give rise to the automatic carryover of appropriations as provided for in Article 10 of the Financial Regulation unless they correspond, at the end of the financial year, to financial commitments entered into before the deadlines laid down in the Financial Regulation.

Expenditure of an administrative nature which is incurred repeatedly during the same budgetary year such as:

- staff expenditure (salaries and various allowances, recruitment expenditure, etc),
- mission expenses,
- representation expenses,
- meeting expenses,
- freelance interpreters,
- exchanges of officials,
- rent,
- insurance,
- cleaning and maintenance,
- leasing,

- stationery and office supplies,
- telecommunications,
- water, gas and electricity,
- periodicals (monthly bulletins, etc.),
- subscriptions,
- and others more

shall be regarded as routine expenditure.

## **CHAPTER 2**

### **Registration of proposals for the commitment of expenditure after the authorising officer has granted approval**

#### *Article 17*

1. Commitment proposals shall be registered in the computerised budget accounting system. This registration procedure must make it possible to ascertain at any given moment for each budget item or heading:
  - a) the appropriations available;
  - b) the amounts of commitments entered into;
  - c) the payments made against these commitments;
  - d) the balance of commitments outstanding.
  
2. The registration must also make it possible to ascertain at any given moment:
  - a) the amount of the initial commitment, increased where applicable by any additional commitments;
  - b) the payments made against these commitments under previous financial years;
  - c) the amount of the commitment still to be paid at the beginning of the financial year;
  - d) payments in respect of the financial year in question;
  - e) the balance outstanding.

#### *Article 18*

The accounts (budget and general) must be organised in such a way that all control bodies are able to check that commitments and payments have been registered accurately.

## **CHAPTER 3**

### **Approval of proposals for the commitment of expenditure**

(Article 63 of the Financial Regulation)

#### *Article 19*

Approval shall take the form of the signature on paper or electronically of the authorising officer on the commitment proposal or in the IT systems, which shall be dated.

*Article 20*

In urgent cases, approval may be given in a note or by telex or by any other means which leaves no doubt as to the fact that the commitment proposal in question has been approved.

**TITLE VI**  
**SUPPORTING DOCUMENTS**

*Article 21*

1. Supporting documents for the accounting system and for the preparation of the accounts shall be kept for at least five years from the date on which the European Parliament grants discharge for the budgetary year to which the documents relate. However, documents relating to operations not definitively closed shall be kept for longer, that is to say, until the end of the year following that in which the operations are closed.
2. Invoices shall be registered.
3. Documents should be kept by the authorising officer in accordance with internal control systems. These systems and procedures for keeping the original supporting documents shall provide for:
  - a) Such documents to be numbered;
  - b) Such documents to be dated;
  - c) Registers, which may be computerised, to be kept identifying the exact location of such documents.

*Article 22*

For proposals for the commitment of expenditure, the following draft acts constituting obligations on the part of the Authority shall constitute supporting documents:

- a) for expenditure incurred by virtue of contracts:

contract, order form or similar document, accompanied, in the case of tenders, by the tenders received, the reasons for private treaty and, where appropriate, the opinion of the Public Procurement Committee (PPC).
- b) for grants:
  - (i) the application submitted by the recipient, accompanied, where applicable, by an implementation report on previous grants,
  - (ii) the reasons for the amount awarded,
  - (iii) the draft letter of agreement or similar documents,
  - (iv) the budget estimate for the year for which the grant is requested or any substituting document.

**TITLE VII**  
**VALIDATION AND PAYMENT OF EXPENDITURE**  
(Articles 64-69 of the Financial Regulation)

*Article 23*

The payment order shall state:

- a) the financial year to which the payment is to be booked,
- b) the budget article and any further subdivision that may apply,
- c) the reference number of the corresponding legal commitment giving rise to an entitlement to payment,
- d) the amount to be paid, expressed in euro or in national currency,
- e) the name, address and bank account details of the payee,
- f) the object of the expenditure,
- g) the means of payment
- h) and the entry of items in the inventory.

The payment order shall be dated and signed by the authorising officer responsible and then sent to the accounting officer.

*Article 24*

1. Validation of any expenditure shall be based on supporting documents within the meaning of Article 37 of these implementing rules attesting to the creditor's entitlement, on the basis of a statement of services actually rendered, supplies actually delivered or work actually carried out, or on the basis of other documents justifying payment.
2. The authorising officer responsible is responsible also for the checking of the supporting documents.
3. The validation decision shall be expressed by the signing of a 'passed for payment' voucher by the authorising officer responsible or by an empowered staff member technically competent.

*Article 25*

For payments corresponding to procurement contracts, the endorsement 'passed for payment' shall certify that:

- a) the Authority has received and formally registered an invoice drawn up by the contractor;
- b) the invoice itself, or an internal document accompanying the invoice received, has been endorsed 'certified correct' and signed/ paraphed by the staff member technically competent and duly empowered by the authorising officer responsible;
- c) all aspects of the invoice have been checked by the authorising officer responsible or on his responsibility with a view to determining in particular the amount to be paid and the validity of the payment as discharge of the debt.
- d) The authority has received/ benefited from the works, supplies and/ or services

#### *Article 26*

For payments corresponding to grants, the endorsement 'passed for payment' shall certify that:

- a) the Authority has received and formally registered a payment request drawn up by the beneficiary;
- b) the payment request itself, or an internal document accompanying the payment request received, has been endorsed 'certified correct' and signed/ paraphed by the staff member technically competent, empowered by the authorising officer responsible; by such endorsements. He /she certifies that the action or work programme carried out by the beneficiary is in all respects in compliance with the grant agreement;
- c) all aspects of the payments request have been checked by the authorising officer responsible or on his responsibility with a view to determining in particular the amount to be paid and the validity of the payment as discharge of the debt.

#### *Article 27*

For payments corresponding to staff expenditure, the endorsement 'passed for payment' shall certify that the following supporting documents exist:

- a) in respect of monthly salary:
  - (i) the complete list , giving all the components of remuneration;
  - (ii) a form (personal information sheet) based on decisions taken in each case, showing, whenever such change occurs, any change in any component of remuneration;
  - (iii) in the case of recruitment or appointments, a certified true copy of the recruitment or appointment decision which accompanies the validation of the first salary payment;
- b) in respect of other remuneration (staff paid on hourly or daily basis): a statement signed/ paraphed by the authorised staff member showing the days and hours worked;
- c) in respect of overtime: a statement signed/ paraphed by the authorised staff member certifying the amount of overtime worked;
- d) In respect of mission expenses:
  - (i) the travel order signed by the competent authority;
  - (ii) the statement of mission expenses, signed by the staff member on mission and by the administrative superior to whom the appropriate powers have been delegated, and showing, in particular, the place of mission, the dates and items of departure and arrival at the place of mission, travel expenses, subsistence expenses, and other expenses duly authorised on production of supporting documents;
- e) in respect of other staff expenditure; the supporting documents referring to the decision on which the expenditure is based and giving all the components of the calculations.

#### *Article 28*

1. In the case of all commitments which involve payments in instalments, a copy of the signed contract or the decision granting financial support shall be attached to the first payment order. Reference to that document and to the preceding payment(s) shall be made on the other payment orders.
2. When the final payment order is drawn up, the authorising officer shall certify that the operation has been completed so that the appropriate measures may be taken as regards the accounts with, where appropriate, the cancellation of any commitment which has been entered into but not implemented.

### *Article 29*

If a single supporting document covers several payments, all the payment orders shall bear a reference to the original document and the number of the payment order to which it is attached.

### *Article 30*

Except in the cases referred to above, if an original supporting document cannot be produced, a certified true copy may be substituted for it by the authorising officer, who must explain why the original could not be produced and must certify that the payment has not been made.

### *Article 31*

1. In principle sums due shall be paid within no more than 45 calendar days (save where the contract provides otherwise) from the date on which an admissible invoice/payment request is registered by the authorising department of the authorising officer responsible; the date of payment shall be understood to mean the date on which the account is debited.

The payment request is not admissible if at least one essential requirement is not met.

2. For contract or agreement under which payment depends on approval of a report, time for the purposes of the payment periods referred to in paragraphs 1 and 2 shall not begin to run until the report in question has been approved, either explicitly with the beneficiary being informed, or implicitly because the time allowed by the contract for approval has expired without being suspended by means of a formal document sent to the beneficiary.

The time allowed for approval may not exceed:

- a) 20 calendar days for straightforward contracts relating the supply of goods and services;
  - b) 45 calendar days for other contracts and grant agreements;
  - c) 60 calendar days for contracts involving technical services, which are particularly complex to evaluate.
3. The authorising officer responsible may suspend the time limit for payment by informing creditors, at any time during the period referred to in paragraph 1 as the payment request cannot be met whether because the amount is not due or because the appropriate supporting documents have not been produced. If information comes to the notice of the authorising officer responsible which puts in doubt the eligibility of expenditure appearing in a payment request, the authorising officer may suspend the time limit for payment for the purpose of further verification, including an on the spot check, in order to ascertain prior to payment that the expenditure is indeed eligible. The authorising officer shall inform the beneficiary in question as soon as possible.

Time for the purposes of the remainder of the payment period shall begin to run again from the date on which the properly formulated payment request is first registered.

4. On expiry of the time limits laid down in paragraphs 1 and 2 the creditor may within two months of receiving late payment demand interest in accordance with the following provisions:
  - a) interest rates shall be those referred to in the first sub paragraph of Article 86 (2) of the Commission implementing rules to the general Financial Regulation;
  - b) the interest shall be payable for the period elapsing from the calendar day following expiry of the time-limit for payment up to the day of payment.

#### *Article 32*

Conversion between the euro and another currency shall be made using the monthly accounting rate of the euro. The accounting rate shall be the one published by the EC DG Budget  
The rate to be used for conversion between the euro and other currencies shall be that of the day on which the payment order or recovery order is drawn up by the authorising officer or payment made by the imprest holder.

### **TITLE VIII THE GRANTING OF ADVANCES**

#### *Article 33*

Apart from the advances provided for in the conditions of employment of staff or provisions laid down by regulation, the authorising officer may grant advances to cover expenditure to be incurred by an official or other servant on behalf of the Authority.

Such expenditure, which generally comes under staff and administrative expenditure, may arise from specific business or relate to likely expenditure, the nature or amount of which is uncertain.

#### *Article 34*

The granting of such advances and the designation of the member of staff shall be the subject of a decision by the Executive Director or a delegated authority. Such decisions shall specify the amount of the advance and the period during which it is to be used.

Where the nature of the expenditure is sufficiently certain, a commitment proposal shall be made before any advance is paid.

#### *Article 35*

The designated member of staff shall be responsible for the funds placed at his disposal and shall take every precaution to ensure their safekeeping.

In principle no later than 10 days after the purpose for which the advance was granted has been achieved, he/she shall give the accounting officer a detailed account of the use made of it and shall pay back any unused amount.

No later than six weeks after the above point in time the authorising officer shall clear the advance in order to close the suspense account opened when it was granted.

### **TITLE IX BANK ACCOUNTS (Articles 43-48 of the Financial Regulation)**

#### *Article 36*

1. For the requirements of treasury management, only the accounting officer may open accounts in the name of the Authority with financial institutions or national central banks including direct debit or credit card facilities or cause such accounts to be opened. In duly warranted circumstances, he/she may open accounts in currencies other than the euro.
2. At least every five years the accounting officer shall re-launch competitive tendering between financial institutions with which the accounts have been opened.

3. The accounting officer shall ensure strict compliance with the operating terms for accounts opened with financial institutions.

#### *Article 37*

The terms governing the opening, operation and use of accounts shall provide, depending on internal control requirements, that cheques, bank credit transfer orders or any other banking operations must be signed by two duly authorised members of staff, who are not Authorising officers (by delegation). One of the signatures must be the one of the accountant or his/her substitute.

The Authority shall communicate to all the financial institutions with which accounts have been opened the names and specimen signatures of the staff designated by it that are specifically authorised to open and draw on such accounts, and any limits on the withdrawals authorised for each member of staff so designated.

The double signature is not mandatory where the credit card is concerned.

#### *Article 38*

1. The accounting officer shall ensure that the balance on the bank accounts provided for in previous Article does not deviate from the cash flow forecasts and in any event:
  - a) that none of the accounts is in debit;
  - b) that the balance of accounts held in other currencies is periodically converted into euro.
2. The accounting officer may not maintain balances in foreign currency accounts, which might cause excessive losses to the Authority as a result of exchange rate fluctuation.

#### *Article 39*

1. The accounting officer may make payments by bank credit transfer only if the bank account details of the payee have first been entered and validated in a common file.

Entry in the file of the payee's bank account details or modification of those details shall be based on a document, in paper or electronic form, certified or issued by the payee's bank.

2. With a view to payment by bank credit transfer, authorising officers may enter into a commitment towards a third party on behalf of the Authority only if that third party has provided the documentation required for its entry in the file.

Authorising officers shall check that the bank account details communicated by the payee are still valid when each payment order is drawn up.

#### *Article 40*

The decision to establish a direct debit shall be submitted for the agreement of the accounting officer. Direct debit can be used as a method of payment for recurrent expenditure where a contractual relationship of more than six months has been entered into or where other methods of payment cannot be used due to local practice, the nature of the expenditure or for reasons of urgency.

The authorising officer must ensure that the amounts of the proposed direct debit are correct on the basis of the suppliers bills, normally received prior to the amount(s) being debited to the account. If discrepancies are found, the supplier must be informed immediately. The accounting officer must be informed.



**TITLE X**  
**IMPRESTS**  
(Article 44 of the Financial Regulation)

*Article 41*

1. Imprest accounts may be set up when, because of its nature or particular urgency, the payment of certain expenditure cannot be effected by means of a payment order signed by the authorising officer.
2. In proposals for decisions setting up imprest accounts the authorising officer responsible shall ensure that:
  - a) Priority is given to the use of budgetary procedures where there is access to other central computerised accounting system;
  - b) Imprest accounts are used only in substantiated cases.
3. By way of derogation from Articles 66-67 of the Financial Regulation the imprest administrator shall be authorised to make provisional withdrawals and effect the payment of expenditure subject to the subsequent application of Articles 64-67 of the Financial Regulation.
4. The creation of an imprest account and the appointment of an imprest administrator shall be the subject of a decision by the accounting officer, on a duly substantiated proposal from the authorising officer responsible. That decision shall set out the respective responsibilities and obligations of the imprest administrator and the authorising officer.
5. Amendment of the operating terms for an imprest account shall also be the subject of a decision by the accounting officer on a duly substantiated proposal from the authorising officer concerned.

*Article 42*

The decisions referred to in Article previous shall be communicated to the authorising officers, the accounting officer and the Court of Auditors.

*Article 43*

1. The decision setting up an imprest account shall specify, in particular:
  - a) the maximum amount which can be set aside as an imprest account and its purpose;
  - b) whether a bank and/or post office giro account is to be opened in the Authority's name;
  - c) the nature and maximum amount of every item of expenditure which may be effected by the imprest administrator to third parties or collected from them;
  - d) the frequency with which supporting documents must be produced and the procedure for producing them;
  - e) the procedure to be followed if the imprest has to be replenished;
  - f) the time within which imprest system transactions must be settled;
  - g) the procedure to be followed for payment by direct debit;
  - h) The period of validity of the authorisation given to the imprest administrator by the accounting officer;
  - i) The identity of the appointed imprest administrator.

2. The imprest administrator may make payments to third parties on the basis of and within the limits of:
  - a) Prior budget and legal commitments signed by the authorising officer responsible;
  - b) The positive residual balance of the imprest account, in cash or at the bank.
  - c) Payments from imprest accounts may be made by bank credit transfer, cheque or other means of payment.

#### *Article 44*

In accordance with of Article 44 of the Financial Regulation, only the accounting officer may replenish the imprest accounts.

However, where appropriate, miscellaneous local revenue such as that arising from:

- sales of equipment,
- publications,
- miscellaneous repayments,
- interest, etc.,

shall be entered directly into the appropriate imprest accounts and the situation shall be regularised.

The amounts in question shall be deducted by the accounting officer when he/she subsequently replenishes these imprest accounts.

#### *Article 45*

1. Payments made shall be followed by formal final validation decisions and/or payment orders signed by the authorising officer responsible.
2. Every imprest administrator shall be accountable to the authorising officer for the settlement of sums due to third parties and to the accounting officer for the making of payments

#### *Article 46*

The imprest administrator shall keep an account of the funds at his/her disposal and of the expenditure effected and amounts received, in accordance with the instructions of the accounting officer.

#### *Article 47*

The imprest administrator shall take all the necessary precautions to safeguard the funds placed at his/her disposal.

#### *Article 48*

1. The accounting officer shall carry out, or have carried out by a staff member in his own department or in the authorising officer department specially empowered for that purpose, checks,
2. The accounting officer shall communicate the findings of those checks to the authorising officer responsible.

**TITLE XI**  
**MANAGEMENT BY MEANS OF IT SYSTEMS**  
(Article 70 of the Financial Regulation)

*Article 49*

1. For the purposes of Article 70 of the Financial Regulation, '*computer systems*' means computerised management and accounting programmes, which require the intervention of the authorising officer and the accounting officer, which are set up on the basis of a prior agreement between these departments.
2. Use of such systems is subject to the following rules:
  - a) the system must check the availability of appropriations for the operation proposed and reject any operation for which appropriations are not available;
  - b) the system must ensure that each operation is handled only by those members of staff empowered to do so in the departments of the authorising officer, and the accounting officer, and ensure effective separation of the functions of these two departments;
  - c) the Authority shall ensure that its internal and external procedures guarantee the security of the information and of the operation of the system;
  - d) the Authority shall ensure that the physical security of the system is guaranteed;
3. The Authority may, where the authorising officer and the accounting officer consider by common accord that the system offers guarantees satisfying its security requirements, substitute computer media for paper documents, in particular electronic approval, commitment proposals, payment orders and recovery orders.

*Article 50*

Where computer systems and subsystems are used to process budget implementation operations, a full and up-to-date description of each system or subsystem shall be required.

It shall show how the system guarantees the existence of a complete audit trail for each operation.

The data in computer systems and subsystems shall be saved periodically and kept in a safe place.

**TITLE XII**  
**RULES APPLICABLE TO THE INTERNAL AUDITOR**  
(Articles 71-73 of the Financial Regulation)

*Article 51*

1. The internal audit shall operate in accordance with the Financial Regulation and may conduct controls by sampling and batch methods. The internal audit shall have access to the Authority's financial systems. The control shall be based on the files relating to revenue and expenditure and may, if necessary, be conducted on the spot.
2. The Executive Director, proceeding in accordance with this Article, may act to have the internal audit declared liable for its actions.
3. Measures relating to disciplinary procedures, transfers and the various kinds of interruption and termination of service shall be the subject of a reasoned decision of the Executive Director, which is sent to the European Parliament and to the Court of Auditors for information.

*Article 52*

1. The internal audit shall operate following a work programme submitted in advance to the Executive Director.
2. The Executive Director may ask the internal audit to carry out audits not included in the work programme referred to in paragraph 1.

*Article 53*

1. The internal audit shall summarise its work in an audit report to the management board and the Executive Director and in addition the internal audit reports may be presented to the management board at any time and on any subject having financial implications, especially as regards the application of Article 25 of the Financial Regulation (sound financial management).
2. The report shall indicate the number and type of internal audits carried out, the principal recommendations made and the action taken on those recommendations.
3. The Executive Director shall consider whether the recommendations made in the reports of its internal auditor are suitable for an exchange of best practices with other EU bodies.

**TITLE XIII**

**PROCUREMENT**

(Article 74 of the Financial Regulation)

*Article 54*

As regards procurement and pursuant to the provisions of Art.74 of the Financial Regulation of the Food Safety Authority, the detailed rules for implementing the general Financial Regulation shall apply

**TITLE XV**

**GRANTS**

(Article 75 of the Financial Regulation)

*Article 55*

As regards grants and pursuant to the provisions of Art.75 of the Financial Regulation of the Food Safety Authority, the detailed rules for implementing the general Financial Regulation and the provisions of the Regulation on the implementation of Art. 36 of Regulation [178/2002] shall apply.

**TITLE XVI**  
**PRESENTATION OF THE ACCOUNTS AND ACCOUNTING**  
(Articles 76-81 of the Financial Regulation)

**CHAPTER 1**  
**Presentation of the accounts**

*Article 56*

*Report on budgetary and financial management during the year*  
(Article 76 check of the Financial Regulation)

The report on budgetary and financial management during the year shall give an accurate description of:

- a) the achievement of the objectives for the year, in accordance with the principle of sound financial management;
- b) the financial situation and the events which have had a significant influence on activities during the year.

*Article 57*

*Exception to the accounting principles*  
(Article 78 of the Financial Regulation)

Where, in a specific case, the accounting officers consider that an exception should be made to the content of one of the accounting principles defined in Articles hereunder that exception shall be duly substantiated and reported in the annex to the financial statements.

*Article 58*

*Going-concern principle*  
(Article 78 of the Financial Regulation)

1. The going-concern principle means that for the purposes of preparing the financial statements, the Authority shall be deemed to be established for an indefinite duration.
2. Where there are objective indications that the Authority is to cease its activities, the accounting officer shall present that information in the annex, indicating the reasons. The accounting officer shall apply the accounting rules with a view to determining the liquidation value of the Authority.

*Article 59*

*Principle of prudence*  
(Article 78 of the Financial Regulation)

The principle of prudence means that assets and income shall not be overstated and liabilities and charges shall not be understated. However, the principle of prudence does not allow the creation of hidden reserves or undue provisions.

*Article 60*  
*Principle of consistent accounting methods*  
(Article 78 of the Financial Regulation)

1. The principle of consistent accounting methods means that the structure of the components of the financial statements and the accounting methods and valuation rules may not be changed without reason from one year to the next; the accounting officer shall present that information in the annex, indicating the reasons.
2. The Authority's accounting officer may not depart from the principle of consistent accounting methods other than in exceptional circumstances, in particular:
  - a) in the event of a significant change in the nature of the entity's operations;
  - b) where the change made is for the sake of a more appropriate presentation of the accounting operations.

*Article 61*  
*Principle of comparability of information*  
(Article 78 of the Financial Regulation)

1. The principle of comparability of information means that for each item the financial statements shall also show the amount of the corresponding item the previous year.
2. Where, pursuant to paragraph 1, the presentation or the classification of one of the components of the financial statements is changed, the corresponding amounts for the previous year shall be made comparable and re-classified.

Where it is impossible to re-classify items, this shall be explained in the annex

*Article 62*  
*Materiality principle*  
(Article 78 of the Financial Regulation)

1. The materiality principle means that all operations which are of significance for the information sought shall be taken into account in the financial statements. Materiality shall be assessed in particular by reference to the nature of the transaction or the amount.
2. Transactions may be aggregated where:
  - a) the transactions are identical in nature, even if the amounts are large;
  - b) the amounts are negligible;
  - c) aggregation makes for clarity in the financial statements.

*Article 63*  
*No-netting principle*  
(Article 78 of the Financial Regulation)

The no-netting principle means that receivables and debts may not be offset against each other, nor may charges and income, save where charges and income derive from the same transaction, from similar transactions or from hedging operations and provided that they are not individually material.

#### *Article 64*

##### *Principle of reality over appearance*

(Article 78 of the Financial Regulation)

The principle of reality over appearance means that accounting events recorded in the financial statements shall be presented by reference to their economic nature.

#### *Article 65*

##### *Accrual-based accounting principle*

(Article 78 & 79 of the Financial Regulation)

1. The accrual-based accounting principle means that transactions and events shall be entered in the accounts when they occur and not when amounts are actually paid or recovered. They shall be booked to the financial years to which they relate.
2. The accounting methods provided for in Article 85 of the EFSA Financial Regulation in accordance with Article 133 of the general Financial Regulation shall specify the obligating event for the entry of each transaction in the accounts.

#### *Article 66*

##### *Valuation of assets and liabilities*

(Article 79 of the Financial Regulation)

1. Assets and liabilities shall be valued at purchase price, market price or production cost. However, the value of non-financial fixed assets and formation expenses shall be written down for depreciation. In addition a write-down may be applied where the value of an asset decreases and an increase in the value of a liability may be covered by a provision.
2. The accounting rules and methods referred to in Article 85 of the EFSA Financial Regulation in accordance with Article 132 of the general Financial Regulation may lay down that all items or only some of them are to be valued at a value other than their purchase price.

#### *Article 67*

##### *Provisions*

*A provision shall be made only if the following conditions are satisfied:*

- a) a current obligation exists as a result of a past event;
- b) resources representing economic benefits will probably have to be used to extinguish the obligation;
- c) the amount of the obligation can be reliably estimated.

#### *Article 68*

##### *Structure of the balance sheet*

(Article 80 of the Financial Regulation)

1. The balance sheet shall be made up of the various items classified by titles and subtitles.
2. Assets items shall be classified by increasing degree of liquidity, and liability items by increasing degree of callability.

*Article 69*

*Presentation of the balance sheet*

(Article 80 of the Financial Regulation)

For the presentation of the balance sheet, the accounting officer shall use at least the following headings:

*Assets*

- Intangible fixed assets
- Tangible fixed assets
- Financial fixed assets
- Debtors: due in over one year
- Stocks
- Debtors: due in one year or less
- Cash and cash equivalents
- Pre-payments and accrued income

*Liabilities*

- Capital (made up of the economic result for the year, the result brought forward from earlier years and reserves)
- Provisions
- Creditors: due in over one year
- Creditors: due in one year or less
- Accruals and deferred income

*Article 70*

*Economic outturn account*

(Article 80 of the Financial Regulation)

The economic outturn account shall show the income and charges for the year, classified according to their nature



*Article 71*  
*Presentation of the economic outturn account*

(Article 80 of the Financial Regulation)

For the presentation of the economic outturn account, the accounting officer shall apply the following minimum layout:

Operating income

- *Operating charges*

= Operating result

+/- Financial result

= Result from ordinary activities

+/- Exceptional result

= Result for the year

*Article 72*  
*Cash flow table*

(Article 80 of the Financial Regulation)

The cash flow table shall show treasury movements.

The treasury shall be made up of the following:

- a) cash in hand;
- b) bank accounts and deposits payable on demand; and
- c) other disposable assets which can quickly be converted to cash and whose value is stable.

*Article 73*  
*Cash flow classification*

(Article 80 of the Financial Regulation)

1. The cash flow table shall show treasury movements broken down into operating flows, investment flows and financial flows.
2. The operating cash flow shall show treasury movements resulting from ordinary activities.
3. The investment cash flow shall show treasury movements resulting from the acquisition or sale of fixed assets.
4. The financial cash flow shall show the treasury movements resulting from borrowing and lending and any other financial source.

*Article 74*

*Annex to the financial statements*

(Article 80 of the Financial Regulation)

The annex referred to in Article 80 of the Financial Regulation shall form an integral part of the financial statements. It shall contain at least the following information:

- a) accounting principles, rules and methods;
- b) explanatory notes, supplying additional information not contained in the body of the financial statements which is necessary for an accurate picture;
- c) off-balance-sheet commitments showing entitlements and obligations not included in the balance sheet which could have a material impact on the assets and liabilities, the financial situation or the result of the entity concerned.

*Article 75*

*Explanatory notes*

(Article 80 of the Financial Regulation)

The explanatory notes shall be presented with cross references to the items in the financial statements to which they relate and in the same order of presentation.

*Article 76*

*Budgetary outturn account*

(Article 81 of the Financial Regulation)

The budgetary outturn account shall contain:

- a) information on revenue comprising:
  - (i) changes in the revenue estimates in the budget;
  - (ii) the revenue outturn;
  - (iii) entitlements established;
- b) information showing changes in the total commitment and payment appropriations available;
- c) information showing the use made of the total commitment and payment appropriations available;
- d) information showing commitments outstanding, those carried over from the previous year and those made during the year.

*Article 77*

*Annex to the budgetary outturn account*

(Article 81 of the Financial Regulation)

The annex to the budgetary outturn account referred to in Article 81 of the Financial Regulation shall contain at least:

- a) information on the budget principles, types of appropriation and the structure of the budget;
- b) information on commitments outstanding;
- c) the information required for a proper understanding of the budget outturn.

## **CHAPTER 2**

### **Accounting**

(Title VII Chapter 2 of the Financial Regulation)

#### *Section 1*

#### **Organisation of the accounts**

##### *Article 78*

##### *Organisation of the accounts*

(Article 84 of the Financial Regulation)

1. The accounting officer of the Authority shall draw up and keep updated documents describing the organisation of the accounts and accounting procedures of the Authority.
2. In drawing up the financial statements, as little use as possible shall be made of information from outside the accounts.
3. Budget revenue and expenditure shall be recorded in the computerised system referred to in Article 79, according to the economic nature of the operation, as current revenue or expenditure or as capital.

##### *Article 78*

##### *Computerised systems*

(Article 84 of the Financial Regulation)

1. The accounts shall be kept with the help of a computerised system.
2. The description of computerised accounting systems and subsystems shall indicate any links between those systems and the central accounting system, particularly as regards the transfer of data and the re-conciliation of balances.
3. Access to the computerised systems and subsystems shall be confined to persons included on a list of authorised users which is kept and updated by the authorising officer.

#### *Section 2*

#### **Accounting ledgers**

##### *Article 80*

##### *Accounting ledgers*

(Article 87 of the Financial Regulation)

1. The Authority shall keep a journal, a general ledger and an inventory.
2. The accounting ledgers shall consist of electronic documents which are identified by the accounting officer and offer full guarantees for use as evidence.
3. Entries in the journal shall be transferred to the general ledger, itemised according to the chart of accounts referred to in Article 83.

4. The journal and the general ledger may be split into as many special journals and special ledgers as are necessary to meet requirements.
5. Entries recorded in special journals and special ledgers shall be centralised at least every month in the journal and in the general ledger.

*Article 81*

*Trial balance*

(Article 87 of the Financial Regulation)

The Authority shall establish a trial balance covering all the accounts of the general accounts, including the accounts cleared during the year, with, in each case:

- a) account number;
- b) description;
- c) total debits;
- d) total credits;
- e) balance.

*Article 82*

*Inventory*

(Article 87 of the Financial Regulation)

1. The inventory is a statement of all assets and liabilities and commitments of all kinds, indicating for each item the quantity and value on the inventory date.
2. The data in the inventory shall be kept and organised in such a way as to justify the content of each of the accounts included in the trial balance.
3. As regards the inventory of fixed assets, the provisions of these implementing rules shall apply.

*Section 3*

**Chart of accounts**

*Article 83*

*Chart of accounts*

(Article 87 of the Financial Regulation)

1. The chart of accounts shall be adopted by the Authority's accounting officer.
2. The chart of accounts shall divide the accounts into classes.

Each class may be subdivided into groups or subgroups, as required.

3. The chart of accounts must contain at least the following classes:
  - a) for the balance-sheet accounts:

- (i) class 1:accounts for capital, provisions and creditors due in over one year;
  - (ii) class 2:accounts for formation expenses, fixed assets and debtors due in over one year;
  - (iii) class 3:stock accounts;
  - (iv) class 4:accounts for debtors and creditors due in one year or less;
  - (v) class 5:financial accounts;
- b) for the revenue and expenditure accounts:
- (i) class 6:charges accounts;
  - (ii) class 7:income accounts;
- c) for the special accounts:
- (i) classes 8 and 9: special accounts;
- d) for off-balance-sheet transactions:
- (i) class 0: off-balance-sheet transactions.
4. The contents of each account and class and its operation shall be laid down in the chart of accounts.

#### *Section 4*

#### **Entries in the accounts**

#### *Article 84*

#### *Entries in the accounts*

(Article 87 of the Financial Regulation)

1. Entries shall be made using the double entry method, whereby any movement or variation recorded in the accounts shall be represented by an entry establishing an equivalence between the amount debited and the amount credited in the various accounts affected by that entry.
2. The euro counterpart of a transaction denominated in a currency other than the euro shall be calculated and entered in the accounts.

Transactions in foreign currencies in accounts which can be re-valued shall be re-valued at least each time the accounts are closed.

The rate to be used for conversion between the euro and another currency to draw up the balance sheet at 31 December of year N shall be that of the last working day of year N.

#### *Article 85*

#### *Accounting records*

(Article 87 of the Financial Regulation)

All accounting records shall specify the origin, content and booking reference of each data item and the references of the relevant supporting documents.

*Article 86*

*Supporting documents*

(Article 87 of the Financial Regulation)

1. Each entry shall be based on a dated and numbered supporting document, produced on paper or on a medium which guarantees the reliability and safeguarding of its content for the periods laid down in Article 38 (6) of the Financial Regulation.
2. Operations of the same type, carried out in the same place and on the same day may be summarised in a single supporting document.

*Article 87*

*Recording in the journal*

(Article 87 of the Financial Regulation)

Accounting operations shall be recorded in the journal by one of the following methods, which are not mutually exclusive:

- a) day by day, operation by operation;
- b) in the form of a monthly summary of the total amounts involved in operations, provided that all documents allowing verification of individual operations day by day are kept.

*Article 88*

*Validation of entries*

(Article 87 of the Financial Regulation)

1. Entries in the journal and in an inventory ledger shall be made final by means of a validation procedure prohibiting any change to or deletion of the entry.

A closure procedure designed to freeze the chronology of records and guarantee their inviolability shall be implemented at the latest before the final financial statements are presented.

*Section 5*

**Reconciliation and verification**

*Article 89*

*Reconciliation of accounts*

(Article 87 of the Financial Regulation)

1. The balance of accounts in the trial balance shall be reconciled periodically and at least at the annual closure, with the data from the management systems used by authorising officers for the management of assets and liabilities and for the daily input into the accounting system.
2. Periodically, and at least whenever the accounts are closed, the accounting officer shall check that the data in the inventory ledger referred to in Article 80 correspond to the actual situation, in particular as regards:
  - a) cash at bank, by reconciliation of the statements of account from financial institutions;
  - b) cash in cash offices, by reconciliation with the data in the cash book.

The fixed assets accounts shall be reviewed in accordance with Article 95.

3. The interinstitutional liaison accounts shall be reconciled and cleared monthly (provided that such account exists).
4. The suspense accounts shall be reviewed annually by the accounting officer so that they can be cleared as soon as possible.

*Section 6*

**Budget accounts**

*Article 90*

*Content and keeping of budget accounts*

(Article 89 of the Financial Regulation)

1. The budget accounts shall show, for each subdivision of the budget:
  - a) in the case of expenditure:
    - (i) the appropriations authorised in the initial budget, the appropriations entered in amending budgets, the appropriations carried over, the appropriations available following collection of assigned revenue, transfers of appropriations and the total appropriations thus available;
    - (ii) the commitments and payments in respect of the financial year;
  - b) in the case of revenue:
    - (i) the estimates entered in the initial budget, the estimates entered in amending budgets, assigned revenue and the total amount of estimates thus determined;
    - (ii) the entitlements established and the amounts recovered in respect of the financial year in question;
  - c) the commitments still to be paid and revenue still to be recovered carried forward from previous financial years.

The commitment appropriations and payment appropriations referred to in point a) of the first subparagraph shall be entered and shown separately.

2. The budget accounts shall show separately:
  - a) the use of appropriations carried over and the appropriations for the year;
  - b) the clearance of outstanding commitments.

On the revenue side, amounts still to be recovered from previous financial years shall be shown separately.

3. The budget accounts may be organised in such a way as to develop a cost accounting system.
4. The budget accounts shall be kept using computer systems, in books or on file cards.

## CHAPTER 3

### Property inventories

(Title VII Chapter 3 of the Financial Regulation)

#### *Article 91*

##### *Property inventories*

(Article 90 of the Financial Regulation)

The system of property inventories shall be established by the authorising officer with technical assistance from the accounting officer. That inventory system must supply all the information required for keeping the accounts and safeguarding assets. The authorising officer shall check that the entries in the inventory are accurate.

#### *Article 92*

##### *Safeguarding property*

(Article 90 of the Financial Regulation)

The Authority shall adopt provisions on safeguarding the property included in their respective balance sheets and decide which administrative departments are responsible for the inventory system.

#### *Article 93*

##### *Entry of items in the inventory*

(Article 90 of the Financial Regulation)

All items acquired whose purchase price or production cost is EUR 420 or more, with a period of use greater than one year, and which are not consumables shall be entered in the inventory and recorded in the fixed assets accounts.

#### *Article 94*

##### *Content of the inventory for each item*

(Article 90 of the Financial Regulation)

The inventory shall contain an appropriate description of each item and specify its location the date of acquisition and its unit cost.

#### *Article 95*

##### *Inventory checks*

(Article 90 of the Financial Regulation)

Inventory checks carried out by the Authority shall be performed in such a way as to ensure that each item physically exists and matches the relevant entry in the inventory. Such checks shall be carried out under an annual verification programme, save for tangible and intangible fixed assets, which shall be checked at least on a three-year basis.



*Article 96*

*Resale of property*

(Article 90 of the Financial Regulation)

Members, officials or other servants and any other staff of the Authority may not acquire items that are resold by the Authority, save where those items are resold by public tender procedure.

*Article 97*

*Procedure for sale of fixed assets*

(Article 90 of the Financial Regulation)

1. Sales of fixed assets shall be advertised locally in appropriate fashion, if the expected unit purchase value is EUR 8 100 or more.
2. The Authority may forgo advertising where the cost of advertising exceeds the expected return from the operation or no particular benefit would be gained.
3. The Authority shall always endeavour to obtain the best price for sales of fixed assets.

*Article 98*

*Procedure for disposing of fixed assets*

(Article 90 of the Financial Regulation)

A statement or record shall be drawn up by the authorising officer and endorsed by the accounting officer whenever any property in the inventory is sold, given away free of charge, scrapped, hired out or missing on account of loss, theft or any other reason.

The statement or record shall indicate in particular whether the item must be replaced at the expense of an official or other servant of the Communities or any other person.

Where immovable property or major installations are made available free of charge, a contract must be drawn up and the case notified in an annual report sent to the European Parliament and the Council when the preliminary draft budget is presented.

**TITLE XVI**

**COURT OF AUDITORS**

(Article 91 of the Financial Regulation)

*Article 99*

The Authority shall provide the Court of Auditors with the facilities and the information, which the Court may consider necessary for the performance of its task.

In particular, the Authority shall place at the disposal of the Court of Auditors documents concerning the conclusion of contracts, accounts of cash or materials, accounting records or supporting documents including related administrative documents, documents relating to revenue and expenditure, inventories and organisation charts of its departments which the Court of Auditors may consider necessary for auditing the revenue and expenditure account on the basis of records or on the spot, and documents and data created or stored on electronic media.

To this end, staff members whose operations are inspected by the Court of Auditors shall in particular:

- a) produce their records of cash in hand and any other cash, securities or assets of any kind and the supporting documents in respect of their stewardship which they hold, and any relevant books, registers and other documents;
- b) on request, produce the correspondence and any other documents required for the full implementation of the audit.

*Article 100*

The Court of Auditors shall be empowered to audit documents relating to revenue and expenditure which are held by the Authority's departments and, in particular, by the department responsible for decisions on such revenue and expenditure.

The task of establishing that revenue has been collected and expenditure effected in a lawful and proper manner, and that the financial management has been sound, shall extend to the use, which bodies outside the Authority make of Community funds, they may receive by way of aid.

When aid is granted to bodies outside the Authority, the recipients shall be required to give their written agreement to submit to an audit by the Court of Auditors on the use made of the aid granted.

**TITLE XVII**  
**FINAL PROVISIONS**

*Article 101*

This Regulation shall be revised whenever additions or amendments to it are necessary as a result of the revision of the Financial Regulation.

It shall apply from 16 December 2004.

Done in The Hague, 16 December 2004

Stuart Slorach  
Chairman of the Management Board