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NOTE

From: Presidency

To: Permanent Representatives Committee

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Subject: Proposal for a Regulation of the European Parliament and of the Council establishing a European Union Agency for Law Enforcement Training (Cepol), repealing and replacing the Council Decision 2005/681/JHA (First reading)

- Analysis of the final compromise text with a view to agreement

I. INTRODUCTION

1. On 5 March 2015 COREPER gave the mandate to the Presidency to enter into negotiations with the European Parliament with a view to reach a first-reading agreement on the basis of the text set out in 6558/15 as regards the draft Regulation on CEPOL.
2. The LIBE Committee voted on the amendments to the Commission proposal as well as on the mandate to open negotiations with the Council on 24 February 2015.

II. STATE OF PLAY

3. Under the Latvian Presidency three informal trilogues (on 21 April, 5 May 2015, 2 June 2015) and three technical meetings (on 1 April, 24 April, 11 May 2015) were held with the EP. The preparation of these meetings was discussed by JHA Counsellors (on 4 and 22 May 2015).
4. In the course of negotiations and in a spirit of compromise, the Presidency convinced the EP to accept the majority of the issues which are crucially important and sensitive for the Council, thus changing the initial EP position expressed in their report, including the following:
 - the deletion of the reference to the Law Enforcement Training Scheme (LETS) in the body of the Regulation and the deletion of the direct reference to the Commission Communication on LETS in the recital;
 - the composition of the Management Board, agreeing to the position of the Council that the Commission is represented by one representative in the Management Board;
 - the Chairmanship of the Management Board for 18 months by one of the trio members;
 - the EP agreed with the Council that the Scientific Committee would be established by the Management Board, if appropriate and taking into consideration business requirements and financial resources, and that the Management Board would define its composition, the term of office of its members and the frequency of its meetings;
 - the EP agreed with the Council on the main principles relating to the appointment of the Executive Director of the agency, in particular that he/she shall be appointed by the Management Board from a shortlist proposed by a selection committee set up by the Management Board, and that the proposal of the Commission would not be necessary for the extension of the term of the Executive Director and for his/her removal from office.

It should be stressed that in particular in relation to governance issues the EP has significantly changed its initial position set out in its report, where the EP mostly supported the initial proposal of the Commission.

5. When discussing the possible compromise text concerning Article 39 (repeal/replace) and related provisions, it was also suggested that the three institutions make the following statement with a view to clarifying the legal situation of the three non-participating Member States:

"Statement by the three institutions

It is noted that as a consequence of the application of Protocol No 22 pursuant to which Denmark is not bound by the CEPOL Regulation which replaces the previous CEPOL Decision, as soon as the Regulation becomes applicable, Denmark will no longer be participating in CEPOL. The situation will be similar as concerns Ireland and the United Kingdom if, after the adoption of the CEPOL Regulation, they do not make use of the possibility to notify their wish to accept that Regulation, pursuant to Article 4 of Protocol No 21, as this would create a case of inoperability under Article 4a of that Protocol."

This statement is also included in the Annex to Annex 1 to this note.

6. During the last trilogue on 2 June 2015, the EP confirmed that it could accept most of the latest compromise proposals made by the Presidency, but also indicated that the EP could give its final agreement to the text only if the following further amendments were made:
- recital (4b): ensure consistency of the wording in Articles 3(3) and 6(1) and recital (4b);
 - Article 14a: mention a date by which the Management Board would take a decision on establishing the Scientific Committee;
 - use the following wording is used in the second sentence of Article 22(2):
"The selection committee shall draw this short-list from a list of suitable candidates identified by the Commission in accordance with the eligibility and selection criteria specified in a vacancy notice published in the Official Journal".

7. Following further informal exchange with the EP and various options proposed by the Presidency, the Presidency managed to convince the EP to accept the following compromises (even though the EP initially had requested that "all" before "candidates" is deleted - see below):

- in order to ensure the consistency of the text, to use the wording of Article 3(3) in recital (4b);
- to leave to the Management Board a possibility to decide on the need of establishing the Scientific Committee, if appropriate and taking into consideration business requirements and financial resources and not indicate the setting up date in the text;
- to draft the provisions regarding the appointment of the Executive Director (in particular in the second sentence of Article 22(2)) as follows:

*"The Executive Director shall be appointed by the Management Board, following an open and transparent selection procedure, from a shortlist of at least three candidates proposed by a selection committee set up by the Management Board and composed of members designated by Member States and the Commission. The selection committee shall draw this short-list from a list of **all** candidates **whose profile matches** the eligibility and selection criteria for this function laid down in a notice of vacancy published in the Official Journal of the European Union within an open and transparent competition organised by the Commission."*

8. In the course of negotiations it was also taken into account that the governance structure proposed by the Council to some extent differs from the common approach of the EP, the Council and the Commission on decentralised agencies. It was therefore proposed by the EP and provisionally agreed by the Member States that when adopting the CEPOL Regulation both co-legislators could make the following statement:

"Statement by the European Parliament and the Council on the provisions of Chapters III and V (governance)"

"The European Parliament and the Council declare that the governance structure and provisions put in place for this Agency are custom-made and case-specific. The relevant provisions of Chapters III and V of this Regulation should therefore be without prejudice to any future legislative acts in relation to other agencies in the field of justice and home affairs".

This statement is also included in the Annex to Annex 1 to this note.

9. As the result of the aforementioned negotiation process, the consolidated compromise is set out in Annex 1. The changes in the text of the draft Regulation compared to the Commission's proposal are marked in ***bold italics*** and the deletions are marked with **█**.
10. For the convenience of delegations, the four-column table, containing the initial (1) Commission proposal, (2) amendments of the EP and (3) the position of the Council, is set out in Annex 2, where the compromise proposals are set out in the fourth column. The changes in the compromise text compared to the Commission's proposal are marked in ***bold italics*** and the deletions are marked with ~~strikethrough~~, whereas changes compared to the previous text agreed by Coreper as set out in doc. 6558/15 are additionally marked in underlining.

III. CONCLUSION

The Permanent Representatives Committee is invited:

- **taking into account the compromises reached with the EP, who accepted the majority of the issues which are crucially important and sensitive for the Council thus changing the initial EP position expressed in their report (especially on governance and the Scientific Committee), to agree on the final compromise proposal like it stands in the consolidated text set out in the Annex 1 to this note, including the statements set out in the Annex to Annex 1; and**
- **mandate the Presidency to send a letter to the European Parliament stating that if the Parliament were to adopt its position at first reading, in accordance with Article 294 paragraph 3 of the Treaty, in the form as set out in Annex 1 to this note, subject to the revision of the text by the lawyer-linguists, the Council would, in accordance with Article 294 paragraph 4 of the Treaty, approve the European Parliament's position and the act shall be adopted in the wording which corresponds to the European Parliament's position.**

PE-CONS No/YY - 2014/0217(COD)

REGULATION (EU) 2015/...
OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of

***on the European Union agency for law enforcement training (Cepol), replacing and
repealing the Council Decision 2005/681/JHA***

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 87(2)(b) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) The European Police College was set up by Council Decision 2005/681/JHA¹ as an entity of the Union to train senior police officers of the Member States and facilitate cooperation between national police forces by organising and coordinating training activities with a European policing dimension.
- (2) The 'Stockholm Programme - An open and secure Europe serving and protecting citizens' sets the aim of creating a genuine European law enforcement culture by setting up European training schemes and exchange programmes for all relevant law enforcement professionals at national and Union level.

¹ Council Decision 2005/681/JHA of 20 September 2005 establishing the European Police College (CEPOL) and repealing Decision 2000/820/JHA (OJ L 256, 1.10.2005, p. 63).

- (3) ***In response*** to the European Council's call, in the Stockholm Programme, to step up training on Union related issues and to make it systematically accessible for law enforcement ***officials of all ranks***, and to request from the European Parliament for a stronger Union framework for judicial and police training, ***CEPOL objectives should be structured in line with the following general principles, whilst putting particular emphasis on the protection of human rights and fundamental freedoms in the context of law enforcement: firstly, support Member States in providing training in order to improve basic knowledge of the EU dimension of law enforcement and, secondly, support Member States at their request in the development of bilateral and regional cooperation through law enforcement training as well as, thirdly, develop, implement and coordinate training in specific thematic areas and, fourthly, in relation to Union missions and capacity-building in third countries. The set of these general principles should be seen as the European Law Enforcement Training Scheme (LETS), aimed to ensure that Union level training for law enforcement officials is of high quality, coherent and consistent. These general principles reflect the four strands identified by the Commission on the basis of the mapping of training needs and delivery conducted by Cepol in cooperation with Member States.***

(3a) CEPOL in its training activities should promote a common respect for and understanding of fundamental rights in law enforcement such as privacy, data protection and the rights, support and protection of victims, witnesses and suspects of crime, including safeguarding the rights of victims of gender-based violence.

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*(3b) Simplification and improvement of CEPOL's functioning, in light of the LETS, widens the possibilities for CEPOL to support, develop, **implement** and coordinate training activities for the █ law enforcement authorities of the Member States, without prejudice to the national initiatives taken by the Member States in the field of training for law enforcement **officials and where training can add value for Member States and the Union.***

- (4a) *In order to make the most efficient use of its resources, CEPOL's activities should focus on priorities and areas where training can add value for Member States and the Union in line with current and future needs and business requirements.*
- (6) █ CEPOL should ensure that training is evaluated and that conclusions from training needs assessments are part of planning to enhance effectiveness of future actions. CEPOL should *be able to promote the mutual recognition of law enforcement training in Member States and the recognition by* Member States of training provided at Union level.
- (7) To avoid duplication *or overlap and ensure better coordination* in the training activities for the competent law enforcement *officials*, which are carried out by █ Union Agencies and other relevant bodies, CEPOL should assess strategic training needs and address Union priorities in the area of internal security and its external aspects, in line with the relevant policy cycles.

- (4b) *CEPOL should bring together a network of training institutes of the Member States for law enforcement officials and should liaise with a single National unit in each Member State functioning within the network.*
- (9) The ■ Member States *and the Commission* should be represented within the Management Board of CEPOL in order to supervise effectively the exercise of its functions. The ■ members *of the Management Board and their alternates should be* appointed on the basis of their ■ knowledge in the national policy on training for law enforcement *officials and relevant managerial, administrative and budgetary skills.*
- (9a) *All parties represented in the Management Board should make efforts to limit the turnover of their representatives, to ensure continuity of the Management Board's work. All parties should aim to achieve a balanced representation between men and women on the Management Board.*

- (9b) The *Management* Board should be entrusted with the necessary powers, *in particular* to establish the budget, verify its execution, adopt appropriate financial rules and CEPOL's *multiannual programming and annual work programmes*, establish transparent working procedures for decision making by CEPOL, appoint the *Executive* Director, establish performance indicators and exercise appointing authority powers, in accordance with the Staff Regulations and the Conditions of Employment of Other Servants.
- (10) To ensure the efficient day-to-day functioning of CEPOL, the Executive Director should be its legal representative and manager, acting *independently* in the performance of his/her duties and ensuring that CEPOL carries out the tasks provided for by this Regulation. In particular, the Executive Director should be responsible for preparing budgetary and planning documents submitted for the decision of the Management Board, implementing the ■ multiannual programming and annual work programmes of CEPOL.

- (11) *If appropriate and taking into consideration business requirements and financial resources, the Management Board should decide on establishing a Scientific Committee for Training as an independent advisory body to ensure the scientific quality of CEPOL's work, composed of independent persons who are high level academics and law enforcement practitioners in the subjects covered by this Regulation . The Members of the Scientific Committee should be appointed by the Management Board following a transparent call for applications and selection procedure to be published in the Official Journal of the European Union.*
- (12) CEPOL should ensure that its training integrates relevant developments in research and encourage the creation of stronger partnerships between universities and law enforcement training institutes in the Member States *or Union bodies competent in matters covered by this Regulation, in order to create synergies among them by means of strengthened cooperation.*

- (13) In order to guarantee the full autonomy and **■** independence of CEPOL *and to enable it to properly perform the objectives and tasks assigned to it in this Regulation*, it should be granted an *adequate and* autonomous budget with revenue stemming essentially from a contribution from the budget of the Union. The Union budgetary procedure should be applicable as far as the Union contribution and any other subsidies chargeable to the general budget of the European Union are concerned. The auditing of accounts should be undertaken by the Court of Auditors.
- (14) For the purpose of performing its tasks, CEPOL should also be able to award grants to the training and research institutes of the Member States for implementing CEPOL's courses, seminars and conferences. Grants awarded to Member States should further contribute to fostering the cooperation of the training institutes of the Member States within the network and promoting the mutual recognition of law enforcement.

- (15) For the purpose of fulfilling its mission and to the extent required for the performance of its tasks, CEPOL should be able to cooperate with ■ Union ■ bodies, ■ authorities *and training institutes* of third countries and the international organisations competent in matters covered by this Regulation in the framework of working arrangements concluded in accordance with this Regulation or in the framework of working arrangements concluded with national training institutes of third countries on the basis of Article 8 of the Council Decision 2005/681/JHA, *as well as with private parties.*
- (15a) *CEPOL had its seat in Bramshill, United Kingdom. In line with Regulation (EU) No 543/2014² amending Council Decision 2005/681/JHA, the seat of CEPOL was moved to Budapest, Hungary, and the Commission was invited to submit a report on the effectiveness of this Decision following a thorough cost-benefit analysis and impact assessment.*

² *Regulation (EU) No 543/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Decision 2005/681/JHA establishing the European Police College (CEPOL) (OJ L 163, 29.5.2014, p. 5).*

- (15b) *CEPOL's host Member State should provide the necessary conditions for the smooth operation of CEPOL, including multilingual, European-oriented schooling and appropriate transport connections so as to attract high-quality human resources from as wide a geographical area as possible.*
- (15c) *Since the amendments to be made by this Regulation are of substantial number and nature, Council Decision 2005/681/JHA, as amended by Regulation (EU) No 543/2014, should in the interests of clarity be replaced in its entirety in relation to the Member States bound by this Regulation. CEPOL as established by this Regulation should replace and assume the functions of CEPOL as established by Council Decision 2005/681/JHA, which, as a consequence, should be repealed.*
- (16) Regulation (EC) No. 1049/2001 of the European Parliament and of the Council³ should apply to CEPOL.

³ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

- (17) Since the objective of this Regulation, namely the establishment of an *agency* responsible for law enforcement training at Union level, cannot be sufficiently achieved by the Member States and can, therefore, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity, as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary to achieve that objective.
- (18) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union, in particular the right to the protection of personal data and the right to privacy as protected by Articles 8 and 7 of the Charter, as well as by Article 16 of the Treaty.

- (19) In accordance with *Articles 1, 2 and 4a(1)* of Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, *and without prejudice to Article 4 of that Protocol*, those Member States *are not taking part* in the adoption of this Regulation and *are not* bound by *it* or subject to its application.
- (20) In accordance with Articles 1 and 2 of the Protocol (No 22) on the position of Denmark annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application,

HAVE ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS, OBJECTIVES AND TASKS OF THE AGENCY

Article 1

Establishment of the European Union Agency for Law Enforcement Training

1. A European Union Agency for Law Enforcement Training (CEPOL) is hereby established
█ .
2. CEPOL, as established by this Regulation, shall replace and succeed CEPOL as established by Decision 2005/681/JHA.

Article 2
Definitions

For the purposes of this Regulation:

- (a) ‘Law enforcement *officials*’ means *staff* of police, customs and of other relevant services, *as defined by individual Member States*, responsible for:
- (i) preventing and combating serious crime affecting two or more Member States, terrorism and forms of crime that affect a common interest covered by a Union policy; and
 - (ii) crisis management and *public order, in particular* international policing of major events.

This definition also covers staff of Union bodies that have tasks related to points (i) and (ii).

- (b) ‘Union bodies’ means institutions, **■** bodies, missions, offices and agencies set up by, or on the basis of, the Treaty on European Union and the Treaty on the Functioning of the European Union;
- (c) ‘International organisations’ means international organisations and their subordinate bodies governed by public international law or other bodies which are set up by, or on the basis of, an agreement between two or more countries as well as Interpol.

Article 3
Objectives *of CEPOL*

1. CEPOL shall support, develop, ***implement*** and coordinate training for law enforcement ***officials whilst putting particular emphasis on the protection of human rights and fundamental freedoms in the context of law enforcement***, in particular in the areas of the ***prevention of and*** fight against serious crime affecting two or more Member States and terrorism, ***maintaining*** public order, ***in particular international policing of major*** events, planning and command of Union missions, ***which may also include training on*** law enforcement leadership and language skills. ***More specifically, CEPOL shall:***
 - (a) ***support Member States in providing training in order to*** raise awareness and knowledge of:
 - (i) ***implementation and use of*** international and Union instruments on law enforcement cooperation;
 - (ii) Union bodies, in particular Europol, Eurojust and Frontex, their functioning and role;

- (iii) ***police and*** judicial aspects of law enforcement cooperation and practical knowledge about access to information ***exchange*** channels;
- (b) ***support Member States at their request in*** the development of regional and bilateral cooperation ***through law enforcement training*** between Member States, Union bodies and third countries;
- (c) ***develop, implement and coordinate training*** addressing specific criminal or policing thematic areas ■ ;
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- (e) ***develop, implement and coordinate training aimed to*** support Member States and Union bodies in ***training law enforcement officials for participation in Union missions and*** law enforcement capacity-building activities in third countries;
- (f) train trainers and assist in improving and exchanging good learning practices.

2. CEPOL shall develop and *upgrade* learning tools and methodologies and apply these in a lifelong learning perspective to strengthen the skills of law enforcement *officials*. CEPOL shall evaluate the results of these actions with a view to enhancing the quality, coherence and effectiveness of future actions *at Union level*.
3. CEPOL shall bring together *a* network of training institutes of the Member States for law enforcement *officials* and shall liaise with a single National unit in each Member State functioning within the network **■** .
4. The learning activities referred to in paragraph 1 shall be *carried out* by CEPOL in cooperation with the network of training institutes of the Member States in accordance with the financial rules applicable to CEPOL.

Article 4

Tasks

1. CEPOL shall prepare multi-annual strategic training needs analyses and multi-annual learning programmes.
2. CEPOL shall **support**, develop, implement **and coordinate** training activities and learning products, which **■** include:
 - (a) courses, seminars, conferences, **as well as** web-based, e-learning **and other innovative and advanced** activities;
 - (b) common curricula **for law enforcement training on specific subjects with EU dimension**;
 - (c) training modules graduated according to progressive stages or levels of complexity of skills needed by the relevant target group, and focused either on a defined geographical region, a specific thematic area of criminal activity or on a specific set of professional skills;

(d) exchange and secondment programmes *as well as study visits* in the context of *law enforcement* training ■ .

2a. *CEPOL's training activities and learning products may be supported, enhanced and completed by the operation of an electronic network.*

3. *CEPOL shall support Union missions and capacity-building in third countries by:*

(a) *assessing, in coordination with other relevant Union bodies,* the impact of existing Union-related law enforcement training policies and initiatives;

(b) *developing and providing* training to prepare ■ law enforcement *officials* for participation in Union missions, including to enable them to acquire relevant language skills, in coordination with the European Security and Defence College *and existing initiatives in the Member States;*

- (c) *developing* and *providing* training for law enforcement *officials* from third countries, in particular from the countries that are candidates for accession to the Union and the countries under the European Neighbourhood Policy; *and/or*
 - (d) *managing* dedicated Union External Assistance funds to assist third countries in building their capacity in relevant *law enforcement* policy areas, in line with the established priorities of the Union.
4. CEPOL shall promote the mutual recognition of law enforcement training in Member States and *the recognition by Member States of training provided at Union level with due regard to the principle of subsidiarity*.
5. CEPOL may engage in communication activities on its own initiative in the fields within its mandate. Communication activities shall not be detrimental to the tasks referred to in paragraph 1 and shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.

Article 5

Research relevant for training

1. CEPOL shall contribute to ***and encourage*** the development of research relevant for training activities ***within the scope of CEPOL's objectives as set out in Article 3(1) and shall disseminate research findings. For this purpose, CEPOL may carry out relevant surveys and develop repositories of available research as well as law enforcement training needs.***
2. CEPOL shall promote and establish a partnership with Union bodies as well as with public and private academic institutions and ***may*** encourage the creation of stronger partnerships between universities and law enforcement training institutes in Member States.

CHAPTER II
COOPERATION BETWEEN MEMBER STATES AND CEPOL

Article 6
CEPOL National Units

1. Each Member State shall establish or designate a national unit, ***which shall be the liaison body with CEPOL within its network of national training institutes for law enforcement officials in Member States*** responsible for carrying out the tasks set out in this Article. ■
2. The national units shall ***in particular***:
 - a) ■ supply CEPOL with the information necessary for it to carry out its tasks;
 - b) contribute to CEPOL's effective communication and cooperation with all relevant training institutes, including relevant research institutes within the Member States;
 - c) contribute to and promote CEPOL's work programmes, annual calendars and website;

- d) respond to requests for information and advice from CEPOL;
- e) *organise and coordinate appropriate nominations of participants and experts for activities at the national level in a timely and transparent manner;*
- f) *coordinate the implementation of activities and meetings within their Member State;*
- g) *provide support in the establishment and implementation of exchange programme for law enforcement officials;*
- h) *promote the use of CEPOL's electronic network for the training of law enforcement officials.*

3. The *representatives* of the national units shall meet on a regular basis, at the request of the Management Board, or the Executive Director *or at their own initiative, with regard* to *CEPOL's* operational *and educational* matters, and in particular to ■ consider and develop proposals that improve CEPOL's operational effectiveness and encourage commitment from Member States.

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4. Each Member State shall *determine* the organisation and the staff of the national unit according to its national *law and resources*.

CHAPTER III
ORGANISATION OF CEPOL

Article 7

Administrative and management structure *of CEPOL*

The administrative and management structure of CEPOL shall comprise:

- (a) a Management Board ■ ;
- (b) an Executive Director ■ ;
- (c) *if appropriate*, a Scientific Committee for Training, *established by the Management Board* in accordance with Article *14a*;
- (d) if appropriate, any other advisory body established by the Management Board in accordance with Article 9(1)(p).

SECTION 1
MANAGEMENT BOARD

Article 8

Composition *of the Management Board*

1. The Management Board shall be composed of one representative from each Member State and █ the Commission, all with voting rights.
2. Each member of the Management Board shall have an alternate *member, who* shall represent the member in his/her absence.
3. Members of the Management Board and their alternates shall be appointed *taking into account* their knowledge in the field of training for law enforcement *officials and* relevant managerial, administrative and budgetary skills. *The principle of* a balanced representation between men and women on the Management Board *shall also be taken into account.*
4. *Without prejudice to the Member States' and the Commission's right to terminate the mandate of their members and alternate members, their* term of office █ shall be four years. That term shall be extendable.

Article 9

Functions *of the Management Board*

1. The Management Board shall:
 - (a) adopt each year by a majority of two-thirds of *its* members ■ and in accordance with Article 10, a programming document containing CEPOL's multiannual programming and the annual work programme for the following year;
 - (b) adopt, by a majority of two-thirds of *its* members ■, the annual budget of CEPOL and exercise other functions in respect of CEPOL's budget pursuant to Chapter IV;
 - (c) adopt a consolidated annual activity report on CEPOL's activities and ■ by 1 July *of the following* year *send it* to the European Parliament *and national parliaments*, the Council, the Commission and the Court of Auditors. The consolidated annual activity report shall be made public;
 - (d) adopt the financial rules applicable to CEPOL in accordance with Article 20;

- (e) adopt an internal anti-fraud strategy, proportionate to fraud risks taking into account the costs and benefits of the measures to be implemented;
- (f) adopt *internal* rules for the prevention and management of conflicts of interest in respect of its members *and the members of the selection committee*, as well as *the* members of *a* Scientific Committee for Training;
- (g) adopt and regularly update the communication and dissemination plans referred to in Article 4, based on an analysis of needs;
- (h) adopt its rules of procedure;
- (i) in accordance with paragraph 2, exercise, with respect to the staff of CEPOL, the powers conferred by the Staff Regulations on the Appointing Authority and by the Conditions of Employment of Other Servants on the Authority Empowered to Conclude a Contract of Employment⁴ ("the appointing authority powers");

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⁴ Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission (OJ L 56, 4.3.1968, p. 1)

- (j) adopt appropriate implementing rules giving effect to the Staff Regulations and the Conditions of Employment of Other Servants in accordance with Article 110 of the Staff Regulations;
- (k) establish, where *appropriate*, an internal audit capability;
- (ka) *adopt internal rules regarding the selection procedure of the Executive Director, including the rules on the composition of the selection committee guaranteeing its independence and impartiality;***
- (l) appoint the Executive Director and where relevant extend his/her term of office or remove him/her from office in accordance with Article 22;
- (m) appoint an accounting officer, subject to the Staff Regulations and the Conditions of Employment of other servants, who shall be *functionally* independent in the performance of his/her duties;
- (n) *if appropriate and taking into consideration business requirements and financial resources, decide on establishing a Scientific Committee for Training in accordance with Article 14a and appoint its members in accordance with Article 15(2);***

- (o) ensure adequate follow-up to findings and recommendations stemming from the internal or external audit reports and evaluations, as well as from investigations of the European Anti-fraud Office (OLAF);
- (p) take all decisions, taking into consideration both business and financial requirements, upon ■ the establishment of CEPOL's internal structures and, where necessary, their modification;
- (pa) decide upon the conclusion of working arrangements in accordance with Article 33;*
- (pb) adopt common curricula, training modules, learning methods and any other learning and teaching tools;*
- (q) adopt, where appropriate, other internal rules.

2. The Management Board shall adopt, in accordance with Article 110 of the Staff Regulations, a decision based on Article 2(1) of the Staff Regulations and on Article 6 of the Conditions of Employment of Other Servants, delegating relevant appointing authority powers to the Executive Director and defining the conditions under which *such* delegation of powers *may* be suspended. The Executive Director shall be authorised to sub-delegate those powers.

3. Where exceptional circumstances so require, the Management Board may by way of a decision temporarily suspend the delegation of the appointing authority powers to the Executive Director and those sub-delegated by the latter and exercise them itself or delegate them to one of its members or to a staff member other than the Executive Director.

Article 10

Annual and multi-annual programming

1. The Management Board shall adopt the *programming document containing* multiannual *programming* and the annual work programme at the latest by 30 November each year, based on a draft put forward by the Executive Director, taking into account the opinion of the Commission and in relation to the multiannual programming after consulting the European Parliament **■**. The Management Board shall forward the programming document to the European Parliament, the Council, the Commission and national Parliaments.

The programming document shall become definitive after final adoption of the general budget and, if necessary, shall be adjusted accordingly.

2. The multi-annual *programming* shall set out overall strategic programming including objectives, expected results and performance indicators. It shall also set out resource planning including multi-annual budget and staff. It shall include the strategy for relations with third countries *and* international organisations.

The multi-annual programming shall be implemented through annual work programmes and shall, where appropriate, be updated following the outcome of external and internal evaluations referred to in Article 31. The conclusion of these evaluations shall also be reflected, where appropriate, in the annual work programme for the following year.

3. The annual work programme shall comprise detailed objectives and expected results including performance indicators. It shall also contain a description of the actions to be financed and an indication of the financial and human resources allocated to each action, in accordance with the principles of activity-based budgeting and management. The annual work programme shall be coherent with the multi-annual **programming** referred to in paragraphs 1 and 2. It shall clearly indicate tasks that have been added, changed or deleted in comparison with the previous financial year. **The annual work programme** shall include the strategy for relations with third countries **and** international organisations referred to in Article 3 and the actions linked to that strategy.

4. The Management Board shall amend the adopted annual work programme when a new task is given to CEPOL.
5. Any substantial amendment to the annual work programme shall be adopted by the same procedure as the initial annual work programme. The Management Board may delegate the power to make non-substantial amendments to the annual work programme to the Executive Director.

Article 11

Chairperson *of the Management Board*

1. The Management Board shall elect a Chairperson and a Deputy Chairperson from among *its members within the group of three Member States who have jointly prepared the Council's eighteen-month programme. They shall serve for the eighteen-month period corresponding to that Council programme. If, however, their membership of the Management Board ends at any time during their term of office, their term of office shall automatically expire on that date.*

- 1a.** The Chairperson and the Deputy Chairperson shall be elected by a majority of two thirds of the members of the Management Board █ .
- 1b.** The Deputy Chairperson shall automatically replace the Chairperson if he/she is prevented from attending to his/her duties.

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Article 12

Meetings *of the Management Board*

1. The Chairperson shall convene *the* meetings of the Management Board.
2. The Executive Director of CEPOL shall take part in the deliberations █ .
3. The Management Board shall hold two ordinary meetings a year. In addition, it shall meet on the initiative of its Chairperson *or* at the request of the Commission, or at the request of at least one-third of its members.

4. The Management Board *and the Executive Director* may invite any person whose opinion may be relevant for the discussion to attend its meetings as *a non-voting* observer.
5. The members *or the alternate members* of the Management Board may, subject to its Rules of Procedure, be assisted at the meetings by advisers or experts.
6. CEPOL shall provide the secretariat for the Management Board.

Article 13

Voting rules *of the Management Board*

1. Without prejudice to Articles 9 (1) (a) and (b), *Article 11 (1), Article 14a*, Article 22 (7) *and Article 26 (2)*, the Management Board shall take decisions by majority of *its* members █ .
2. Each member █ shall have one vote. In the absence of a *voting* member █ , his/her alternate shall be entitled to exercise his/her right to vote.

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4. The Executive Director shall not take part in the voting.
5. The Management Board's rules of procedure shall establish more detailed voting arrangements, in particular the circumstances in which a member may act on behalf of another member.

SECTION 2
EXECUTIVE DIRECTOR

Article 14

Responsibilities of the Executive Director

1. The Executive Director shall manage CEPOL. The Executive Director shall be accountable to the Management Board.
2. Without prejudice to the powers of the Commission and the Management Board, the Executive Director shall be independent in the performance of the duties and shall neither seek nor take instructions from any government nor from any other body.
3. The Executive Director shall report to the European Parliament on the performance of the duties when invited to do so. The Council may invite the Executive Director to report on the performance of his/her duties.

4. The Executive Director shall be the legal representative of CEPOL.
5. The Executive Director shall be responsible for the implementation of the tasks assigned to CEPOL by this Regulation, in particular **■** :
 - (a) the day-to-day administration of CEPOL;
 - (b) making proposals to the Management Board as regards the establishment of CEPOL's internal structures *and, where necessary, their modification*;
 - (c) implementing decisions adopted by the Management Board;
 - (d) preparing the draft annual work programme and multi-annual programming and submitting them to the Management Board after consulting the Commission;

- (e) implementing the annual work programme and the multi-annual programming and reporting to the Management Board on their implementation;
- (f) preparing appropriate draft implementing rules for giving effect to the Staff Regulations and the Conditions of Employment of Other Servants in accordance with Article 110 of the Staff Regulations;
- (g) preparing the draft consolidated annual report on CEPOL's activities and presenting it to the Management Board for *adoption*;
- (h) preparing an action plan following-up conclusions of internal or external audit reports and evaluations, as well as investigations by OLAF and reporting on progress twice a year to the Commission and regularly to the Management Board;

- (i) protecting the financial interests of the Union by applying preventive measures against fraud, corruption and any other illegal activities, *without prejudice to the investigative competence of OLAF*, by effective checks and, if irregularities are detected, by recovering amounts wrongly paid and, where appropriate, by imposing effective, proportionate and dissuasive administrative and financial penalties;
- (j) preparing a draft internal anti-fraud strategy for CEPOL and presenting it to the Management Board for *adoption*;
- (k) preparing draft financial rules applicable to CEPOL;
- (l) preparing CEPOL's draft statement of estimates of revenue and expenditure and implementing its budget;
- (m) supporting the Chairperson of the Management Board in preparing Management Board meetings;
- (n) performing other tasks stemming from this Regulation.

SECTION 3
SCIENTIFIC COMMITTEE FOR TRAINING

Article 14a
Establishment

If appropriate and taking into consideration business requirements and financial resources, the Management Board shall decide by a majority of two thirds of its members on establishing a Scientific Committee for Training. The same procedure shall apply to revoke that Committee.

8. The ***Management Board shall entrust the*** Scientific Committee for Training ***with, inter alia, the following tasks:***

- (a) ***to*** advise the Executive Director in drafting the ***multiannual programming and*** annual work programme and other strategic documents, to ensure their scientific quality and their coherence with relevant Union sector policies and priorities;
- (b) ***to*** provide independent opinion and advice to the Management Board on matters pertaining to its remit;
- (c) ***to*** provide independent opinion and advice on the quality of curricula, applied learning methods, learning options and scientific developments;
- (d) ***to*** perform any other advisory task pertaining to the scientific aspects of CEPOL's work relating to training at the request of the Management Board or the Executive Director.

8a. When establishing the Scientific Committee for Training, the Management Board shall define its composition, the term of office of its members, the frequency of its meetings and its rules of procedure, including its voting rules.

CHAPTER IV
FINANCIAL PROVISIONS

Article 16

Budget

1. Estimates of all revenue and expenditure for CEPOL shall be prepared each financial year, corresponding to the calendar year, and shall be shown in CEPOL's budget.
2. CEPOL's budget shall be balanced in terms of revenue and of expenditure.
3. Without prejudice to other resources, CEPOL's revenue shall comprise a contribution from the Union entered in the general budget of the European Union.
4. CEPOL may benefit from Union funding in the form of delegation agreements or ad-hoc grants in accordance with its financial rules referred to in Article 20 and the provisions of the relevant instruments supporting the policies of the Union. ***Without prejudice to the principle of the prohibition of double financing laid down in the Financial Regulation, CEPOL may manage dedicated Union funds to perform specific activities within the scope of its objectives and tasks.***

5. The expenditure of CEPOL shall include staff remuneration, administrative and infrastructure expenses and operating costs.
6. Budgetary commitments for actions relating to large scale projects extending over more than one financial year may be broken down over several years into annual instalments.

Article 17

Establishment of the budget

1. Each year, the Executive Director shall draw up a draft statement of estimates of CEPOL's revenue and expenditure for the following financial year, including the establishment plan, and send it to the Management Board.
2. The Management Board shall, on the basis of that draft, adopt a provisional draft estimate of CEPOL's revenue and expenditure for the following financial year.
3. The provisional draft estimate of CEPOL's revenue and expenditure shall be sent to the Commission by 31 January each year. The Management Board shall send the final draft estimate to the Commission by 31 March.

4. The Commission shall send the statement of estimates to the budgetary authority together with the draft general budget of the European Union.
5. On the basis of the statement of estimates, the Commission shall enter in the draft general budget of the European Union the estimates it considers necessary for the establishment plan and the amount of the subsidy to be charged to the general budget, which it shall place before the budgetary authority in accordance with Articles 313 and 314 of the Treaty.
6. The budgetary authority shall authorise the appropriations for the contribution from the European Union to CEPOL.
7. The budgetary authority shall adopt CEPOL's establishment plan.

8. CEPOL's budget shall be adopted by the Management Board. It shall become final following final adoption of the general budget of the European Union. Where necessary, it shall be adjusted accordingly.
9. For any building project likely to have significant implications for CEPOL's budget, the provisions of Commission Delegated Regulation (EU) No 1271/2013⁵ shall apply.

Article 18

Implementation of the budget

1. The Executive Director shall implement CEPOL's budget.
2. Each year the Executive Director shall send to the budgetary authority all information relevant to the findings of any evaluation procedures *and also notify the Court of Auditors.*

⁵ OJ L 328.7.12.2013, p. 42.

Article 19

Presentation of accounts and discharge

1. By 1 March of the following financial year, CEPOL's accounting officer shall send the provisional accounts to the Commission's accounting officer and to the Court of Auditors.
2. By 31 March of the following financial year, CEPOL shall send the report on the budgetary and financial management to the European Parliament, the Council and the Court of Auditors.
3. By 31 March of the following financial year, the Commission's accounting officer shall send CEPOL's provisional accounts, consolidated with the Commission's accounts, to the Court of Auditors.
4. On receipt of the Court of Auditors' observations on CEPOL's provisional accounts pursuant to Article 148 of Financial Regulation, *CEPOL's* accounting officer shall draw up CEPOL's final accounts. The Executive Director shall submit them to the Management Board for an opinion.

5. The Management Board shall deliver an opinion on CEPOL's final accounts.
6. CEPOL's accounting officer shall, by 1 July following each financial year, send the final accounts to the European Parliament, the Council, the Commission and the Court of Auditors, together with the Management Board's opinion.
7. The final accounts shall be published in the Official Journal of the European Union by 15 November of the following year.
8. The Executive Director shall send *to* the Court of Auditors a reply to its observations by 30 September *of the following year at the latest*. The Executive Director shall also send this reply to the Management Board.
9. The Executive Director shall submit to the European Parliament, at the latter's request, any information required for the smooth application of the discharge procedure for the financial year in question, in accordance with Article 165(3) of the Financial Regulation.

10. On a recommendation from the Council acting by a qualified majority, the European Parliament shall, before 15 May of year N + 2, give a discharge to the Executive Director in respect of the implementation of the budget for year N.

Article 20

Financial rules

1. The financial rules applicable to CEPOL shall be adopted by the Management Board after consulting the Commission. They shall not depart from *Commission* Delegated Regulation (EU) 1271/2013 unless such a departure is specifically required for CEPOL's operation and the Commission has given its prior consent.
2. *In justified cases and with a prior approval of the Management Board*, CEPOL may award grants without *an open* call for proposals to the Member States for providing training in relation to the tasks referred to in Article 4, Paragraphs 2 and 3.

CHAPTER V

STAFF

Article 21

General *provision*

■ The Staff Regulations and the Conditions of Employment of Other Servants⁶ and the rules adopted by agreement between the institutions of the Union for giving effect to those Staff Regulations and the Conditions of Employment of Other Servants shall apply to the staff of CEPOL.

Article 22

Executive Director

1. The Executive Director shall be engaged as a temporary agent of CEPOL under Article 2(a) of the Conditions of Employment of Other servants.
2. The Executive Director shall be appointed by the Management Board, *following an open and transparent selection procedure*, from a *shortlist* of *at least three* candidates proposed by *a selection committee set up by the Management Board and composed of members designated by Member States and the Commission*.

The selection committee shall draw this shortlist from a list of all candidates whose profile matches the eligibility and selection criteria for this function laid down in a notice of vacancy published in the Official Journal of the European Union within an open and transparent competition organised by the Commission.

⁶ OJ L 287, 29/10/2013, p. 15.

For the purpose of concluding the contract with the Executive Director, CEPOL shall be represented by the Chairperson of the Management Board.

3. The term of office of the Executive Director shall be *four* years. By the end of that period, the Commission *in association with the Management Board* shall undertake an assessment that takes into account an evaluation of the Executive Director's performance and CEPOL's future tasks and challenges.
4. The Management Board, *taking* into account the assessment referred to in paragraph 3, may extend the term of office of the Executive Director once, for no more than *four* years.
5. An Executive Director whose term of office has been extended may not participate in another selection procedure for the same post at the end of the overall period.

6. The Executive Director may be removed from office upon a decision of the Management Board .
7. The Management Board shall reach decisions on appointment, extension of the term of office or removal from office of the Executive Director *by a majority* of two-thirds of its members .

Article 23

Seconded national experts

1. CEPOL may make use of seconded national experts.
2. The Management Board shall adopt a decision laying down rules on the secondment of national experts to CEPOL.

CHAPTER VI
MISCELLANEOUS PROVISIONS

Article 24

Legal status

1. CEPOL shall be *an agency* of the Union. It shall have legal personality.
2. In each of the Member States CEPOL shall enjoy the most extensive legal capacity accorded to legal persons under their laws. It may, in particular, acquire and dispose of movable and immovable property and be party to legal proceedings.
3. The seat of CEPOL shall be in Budapest, Hungary.

Article 25

Privileges and immunities

The Protocol on the Privileges and Immunities of the European Union shall apply to CEPOL and its staff.

Article 26
Language arrangements

1. The provisions laid down in Regulation No 1⁷ shall apply to CEPOL.
2. The Management Board shall decide by a majority of two-thirds of its members on the internal language arrangements of CEPOL.
3. The translation services required for the functioning of CEPOL shall be provided by the Translation Centre of the bodies of the European Union.

⁷ Council Regulation (EC) No 920/2005 of 13 June 2005 amending Regulation No 1 of 15 April 1958.

Article 27
Transparency

1. Regulation (EC) No 1049/2001 shall apply to documents held by CEPOL.
2. The Management Board shall, within six months of the date of its first meeting, adopt the detailed rules for applying Regulation (EC) No 1049/2001.
3. Decisions taken by CEPOL under Article 8 of Regulation (EC) No 1049/2001 may form the subject of a complaint to the Ombudsman or of an action before the Court of Justice of the European Union, under the conditions laid down in Articles 228 and 263 of the Treaty respectively.
4. The processing of personal data by CEPOL shall be subject to Regulation (EC) No 45/2001⁸.

⁸ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

Article 28
Combating fraud

1. In order to facilitate combating fraud, corruption and other unlawful activities under Regulation No 883/2013⁹, within six months from ... *[date of application of this Regulation]* CEPOL ■ shall accede to the Interinstitutional Agreement of 25 May 1999 concerning internal investigations by the European Anti-fraud Office (OLAF)¹⁰ and adopt appropriate provisions applicable to all employees of CEPOL using the template set out in the Annex to that Agreement.
2. The European Court of Auditors shall have the power of audit, on the basis of documents and on the spot, over all grant beneficiaries, contractors and subcontractors who have received Union funds from CEPOL.
3. OLAF may carry out investigations, including on-the-spot checks and inspections with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant or a contract funded by CEPOL, in accordance with the provisions and procedures laid down in Regulation No 883/2013 and Regulation (Euratom, EC) No 2185/96¹¹.

⁹ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999.

¹⁰ Interinstitutional Agreement of 25 May 1999 between the European Parliament, the Council of the European Union and the Commission of the European Communities concerning internal investigations by the European Anti-fraud Office (OLAF) ; Official Journal L 136 , 31/05/1999 P. 0015 - 0019.

¹¹ Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities Official Journal L 292 , 15/11/1996 P. 0002 - 0005.

4. Without prejudice to paragraphs 1, 2 and 3, ***working*** agreements with ***Union bodies, authorities and training institutes*** of third countries, international organisations ***and private parties***, contracts, grant agreements and grant decisions of CEPOL shall contain provisions expressly empowering the European Court of Auditors and OLAF to conduct such audits and investigations, according to their respective competences.

Article 29

Security rules on the protection of classified and sensitive non-classified information

CEPOL shall ***adopt own security rules equivalent to the Commission's security rules for protecting European Union Classified Information (EUCI) and sensitive non-classified information, as set out in the Commission Decisions (EU, Euratom) 2015/443¹² and 2015/444¹³. The security rules of CEPOL shall cover, inter alia, provisions for the exchange, processing and storage of such information.***

¹² ***Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).***

¹³ ***Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).***

Article 30

Liability

1. CEPOL's contractual liability shall be governed by the law applicable to the contract in question.
2. The Court of Justice of the European Union shall have jurisdiction to give judgment pursuant to any arbitration clause contained in a contract concluded by CEPOL.
3. In the case of non-contractual liability, CEPOL shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by its departments or by its staff in the performance of their duties.
4. The Court of Justice of the European Union shall have jurisdiction in disputes over compensation for damage referred to in paragraph 3.
5. The personal liability of CEPOL's staff towards CEPOL shall be governed by the provisions laid down in the Staff Regulations or Conditions of Employment applicable to them.

Article 31
Evaluation and review

1. No later than 5 years after ... *[date of application of this Regulation]* and every 5 years thereafter, the Commission shall commission an evaluation to assess particularly the impact, effectiveness and efficiency of CEPOL and its working practices. █

 2. The Commission shall forward the evaluation report *to the Management Board, which shall provide its observations* on the report *within one month from its receipt. The Commission shall forward the final evaluation report with its conclusions, together with the observations of the Management Board in an Annex*, to the European Parliament, the Council and the Management Board. The findings of the evaluation shall be made public.
- █

Article 32
Administrative inquiries

The activities of CEPOL shall be subject to the inquiries of the European Ombudsman in accordance with Article 228 of the Treaty.

Article 33

Cooperation with Union bodies, third countries and international organisations

1. CEPOL shall be open to the participation of *the authorities and training institutes of those* third countries that have entered into agreements with the Union to that effect.
2. In so far as necessary for the performance of its tasks, CEPOL may establish and maintain cooperative relations with the Union bodies in accordance with the objectives of those bodies, authorities of third countries, training institutes of third countries, international organisations and private parties.

3. In accordance with paragraph 1 and 2, **working** arrangements shall be **concluded** specifying, in particular, the nature, extent and manner in which the **authorities and training institutes of** third countries, **international organisations and private parties** concerned may participate in the work of CEPOL, including provisions relating to participation in the initiatives undertaken by CEPOL, financial contributions and staff. As regards staff matters, those arrangements shall, in any event, comply with the Staff Regulations.
4. CEPOL shall cooperate with the Union bodies competent in matters covered by this Regulation and referred to in paragraph 2, within the framework of working arrangements concluded with those bodies, in accordance with this Regulation or with the relevant provisions of Decision 2005/681/JHA. ■
5. ***Working arrangements referred to in paragraphs 3 and 4 may be concluded only with the authorisation of the Management Board after having consulted the Commission. They shall not bind the Union or its Member States.***

Article 34

Headquarters Agreement and operating conditions

■ The necessary arrangements concerning the accommodation to be provided for CEPOL in Hungary and the facilities to be made available by that Member State together with the specific rules applicable in the host Member State to the Executive Director, members of the Management Board, CEPOL staff and members of their families shall be laid down in a Headquarters Agreement between CEPOL and Hungary, concluded after obtaining the approval of the Management Board ■ .

■

CHAPTER VII
TRANSITIONAL PROVISIONS

Article 35
General legal succession

1. CEPOL, as established by this Regulation, shall be the general legal successor in respect of all contracts concluded by, liabilities incumbent on, and properties acquired by CEPOL, as established by Decision 2005/681/JHA.
2. This Regulation shall not affect the legal force of agreements concluded by CEPOL as established by Decision 2005/681/JHA before the date of entry into force of this Regulation.

█

Article 36

Transitional arrangements concerning the Management Board

1. The term of office of the members of the Governing Board of CEPOL as established on the basis of Article 10 of Decision 2005/681/JHA shall terminate on ... [date of *application* of this Regulation].
2. The **Governing** Board established on the basis of Article 10 of Decision 2005/681/JHA shall within the period between ... [date of entry into force of this Regulation] and ... [date of application of this Regulation]:
 - (a) exercise the functions of the Management Board as referred to in Article 9 of this Regulation;
 - (b) prepare the adoption of the rules for applying Regulation (EC) No 1049/2001 with regard to CEPOL documents referred to in Article 27 of this Regulation, on the obligations of confidentiality and discretion, and the protection of **European Union Classified Information (EUCI) and sensitive non-classified** information referred to in Article 29 of this Regulation;

- (c) prepare any instrument necessary for the application of this Regulation, and
- (d) review the internal rules and measures adopted by the **Governing** Board on the basis of Decision 2005/681/JHA so as to allow the Management Board established pursuant to Article 8 of this Regulation to take a decision pursuant to Article 40 thereof.

Article 37

Transitional arrangements concerning the Executive Director and staff

1. The Director of CEPOL appointed on the basis of Article 11(1) of Decision 2005/681/JHA shall, for the remaining periods of his/her term of office be assigned to the responsibilities of the Executive Director as provided for in Article 14 of this Regulation. The other conditions of his/her contract shall remain unchanged. If the term of office ends after ... [] date of entry into force of this Regulation] but before ... [] date of application of this Regulation], it shall be extended automatically until one year after ... [] date of application of this Regulation].

2. Should the █ Director *of CEPOL appointed on the basis of Article 11(1) of Decision 2005/681/JHA* be unwilling or unable to act in accordance with paragraph 1, the Management Board shall designate an interim Executive Director to exercise the duties assigned to the Executive Director for a period not exceeding 18 months, pending the appointments provided for in Article 22.
3. This Regulation shall not affect the rights and obligations of staff engaged under Decision 2005/681/JHA.
4. The employment contracts of staff referred to in the third paragraph may be renewed under this Regulation in accordance with the Staff Regulations and the Conditions of Employment.

Article 38
Transitional budgetary provisions

The discharge procedure in respect of the budgets approved on the basis of Article 25 of Decision 2005/681/JHA shall be carried out in accordance with the rules established by the Decision 2005/681/JHA.

CHAPTER VIII
FINAL PROVISIONS

Article 39
Replacement and repeal

1. *Decision 2005/681/JHA, as amended by Regulation (EU) No 543/2014, is hereby replaced for the Member States bound by this Regulation with effect from ... [date of application of this Regulation].*

Therefore, Decision 2005/681/JHA is repealed.

2. *For the Member States bound by this Regulation, references to the acts referred to in paragraph 1 shall be construed as references to this Regulation.*

Article 40

Maintenance in force of the internal rules adopted by the **Governing** Board

Internal rules and measures adopted by the **Governing** Board on the basis of Decision 2005/681/JHA shall remain in force after ... [date of application of this Regulation], unless otherwise decided by the Management Board in the application of this Regulation.

Article 41

Entry into force

1. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.
2. It shall apply from ... [date of application *of this Regulation*].

However, Articles 36, 37 and 38 shall apply from ... [date of entry into force of this Regulation].

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at

For the European Parliament

For the Council

The President

The President

Statement by the three institutions

It is noted that as a consequence of the application of Protocol No 22 pursuant to which Denmark is not bound by the CEPOL Regulation which replaces the previous CEPOL Decision, as soon as the Regulation becomes applicable, Denmark will no longer be participating in CEPOL. The situation will be similar as concerns Ireland and the United Kingdom if, after the adoption of the CEPOL Regulation, they do not make use of the possibility to notify their wish to accept that Regulation, pursuant to Article 4 of Protocol No 21, as this would create a case of inoperability under Article 4a of that Protocol.

Statement by the European Parliament and the Council on the provisions of Chapters III and V (governance)

The European Parliament and the Council declare that the governance structure and provisions put in place for this Agency are custom-made and case-specific. The relevant provisions of Chapters III and V of this Regulation should therefore be without prejudice to any future legislative acts in relation to other agencies in the field of justice and home affairs.

Proposal for a Regulation of the European Parliament and of the Council establishing a European Union Agency for law enforcement training (Cepol), repealing and replacing the Council Decision 2005/681/JHA:

PROVISIONAL COMPROMISE TEXT

(based on the outcome of the trilogues of 21/4, 5/5 and 2/6 as well as technical meetings of 1/4, 24/4 and 11/5/2015)

The amendments made by the EP and the Council in the text of the draft Regulation compared to the Commission's proposal are marked as follows:

- the new text is marked in ***bold italics***;
- the deleted parts of the text are marked in ~~striketrough~~;
- the paragraphs that have been fully deleted are marked as "***Deleted***".

Additionally, the new elements in the compromise text as compared to previous compromise text compared to the initial amendments proposed by the Council contained in the 4th column are underlined.

Where full paragraphs of the Commission's proposal were not amended by the EP and/or the Council, they are not repeated in the columns reflecting their respective positions.

<p>COM Proposal (16.07.2015 and 30.09.2015, 12013/1/14 REV 1)</p>	<p>EP Position/Amendments (vote in LIBE on 24.02.2015)</p>	<p>Council Position/Amendments (approved by Coreper on 05.03.2015, 6558/15)</p>	<p><u>Provisional compromises</u> based on the outcome of the trilogues on 21/04/2015, 05/05/2015 and 02/06/2015 as well as the technical meetings on 01/04/2015, 24/04/2015 and 11/05/2015</p>
<p>Proposal for a</p>			
<p>REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</p>			
<p>establishing a European Union agency for law enforcement training (Cepol), repealing and</p>		<p>establishing a <u>on the European Union agency for law enforcement training (Cepol),</u></p>	<p><i>Compromise text following the technical meeting on 01/04/2015 and the outcome on</i></p>

<p>replacing the Council Decision 2005/681/JHA</p>		<p>repealing and replacing the Council Decision 2005/681/JHA</p>	<p><i>discussions between the Legal Services of the Council, EP and the Commission in relation to Article 39:</i></p> <p>establishing a on the European Union agency for law enforcement training (Cepol), repealing and replacing and <u>repealing</u> the Council Decision 2005/681/JHA</p>
<p>THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,</p>			
<p>Having regard to the Treaty on the Functioning of the European Union, and in particular Article 87(2)(b) thereof,</p>			
<p>Having regard to the proposal from the European Commission,</p>			
<p>After transmission of the draft legislative act to the national Parliaments,</p>			
<p>Acting in accordance with the ordinary legislative procedure,</p>			
<p>Whereas:</p>			
<p>(1) The European Police College was set up by Council Decision</p>			

<p>2005/681/JHA¹⁶ as an entity of the Union to train senior police officers of the Member States and facilitate cooperation between national police forces by organising and coordinating training activities with a European policing dimension.</p>			
<p>¹⁶ Council Decision 2005/681/JHA of 20 September 2005 establishing the European Police College (CEPOL) and repealing Decision 2000/820/JHA (OJ L 256, 1.10.2005, p. 63).</p>			
<p>(2) The 'Stockholm Programme - An open and secure Europe serving and protecting citizens' sets the aim of creating a genuine European law enforcement culture by setting up European training schemes and exchange programmes for all relevant law enforcement professionals at national and Union level.</p>			
<p>(3) The European Law Enforcement Training Scheme (LETS)¹⁷ responds to the European Council's call, in the Stockholm Programme, to step up training on Union related issues and to make it systematically accessible for all relevant law</p>		<p>(3) The European Law Enforcement Training Scheme (LETS)¹⁷ responds <i>In response</i> to the European Council's call, in the Stockholm Programme, to step up training on Union related issues and to make it systematically accessible for all relevant law enforcement</p>	<p><i>Proposed compromise text following the technical meeting on 11/05/2015, aimed at aligning this recital with Article 3:</i></p> <p>(3) The European Law Enforcement Training Scheme (LETS)¹⁷ responds <i>In response</i> to the European Council's call, in the Stockholm Programme, to step up</p>

<p>enforcement professionals, and to request from the European Parliament for a stronger Union framework for judicial and police training.</p>		<p>professionals <i>officials of all ranks</i>, and to request from the European Parliament for a stronger Union framework for judicial and police training, <i>CEPOL objectives should be structured in line with the following general principles: firstly, support Member States in providing training in order to improve basic knowledge of the EU dimension of law enforcement and, secondly, support Member States at their request in the development of bilateral and regional cooperation through law enforcement training as well as, thirdly, develop and coordinate training in specific thematic areas and, fourthly, in relation to Union missions and capacity-building in third countries. The set of these general principles should be seen as the European Law Enforcement Training Scheme (LETS), aimed to ensure that Union level training for law enforcement officials is of high quality, coherent and consistent.</i></p>	<p>training on Union related issues and to make it systematically accessible for all relevant law enforcement professionals <i>officials of all ranks</i>, and to request from the European Parliament for a stronger Union framework for judicial and police training, <i>CEPOL objectives should be structured in line with the following general principles, whilst putting particular emphasis on the protection of human rights and fundamental freedoms in the context of law enforcement: firstly, support and complement Member States' activities in providing training in order to improve basic knowledge of the EU dimension of law enforcement and, secondly, support Member States at their request in the development of bilateral and regional cooperation through law enforcement training as well as, thirdly, develop, implement and coordinate training in specific thematic areas and, fourthly, in relation to Union missions and capacity-building in third countries. The set of these general principles should be seen as the European Law Enforcement Training Scheme (LETS), aimed to ensure that Union level training for law enforcement officials is of high quality, coherent and consistent. <u>These general principles correspond to reflect the four strands identified by the Commission on the basis</u></i></p>
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			<u>of the mapping of training needs and delivery conducted by Cepol in cooperation with Member States.</u>
¹⁷ COM(2013) 172 final.		<i>deleted</i>	¹⁷ COM(2013) 172 final.
			Proposed compromise following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015: <u>(NEW) (3a) CEPOL in its training activities should promote a common respect for and understanding of fundamental rights in law enforcement such as privacy, data protection and the rights, support and protection of victims, witnesses and suspects of crime, including safeguarding the rights of victims of gender-based violence.</u>
(4) The development of Union level training for law enforcement personnel to support practical cooperation and full implementation of the LETS represents a key priority for the future years in that context.		<i>deleted</i>	See recital (3), so the proposed compromise would be: (4) The development of Union level training for law enforcement personnel to support practical cooperation and full implementation of the LETS represents a key priority for the future years in that context.
(5) Simplification and improvement of CEPOL's functioning, in light of the LETS,		(5) (3a) Simplification and improvement of CEPOL's functioning, in light of the LETS,	Proposed compromise following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015:

<p>widens the possibilities for CEPOL to support, develop, deliver and coordinate training activities for the competent law enforcement authorities of the Member States, without prejudice to the national initiatives taken by the Member States in the field of training for law enforcement personnel.</p>		<p>widens the possibilities for CEPOL to support, develop, deliver provide and coordinate training activities for the competent law enforcement authorities of the Member States, without prejudice to the national initiatives taken by the Member States in the field of training for law enforcement personnel officials.</p>	<p>(5)(3ab) Simplification and improvement of CEPOL's functioning, in light of the LETS, widens the possibilities for CEPOL to support, develop, deliver provide implement and coordinate training activities for the competent law enforcement authorities of the Member States, without prejudice to the national initiatives taken by the Member States in the field of training for law enforcement personnel officials and where training can add value for Member States and the Union.</p>
		<p><i>(4a) CEPOL is to achieve its objectives gradually, taking into account the need for prioritisation in line with business requirements and available financial resources.</i></p>	<p><i>Revised compromise, following the technical meeting on 11/05/2015, combining Council's recital (4a) and EP's recital (6a):</i></p> <p><u>(4a) In order to make the most efficient use of its resources, CEPOL's activities should focus on priorities and areas where training can add value for Member States and the Union in line with current and future needs and business requirements.</u></p>
<p>(6) To ensure that Union level training for law enforcement personnel is of high quality, coherent and consistent, CEPOL should strive to structure it in line with the principles of the Law Enforcement Training Scheme. Union-level training should be available to law enforcement</p>	<p>(6) To ensure that Union level training for law enforcement personnel is of high quality, coherent and consistent, CEPOL should strive to structure it in line with the principles of the Law Enforcement Training Scheme, <i>whilst putting particular emphasis on the protection of</i></p>	<p>(6) To ensure that Union level training for law enforcement personnel is of high quality, coherent and consistent, CEPOL should strive to structure it in line with the principles of the Law Enforcement Training Scheme. Union-level training should be available to law enforcement</p>	<p><i>Given recital (3) and (new) (3a), the proposed compromise would be in line with the initial position of the Council:</i></p> <p>(6) To ensure that Union level training for law enforcement personnel is of high quality, coherent and consistent, CEPOL should strive to structure it in line with the</p>

<p>officers of all ranks. CEPOL should ensure that training is evaluated and that conclusions from training needs assessments are part of planning to enhance effectiveness of future actions. CEPOL should promote the recognition in Member States of training provided at Union level.</p>	<p>human rights and fundamental freedoms in the context of law enforcement. Union-level training should be available to law enforcement officers of all ranks. CEPOL should ensure that training is evaluated and that conclusions from training needs assessments are part of planning to enhance effectiveness of future actions. CEPOL should promote the recognition in Member States of training provided at Union level.</p>	<p>officers of all ranks. CEPOL should ensure that training is evaluated and that conclusions from training needs assessments are part of planning to enhance effectiveness of future actions. CEPOL should be able to promote the mutual recognition of law enforcement training in Member States and the recognition in by Member States of training provided at Union level.</p>	<p>principles of the Law Enforcement Training Scheme. Union-level training should be available to law enforcement officers of all ranks. CEPOL should ensure that training is evaluated and that conclusions from training needs assessments are part of planning to enhance effectiveness of future actions. CEPOL should be able to promote the mutual recognition of law enforcement training in Member States and the recognition in by Member States of training provided at Union level.</p>
	<p>(6a) In order to make the most efficient use of its resources, CEPOL's activities should be focused on thematic areas that have a clear Union added value and a cross-border dimension, closely linked to the Internal Security Strategy. The focus should be forward-looking, identifying what training and capacity building measures are required in the future at Union level.</p>		<p><i>See the compromise proposal for recital (4a), so the compromise here would be:</i></p> <p>(6a) In order to make the most efficient use of its resources, CEPOL's activities should be focused on thematic areas that have a clear Union added value and a cross-border dimension, closely linked to the Internal Security Strategy. The focus should be forward-looking, identifying what training and capacity building measures are required in the future at Union level.</p>
<p>(7) To avoid duplication in the training activities for the competent law enforcement personnel, which are carried out by existing European Union</p>	<p>(7) To avoid duplication, uncoordinated initiatives or overlap in the training activities for the competent law enforcement personnel, which are</p>	<p>(7) To avoid duplication in the training activities for the competent law enforcement personnel officials, which are carried out by existing European Union Agencies</p>	<p><i>Compromise text following the technical meetings on 01/04/2015 and on 24/04/2015:</i></p> <p>(7) To avoid duplication <u>or overlap and</u></p>

<p>Agencies and other relevant bodies, CEPOL should assess strategic training needs and address Union priorities in the area of internal security and its external aspects, in line with the relevant policy cycles.</p>	<p>carried out by existing European Union Agencies and other relevant bodies, CEPOL should assess strategic training needs and address Union priorities in the area of internal security and its external aspects, in line with the relevant policy cycles.</p>	<p>and other relevant bodies, CEPOL should assess strategic training needs and address Union priorities in the area of internal security and its external aspects, in line with the relevant policy cycles.</p>	<p><u>ensure better coordination</u> in the training activities for the competent law enforcement personnel officials, which are carried out by existing European Union Agencies and other relevant bodies, CEPOL should assess strategic training needs and address Union priorities in the area of internal security and its external aspects, in line with the relevant policy cycles.</p>
<p>(8) To achieve its objectives, CEPOL, as a centre of Union learning activities, should maintain and encourage cooperation with the network of the training institutes of the Member States. It should further be supported by a "National Unit" in each Member State. The activities of the National Units should be coordinated at the Union level by CEPOL.</p>		<p>(8)(4b) To achieve its objectives, CEPOL, as a centre of Union learning activities, should maintain and encourage cooperation with the should function as a network, by bringing together of the national training institutes of the Member States whose tasks include the training of law enforcement officials, which should cooperate closely to that end. It should further be supported by a "National Unit" in each Member State. The activities of the National Units should be coordinated at the Union level by CEPOL.</p>	<p><i>Compromise text following the trilogues on 21/04/2015, on 02/06/2015 and the technical meeting on 24/04/2015, aimed at ensuring consistency with Article 3(3):</i></p> <p>(8)(4b) <u>To achieve its objectives, CEPOL, as a centre of Union learning activities, should maintain and encourage cooperation with the network of the training institutes of the Member States. It should further be supported by a "National Unit" in each Member State. The activities of the National Units should be coordinated at the Union level by CEPOL. CEPOL should bring together a network of training institutes of the Member States for law enforcement officials and should liaise with a single National unit in each Member State functioning within the network.</u></p>
<p>(9) The Commission and the Member States should be represented within the</p>	<p>(9) The Commission and the Member States should be represented within the</p>	<p>(9) The Commission and the Member States and the Commission should be represented</p>	<p><i>Compromise text following the technical meeting on 01/04/2015:</i></p>

<p>Management Board of CEPOL in order to supervise effectively the exercise of its functions. The Board should consist of members appointed on the basis of their experience in the management of public or private sector organisations and of their knowledge in the national policy on training for law enforcement officers. The Board should be entrusted with the necessary powers to establish the budget, verify its execution, adopt appropriate financial rules and CEPOL's strategy, establish transparent working procedures for decision making by CEPOL, appoint the Director, establish performance indicators and exercise appointing authority powers, in accordance with the Staff Regulations and the Conditions of Employment of Other Servants.</p>	<p>Management Board of CEPOL in order to supervise effectively the exercise of its functions. The Board should consist of members <i>of the Management Board and their alternates should be</i> appointed on the basis of their experience in the management of public or private sector organisations and of their knowledge in the national policy on training for law enforcement officers. The Board should be entrusted with the necessary powers to establish the budget, verify its execution, adopt appropriate financial rules and CEPOL's strategy, establish transparent working procedures for decision making by CEPOL, appoint the <i>Executive</i> Director, establish performance indicators and exercise appointing authority powers, in accordance with the Staff Regulations and the Conditions of Employment of Other Servants.</p>	<p>within the Management Board of CEPOL in order to supervise effectively the exercise of its functions. The Board should consist of members appointed on the basis of their experience in the management of public or private sector organisations and of their knowledge in the national policy on training for law enforcement officers <i>officials and other relevant skills.</i> <i>(9a) All parties represented in the Management Board should make efforts to limit the turnover of their representatives, to ensure continuity of the Management Board's work. All parties should aim to achieve a balanced representation between men and women on the Management Board.</i> <i>(9b) The Management Board should be entrusted with the necessary powers, in particular to establish the budget, verify its execution, adopt appropriate financial rules and CEPOL's strategy multiannual programming and annual work programmes, establish transparent working procedures for decision making by</i></p>	<p>(9) The Commission and the Member States <i>and the Commission</i> should be represented within the Management Board of CEPOL in order to supervise effectively the exercise of its functions. The Board should consist of members <i>of the Management Board and their alternates should be</i> appointed on the basis of their experience in the management of public or private sector organisations and of their knowledge in the national policy on training for law enforcement officers <i>officials and other relevant managerial, administrative and budgetary skills.</i> <i>(9a) All parties represented in the Management Board should make efforts to limit the turnover of their representatives, to ensure continuity of the Management Board's work. All parties should aim to achieve a balanced representation between men and women on the Management Board.</i> <i>(9b) The Management Board should be entrusted with the necessary powers, in particular to establish the budget, verify its execution, adopt appropriate financial rules and CEPOL's strategy multiannual programming and annual work programmes, establish transparent working procedures for decision making by CEPOL, appoint the Executive Director, establish performance indicators and exercise</i></p>
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		CEPOL, appoint the <i>Executive</i> Director, establish performance indicators and exercise appointing authority powers, in accordance with the Staff Regulations and the Conditions of Employment of Other Servants.	appointing authority powers, in accordance with the Staff Regulations and the Conditions of Employment of Other Servants.
(10) To ensure the efficient day-to-day functioning of CEPOL, the Executive Director should be its legal representative and manager, acting in complete independence in the performance of his/her duties and ensuring that CEPOL carries out the tasks provided for by this Regulation. In particular, the Executive Director should be responsible for preparing budgetary and planning documents submitted for the decision of the Management Board, implementing the annual and multiannual programming and annual work programmes of CEPOL.		(10) To ensure the efficient day-to-day functioning of CEPOL, the Executive Director should be its legal representative and manager, acting in complete independence independently in the performance of his/her duties and ensuring that CEPOL carries out the tasks provided for by this Regulation. In particular, the Executive Director should be responsible for preparing budgetary and planning documents submitted for the decision of the Management Board, implementing the annual and multiannual programming and annual work programmes of CEPOL.	<i>Compromise text following the technical meeting on 01/04/2015:</i> (10) To ensure the efficient day-to-day functioning of CEPOL, the Executive Director should be its legal representative and manager, acting in complete independence independently in the performance of his/her duties and ensuring that CEPOL carries out the tasks provided for by this Regulation. In particular, the Executive Director should be responsible for preparing budgetary and planning documents submitted for the decision of the Management Board, implementing the annual and multiannual programming and annual work programmes of CEPOL.
(11) To ensure the scientific quality of CEPOL's work, a Scientific Committee, composed of independent persons of the highest academic or professional standing in the subjects covered by this Regulation, should be set up as an independent advisory	(11) To ensure the scientific quality of CEPOL's work, a Scientific Committee, composed of independent persons of the highest academic or professional standing in the subjects covered by this Regulation, should be set up as an independent advisory	(11) <i>If appropriate and taking into consideration business requirements and financial resources, the Management Board should be able to set up a Scientific Committee for Training as an independent advisory body</i> To ensure the scientific quality of	<i>Proposed compromise text following the trilogue on 05/05/2015 and the technical meeting on 11/05/2015:</i> (11) <i>If appropriate and taking into consideration business requirements and financial resources, the Management</i>

<p>body.</p>	<p>body. <i>The Members of the Scientific Committee should be appointed by the Management Board following a transparent call for applications and selection procedure to be published in the Official Journal of the European Union.</i></p>	<p>CEPOL's work, a Scientific Committee for Training, composed of independent persons of the highest academic or professional standing <i>who are high level academics and law enforcement practitioners</i> in the subjects covered by this Regulation, should be set up as an independent advisory body.</p>	<p><u>Board should be able to set up decide on setting up establishing a Scientific Committee for Training as an independent advisory body</u> To ensure the scientific quality of CEPOL's work, a Scientific Committee for Training, composed of independent persons of the highest academic or professional standing <i>who are high level academics and law enforcement practitioners</i> in the subjects covered by this Regulation, should be set up as an independent advisory body. <u>The Members of the Scientific Committee should be appointed by the Management Board following a transparent call for applications and selection procedure to be published in the Official Journal of the European Union.</u></p>
<p>(12) CEPOL should ensure that its training integrates relevant developments in research and encourage the creation of stronger partnerships between universities and law enforcement training institutes in the Member States.</p>	<p>(12) CEPOL should ensure that its training integrates relevant developments in research and encourage the creation of stronger partnerships between universities and law enforcement training institutes in the Member States <i>as well as other European Union law enforcement agencies in order to create spill-over effects by means of enhanced cooperation.</i></p>		<p><i>Compromise text following the technical meetings on 01/04/2015, on 24/04/2015 and on 11/05/2015:</i></p> <p>(12) CEPOL should ensure that its training integrates relevant developments in research and encourage the creation of stronger partnerships between universities and law enforcement training institutes in the Member States <u>or Union bodies competent in matters covered by this Regulation, in order to create synergies among them by means of strengthened cooperation.</u></p>

<p>(13) In order to guarantee the full autonomy and the independence of CEPOL, it should be granted an autonomous budget with revenue stemming essentially from a contribution from the budget of the Union. The Union budgetary procedure should be applicable as far as the Union contribution and any other subsidies chargeable to the general budget of the European Union are concerned. The auditing of accounts should be undertaken by the Court of Auditors.</p>	<p>(13) In order to guarantee the full autonomy and the independence of CEPOL <i>and to enable it to properly perform the objectives and tasks assigned to it in this Regulation</i>, it should be granted an <i>a sufficient and</i> autonomous budget with revenue stemming essentially from a contribution from the budget of the Union. The Union budgetary procedure should be applicable as far as the Union contribution and any other subsidies chargeable to the general budget of the European Union are concerned. The auditing of accounts should be undertaken by the Court of Auditors.</p>		<p><i>Compromise text following the technical meetings on 01/04/2015 and 24/04/2015 and the trilogue on 05/05/2015 (with COM scrutiny reservation):</i></p> <p>(13) In order to guarantee the full autonomy and the independence of CEPOL <i>and to enable it to properly perform the objectives and tasks assigned to it in this Regulation</i>, it should be granted an <i>adequate and</i> autonomous budget with revenue stemming essentially from a contribution from the budget of the Union. The Union budgetary procedure should be applicable as far as the Union contribution and any other subsidies chargeable to the general budget of the European Union are concerned. The auditing of accounts should be undertaken by the Court of Auditors.</p>
<p>(14) For the purpose of performing its tasks, CEPOL should also be able to award grants to the training and research institutes of the Member States for implementing CEPOL's courses, seminars and conferences. Grants awarded to Member States should further contribute to fostering the cooperation of the training institutes of the Member States within the network and promoting</p>			

the mutual recognition of law enforcement.			
(15) For the purpose of fulfilling its mission and to the extent required for the performance of its tasks, CEPOL should be able to cooperate with other European Union Agencies and relevant bodies, the competent authorities of third countries and the international organisations competent in matters covered by this Regulation in the framework of working arrangements concluded in accordance with this Regulation or in the framework of working arrangements concluded with national training institutes of third countries on the basis of Article 8 of the Council Decision 2005/681/JHA,		(15) For the purpose of fulfilling its mission and to the extent required for the performance of its tasks, CEPOL should be able to cooperate with other European Union Agencies and relevant bodies, the competent authorities and training institutes of third countries and the international organisations competent in matters covered by this Regulation in the framework of working arrangements concluded in accordance with this Regulation or in the framework of working arrangements concluded with national training institutes of third countries on the basis of Article 8 of the Council Decision 2005/681/JHA, <i>as well as with private parties.</i>	<i>Compromise text following the technical meeting on 01/04/2015 and on 24/04/2015:</i> (15) For the purpose of fulfilling its mission and to the extent required for the performance of its tasks, CEPOL should be able to cooperate with other European Union Agencies and relevant bodies, the competent authorities and training institutes of third countries and the international organisations competent in matters covered by this Regulation in the framework of working arrangements concluded in accordance with this Regulation or in the framework of working arrangements concluded with national training institutes of third countries on the basis of Article 8 of the Council Decision 2005/681/JHA, <i>as well as with private parties.</i>
		<i>(15a) CEPOL had its seat in Bramshill, United Kingdom. By letters dated 12 December 2012 and 8 February 2013, the United Kingdom informed CEPOL that it no longer wished to host CEPOL's seat on its territory. In view of the common accord reached on 8 October 2013 by the representatives of the</i>	<i>Compromise text following the technical meetings on 01/04/2015, on 24/04/2015 and on 11/05/2015 (and following the deletion of the EP amendment in Article 24(3a)):</i> <i><u>(15a) CEPOL had its seat in Bramshill, United Kingdom. By letters dated 12 December 2012 and 8 February 2013, the United Kingdom informed CEPOL that it no longer wished to host CEPOL's seat on</u></i>

		<p><i>Governments of the Member States, arrangements were made for CEPOL to be hosted in Budapest, Hungary as soon as it left Bramshill, United Kingdom. Those arrangements were incorporated into Council Decision 2005/681/JHA by Regulation (EU) No 543/2015^{17a}.</i></p>	<p><i><u>its territory. In view of the common accord reached on 8 October 2013 by the representatives of the Governments of the Member States, arrangements were made for CEPOL to be hosted in Budapest, Hungary as soon as it left Bramshill, United Kingdom. Those arrangements were incorporated into Council Decision 2005/681/JHA by In line with Regulation (EU) No 543/2015^{17a} amending Council Decision 2005/681/JHA, the seat of CEPOL was moved to Budapest, Hungary, and the Commission was invited to submit, by 30 November 2015, a report on the effectiveness of this Decision following a thorough cost-benefit analysis and impact assessment.</u></i></p>
		<p><i>^{17a} Regulation (EU) No 543/2015 of the European Parliament and of the Council of 15 May 2015 amending Council Decision 2005/681/JHA establishing the European Police College (CEPOL) (OJ L 163, 29.05.2015, p.5)</i></p>	<p><i>^{17a} Regulation (EU) No 543/20154 of the European Parliament and of the Council of 15 May 2015 amending Council Decision 2005/681/JHA establishing the European Police College (CEPOL) (OJ L 163, 29.05.2015, p.5)</i></p>
		<p><i>(15b) CEPOL's host Member State should provide the necessary conditions for the smooth operation of CEPOL, including multilingual, European-oriented schooling and appropriate transport connections so as to</i></p>	<p><i>Compromise text following the technical meeting on 01/04/2015:</i></p> <p><i>(15b) CEPOL's host Member State should provide the necessary conditions for the smooth operation of CEPOL, including multilingual, European-oriented schooling</i></p>

		<i>attract high-quality human resources from as wide a geographical area as possible.</i>	<i>and appropriate transport connections so as to attract high-quality human resources from as wide a geographical area as possible.</i>
		<i>(15c) Since the amendments to be made by this Regulation are of substantial number and nature, Council Decision 2005/681/JHA as amended by Regulation (EU) No 543/2015 should in the interests of clarity be replaced in its entirety in relation to the Member States bound by this Regulation. CEPOL as established by this Regulation should replace and assume the functions of CEPOL as established by Council Decision 2005/681/JHA.</i>	Compromise text based on the outcome on discussions between the Legal Services of the Council, EP and the Commission in relation to Article 39: <i>(15c) Since the amendments to be made by this Regulation are of substantial number and nature, Council Decision 2005/681/JHA, as amended by Regulation (EU) No 543/20154, should in the interests of clarity be replaced in its entirety in relation to the Member States bound by this Regulation. CEPOL as established by this Regulation should replace and assume the functions of CEPOL as established by Council Decision 2005/681/JHA, <u>which, as a consequence, should be repealed.</u></i>
(16) Regulation (EC) No. 1049/2001 of the European Parliament and of the Council ¹⁸ should apply to CEPOL,		(16) Regulation (EC) No. 1049/2001 of the European Parliament and of the Council ¹⁸ should apply to CEPOL 7 .	Compromise text following the technical meeting on 01/04/2015: (16) Regulation (EC) No. 1049/2001 of the European Parliament and of the Council ¹⁸ should apply to CEPOL 7 .
¹⁸ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001			

<p>regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).</p>			
<p>(17) Since the objective of this Regulation, namely the establishment of an entity responsible for law-enforcement training at Union level, cannot be sufficiently achieved by the Member States and can, therefore, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity, as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary to achieve that objective.</p>		<p>(17) Since the objective of this Regulation, namely the establishment of an entity agency responsible for law- enforcement training at Union level, cannot be sufficiently achieved by the Member States and can, therefore, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity, as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary to achieve that objective.</p>	<p><i>Compromise text following the technical meeting on 01/04/2015:</i></p> <p>(17) Since the objective of this Regulation, namely the establishment of an entity agency responsible for law- enforcement training at Union level, cannot be sufficiently achieved by the Member States and can, therefore, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity, as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary to achieve that objective.</p>
<p>(18) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union, in particular the right to the protection of personal data and the right to privacy as protected by Articles 8 and 7 of</p>			

<p>the Charter, as well as by Article 16 of the Treaty.</p>			
<p>(19) In accordance with Article 3 of the Protocol (No 21) on the position of United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, those Member States have notified their wish to participate in the adoption and application of this Regulation] OR [Without prejudice to Article 4 of the Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, those Member States will not participate in the adoption of this Regulation and will not be bound by or be subject to its application.</p>		<p>(19) In accordance with Article 3 of the Protocol (No 21) on the position of United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, those Member States have notified their wish to participate in the adoption and application of this Regulation] OR [Without prejudice to Article 4 <i>In accordance with Articles 1, 2 and 4a(1)</i> of the Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, <i>and without prejudice to Article 4 of that Protocol</i>, those Member States will not participate <i>are not taking part</i> in the adoption of this Regulation and will <i>are</i> not be bound by <i>it</i> or be subject to its application.</p>	<p><i>Compromise text following the technical meeting on 01/04/2015:</i></p> <p>(19) In accordance with Article 3 of the Protocol (No 21) on the position of United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, those Member States have notified their wish to participate in the adoption and application of this Regulation] OR [Without prejudice to Article 4 <i>In accordance with Articles 1, 2 and 4a(1)</i> of the Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, <i>and without prejudice to Article 4 of that Protocol</i>, those Member States will not participate <i>are not taking part</i> in the adoption of this Regulation and will <i>are</i> not be bound by <i>it</i> or be subject to its application.</p>

(20) In accordance with Articles 1 and 2 of the Protocol (No 22) on the position of Denmark annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application,			
HAVE ADOPTED THIS REGULATION:			
CHAPTER I			
OBJECTIVE AND TASKS OF THE AGENCY		GENERAL PROVISIONS, OBJECTIVES AND TASKS OF THE AGENCY	<i>Compromise text following the technical meeting on 01/04/2015:</i> GENERAL PROVISIONS, OBJECTIVES AND TASKS OF THE AGENCY
<i>Article 1</i>			
Establishment of the European Union Agency for Law Enforcement Training			
1. A European Union Agency for Law Enforcement Training (CEPOL) is hereby established in order to foster a coherent European law enforcement training policy.	1. A European Union Agency for Law Enforcement Training (CEPOL) is hereby established. <i>1a. This Agency is established in order to improve cooperation among law enforcement authorities in the European</i>	1. A European Union Agency for Law Enforcement Training (CEPOL) is hereby established in order to foster a coherent European law enforcement training policy <i>to improve cooperation among law enforcement authorities in the</i>	<i>Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015:</i> 1. A European Union Agency for Law Enforcement Training (CEPOL) is hereby established in order to foster a coherent

	<i>Union by supporting and implementing the training of their law enforcement officials in relation to prevention, detection and investigation of criminal offences, maintenance of law and order and EU police missions, in order to foster a coherent European law enforcement training policy, and in order to strengthen the fundamental rights dimension of law enforcement training.</i>	<i>European Union by supporting and enhancing the training of their officials notably through a network of national training institutes.</i>	European law enforcement training policy.
2. CEPOL, as established by this Regulation, shall replace and succeed CEPOL as established by Decision 2005/681/JHA.			
<i>Article 2</i>			
Definitions			
For the purposes of this Regulation:			
(a) ‘Law enforcement officers’ means officers of police, customs and of other relevant services, including Union bodies, responsible for preventing and combating serious crime affecting two or more Member States, terrorism and forms of crime that affect a common interest covered	(a) ‘Law enforcement officers ^{officials} ’ means <i>professionals, including those still in training, or</i> officers of police, customs and of other relevant services, including Union bodies, responsible for preventing and combating serious crime affecting two or more Member States,	(a) ‘Law enforcement officers ^{officials} ’ means officers-staff of police, customs and of other relevant services, including Union bodies, <i>as defined by individual Member States,</i> responsible for: (i) preventing and combating serious crime affecting two or more Member States, terrorism	<i>Compromise text following the technical meeting on 01/04/2015 and on 24/04/2015:</i> (a) ‘Law enforcement officers ^{officials} ’ means officers-staff of police, customs and of other relevant services, including Union bodies, <i>as defined by individual Member States,</i> responsible for:

<p>by a Union policy and for crisis management and international policing of major events.</p>	<p>terrorism and forms of crime that affect a common interest covered by a Union policy, and for public order, crisis management and international policing of major events, <i>including employees or experts of Union institutions, bodies, offices and departments whose competences are related to those tasks.</i></p>	<p>and forms of crime that affect a common interest covered by a Union policy; and (ii) for crisis management and public order, in particular international policing of major events. <i>This definition also covers staff of Union bodies that have tasks related to points (i) and (ii).</i></p>	<p>(i) preventing and combating serious crime affecting two or more Member States, terrorism and forms of crime that affect a common interest covered by a Union policy; and (ii) for crisis management and public order, in particular international policing of major events. <i>This definition also covers staff of Union bodies that have tasks related to points (i) and (ii).</i></p>
<p>(b) ‘Union bodies’ means institutions, entities bodies, missions, offices and agencies set up by, or on the basis of, the Treaty on European Union and the Treaty on the Functioning of the European Union;</p>		<p>(b) ‘Union bodies’ means institutions, entities bodies, missions, offices and agencies set up by, or on the basis of, the Treaty on European Union and the Treaty on the Functioning of the European Union;</p>	<p><i>Compromise text following the technical meeting on 01/04/2015:</i> (b) ‘Union bodies’ means institutions, entities bodies, missions, offices and agencies set up by, or on the basis of, the Treaty on European Union and the Treaty on the Functioning of the European Union;</p>
<p>(c) ‘International organisations’ means international organisations and their subordinate bodies governed by public international law or other bodies which are set up by, or on the basis of, an agreement between two or more countries as well as Interpol;</p>			

<i>Article 3</i>			
Objectives	Objectives of CEPOL		<i>Compromise text following the technical meeting on 01/04/2015:</i> Objectives of <u>CEPOL</u>
1. CEPOL shall support, develop and coordinate training for law enforcement officers, in line with the Law Enforcement Training Scheme, in particular in the areas of the fight against serious crime affecting two or more Member States and terrorism, management of high-risk public order and sport events, planning and command of Union missions, as well as law enforcement leadership and language skills, in order to:	1. CEPOL shall support, develop, implement and coordinate training for law enforcement officers officials , in line with the principles of the law enforcement training scheme, in particular in the areas of the fight against preventing and combating serious and organised crime affecting two or more member states and terrorism, management of high-risk public order, major events and sports events, planning and command of Union missions, as well as law enforcement leadership and language skills, in order to:	1. CEPOL shall support, develop, provide and coordinate training for law enforcement officers officials ; in line with the Law Enforcement Training Scheme where training at Union level can add value , in particular in the areas of the prevention of and fight against serious crime affecting two or more Member States and terrorism, management of high-risk maintaining public order, and in particular international policing of major sport events, planning and command of Union missions, as well as which may also include training on law enforcement leadership and language skills, in order to. More specifically, CEPOL shall:	<i>Compromise text following the trilogue on 21/04/2015 and the technical meetings on 24/04/2015 and on 11/05/2015:</i> 1. CEPOL shall support, develop, provide implement and coordinate training for law enforcement officers officials ; in line with the Law Enforcement Training Scheme where training at Union level can add value, whilst putting particular emphasis on the protection of human rights and fundamental freedoms in the context of law enforcement , in particular in the areas of the prevention of and fight against serious crime affecting two or more Member States and terrorism, management of high-risk maintaining public order, and in particular international policing of major sport events, planning and command of Union missions, as well as which may also include training on law enforcement leadership and language skills, in order to. More specifically, CEPOL shall:
			<i>It should be noted that the EP is very</i>

			<p><i>attached to the reference to fundamental rights. The EP is currently considering the compromise wording indicated above.</i></p> <p><i>To ensure flexibility in the negotiations with the EP, the Presidency would propose to consider adding the following paragraph:</i></p> <p><u>1a. CEPOL in its training activities shall promote a common respect for and understanding of fundamental rights in law enforcement.</u></p>
	<p><i>Activities of CEPOL shall raise awareness and knowledge of international and Union instruments and activities on law enforcement cooperation, Union bodies, in particular Europol, Eurojust, and Frontex, their functioning and role as well as judicial aspects of law enforcement cooperation. CEPOL shall promote a common respect for and understanding of fundamental rights in law enforcement including privacy, data protection and the rights, support and protection of the victims, witnesses and suspects, including safeguarding the rights of victims of gender based violence (GBV). Furthermore,</i></p>		<p><i>See reference to the fundamental rights above + recital (new) (3a), so the compromise text would be:</i></p> <p><u>Activities of CEPOL shall raise awareness and knowledge of international and Union instruments and activities on law enforcement cooperation, Union bodies, in particular Europol, Eurojust, and Frontex, their functioning and role as well as judicial aspects of law enforcement cooperation. CEPOL shall promote a common respect for and understanding of fundamental rights in law enforcement including privacy, data protection and the rights, support and protection of the victims, witnesses and suspects, including safeguarding the rights of victims of gender based violence (GBV).</u></p>

	<i>CEPOL shall:</i>		<u>Furthermore, CEPOL shall:</u>
(a) raise awareness and knowledge of:	<i>deleted</i>	(a) <i>support Member States in providing training in order to</i> raise awareness and knowledge of:	Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015: (a) <i>support and complement Member States' activities in providing training in order to</i> raise awareness and knowledge of:
(i) international and Union instruments on law enforcement cooperation;	<i>deleted</i>	(i) <i>implementation and use of</i> international and Union instruments on law enforcement cooperation;	Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015: (i) <i>implementation and use of</i> international and Union instruments on law enforcement cooperation;
(ii) Union bodies, in particular Europol, Eurojust and Frontex, their functioning and role;	<i>deleted</i>		Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015: (ii) Union bodies, in particular Europol, Eurojust and Frontex, their functioning and role;
(iii) judicial aspects of law enforcement cooperation and practical knowledge about access to information channels;	<i>deleted</i>	(iii) <i>police and</i> judicial aspects of law enforcement cooperation and practical knowledge about access to information <i>exchange</i> channels;	Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015: (iii) <i>police and</i> judicial aspects of law enforcement cooperation and practical knowledge about access to information

			<i>exchange</i> channels;
	<i>(-b) strengthen cooperation networks of law enforcement agencies in managing flows of illegal immigration;</i>		Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015: <i>(b) strengthen cooperation networks of law enforcement agencies in managing flows of illegal immigration;</i>
(b) encourage the development of regional and bilateral cooperation among Member States and between Member States, Union bodies and third countries;.	<i>deleted</i>	(b) encourage <i>support Member States at their request in</i> the development of regional and bilateral cooperation <i>through law enforcement training</i> among Member States and between Member States, Union bodies and third countries;	Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015: (b) encourage <i>support Member States at their request in</i> the development of regional and bilateral cooperation <i>through law enforcement training</i> among Member States and between Member States, Union bodies and third countries;
(c) address specific criminal or policing thematic areas where training at Union level can add value;		(c) <i>develop and coordinate training</i> addressing specific criminal or policing thematic areas where training at Union level can add value;	Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015: (c) <i>develop, implement and coordinate training</i> addressing specific criminal or policing thematic areas where training at Union level can add value;
(d) devise specific common curricula for law enforcement officers to train them for participation in Union missions;	<i>deleted</i>	<i>deleted</i>	Same amendment by the EP and the Council, so the compromise text would be:

			(d) devise specific common curricula for law enforcement officers to train them for participation in Union missions;
(e) support Member States and Union bodies in law enforcement capacity-building activities in third countries;	(e) <i>develop, coordinate and implement training to</i> support Member States and Union bodies in <i>training law enforcement officials for participation in Union missions and</i> law enforcement capacity-building activities in third countries;	(e) <i>develop and coordinate training aimed to</i> support Member States and Union bodies in <i>training law enforcement officials for participation in Union missions and</i> law enforcement capacity-building activities in third countries;	Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015: (e) <i>develop, <u>implement</u> and coordinate training aimed to</i> support Member States and Union bodies in <i>training law enforcement officials for participation in Union missions and</i> law enforcement capacity-building activities in third countries;
(f) train trainers and assist in improving and exchanging good learning practices.			
2. CEPOL shall develop and regularly update learning tools and methodologies and apply these in a lifelong learning perspective to strengthen the skills of law enforcement officers. CEPOL shall evaluate the results of these actions with a view to enhancing the quality, coherence and effectiveness of future actions.		2. CEPOL shall develop and regularly update learning tools and methodologies and apply these in a lifelong learning perspective to strengthen the skills of law enforcement officers <i>officials</i> . CEPOL shall evaluate the results of these actions with a view to enhancing the quality, coherence and effectiveness of future actions <i>at Union level</i> .	Compromise text following the trilogue on 21/04/2015 and the technical meetings on 24/04/2015 and on 11/05/2015 (as the EP believes that CEPOL should be working on the qualitative improvement of its training tools): 2. CEPOL shall develop and regularly update <i>upgrade</i> learning tools and methodologies and apply these in a lifelong learning perspective to strengthen the skills of law enforcement officers <i>officials</i> . CEPOL shall evaluate the results of these

			actions with a view to enhancing the quality, coherence and effectiveness of future actions <i>at Union level</i> .
3. CEPOL shall bring together the network of training institutes of the Member States for law enforcement officers and shall liaise with a single National unit in each Member State functioning within the network, and all other competent authorities in the Member States whose tasks include the training of law enforcement officers		3. CEPOL shall bring together the network of training institutes of the Member States for law enforcement officers officials and shall liaise with a single National unit in each Member State functioning within the network, and all other competent authorities in the Member States whose tasks include the training of law enforcement officers.	<i>Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015:</i> 3. CEPOL shall bring together the a network of training institutes of the Member States for law enforcement officers officials and shall liaise with a single National unit in each Member State functioning within the network, and all other competent authorities in the Member States whose tasks include the training of law enforcement officers.
4. The learning activities referred to in paragraph 1 shall be implemented by CEPOL in cooperation with the network of training Institutes of the Member States in accordance with the financial rules applicable to CEPOL.		4. The learning activities referred to in paragraph 1 shall be implemented carried out by CEPOL in cooperation with the network of training in stitutes of the Member States in accordance with the financial rules applicable to CEPOL.	<i>Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015:</i> 4. The learning activities referred to in paragraph 1 shall be implemented carried out by CEPOL in cooperation with the network of training in stitutes of the Member States in accordance with the financial rules applicable to CEPOL.
<i>Article 4</i>			
Tasks			
1. CEPOL shall prepare multi-			

annual strategic training needs analyses and multi-annual learning programmes.			
2. CEPOL shall develop and implement training activities and learning products, which may include:		2. CEPOL shall support , develop, and implement provide and coordinate training activities and learning products, where training at Union level can add value , which may include:	<i>Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015:</i> 2. CEPOL shall support , develop, and implement provide and coordinate training activities and learning products, where training at Union level can add value , which may include:
(a) courses, seminars, conferences, web-based and e-learning activities;		(a) courses, seminars, conferences, as well as web-based and e-learning activities;	<i>Compromise text following the trilogues on 21/04/2015 and on 05/05/2015 and the technical meetings on 24/04/2015 and on 11/05/2015 (as the EP believes that CEPOL should provide innovative and advanced training activities):</i> (a) courses, seminars, conferences, as well as web-based, and e-learning and other innovative and advanced activities;
(b) common curricula to raise awareness, address gaps and/or facilitate a common approach in relation to cross-border criminal phenomena;	(b) common curricula to raise awareness and knowledge , address gaps and/or facilitate a common approach in relation to cross-border criminal phenomena, in particular with regard to terrorism, cybercrime, financial investigation, and participation	(b) common curricula, aimed at providing recommendations about law enforcement training on specific subjects with EU dimension to raise awareness, address gaps and/or facilitate a common approach in relation to	<i>Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015:</i> (b) common curricula, aimed at providing recommendations about for law enforcement training on specific subjects with EU dimension to raise awareness,

	<i>in Union missions;</i>	cross-border criminal phenomena;	address gaps and/or facilitate a common approach in relation to cross-border criminal phenomena;
(c) training modules graduated according to progressive stages or levels of complexity of skills needed by the relevant target group, and focused either on a defined geographical region, a specific thematic area of criminal activity or on a specific set of professional skills;			
(d) exchange and secondment programmes of law enforcement officers in the context of an operational based training approach.		(d) exchange and secondment programmes of law enforcement officers <i>as well as study visits</i> in the context of <i>law enforcement</i> an operational based training approach.	<i>Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015:</i> (d) exchange and secondment programmes of law enforcement officers <i>as well as study visits</i> in the context of <i>law enforcement</i> an operational based training approach.
		<i>2a. CEPOL's training activities and learning products may be supported, enhanced and completed by the operation of an electronic network.</i>	<i>Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015:</i> <i>2a. CEPOL's training activities and learning products may be supported, enhanced and completed by the operation of an electronic network.</i>
3. To ensure a coherent European		3. To ensure a coherent European	<i>Compromise text following the trilogue on</i>

training policy to support missions and capacity-building in third countries CEPOL shall:		training policy to CEPOL shall support <i>Union</i> missions and capacity-building in third countries CEPOL shall by:	21/04/2015 and the technical meeting on 24/04/2015: 3. To ensure a coherent European training policy to CEPOL shall support <i>Union</i> missions and capacity-building in third countries CEPOL shall by:
(a) assess the impact of existing Union-related law enforcement training policies and initiatives;		(a) assessing, in coordination with other relevant Union bodies, the impact of existing Union-related law enforcement training policies and initiatives;	Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015: (a) assessing, in coordination with other relevant Union bodies, the impact of existing Union-related law enforcement training policies and initiatives;
(b) develop and provide training to prepare Member States' law enforcement officers for participation in Union missions, including to enable them to acquire relevant language skills, in coordination with the European Security and Defence College;		(b) developing and providing de training to prepare Member States' law enforcement officers officials for participation in Union missions, including to enable them to acquire relevant language skills, in coordination with the European Security and Defence College and existing initiatives in the Member States;	Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015: (b) developing and providing de training to prepare Member States' law enforcement officers officials for participation in Union missions, including to enable them to acquire relevant language skills, in coordination with the European Security and Defence College and existing initiatives in the Member States;
(c) develop and provide training for law enforcement officers from third countries, in particular from		(c) developing and providing de training for law enforcement officers officials from third	Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015:

the countries that are candidates for accession to the Union and the countries under the European Neighbourhood Policy;		countries, in particular from the countries that are candidates for accession to the Union and the countries under the European Neighbourhood Policy; <i>and/or</i>	(c) developing and providing de training for law enforcement officers <i>officials</i> from third countries, in particular from the countries that are candidates for accession to the Union and the countries under the European Neighbourhood Policy; <i>and/or</i>
(d) manage dedicated Union External Assistance funds to assist third countries in building their capacity in relevant policy areas, in line with the established priorities of the Union.		(d) managing <i>ing</i> dedicated Union External Assistance funds to assist third countries in building their capacity in relevant <i>law enforcement</i> policy areas, in line with the established priorities of the Union.	<i>Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015:</i> (d) managing <i>ing</i> dedicated Union External Assistance funds to assist third countries in building their capacity in relevant <i>law enforcement</i> policy areas, in line with the established priorities of the Union.
4. CEPOL shall promote the mutual recognition of law enforcement training in Member States and related existing European quality standards.		4. CEPOL shall <i>may</i> promote the mutual recognition of law enforcement training in Member States <i>and the recognition by Member States of training provided at Union level</i> and related existing European quality standards.	<i>Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015:</i> 4. CEPOL <u>shall</u> may promote the mutual recognition of law enforcement training in Member States <i>and the recognition by Member States of training provided at Union level with due regard to the principle of subsidiarity</i> and related existing European quality standards.
5. CEPOL may engage in communication activities on its own initiative in the fields within	5. CEPOL may engage in communication activities on its own initiative in the fields within		<i>Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015:</i>

<p>its mandate. Communication activities shall not be detrimental to the tasks referred to in paragraph 1 and shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.</p>	<p>its mandate. Communication activities shall not be detrimental to the tasks referred to in paragraph 1 and shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.</p>		<p>5. CEPOL may engage in communication activities on its own initiative in the fields within its mandate. Communication activities shall not be detrimental to the tasks referred to in paragraph 1 and shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.</p>
<p><i>Article 5</i></p>			
<p>Research relevant for training</p>			
<p>1. CEPOL shall contribute to the development of research relevant for training activities covered by this Regulation particularly with regard to the fight against serious crime and more general cross border criminal matters in training activities.</p>	<p>1. CEPOL shall contribute to the development of research relevant for training activities covered by this Regulation <i>may carry out, cooperate with or encourage scientific research and surveys, preparatory studies and feasibility studies, including, where appropriate and compatible with its priorities and its annual work programme, at the request of the European Parliament, the Council or the Commission,</i> particularly with regard to the fight against serious crime and more general cross border criminal matters in training activities. <i>To carry out those tasks, CEPOL may manage dedicated Union research funds.</i></p>	<p>1. CEPOL shall contribute to <i>and encourage</i> the development of research relevant for training activities covered by this Regulation particularly with regard to the fight against serious crime and more general cross border criminal matters in training activities <i>within the scope of CEPOL's objectives as set out in Article 3(1) and shall disseminate research findings.</i></p>	<p><i>Compromise text following the technical meeting on 11/05/2015:</i></p> <p>1. CEPOL shall contribute to <i>and encourage</i> the development of research relevant for training activities covered by this Regulation particularly with regard to the fight against serious crime and more general cross border criminal matters in training activities <i>within the scope of CEPOL's objectives as set out in Article 3(1) and shall disseminate research findings. For this purpose, CEPOL may carry out relevant surveys and develop repositories of available research as well as law enforcement training needs.</i></p>

<p>2. CEPOL shall promote and establish a partnership with Union bodies as well as with public and private academic institutions and shall encourage the creation of stronger partnerships between universities and law enforcement training institutes in Member States.</p>		<p>2. CEPOL shall promote and establish a partnership with Union bodies as well as with public and private academic institutions and shall may encourage the creation of stronger partnerships between universities and law enforcement training institutes in Member States.</p>	<p><i>Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015:</i></p> <p>2. CEPOL shall promote and establish a partnership with Union bodies as well as with public and private academic institutions and shall may encourage the creation of stronger partnerships between universities and law enforcement training institutes in Member States.</p>
<p>CHAPTER II</p>			
<p>COOPERATION BETWEEN MEMBER STATES AND CEPOL</p>			
<p><i>Article 6</i></p>			
<p>CEPOL National Units</p>			
<p>1. Each Member State shall establish or designate a national unit responsible for carrying out the tasks set out in this Article. An official shall be appointed in each Member State as the Head of the national unit. The Head of the national unit shall be the National contact point of CEPOL. Where possible, the Head of the national unit shall be the Member State's</p>		<p>1. Each Member State shall establish or designate a national unit, <i>which shall be the liaison body within the network of CEPOL bringing together the training institutes for law enforcement officials in Member States</i> responsible for carrying out the tasks set out in this Article. An official shall be appointed in each Member State as the Head of the</p>	<p><i>Compromise text following the trilogue on 21/04/2015 and the technical meeting on 24/04/2015:</i></p> <p>1. Each Member State shall establish or designate a national unit, <i>which shall be the liaison body within the network of CEPOL <u>bringing together the within its network of national training institutes for law enforcement officials in Member States</u></i> responsible for carrying out the tasks set out in this Article. An official shall be appointed</p>

representative at the Management Board.		national unit. The Head of the national unit shall be the National contact point of CEPOL. Where possible, the Head of the national unit shall be the Member State's representative at the Management Board.	in each Member State as the Head of the national unit. The Head of the national unit shall be the National contact point of CEPOL. Where possible, the Head of the national unit shall be the Member State's representative at the Management Board.
2. The national units shall:		2. The national units shall <i>in particular</i> :	<i>Compromise text following the technical meeting on 01/04/2015:</i> 2. The national units shall <i>in particular</i> :
a) on their own initiative supply CEPOL with the information necessary for it to carry out its tasks;		a) on their own initiative supply CEPOL with the information necessary for it to carry out its tasks;	<i>Compromise text following the technical meeting on 01/04/2015:</i> a) on their own initiative supply CEPOL with the information necessary for it to carry out its tasks;
b) contribute to CEPOL's effective communication and cooperation with all relevant training institutes, including relevant research institutes within the Member States;			
c) contribute to and promote CEPOL's work programmes, annual calendars and web-site;			
d) respond to requests for information and advice from		d) respond to <i>process the</i> requests for information and advice from	<i>Compromise text following the technical meeting on 01/04/2015:</i>

CEPOL;		CEPOL;	d) respond to process the requests for information and advice from CEPOL;
		<i>e) organise and coordinate appropriate nominations of participants and experts for activities at the national level in a timely manner;</i>	Compromise text following the technical meeting on 01/04/2015, including both the EP amendment in paragraph 3(b) and the Council's amendment in this paragraph: <i>e) organise and coordinate appropriate nominations of participants and experts for activities at the national level in a timely <u>and transparent</u> manner;</i>
		<i>f) coordinate the implementation of activities and meetings within their Member State;</i>	Compromise text following the technical meeting on 01/04/2015: <i>f) coordinate the implementation of activities and meetings within their Member State;</i>
		<i>g) provide support in the establishment and implementation of exchange programme for law enforcement officials;</i>	Compromise text following the technical meeting on 01/04/2015: <i>g) provide support in the establishment and implementation of exchange programme for law enforcement officials;</i>
		<i>h) promote the use of CEPOL's electronic network for the training of law enforcement officials.</i>	Compromise text following the technical meeting on 01/04/2015: <i>h) promote the use of CEPOL's electronic network for the training of law</i>

			enforcement officials.
3. The Heads of the national units shall meet on a regular basis, at the request of the Management Board or the Executive Director, to assist CEPOL with operational matters, and in particular to:		3. The Heads representatives of the national units shall meet on a regular basis, at the request of the Management Board, or the Executive Director or at their own initiative, with regard to assist CEPOL's with operational and educational matters, and in particular to:	<i>Compromise text following the technical meeting on 01/04/2015:</i> 3. The Heads representatives of the national units shall meet on a regular basis, at the request of the Management Board, or the Executive Director or at their own initiative, with regard to assist CEPOL's with operational and educational matters, and in particular to:
a) consider and develop proposals that improve CEPOL's operational effectiveness and encourage commitment from Member States;		a) consider and develop proposals that improve CEPOL's operational effectiveness and encourage commitment from Member States.;	<i>Compromise text following the technical meeting on 01/04/2015:</i> a) consider and develop proposals that improve CEPOL's operational effectiveness and encourage commitment from Member States.;
b) organise and coordinate appropriate nominations of participants for activities at the national level in a timely manner;	b) organise and coordinate appropriate nominations of participants for activities at the national level in a timely transparent manner;	deleted	<i>Compromise text following the technical meeting on 01/04/2015 (see also explanation in relation to paragraph 2(b) above):</i> b) organise and coordinate appropriate nominations of participants for activities at the national level in a timely manner;
c) coordinate the implementation of activities and meetings within their Member State;		deleted	<i>Compromise text following the technical meeting on 01/04/2015:</i> e) coordinate the implementation of

			activities and meetings within their Member State;
d) provide support in the establishment of exchange programme for law enforcement officers		<i>deleted</i>	<i>Compromise text following the technical meeting on 01/04/2015:</i> d) provide support in the establishment of exchange programme for law enforcement officers
4. Each Member State shall structure the organisation and the staff of the national unit according to its national legislation.	4. Each Member State shall structure the organisation and the staff of the national unit according to its national legislation, taking into account this Regulation and the Treaties applicable in each case.	4. Each Member State shall structure determine the organisation and the staff of the national unit according to its national legislation law and resources.	<i>Compromise text following the technical meeting on 01/04/2015:</i> 4. Each Member State shall structure determine the organisation and the staff of the national unit according to its national legislation law and resources.
CHAPTER III			
ORGANISATION OF CEPOL			
<i>Article 7</i>			
Administrative and management structure		Administrative and management structure of CEPOL	<i>Compromise text following the technical meeting on 01/04/2015:</i> Administrative and management structure of CEPOL
The administrative and management structure of CEPOL shall comprise:			

(a) a Management Board, which shall exercise the functions set out in Article 9;		(a) a Management Board, which shall exercise the functions set out in Article 9;	<i>Compromise text following the technical meeting on 01/04/2015:</i> (a) a Management Board, which shall exercise the functions set out in Article 9;
(b) an Executive Director who shall exercise the responsibilities set out in Article 14;		(b) an Executive Director who shall exercise the responsibilities set out in Article 14;	<i>Compromise text following the technical meeting on 01/04/2015:</i> (b) an Executive Director who shall exercise the responsibilities set out in Article 14;
(c) a Scientific Committee for Training in accordance with Article 15;		(c) a Scientific Committee for Training, <i>if established by the Management Board</i> in accordance with Article 15-14a ;	<i>Compromise text following the trilogue on 05/05/2015 and the technical meeting on 11/05/2015:</i> (c) <i>if appropriate</i> , a Scientific Committee for Training, <i>if established by the Management Board</i> in accordance with Article 15-14a ;
(d) if appropriate, any other advisory body established by the Management Board in accordance with Article 9(1).		(d) if appropriate, any other advisory body established by the Management Board in accordance with Article 9(1)(p).	<i>Compromise text following the technical meeting on 01/04/2015:</i> (d) if appropriate, any other advisory body established by the Management Board in accordance with Article 9(1)(p).
SECTION 1			
MANAGEMENT BOARD			

<i>Article 8</i>			
Composition		Composition of the Management Board	<i>Compromise text following the technical meeting on 01/04/2015:</i> Composition of the Management Board
1. The Management Board shall be composed of one representative from each Member State and two representatives of the Commission, all with voting rights.		1. The Management Board shall be composed of one representative from each Member State and two representatives of the Commission, all with voting rights.	<i>Compromise text following the trilogue on 05/05/2015:</i> 1. The Management Board shall be composed of one representative from each Member State and two representatives of the Commission, all with voting rights.
2. Each member of the Management Board shall have an alternate. The alternate shall represent the member in his/her absence.		2. Each member of the Management Board shall have an alternate member, who. The alternate shall represent the member in his/her absence.	<i>Compromise text following the technical meetings on 01/04/2015 and on 24/04/2015:</i> 2. Each member of the Management Board shall have an alternate member, who. The alternate shall represent the member in his/her absence.
3. Members of the Management Board and their alternates shall be appointed in the light of their knowledge in the field of training for law enforcement officers, taking into account relevant managerial, administrative and budgetary skills. All parties represented in the Management Board shall make efforts to limit	3. Members of the Management Board and their alternates shall be appointed in the light of their knowledge in the field of training for law enforcement officers, taking into account relevant managerial, administrative, educational and budgetary skills. All parties represented in the Management Board shall make	3. Members of the Management Board and their alternates shall be appointed in the light of taking into account their knowledge in the field of training for law enforcement officers officials and; taking into account relevant managerial, administrative and budgetary skills. All parties represented in the Management	<i>Compromise text following the trilogue on 05/05/2015 (as the EP insisted on including the reference to gender balance in the text of the Regulation; note that some recent Regulations on other agencies - for example, Regulation (EU) No 526/2013 on ENISA and Regulation (EU) No 100/2013 on EMSA, already contain the standard provisions on gender balance):</i>

<p>turnover of their representatives, in order to ensure continuity of the Management Board's work. All parties shall aim to achieve a balanced representation between men and women on the Management Board.</p>	<p>efforts to limit turnover of their representatives, in order to ensure continuity of the Management Board's work. All parties shall aim to achieve a balanced representation between men and women on the Management Board.</p>	<p>Board shall make efforts to limit turnover of their representatives, in order to ensure continuity of the Management Board's work. All parties shall aim to achieve a balanced representation between men and women on the Management Board.</p>	<p>3. Members of the Management Board and their alternates shall be appointed in the light of <i>taking into account</i> their knowledge in the field of training for law enforcement officers <i>officials and</i>, taking into account relevant managerial, administrative and budgetary skills. All parties represented in the Management Board shall make efforts to limit turnover of their representatives, in order to ensure continuity of the Management Board's work. All parties shall aim to achieve <u><i>The principle of a balanced representation between men and women on the Management Board shall also be taken into account.</i></u></p>
<p>4. The term of office for members and alternate members shall be four years. That term shall be extendable.</p>		<p><i>4. Without prejudice to the Member States' and the Commission's right to terminate the mandate of their members and alternate members, their</i> The term of office for members and alternate members shall be four years. That term shall be extendable.</p>	<p><i>Compromise text following the technical meetings on 01/04/2015 and on 24/04/2015:</i></p> <p><i>4. Without prejudice to the Member States' and the Commission's right to terminate the mandate of their members and alternate members, their</i> The term of office for members and alternate members shall be four years. That term shall be extendable.</p>
<p><i>Article 9</i></p>			
<p>Functions</p>		<p><i>Functions of the Management Board</i></p>	<p><i>Compromise text following the technical meeting on 01/04/2015:</i></p> <p><i>Functions of the Management Board</i></p>

1. The Management Board shall:			
(a) adopt each year by a majority of two-thirds of members entitled to vote and in accordance with Article 10, a programming document containing CEPOL's multiannual programming and the annual work programme for the following year;		(a) adopt each year by a majority of two-thirds of <i>its</i> members entitled to vote and in accordance with Article 10, a programming document containing CEPOL's multiannual programming and the annual work programme for the following year;	<i>Compromise text following the technical meeting on 01/04/2015:</i> (a) adopt each year by a majority of two-thirds of <i>its</i> members entitled to vote and in accordance with Article 10, a programming document containing CEPOL's multiannual programming and the annual work programme for the following year;
(b) adopt, by a majority of two-thirds of members entitled to vote, the annual budget of CEPOL and exercise other functions in respect of CEPOL's budget pursuant to Chapter IV;		(b) adopt, by a majority of two-thirds of <i>its</i> members entitled to vote , the annual budget of CEPOL and exercise other functions in respect of CEPOL's budget pursuant to Chapter IV;	<i>Compromise text following the technical meeting on 01/04/2015:</i> (b) adopt, by a majority of two-thirds of <i>its</i> members entitled to vote , the annual budget of CEPOL and exercise other functions in respect of CEPOL's budget pursuant to Chapter IV;
(c) adopt a consolidated annual activity report on CEPOL's activities and send it, by 1 July each year to the European Parliament, the Council, the Commission and the Court of Auditors. The consolidated annual activity report shall be made public;		(c) adopt a consolidated annual activity report on CEPOL's activities and send it , by 1 July each-of the following year send it to the European Parliament and national parliaments , the Council, the Commission and the Court of Auditors. The consolidated annual activity report shall be made public;	<i>Compromise text following the technical meeting on 01/04/2015:</i> (c) adopt a consolidated annual activity report on CEPOL's activities and send it , by 1 July each-of the following year send it to the European Parliament and national parliaments , the Council, the Commission and the Court of Auditors. The consolidated annual activity report shall be made public;

(d) adopt the financial rules applicable to CEPOL in accordance with Article 20;			
(e) adopt an internal anti-fraud strategy, proportionate to fraud risks taking into account the costs and benefits of the measures to be implemented;			
(f) adopt rules for the prevention and management of conflicts of interest in respect of its members, as well as members of the Scientific Committee for Training;		(f) adopt internal rules for the prevention and management of conflicts of interest in respect of its members; and the members of the selection committee , as well as the members of the a Scientific Committee for Training, if established ;	<i>Compromise text following the trilogue on 05/05/2015 and the technical meeting on 11/05/2015:</i> (f) adopt internal rules for the prevention and management of conflicts of interest in respect of its members; and the members of the selection committee , as well as the members of the a Scientific Committee for Training, if established ;
(g) adopt and regularly update the communication and dissemination plans referred to in Article 4, based on an analysis of needs;			
(h) adopt its rules of procedure;			
(i) in accordance with paragraph 2, exercise, with respect to the staff of CEPOL, the powers conferred by the Staff Regulations on the Appointing			

<p>Authority and by the Conditions of Employment of Other Servants on the Authority Empowered to Conclude a Contract of Employment¹⁹ ("the appointing authority powers");</p>			
<p>¹⁹ Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission (OJ L 56, 4.3.1968, p. 1)</p>			
<p>(i) for the programming of 2016 adopt the multiannual staff policy plan, after taking into account the opinion of the Commission²⁰</p>		<p><i>deleted</i></p>	<p><i>Compromise text following the technical meeting on 01/04/2015:</i></p> <p>(i) for the programming of 2016 adopt the multiannual staff policy plan, after taking into account the opinion of the Commission²⁰</p>
<p>²⁰ As foreseen in the revised FFR (Commission Delegated Regulation (EU) No 1271/2013) information contained in current MSPP is part of new programming document referred to in Article 9(1)(a). New programming rules apply as of 1</p>			

January 2016; 2017 is the first year covered by new programming document. Thus the obligation for separate adoption of the MSPP exists only up to programming for 2016.			
(j) adopt appropriate implementing rules giving effect to the Staff Regulations and the Conditions of Employment of Other Servants in accordance with Article 110 of the Staff Regulations;			
(k) establish, where relevant, an internal audit capability;		(k) establish, where relevant appropriate , an internal audit capability;	<i>Compromise text following the technical meeting on 01/04/2015:</i> (k) establish, where relevant appropriate , an internal audit capability;
		<i>(ka) adopt internal rules regarding the selection procedure of the Executive Director, including the rules on the composition of the selection committee guaranteeing its independence and impartiality;</i>	<i>Compromise text following the trilogue on 02/06/2015:</i> <i>(ka) adopt internal rules regarding the selection procedure of the Executive Director, including the rules on the composition of the selection committee guaranteeing its independence and impartiality;</i>
(l) appoint the Executive Director and where relevant extend his/her			

term of office or remove him/her from office in accordance with Article 22;			
(m) appoint an Accounting Officer, subject to the Staff Regulations and the Conditions of Employment of other servants, who shall be totally independent in the performance of his/her duties;		(m) appoint an A accounting O officer, subject to the Staff Regulations and the Conditions of Employment of other servants, who shall be totally functionally independent in the performance of his/her duties;	<i>Compromise text following the technical meeting on 01/04/2015:</i> (m) appoint an A accounting O officer, subject to the Staff Regulations and the Conditions of Employment of other servants, who shall be totally functionally independent in the performance of his/her duties;
(n) appoint the members of the Scientific Committee for Training		(n) <i>if appropriate and taking into consideration business requirements and financial resources, establish a Scientific Committee for Training in accordance with Article 14a and appoint the its members in accordance with Article 15(2) of the Scientific Committee for Training;</i>	<i>Compromise text following the trilogue on 05/05/2015 and the technical meeting on 11/05/2015:</i> (n) <i>if appropriate and taking into consideration business requirements and financial resources, <u>decide on establishing</u> a Scientific Committee for Training in accordance with Article 14a and appoint the its members in accordance with Article 15(2) of the Scientific Committee for Training;</i>
(o) ensure adequate follow-up to findings and recommendations stemming from the internal or external audit reports and evaluations, as well as from investigations of the European			

Anti-fraud Office (OLAF);			
(p) take all decisions, taking into consideration both business and financial requirements, upon on the establishment of CEPOL's internal structures and, where necessary, their modification.		(p) take all decisions, taking into consideration both business and financial requirements, upon on the establishment of CEPOL's internal structures and, where necessary, their modification-;	<i>Compromise text following the technical meeting on 01/04/2015:</i> (p) take all decisions, taking into consideration both business and financial requirements, upon on the establishment of CEPOL's internal structures and, where necessary, their modification-;
		<i>(pa) decide upon the conclusion of working arrangements in accordance with Article 33;</i>	<i>Compromise text following the technical meeting on 01/04/2015:</i> <i>(pa) decide upon the conclusion of working arrangements in accordance with Article 33;</i>
		<i>(pb) adopt common curricula, training modules, learning methods and any other learning and teaching tools;</i>	<i>Compromise text following the technical meeting on 01/04/2015:</i> <i>(pb) adopt common curricula, training modules, learning methods and any other learning and teaching tools;</i>
(q) adopt, where appropriate, other internal rules.			
2. The Management Board shall adopt, in accordance with Article 110 of the Staff Regulations, a decision based on Article 2(1) of the Staff Regulations and on		2. The Management Board shall adopt, in accordance with Article 110 of the Staff Regulations, a decision based on Article 2(1) of the Staff Regulations and on Article	<i>Compromise text following the technical meeting on 01/04/2015:</i> 2. The Management Board shall adopt, in accordance with Article 110 of the Staff

Article 6 of the Conditions of Employment of Other Servants, delegating relevant appointing authority powers to the Executive Director and defining the conditions under which this delegation of powers can be suspended. The Executive Director shall be authorised to sub-delegate those powers.		6 of the Conditions of Employment of Other Servants, delegating relevant appointing authority powers to the Executive Director and defining the conditions under which this such delegation of powers can may be suspended. The Executive Director shall be authorised to sub-delegate those powers.	Regulations, a decision based on Article 2(1) of the Staff Regulations and on Article 6 of the Conditions of Employment of Other Servants, delegating relevant appointing authority powers to the Executive Director and defining the conditions under which this such delegation of powers can may be suspended. The Executive Director shall be authorised to sub-delegate those powers.
3. Where exceptional circumstances so require, the Management Board may by way of a decision temporarily suspend the delegation of the appointing authority powers to the Executive Director and those sub-delegated by the latter and exercise them itself or delegate them to one of its members or to a staff member other than the Executive Director.			
<i>Article 10</i>			
Annual and multi-annual programming			
1. The Management Board shall adopt the multiannual programme and the annual work programme at the latest by 30 November each year, based on a draft put forward		1.The Management Board shall adopt the programming document containing multiannual programming and the annual work programme at the latest by 30	<i>Compromise text following the technical meeting on 01/04/2015:</i> 1.The Management Board shall adopt the programming document containing

<p>by the Executive Director, taking into account the opinion of the Commission and in relation to the multiannual programming after consulting the European Parliament and national Parliaments. The Management Board shall forward the programming document to the European Parliament, the Council, the Commission and national Parliaments.</p>		<p>November each year, based on a draft put forward by the Executive Director, taking into account the opinion of the Commission and in relation to the multiannual programming after consulting the European Parliament and national Parliaments. The Management Board shall forward the programming document to the European Parliament, the Council, the Commission and national Parliaments.</p>	<p>multiannual programminging and the annual work programme at the latest by 30 November each year, based on a draft put forward by the Executive Director, taking into account the opinion of the Commission and in relation to the multiannual programming after consulting the European Parliament and national Parliaments. The Management Board shall forward the programming document to the European Parliament, the Council, the Commission and national Parliaments.</p>
<p>The programming document shall become definitive after final adoption of the general budget and, if necessary, shall be adjusted accordingly.</p>			
<p>2. The multi-annual programme shall set out overall strategic programming including objectives, expected results and performance indicators. It shall also set out resource planning including multi-annual budget and staff. It shall include the strategy for relations with third countries or international organisations.</p>		<p>2. The multi-annual programmeing shall set out overall strategic programming including objectives, expected results and performance indicators. It shall also set out resource planning including multi-annual budget and staff. It shall include the strategy for relations with third countries or and international organisations.</p>	<p><i>Compromise text following the technical meeting on 01/04/2015:</i></p> <p>2. The multi-annual programmeing shall set out overall strategic programming including objectives, expected results and performance indicators. It shall also set out resource planning including multi-annual budget and staff. It shall include the strategy for relations with third countries or and international organisations.</p>

<p>The multi-annual programming shall be implemented through annual work programmes and shall, where appropriate, be updated following the outcome of external and internal evaluations referred to in Article 31. The conclusion of these evaluations shall also be reflected, where appropriate, in the annual work programme for the following year.</p>			
<p>3. The annual work programme shall comprise detailed objectives and expected results including performance indicators. It shall also contain a description of the actions to be financed and an indication of the financial and human resources allocated to each action, in accordance with the principles of activity-based budgeting and management. The annual work programme shall be coherent with the multi-annual work programme referred to in paragraphs 1 and 2. It shall clearly indicate tasks that have been added, changed or deleted in comparison with the previous financial year. Annual and/or</p>		<p>3. The annual work programme shall comprise detailed objectives and expected results including performance indicators. It shall also contain a description of the actions to be financed and an indication of the financial and human resources allocated to each action, in accordance with the principles of activity-based budgeting and management. The annual work programme shall be coherent with the multi-annual work programme referred to in paragraphs 1 and 2. It shall clearly indicate tasks that have been added, changed or deleted in comparison with the previous financial year. The Annual and/or multi-annual</p>	<p><i>Compromise text following the technical meeting on 01/04/2015:</i></p> <p>3. The annual work programme shall comprise detailed objectives and expected results including performance indicators. It shall also contain a description of the actions to be financed and an indication of the financial and human resources allocated to each action, in accordance with the principles of activity-based budgeting and management. The annual work programme shall be coherent with the multi-annual work programme referred to in paragraphs 1 and 2. It shall clearly indicate tasks that have been added, changed or deleted in comparison with the previous financial year. The Annual and/or multi-annual programming <i>work programme</i> shall</p>

multi- annual programming shall include the strategy for relations with third countries or international organisations referred to in Article 3 and the actions linked to that strategy.		programming work programme shall include the strategy for relations with third countries or and international organisations referred to in Article 3 and the actions linked to that strategy.	include the strategy for relations with third countries or and international organisations referred to in Article 3 and the actions linked to that strategy.
4. The Management Board shall amend the adopted annual work programme when a new task is given to CEPOL.			
Any substantial amendment to the annual work programme shall be adopted by the same procedure as the initial annual work programme. The Management Board may delegate the power to make non-substantial amendments to the annual work programme to the Executive Director.		5. Any substantial amendment to the annual work programme shall be adopted by the same procedure as the initial annual work programme. The Management Board may delegate the power to make non-substantial amendments to the annual work programme to the Executive Director.	<i>Compromise text following the technical meeting on 01/04/2015:</i> 5. Any substantial amendment to the annual work programme shall be adopted by the same procedure as the initial annual work programme. The Management Board may delegate the power to make non-substantial amendments to the annual work programme to the Executive Director.
<i>Article 11</i>			
Chairperson		Chairperson of the Management Board	<i>Compromise text following the technical meeting on 01/04/2014:</i> Chairperson of the Management Board
1. The Management Board shall elect a Chairperson and a Deputy Chairperson from among		1. The Management Board shall elect a Chairperson and a Deputy Chairperson from among its	<i>Compromise text following the trilogue on 02/06/2014:</i>

<p>members with voting rights. The Chairperson and the Deputy Chairperson shall be elected by a majority of two thirds of the members of the Management Boards with voting rights.</p>		<p>members with voting rights<i>within the group of three Member States who have jointly prepared the Council's eighteen-month programme. They shall serve for the eighteen-month period corresponding to that Council programme. If, however, their membership of the Management Board ends at any time during their term of office, their term of office shall automatically expire on that date.</i></p> <p><i>1a.</i> The Chairperson and the Deputy Chairperson shall be elected by a majority of two thirds of the members of the Management Boards with voting rights.</p>	<p>1. The Management Board shall elect a Chairperson and a Deputy Chairperson from among its members with voting rights<i>within the group of three Member States who have jointly prepared the Council's eighteen-month programme. They shall serve for the eighteen-month period corresponding to that Council programme. If, however, their membership of the Management Board ends at any time during their term of office, their term of office shall automatically expire on that date.</i></p> <p><i>1a.</i> The Chairperson and the Deputy Chairperson shall be elected by a majority of two thirds of the members of the Management Boards with voting rights.</p>
<p>The Deputy Chairperson shall automatically replace the Chairperson if he/she is prevented from attending to his/her duties.</p>		<p><i>1b.</i> The Deputy Chairperson shall automatically replace the Chairperson if he/she is prevented from attending to his/her duties.</p>	<p><i>1b.</i> The Deputy Chairperson shall automatically replace the Chairperson if he/she is prevented from attending to his/her duties.</p>
<p>2. The term of office of the Chairperson and the deputy Chairperson shall be 4 years. Their term of office may be renewed once. If, however, their membership of the Management Board ends at any time during their term of office, their term of</p>		<p>deleted</p>	<p>deleted</p>

office shall automatically expire on that date.			
<i>Article 12</i>			
Meetings		Meetings of the Management Board	<i>Compromise text following the technical meeting on 01/04/2015:</i> Meetings of the Management Board
1. The Chairperson shall convene meetings of the Management Board.		1. The Chairperson shall convene the meetings of the Management Board.	<i>Compromise text following the technical meeting on 01/04/2015:</i> 1. The Chairperson shall convene the meetings of the Management Board.
2. The Executive Director of CEPOL shall take part in the deliberations, but shall not have the right to vote.		2. The Executive Director of CEPOL shall take part in the deliberations, but shall not have the right to vote.	<i>Compromise text following the technical meeting on 01/04/2015:</i> 2. The Executive Director of CEPOL shall take part in the deliberations, but shall not have the right to vote.
3. The Management Board shall hold two ordinary meetings a year. In addition, it shall meet on the initiative of its Chairperson, at the request of the Commission, or at the request of at least one-third of its members.		3. The Management Board shall hold two ordinary meetings a year. In addition, it shall meet on the initiative of its Chairperson, or at the request of the Commission, or at the request of at least one-third of its members.	<i>Compromise text following the technical meeting on 01/04/2015:</i> 3. The Management Board shall hold two ordinary meetings a year. In addition, it shall meet on the initiative of its Chairperson, or at the request of the Commission, or at the request of at least one-third of its members.
4. The Management Board may		4. The Management Board and the	<i>Compromise text following the technical</i>

invite any person whose opinion may be relevant for the discussion to attend its meetings as an observer.		Executive Director may invite any person whose opinion may be relevant for the discussion to attend its meetings as a non-voting observer.	<i>meeting on 01/04/2015:</i> 4. The Management Board and the Executive Director may invite any person whose opinion may be relevant for the discussion to attend its meetings as a non-voting observer.
5. The members of the Management Board may, subject to its Rules of Procedure, be assisted at the meetings by advisers or experts.		5. The members or the alternate members of the Management Board may, subject to its Rules of Procedure, be assisted at the meetings by advisers or experts.	<i>Compromise text following the technical meeting on 01/04/2015:</i> 5. The members or the alternate members of the Management Board may, subject to its Rules of Procedure, be assisted at the meetings by advisers or experts.
6. CEPOL shall provide the secretariat for the Management Board.			
<i>Article 13</i>			
Voting rules		Voting rules of the Management Board	<i>Compromise text following the technical meeting on 01/04/2015:</i> Voting rules of the Management Board
1. Without prejudice to Articles 9 (1) (a) and (b) and Article 22 (7), the Management Board shall take decisions by majority of members with voting rights.		1. Without prejudice to Articles 9 (1) (a), and (b), Article 11 (1), Article 14a, and Article 22 (7) and Article 26 (2) , the Management Board shall take decisions by majority of its members with voting	<i>Compromise text following the technical meeting on 01/04/2015:</i> 1. Without prejudice to Articles 9 (1) (a), and (b), Article 11 (1), Article 14a, and Article 22 (7) and Article 26 (2) , the

		rights.	Management Board shall take decisions by majority of <i>its</i> members with voting rights .
2. Each member with voting rights shall have one vote. In the absence of a member with the right to vote, his/her alternate shall be entitled to exercise his/her right to vote.	2. Each member with voting rights shall have one vote. In the absence of a member with the right to vote, his/her alternate shall be entitled to exercise his/her right to vote, <i>only if having a mandate from the member with the right to vote.</i>	2. Each member with voting rights shall have one vote. In the absence of a voting member with the right to vote , his/her alternate shall be entitled to exercise his/her right to vote.	<i>Compromise text following the technical meeting on 01/04/2015 and on 24/04/2015:</i> 2. Each member with voting rights shall have one vote. In the absence of a voting member with the right to vote , his/her alternate shall be entitled to exercise his/her right to vote.
3. The Chairperson shall take part in the voting.		<i>deleted</i>	<i>Compromise text following the technical meeting on 01/04/2015:</i> 3. The Chairperson shall take part in the voting.
4. The Executive Director shall not take part in the voting.			
5. The Management Board's rules of procedure shall establish more detailed voting arrangements, in particular the circumstances in which a member may act on behalf of another member.			
SECTION 2			
EXECUTIVE DIRECTOR			

<i>Article 14</i>			
Responsibilities of the Executive Director			
1. The Executive Director shall manage CEPOL. The Executive Director shall be accountable to the Management Board.			
2. Without prejudice to the powers of the Commission and the Management Board, the Executive Director shall be independent in the performance of the duties and shall neither seek nor take instructions from any government nor from any other body.	2. Without prejudice to the powers of the Commission and the Management Board, t The Executive Director shall be independent in the performance of the duties and shall neither seek nor take instructions from any government nor from any other body.		<i>Compromise text following the technical meeting on 01/04/2015:</i> 2. Without prejudice to the powers of the Commission and the Management Board, the Executive Director shall be independent in the performance of the duties and shall neither seek nor take instructions from any government nor from any other body.
3. The Executive Director shall report to the European Parliament on the performance of the duties when invited to do so. The Council may invite the Executive Director to report on the performance of his/her duties.			
4. The Executive Director shall be the legal representative of CEPOL.			

		<i>4a. The Executive Director may delegate his/her powers to a member of CEPOL staff in case of his/her absence.</i>	<p><i>Compromise text following the technical meeting on 11/05/2015 (as both the EP and COM suggested that such a provision is more appropriate for the internal rules of the agency and that it is not usual to regulate this in the founding act of an agency):</i></p> <p><u><i>4a. The Executive Director may delegate his/her powers to a member of CEPOL staff in case of his/her absence.</i></u></p>
5. The Executive Director shall be responsible for the implementation of the tasks assigned to CEPOL by this Regulation. In particular, the Executive Director shall be responsible for:	5. The Executive Director shall be responsible for the implementation of the tasks assigned to CEPOL by this Regulation. In, in particular, the Executive Director shall be responsible for:		<p><i>Compromise text following the technical meeting on 01/04/2015:</i></p> <p>5. The Executive Director shall be responsible for the implementation of the tasks assigned to CEPOL by this Regulation. In, in particular, the Executive Director shall be responsible for:</p>
(a) the day-to-day administration of CEPOL;			
(b) making proposals to the Management Board as regards the establishment of CEPOL's internal structures;		(b) making proposals to the Management Board as regards the establishment of CEPOL's internal structures <i>and, where necessary, their modification;</i>	<p><i>Compromise text following the technical meeting on 01/04/2015:</i></p> <p>(b) making proposals to the Management Board as regards the establishment of CEPOL's internal structures <i>and, where necessary, their modification;</i></p>

(c) implementing decisions adopted by the Management Board;			
(d) preparing the draft annual work programme and multi-annual programming and submitting them to the Management Board after consulting the Commission;;		(d) preparing the draft annual work programme and multi-annual programming and submitting them to the Management Board after consulting the Commission;;	<i>Compromise text following the technical meeting on 01/04/2015:</i> (d) preparing the draft annual work programme and multi-annual programming and submitting them to the Management Board after consulting the Commission;;
(e) implementing the annual work programme and the multi-annual programming and reporting to the Management Board on their implementation;			
(f) preparing appropriate draft implementing rules for giving effect to the Staff Regulations and the Conditions of Employment of Other Servants in accordance with Article 110 of the Staff Regulations		(f) preparing appropriate draft implementing rules for giving effect to the Staff Regulations and the Conditions of Employment of Other Servants in accordance with Article 110 of the Staff Regulations;	<i>Compromise text following the technical meeting on 01/04/2015:</i> (f) preparing appropriate draft implementing rules for giving effect to the Staff Regulations and the Conditions of Employment of Other Servants in accordance with Article 110 of the Staff Regulations;
(g) preparing the draft consolidated annual report on CEPOL's activities and presenting it to the Management Board for		(g) preparing the draft consolidated annual report on CEPOL's activities and presenting it to the Management Board for approval	<i>Compromise text following the technical meeting on 01/04/2015:</i> (g) preparing the draft consolidated annual report on CEPOL's activities and presenting

approval;		adoption;	it to the Management Board for approval adoption;
(h) preparing an action plan following-up conclusions of internal or external audit reports and evaluations, as well as investigations by OLAF and reporting on progress twice a year to the Commission and regularly to the Management Board;			
(i) protecting the financial interests of the Union by applying preventive measures against fraud, corruption and any other illegal activities, by effective checks and, if irregularities are detected, by recovering amounts wrongly paid and, where appropriate, by imposing effective, proportionate and dissuasive administrative and financial penalties;		(i) protecting the financial interests of the Union by applying preventive measures against fraud, corruption and any other illegal activities, without prejudice to the investigative competence of OLAF , by effective checks and, if irregularities are detected, by recovering amounts wrongly paid and, where appropriate, by imposing effective, proportionate and dissuasive administrative and financial penalties;	<i>Compromise text following the technical meeting on 01/04/2015:</i> (i) protecting the financial interests of the Union by applying preventive measures against fraud, corruption and any other illegal activities, without prejudice to the investigative competence of OLAF , by effective checks and, if irregularities are detected, by recovering amounts wrongly paid and, where appropriate, by imposing effective, proportionate and dissuasive administrative and financial penalties;
(j) preparing a draft internal anti-fraud strategy for CEPOL and presenting it to the Management Board for approval;		(j) preparing a draft internal anti-fraud strategy for CEPOL and presenting it to the Management Board for approval adoption;	<i>Compromise text following the technical meeting on 01/04/2015:</i> (j) preparing a draft internal anti-fraud strategy for CEPOL and presenting it to the Management Board for approval adoption;

(k) preparing draft financial rules applicable to CEPOL;			
(l) preparing CEPOL's draft statement of estimates of revenue and expenditure and implementing its budget.			
(m) supporting the <i>Chairperson</i> of the Management Board in preparing Management Board meetings;			
(n) performing other tasks stemming from this Regulation			
SECTION 3			
SCIENTIFIC COMMITTEE FOR TRAINING			
		<i>Article 14a</i>	<i>Compromise text following the trilogue on 05/05/2015 and the technical meeting on 11/05/2015:</i> <i>Article 14a</i>
		<i>Establishment</i>	<i>Establishment</i>
		<i>The Management Board may decide by a majority of two thirds of its members to establish a Scientific Committee for Training.</i>	<i><u>If appropriate and taking into consideration business requirements and financial resources, The Management Board may shall decide by a majority of</u></i>

		<i>The same procedure shall apply to revoke that Committee.</i>	<i>two thirds of its members to <u>on establishing</u> a Scientific Committee for Training. The same procedure shall apply to revoke that Committee.</i>
<i>Article 15</i>			
Objective and task		General provisions, O objective and tasks	General provisions, O objective and tasks
1. The Scientific Committee for Training shall be an independent advisory body guaranteeing and guiding the scientific quality of CEPOL's work on training. For that purpose, the Executive Director shall involve the Scientific Committee for Training early on in the preparation of all documents referred to in Article 9 as far as they concern training.		1. <i>If established by the Management Board, The Scientific Committee for Training shall be an independent advisory body guaranteeing and guiding ensuring the scientific quality of CEPOL's work on training. For that purpose, the Executive Director shall involve the Scientific Committee for Training early on in the preparation of all documents referred to in Article 9 as far as they concern training.</i>	1. <i><u>If When</u> established by the Management Board, The Scientific Committee for Training shall be an independent advisory body guaranteeing and guiding ensuring the scientific quality of CEPOL's work on training. For that purpose, the Executive Director shall involve the Scientific Committee for Training early on in the preparation of all documents referred to in Article 9 as far as they concern training.</i>
2. The Scientific Committee for Training shall be composed of 11 persons of the highest academic or professional standing in the subjects covered by Article 4 of this Regulation. The Management Board shall appoint the members following a transparent call for applications and selection		2. The Scientific Committee for Training shall be composed of 11 persons of the highest academic or professional standing high level academics and law enforcement practitioners in the subjects covered by Article 4 of this Regulation. The Management Board shall appoint the members	2. The Scientific Committee for Training shall be composed of 11 persons of the highest academic or professional standing high level academics and law enforcement practitioners in the subjects covered by Article 4 of this Regulation. The Management Board shall appoint the members following a transparent call for applications and selection procedure to be

<p>procedure to be published in the Official Journal of the European Union. The members of the Management Board shall not be members of the Scientific Committee for Training. The members of the Scientific Committee for Training shall be independent. They shall neither seek nor take instructions from any government, nor from any other body.</p>		<p>following a transparent call for applications and selection procedure to be published in the Official Journal of the European Union. The members of the Management Board shall not be members of the Scientific Committee for Training. The members of the Scientific Committee for Training shall be independent. They shall neither seek nor take instructions from any government, nor from any other body.</p>	<p>published in the Official Journal of the European Union. The members of the Management Board shall not be members of the Scientific Committee for Training. The members of the Scientific Committee for Training shall be independent. They shall neither seek nor take instructions from any government, nor from any other body.</p>
<p>3. The list of members of the Scientific Committee for Training shall be made public and shall be updated by CEPOL on its website.</p>		<p><i>deleted</i></p>	<p><i>deleted</i></p>
<p>4. The term of office of the members of the Scientific Committee for Training shall be five years. It shall not be renewable and its members can be removed from office if they do not meet the criteria of independence.</p>		<p><i>deleted</i></p>	<p><i>deleted</i></p>
<p>5. The Scientific Committee for Training shall elect its Chairperson and Deputy</p>		<p><i>deleted</i></p>	<p><i>deleted</i></p>

Chairperson for a term of office of five years. It shall adopt positions by simple majority. It shall be convened by its Chairperson up to four times per year. If necessary, the Chairperson shall convene extraordinary meetings on his/her own initiative or at the request of at least four members of the Committee.			
6. The Executive Director or his/her representative shall be invited to the meetings as a non-voting observer.		<i>deleted</i>	<i>deleted</i>
7. The Scientific Committee for Training shall be assisted by a secretary who shall be a CEPOL staff member designated by the Committee and appointed by the Executive Director.		<i>deleted</i>	<i>deleted</i>
8. The Scientific Committee for Training shall, in particular:		8. The Management Board shall entrust the Scientific Committee for Training shall, in particular with, inter alia, the following tasks:	8. The Management Board shall entrust the Scientific Committee for Training shall, in particular with, inter alia, the following tasks:
(a) advise the Executive Director in drafting the annual work programme and other strategic		(a) to advise the Executive Director in drafting the multiannual programming and annual work	(a) to advise the Executive Director in drafting the multiannual programming and annual work programme and other strategic

documents, to ensure their scientific quality and their coherence with relevant Union sector policies and priorities;		programme and other strategic documents, to ensure their scientific quality and their coherence with relevant Union sector policies and priorities;	documents, to ensure their scientific quality and their coherence with relevant Union sector policies and priorities;
(b) provide independent opinion and advice to the Management Board on matters pertaining to its remit;		(b) <i>to</i> provide independent opinion and advice to the Management Board on matters pertaining to its remit;	(b) <i>to</i> provide independent opinion and advice to the Management Board on matters pertaining to its remit;
(c) provide independent opinion and advice on the quality of curricula, applied learning methods, learning options and scientific developments;		(c) <i>to</i> provide independent opinion and advice on the quality of curricula, applied learning methods, learning options and scientific developments;	(c) <i>to</i> provide independent opinion and advice on the quality of curricula, applied learning methods, learning options and scientific developments;
(d) perform any other advisory task pertaining to the scientific aspects of CEPOL's work relating to training at the request of the Management Board or the Executive Director.		(d) <i>to</i> perform any other advisory task pertaining to the scientific aspects of CEPOL's work relating to training at the request of the Management Board or the Executive Director.	(d) <i>to</i> perform any other advisory task pertaining to the scientific aspects of CEPOL's work relating to training at the request of the Management Board or the Executive Director.
		<i>8a. When establishing the Scientific Committee for Training, the Management Board shall define its composition, the term of office of its members, the frequency of its meetings and its rules of procedure, including its voting rules.</i>	<i>8a. When establishing the Scientific Committee for Training, the Management Board shall define its composition, the term of office of its members, the frequency of its meetings and its rules of procedure, including its voting rules.</i>

9. The annual budget of the Scientific Committee for Training shall be allocated to an individual budget line of CEPOL.		<i>deleted</i>	<i>deleted</i>
CHAPTER IV			
FINANCIAL PROVISIONS			
<i>Article 16</i>			
Budget			
1. Estimates of all revenue and expenditure for CEPOL shall be prepared each financial year, corresponding to the calendar year, and shall be shown in CEPOL's budget.			
2. CEPOL's budget shall be balanced in terms of revenue and of expenditure.			
3. Without prejudice to other resources, CEPOL's revenue shall comprise a contribution from the Union entered in the general budget of the European Union.			
4. CEPOL may benefit from Union funding in the form of delegation agreements or ad-hoc		4. CEPOL may benefit from Union funding in the form of delegation agreements or ad-hoc and	<i>Compromise text following the trilogue on 05/05/2015 and the technical meeting on 11/05/2015 (requested by the EP, based on</i>

and exceptional grants in accordance with its financial rules referred to in Article 20 and the provisions of the relevant instruments supporting the policies of the Union.		exceptional grants in accordance with its financial rules referred to in Article 20 and the provisions of the relevant instruments supporting the policies of the Union.	<i>their initial amendment in Article 5(1) in relation to research):</i> 4. CEPOL may benefit from Union funding in the form of delegation agreements or ad-hoc and exceptional grants in accordance with its financial rules referred to in Article 20 and the provisions of the relevant instruments supporting the policies of the Union. <u>Without prejudice to the principle of the prohibition of double financing laid down in the Financial Regulation, CEPOL may manage dedicated Union funds to perform specific activities within the scope of its objectives and tasks.</u>
5. The expenditure of CEPOL shall include staff remuneration, administrative and infrastructure expenses and operating costs.			
6. Budgetary commitments for actions relating to large scale projects extending over more than one financial year may be broken down over several years into annual instalments.			
<i>Article 17</i>			
Establishment of the budget			
1. Each year, the Executive			

<p>Director shall draw up a draft statement of estimates of CEPOL's revenue and expenditure for the following financial year, including the establishment plan, and send it to the Management Board.</p>			
<p>2. The Management Board shall, on the basis of that draft, adopt a provisional draft estimate of CEPOL's revenue and expenditure for the following financial year.</p>			
<p>3. The provisional draft estimate of CEPOL's revenue and expenditure shall be sent to the Commission by 31 January each year. The Management Board shall send the final draft estimate to the Commission by 31 March.</p>			
<p>4. The Commission shall send the statement of estimates to the budgetary authority together with the draft general budget of the European Union.</p>			
<p>5. On the basis of the statement of estimates, the Commission shall enter in the draft general budget of the European Union the</p>			

estimates it considers necessary for the establishment plan and the amount of the subsidy to be charged to the general budget, which it shall place before the budgetary authority in accordance with Articles 313 and 314 of the Treaty.			
6. The budgetary authority shall authorise the appropriations for the contribution from the European Union to CEPOL.			
7. The budgetary authority shall adopt CEPOL's establishment plan.			
8. CEPOL's budget shall be adopted by the Management Board. It shall become final following final adoption of the general budget of the European Union. Where necessary, it shall be adjusted accordingly.			
9. For any building project likely to have significant implications for CEPOL's budget, the provisions of Commission Delegated Regulation (EU) No 1271/2013 ²¹ shall apply.			
²¹ OJ L 328.7.12.2013, p.42			

<i>Article 18</i>			
Implementation of the budget			
1. The Executive Director shall implement CEPOL's budget.			
2. Each year the Executive Director shall send to the budgetary authority all information relevant to the findings of any evaluation procedures.	2. Each year the Executive Director shall send to the budgetary authority all information relevant to the findings of any evaluation procedures <i>and also notify the Court of Auditors.</i>		<i>Compromise text following the technical meeting on 01/04/2015:</i> 2. Each year the Executive Director shall send to the budgetary authority all information relevant to the findings of any evaluation procedures <u>and also notify the Court of Auditors.</u>
<i>Article 19</i>			
Presentation of accounts and discharge			
1. By 1 March of the following financial year, CEPOL's accounting officer shall send the provisional accounts to the Commission's Accounting Officer and to the Court of Auditors		1. By 1 March of the following financial year, CEPOL's accounting officer shall send the provisional accounts to the Commission's A accounting O officer and to the Court of Auditors	<i>Compromise text following the technical meeting on 01/04/2015:</i> 1. By 1 March of the following financial year, CEPOL's accounting officer shall send the provisional accounts to the Commission's A accounting O officer and to the Court of Auditors.
2. By 31 March of the following financial year, CEPOL shall send the report on the budgetary and			

financial management to the European Parliament, the Council and the Court of Auditors.			
3. By 31 March of the following financial year, the Commission's accounting officer shall send CEPOL's provisional accounts, consolidated with the Commission's accounts, to the Court of Auditors.			
4. On receipt of the Court of Auditors' observations on CEPOL's provisional accounts pursuant to Article 148 of Financial Regulation, the accounting officer shall draw up CEPOL's final accounts. The Executive Director shall submit them to the Management Board for an opinion.		4. On receipt of the Court of Auditors' observations on CEPOL's provisional accounts pursuant to Article 148 of Financial Regulation, the CEPOL's accounting officer shall draw up CEPOL's final accounts. The Executive Director shall submit them to the Management Board for an opinion.	<i>Compromise text following the technical meeting on 01/04/2015:</i> 4. On receipt of the Court of Auditors' observations on CEPOL's provisional accounts pursuant to Article 148 of Financial Regulation, the CEPOL's accounting officer shall draw up CEPOL's final accounts. The Executive Director shall submit them to the Management Board for an opinion.
5. The Management Board shall deliver an opinion on CEPOL's final accounts.			
6. CEPOL's accounting officer shall, by 1 July following each financial year, send the final accounts to the European Parliament, the Council, the			

Commission and the Court of Auditors, together with the Management Board's opinion.			
7. The final accounts shall be published in the Official Journal of the European Union by 15 November of the following year.			
8. The Executive Director shall send the Court of Auditors a reply to its observations by 30 September. The Executive Director shall also send this reply to the Management Board.		8. The Executive Director shall send <i>to</i> the Court of Auditors a reply to its observations by 30 September <i>of the following year at the latest</i> . The Executive Director shall also send this reply to the Management Board.	<i>Compromise text following the technical meeting on 01/04/2015:</i> 8. The Executive Director shall send <i>to</i> the Court of Auditors a reply to its observations by 30 September <i>of the following year at the latest</i> . The Executive Director shall also send this reply to the Management Board.
9. The Executive Director shall submit to the European Parliament, at the latter's request, any information required for the smooth application of the discharge procedure for the financial year in question, in accordance with Article 165(3) of the Financial Regulation.			
10. On a recommendation from the Council acting by a qualified majority, the European Parliament shall, before 15 May of year N + 2, give a discharge to			

the Executive Director in respect of the implementation of the budget for year N.			
<i>Article 20</i>			
Financial rules			
1. The financial rules applicable to CEPOL shall be adopted by the Management Board after consulting the Commission. They shall not depart from Delegated Regulation (EU) 1271/2013 unless such a departure is specifically required for CEPOL's operation and the Commission has given its prior consent.		1. The financial rules applicable to CEPOL shall be adopted by the Management Board after consulting the Commission. They shall not depart from Commission Delegated Regulation (EU) 1271/2013 unless such a departure is specifically required for CEPOL's operation and the Commission has given its prior consent.	<i>Compromise text following the technical meeting on 01/04/2015:</i> 1. The financial rules applicable to CEPOL shall be adopted by the Management Board after consulting the Commission. They shall not depart from Commission Delegated Regulation (EU) 1271/2013 unless such a departure is specifically required for CEPOL's operation and the Commission has given its prior consent.
2. CEPOL may award grants without a call for proposals to the Member States for providing training in relation to the tasks referred to in Article 4, Paragraphs 2 and 3.		2. In justified cases and with a prior approval of the Management Board, CEPOL may award grants without an <i>open</i> call for proposals to the Member States for providing training in relation to the tasks referred to in Article 4, Paragraphs 2 and 3.	<i>Compromise text following the technical meeting on 01/04/2015:</i> 2. In justified cases and with a prior approval of the Management Board, CEPOL may award grants without an <i>open</i> call for proposals to the Member States for providing training in relation to the tasks referred to in Article 4, Paragraphs 2 and 3.
CHAPTER V			

STAFF			
<i>Article 21</i>			
General		General provision	<i>Compromise text following the technical meeting on 01/04/2015:</i> General provision
1. The Staff Regulations and the Conditions of Employment of Other Servants ²² and the rules adopted by agreement between the institutions of the Union for giving effect to those Staff Regulations and the Conditions of Employment of Other Servants shall apply to the staff of CEPOL.		1. The Staff Regulations and the Conditions of Employment of Other Servants ²² and the rules adopted by agreement between the institutions of the Union for giving effect to those Staff Regulations and the Conditions of Employment of Other Servants shall apply to the staff of CEPOL.	<i>Compromise text following the technical meeting on 01/04/2015:</i> 1. The Staff Regulations and the Conditions of Employment of Other Servants ²² and the rules adopted by agreement between the institutions of the Union for giving effect to those Staff Regulations and the Conditions of Employment of Other Servants shall apply to the staff of CEPOL.
²² OJ L 287, 29/10/2013, p. 15–62			
<i>Article 22</i>			
Executive Director			
1. The Executive Director shall be engaged as a temporary agent of CEPOL under Article 2(a) of the Conditions of Employment of Other servants.			
2. The Executive Director shall be		2. The Executive Director shall be	<i>Possible compromise text following the</i>

<p>appointed by the Management Board, from a list of candidates proposed by the Commission, following an open and transparent selection procedure.</p>		<p>appointed by the Management Board, from a list of <i>at least three</i> candidates proposed by the Commission <i>a selection committee set up by the Management Board and composed of the representatives designated by Member States and the Commission</i> following an open and transparent selection procedure.</p>	<p><i>trilogues on 05/05/2015 and on 02/06/2015 as well as the technical meeting on 11/05/2015 (also please see the proposed statement on governance-related issues in the cover note):</i></p> <p>2. The Executive Director shall be appointed by the Management Board, <i>following an open and transparent selection procedure</i>, from a <i>shortlist</i> of <i>at least three</i> candidates proposed by the Commission <i>a selection committee set up by the Management Board and composed of the representatives members designated by Member States and the Commission</i> following an open and transparent selection procedure.</p> <p><i><u>The selection committee shall draw this shortlist from a list of all candidates whose profile matches the eligibility and selection criteria for this function laid down in a notice of vacancy published in the Official Journal of the European Union within an open and transparent competition organised by the Commission.</u></i></p>
<p>For the purpose of concluding the contract with the Executive Director, CEPOL shall be represented by the Chairperson of the Management Board.</p>			

<p>3. The term of office of the Executive Director shall be five years. By the end of that period, the Commission shall undertake an assessment that takes into account an evaluation of the Executive Director's performance and CEPOL's future tasks and challenges.</p>		<p>3. The term of office of the Executive Director shall be five four years. By the end of that period, the Commission in association with the Management Board shall undertake an assessment that takes into account an evaluation of the Executive Director's performance and CEPOL's future tasks and challenges.</p>	<p><i>Compromise text following the trilogue on 02/06/2015:</i></p> <p>3. The term of office of the Executive Director shall be five four years. By the end of that period, the Commission in association with the Management Board shall undertake an assessment that takes into account an evaluation of the Executive Director's performance and CEPOL's future tasks and challenges.</p>
<p>4. The Management Board, acting on a proposal from the Commission that takes into account the assessment referred to in paragraph 3, may extend the term of office of the Executive Director once, for no more than five years.</p>		<p>4. The Management Board, acting on a proposal from the Commission that takes ing into account the assessment referred to in paragraph 3, may extend the term of office of the Executive Director once, for no more than five four years.</p>	<p><i>Compromise text following the trilogue on 02/06/2015:</i></p> <p>4. The Management Board, acting on a proposal from the Commission that takes ing into account the assessment referred to in paragraph 3, may extend the term of office of the Executive Director once, for no more than five four years.</p>
<p>5. An Executive Director whose term of office has been extended may not participate in another selection procedure for the same post at the end of the overall period.</p>			
<p>6. The Executive Director may be removed from office only upon a decision of the Management</p>		<p>6. The Executive Director may be removed from office only upon a decision of the Management Board</p>	<p><i>Compromise text following the trilogue on 02/06/2015:</i></p>

Board acting on a proposal from the Commission.		acting on a proposal from the Commission.	6. The Executive Director may be removed from office only upon a decision of the Management Board acting on a proposal from the Commission.
7. The Management Board shall reach decisions on appointment, extension of the term of office or removal from office of the Executive Director on the basis of a two-thirds majority of its members with voting rights.		7. The Management Board shall reach decisions on appointment, extension of the term of office or removal from office of the Executive Director on the basis by a majority of a two-thirds majority of its members with voting rights.	<i>Compromise text following the trilogue on 02/06/2015:</i> 7. The Management Board shall reach decisions on appointment, extension of the term of office or removal from office of the Executive Director on the basis by a majority of a two-thirds majority of its members with voting rights.
<i>Article 23</i>			
Seconded national experts			
1. CEPOL may make use of seconded national experts.			
2. The Management Board shall adopt a decision laying down rules on the secondment of national experts to CEPOL.			

CHAPTER VI			
MISCELLANEOUS PROVISIONS			
<i>Article 24</i>			
Legal status			
1. CEPOL shall be a body of the Union. It shall have legal personality.	1. CEPOL shall be a body of the European Union. It shall have legal personality.	1. CEPOL shall be a body an agency of the Union. It shall have legal personality.	<i>Compromise text following the technical meeting on 01/04/2015:</i> 1. CEPOL shall be a body an agency of the Union. It shall have legal personality.
2. In each of the Member States CEPOL shall enjoy the most extensive legal capacity accorded to legal persons under their laws. It may, in particular, acquire and dispose of movable and immovable property and be party to legal proceedings.			
3. The seat of CEPOL shall be in Budapest, Hungary.			
	3a. The Commission shall present, no later than two years after the date of application of this Regulation, a cost-benefit analysis and an impact assessment on the seat.		<i>Compromise text following the technical meeting on 11/05/2015:</i> - see amended recital (15a); - <u>3a. The Commission shall present, no later than two years after the date of</u>

			<u><i>application of this Regulation, a cost-benefit analysis and an impact assessment on the seat.</i></u>
<i>Article 25</i>			
Privileges and immunities			
The Protocol on the Privileges and Immunities of the European Union shall apply to CEPOL and its staff.			
Article 26			
Language arrangements			
1. The provisions laid down in Regulation No 1 ²³ shall apply to CEPOL.			
²³ Council Regulation (EC) No 920/2005 of 13 June 2005 amending Regulation No 1 of 15 April 1958			
2. The Management Board shall decide by a majority of two-thirds of its members on the internal language arrangements of CEPOL.			
3. The translation services required for the functioning of			

CEPOL shall be provided by the Translation Centre of the bodies of the European Union.			
<i>Article 27</i>			
Transparency			
1. Regulation (EC) No 1049/2001 shall apply to documents held by CEPOL.			
2. The Management Board shall, within six months of the date of its first meeting, adopt the detailed rules for applying Regulation (EC) No 1049/2001.		2. <i>On the basis of a proposal by the Executive Director,</i> the Management Board shall, within six months of the date of its first meeting, adopt the detailed rules for applying Regulation (EC) No 1049/2001.	Compromise text following the technical meetings on 01/04/2015 and 24/04/2015: 2. <u>On the basis of a proposal by the Executive Director,</u> the Management Board shall, <u>within six months of the date of its first meeting,</u> adopt the detailed rules for applying Regulation (EC) No 1049/2001.
3. Decisions taken by CEPOL under Article 8 of Regulation (EC) No 1049/2001 may form the subject of a complaint to the Ombudsman or of an action before the Court of Justice of the European Union, under the conditions laid down in Articles 228 and 263 of the Treaty respectively.			
4. The processing of personal data			

by CEPOL shall be subject to Regulation (EC) No 45/2001 ²⁴ .			
²⁴ REGULATION (EC) No 45/2001 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data <i>Article 28</i>			
Combating fraud			
1. In order to facilitate combating fraud, corruption and other unlawful activities under Regulation No 883/2013 ²⁵ , within six months from the day CEPOL becomes operational, it shall accede to the Interinstitutional Agreement of 25 May 1999 concerning internal investigations by the European Anti-fraud Office (OLAF) ²⁶ and adopt appropriate provisions applicable to all employees of CEPOL using the template set out in the Annex to that Agreement.	1. In order to facilitate combating fraud, corruption and other unlawful activities under Regulation No 883/2013 ²⁵ , within six months from ... the day CEPOL becomes operational, it <i>date of application of this Regulation</i> <i>CEPOL</i> shall accede to the Interinstitutional Agreement of 25 May 1999 concerning internal investigations by the European Anti-fraud Office (OLAF) ²⁶ and adopt appropriate provisions applicable to all employees of CEPOL using the template set out in the Annex to	<i>Compromise text following the technical meeting on 01/04/2015:</i> 1. In order to facilitate combating fraud, corruption and other unlawful activities under Regulation No 883/2013 ²⁵ , within six months from ... the day CEPOL becomes operational, it <i>date of application of this Regulation</i> <i>CEPOL</i> shall accede to the Interinstitutional Agreement of 25 May 1999 concerning internal investigations by the European Anti-fraud Office (OLAF) ²⁶ and adopt appropriate provisions applicable to all employees of CEPOL using the template set out in the Annex to that Agreement.	

		that Agreement.	
²⁵ REGULATION (EU, EURATOM) No 883/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999			
²⁶ Interinstitutional Agreement of 25 May 1999 between the European Parliament, the Council of the European Union and the Commission of the European Communities concerning internal investigations by the European Anti-fraud Office (OLAF); Official Journal L 136, 31/05/1999 P. 0015 - 0019			
2. The European Court of Auditors shall have the power of audit, on the basis of documents and on the spot, over all grant beneficiaries, contractors and subcontractors who have received Union funds from CEPOL.			

<p>3. OLAF may carry out investigations, including on-the-spot checks and inspections with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant or a contract funded by CEPOL, in accordance with the provisions and procedures laid down in Regulation No 883/2013 and Regulation (Euratom, EC) No 2185/96²⁷.</p>			
<p>²⁷ Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities Official Journal L 292, 15/11/1996 P. 0002 - 0005</p>			
<p>4. Without prejudice to paragraphs 1, 2 and 3, cooperation agreements with third countries and international organisations, contracts, grant agreements and grant decisions of CEPOL shall contain provisions</p>		<p>4. Without prejudice to paragraphs 1, 2 and 3, cooperation working agreements with <i>Union bodies, authorities and training institutes</i> of third countries, and international organisations and private parties, contracts, grant agreements and</p>	<p><i>Compromise text following the technical meeting on 01/04/2015:</i></p> <p>4. Without prejudice to paragraphs 1, 2 and 3, cooperation working agreements with <i>Union bodies, authorities and training institutes</i> of third countries, and</p>

expressly empowering the European Court of Auditors and OLAF to conduct such audits and investigations, according to their respective competences.		grant decisions of CEPOL shall contain provisions expressly empowering the European Court of Auditors and OLAF to conduct such audits and investigations, according to their respective competences.	international organisations <i>and private parties</i> , contracts, grant agreements and grant decisions of CEPOL shall contain provisions expressly empowering the European Court of Auditors and OLAF to conduct such audits and investigations, according to their respective competences.
<i>Article 29</i>			
Security rules on the protection of classified and sensitive non-classified information		Security r Rules on the protection of classified and sensitive non-classified information	<i>Compromise text proposed by COM following the entry into force of new Commission Decisions:</i> <u>Security r</u>Rules on the protection of classified and sensitive non-classified information
CEPOL shall apply the security principles contained in the Commission's security rules for protecting European Union Classified Information (EUCI) and sensitive non-classified information, as set out in the annex to Decision 2001/844/EC, ECSC, Euratom ²⁸ . Applying the security principles shall cover, inter alia, provisions for the exchange, processing and storage of such information.		CEPOL shall apply establish rules for protecting European Union Classified Information (EUCI) and sensitive non-classified information which shall be consistent with the security principles contained in the Commission's security rules for protecting European Union Classified Information (EUCI) and sensitive non-classified information, as set out in the annex to Decision 2001/844/EC, ECSC, Euratom ²⁸ . Applying the security principles These rules shall cover,	<i>Compromise text proposed by COM following the entry into force of new Commission Decisions:</i> <u>CEPOL shall adopt own security rules equivalent to the Commission's security rules for protecting European Union Classified Information (EUCI) and sensitive non-classified information, as set out in the Commission Decisions (EU, Euratom) 2015/443^{28a} and 2015/444^{28b}. The security rules of CEPOL shall cover, inter alia, provisions for the exchange, processing and storage of such</u>

		inter alia, provisions for the exchange, processing and storage of such information.	<u>information.</u> <u>^{28a} Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).</u> <u>^{28b} Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).</u>
²⁸ COMMISSION DECISION of 2 August 2006 amending Decision 2001/844/EC, ECSC, Euratom (2006/548/EC, Euratom)			²⁸ COMMISSION DECISION of 2 August 2006 amending Decision 2001/844/EC, ECSC, Euratom (2006/548/EC, Euratom)
<i>Article 30</i>			
Liability			
1. CEPOL's contractual liability shall be governed by the law applicable to the contract in question.			
2. The Court of Justice of the European Union shall have jurisdiction to give judgment pursuant to any arbitration clause contained in a contract concluded by CEPOL.			
3. In the case of non-contractual			

liability, CEPOL shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by its departments or by its staff in the performance of their duties.			
4. The Court of Justice of the European Union shall have jurisdiction in disputes over compensation for damage referred to in paragraph 3.			
5. The personal liability of CEPOL's staff towards CEPOL shall be governed by the provisions laid down in the Staff Regulations or Conditions of Employment applicable to them.			
<i>Article 31</i>			
Evaluation and review			
1. No later than 5 years after the date referred to in Article 41 and every 5 years thereafter, the Commission shall commission an evaluation to assess particularly the impact, effectiveness and efficiency of CEPOL and its working practices. The evaluation	1. No later than 5 years after the date referred to in Article 41 [the date of application of this Regulation] and every 5 years thereafter, the Commission shall commission an evaluation to assess particularly the impact, effectiveness and efficiency of	1. No later than 5 years after the date referred to in Article 41 ... [the day CEPOL becomes operational, its date of application of this Regulation] and every 5 years thereafter, the Commission shall commission an evaluation to assess particularly the impact,	<i>Compromise text following the trilogue on 05/05/2015:</i> 1. No later than 5 years after the date referred to in Article 41 ... [the day CEPOL becomes operational, its date of application of this Regulation] and every 5 years thereafter, the Commission shall

<p>shall, in particular, address the possible need to modify the mandate of CEPOL, and the financial implications of any such modification.</p>	<p>CEPOL and its working practices. The evaluation shall, in particular, address the possible need to modify the mandate of CEPOL, and the financial implications of any such modification.</p>	<p>effectiveness and efficiency of CEPOL and its working practices. The evaluation shall, in particular, address the possible need to modify the mandate of CEPOL, and the financial implications of any such modification.</p>	<p>commission an evaluation to assess particularly the impact, effectiveness and efficiency of CEPOL and its working practices. The evaluation shall, in particular, address the possible need to modify the mandate of CEPOL, and the financial implications of any such modification.</p>
<p>2. The Commission shall forward the evaluation report together with its conclusions on the report, to the European Parliament, the Council and the Management Board. The findings of the evaluation shall be made public.</p>		<p>2. The Commission shall forward the evaluation report together with its conclusions and the observations of the Management Board on the report, to the European Parliament, and the Council and the Management Board. The findings of the evaluation shall be made public.</p>	<p><i>Compromise text following the technical meetings on 01/04/2015, 24/04/2015 and on 11/05/2015 and the JHA Counsellors' meeting on 22/05/2015:</i></p> <p>2. The Commission shall forward submit the evaluation report together with its conclusions and the observations of to the Management Board, which shall provide its observations on the report within one month from its receipt. The Commission shall forward the final evaluation report with its conclusions, together with the observations of the Management Board in an Annex, to the European Parliament, and the Council and the Management Board. The findings of the evaluation shall be made public.</p>
<p>3. On the occasion of every second evaluation, there shall also be an assessment of the results achieved by CEPOL having regard to its objectives, mandate and tasks. If the Commission</p>	<p><i>deleted</i></p>	<p><i>deleted</i></p>	<p><i>Same amendment by the EP and the Council, so the compromise text would be:</i></p> <p>3. On the occasion of every second evaluation, there shall also be an assessment of the results achieved by CEPOL having</p>

considers that the continuation of CEPOL is no longer justified with regard to its assigned objectives, mandate and tasks, it may propose that this Regulation be amended accordingly or repealed.			regard to its objectives, mandate and tasks. If the Commission considers that the continuation of CEPOL is no longer justified with regard to its assigned objectives, mandate and tasks, it may propose that this Regulation be amended accordingly or repealed.
<i>Article 32</i>			
Administrative inquiries			
The activities of CEPOL shall be subject to the inquiries of the European Ombudsman in accordance with Article 228 of the Treaty.			
<i>Article 33</i>			
Cooperation with Union bodies, third countries and international organisations			
1. CEPOL shall be open to the participation of third countries that have entered into agreements with the Union to that effect.		1. CEPOL shall be open to the participation of <i>the authorities and training institutes of those</i> third countries that have entered into agreements with the Union to that effect.	<i>Compromise text following the technical meeting on 01/04/2015:</i> 1. CEPOL shall be open to the participation of <i>the authorities and training institutes of those</i> third countries that have entered into agreements with the Union to that effect.
2. In so far as necessary for the			

<p>performance of its tasks, CEPOL may establish and maintain cooperative relations with the Union bodies in accordance with the objectives of those bodies, authorities of third countries, training institutes of third countries, international organisations and private parties.</p>			
<p>3. In accordance with paragraph 1 and 2, arrangements shall be developed specifying, in particular, the nature, extent and manner in which the third countries concerned may participate in the work of CEPOL, including provisions relating to participation in the initiatives undertaken by CEPOL, financial contributions and staff. As regards staff matters, those arrangements shall, in any event, comply with the Staff Regulations.</p>		<p>3. In accordance with paragraph 1 and 2, working arrangements shall be developed concluded specifying, in particular, the nature, extent and manner in which the authorities and training institutes of third countries, international organisations and private parties concerned may participate in the work of CEPOL, including provisions relating to participation in the initiatives undertaken by CEPOL, financial contributions and staff. As regards staff matters, those arrangements shall, in any event, comply with the Staff Regulations.</p>	<p><i>Compromise text following the technical meeting on 01/04/2015:</i></p> <p>3. In accordance with paragraph 1 and 2, working arrangements shall be developed concluded specifying, in particular, the nature, extent and manner in which the authorities and training institutes of third countries, international organisations and private parties concerned may participate in the work of CEPOL, including provisions relating to participation in the initiatives undertaken by CEPOL, financial contributions and staff. As regards staff matters, those arrangements shall, in any event, comply with the Staff Regulations.</p>
<p>4. CEPOL shall cooperate with the Union bodies competent in matters covered by this Regulation and referred to in paragraph 2, within the framework of working</p>		<p>4. CEPOL shall cooperate with the Union bodies competent in matters covered by this Regulation and referred to in paragraph 2, within the framework of working arrangements concluded with those</p>	<p><i>Compromise text following the technical meeting on 01/04/2015:</i></p> <p>4. CEPOL shall cooperate with the Union bodies competent in matters covered by this Regulation and referred to in paragraph 2,</p>

arrangements concluded with those bodies, in accordance with this Regulation or with the relevant provisions of Decision 2005/681/JHA. Such working arrangements may be concluded only with the authorisation of the Management Board and shall have received the Commission's prior approval.		bodies, in accordance with this Regulation or with the relevant provisions of Decision 2005/681/JHA. Such working arrangements may be concluded only with the authorisation of the Management Board and shall have received the Commission's prior approval.	within the framework of working arrangements concluded with those bodies, in accordance with this Regulation or with the relevant provisions of Decision 2005/681/JHA. Such working arrangements may be concluded only with the authorisation of the Management Board and shall have received the Commission's prior approval.
		5. Working arrangements referred to in paragraphs 3 and 4 may be concluded only with the authorisation of the Management Board after having consulted the Commission. They shall not bind the Union or its Member States.	<i>Compromise text following the technical meeting on 01/04/2015:</i> 5. Working arrangements referred to in paragraphs 3 and 4 may be concluded only with the authorisation of the Management Board after having consulted the Commission. They shall not bind the Union or its Member States.
<i>Article 34</i>			
Headquarters Agreement and operating conditions			
1. The necessary arrangements concerning the accommodation to be provided for CEPOL in Hungary and the facilities to be made available by that Member State together with the specific rules applicable in the host	1. The necessary arrangements concerning the accommodation to be provided for CEPOL in Hungary and the facilities to be made available by that Member State together with the specific rules applicable in the host	1. The necessary arrangements concerning the accommodation to be provided for CEPOL in Hungary and the facilities to be made available by that Member State together with the specific rules applicable in the host Member State	<i>Same amendment by the EP and the Council, so the compromise text would be:</i> 1. The necessary arrangements concerning the accommodation to be provided for CEPOL in Hungary and the facilities to be made available by that Member State

Member State to the Executive Director, members of the Management Board, CEPOL staff and members of their families shall be laid down in a Headquarters Agreement between CEPOL and Hungary, concluded after obtaining the approval of the Management Board and no later than 2 years after the entry into force of this Regulation.	Member State to the Executive Director, members of the Management Board, CEPOL staff and members of their families shall be laid down in a Headquarters Agreement between CEPOL and Hungary, concluded after obtaining the approval of the Management Board and no later than 2 years after the entry into force of this Regulation.	to the Executive Director, members of the Management Board, CEPOL staff and members of their families shall be laid down in a Headquarters Agreement between CEPOL and Hungary, concluded after obtaining the approval of the Management Board and no later than 2 years after the entry into force of this Regulation.	together with the specific rules applicable in the host Member State to the Executive Director, members of the Management Board, CEPOL staff and members of their families shall be laid down in a Headquarters Agreement between CEPOL and Hungary, concluded after obtaining the approval of the Management Board and no later than 2 years after the entry into force of this Regulation.
2. CEPOL's host Member State shall provide the best possible conditions to ensure the functioning of CEPOL, including multilingual, European-oriented schooling and appropriate transport connections.		<i>deleted</i>	<i>Compromise text following the technical meeting on 01/04/2015:</i> 2. CEPOL's host Member State shall provide the best possible conditions to ensure the functioning of CEPOL, including multilingual, European-oriented schooling and appropriate transport connections.
CHAPTER VII			
TRANSITIONAL PROVISIONS			
<i>Article 35</i>			
General legal succession			
1. CEPOL, as established by this Regulation, shall be the general legal successor in respect of all contracts concluded by, liabilities			

incumbent on, and properties acquired by CEPOL, as established by Decision 2005/681/JHA			
2. This Regulation shall not affect the legal force of agreements concluded by CEPOL as established by Decision 2005/681/JHA before the date of entry into force of this Regulation.			
3. The Headquarters Agreement concluded on the basis of Decision 2005/681/JHA shall be terminated from the date of entry into application of this Regulation.		<i>deleted</i>	<i>Compromise text following the technical meeting on 01/04/2015:</i> 3. The Headquarters Agreement concluded on the basis of Decision 2005/681/JHA shall be terminated from the date of entry into application of this Regulation.
<i>Article 36</i>			
Transitional arrangements concerning the Management Board			
1. The term of office of the members of the Governing Board of CEPOL as established on the basis of Article 10 of Decision 2005/681/JHA shall terminate on ... [date of entry into force of this		1. The term of office of the members of the Governing Board of CEPOL as established on the basis of Article 10 of Decision 2005/681/JHA shall terminate on ... [date of entry into force	<i>Compromise text following the technical meeting on 01/04/2015:</i> 1. The term of office of the members of the Governing Board of CEPOL as established on the basis of Article 10 of Decision

Regulation].		<i>application</i> of this Regulation].	2005/681/JHA shall terminate on ... [date of entry into force <i>application</i> of this Regulation].
2. The Management Board established on the basis of Article 10 of Decision 2005/681/JHA shall within the period between ... date of entry into force of <i>this Regulation</i>] and ... [date of application of <i>this Regulation</i>]:		2. The Management Governing Board established on the basis of Article 10 of Decision 2005/681/JHA shall within the period between ... [date of entry into force of this Regulation] and ... [date of application of this Regulation]:	<i>Compromise text following the technical meeting on 01/04/2015:</i> 2. The Management Governing Board established on the basis of Article 10 of Decision 2005/681/JHA shall within the period between ... [date of entry into force of this Regulation] and ... [date of application of this Regulation]:
(a) exercise the functions of the Management Board as referred to in Article 9 of this Regulation;			
(b) prepare the adoption of the rules for applying Regulation (EC) No 1049/2001 with regard to CEPOL documents referred to in Article 27 of this Regulation and on the obligations of confidentiality and discretion, and the protection of <i>sensitive and</i> Union classified information referred to in Article 29 of this Regulation;		(b) prepare the adoption of the rules for applying Regulation (EC) No 1049/2001 with regard to CEPOL documents referred to in Article 27 of this Regulation, and on the obligations of confidentiality and discretion, and the protection of <i>sensitive and</i> Union classified information European Union Classified Information (EUCI) and sensitive non-classified information referred to in Article 29 of this Regulation;	<i>Compromise text following the technical meeting on 01/04/2015:</i> (b) prepare the adoption of the rules for applying Regulation (EC) No 1049/2001 with regard to CEPOL documents referred to in Article 27 of this Regulation, and on the obligations of confidentiality and discretion, and the protection of <i>sensitive and</i> Union classified information European Union Classified Information (EUCI) and sensitive non-classified information referred to in Article 29 of this Regulation;

(c) prepare any instrument necessary for the application of this Regulation, and			
(d) <i>review the internal rules and measures adopted by the Management Board on the basis of Decision 2005/681/JHA so as to allow the Management Board established pursuant to Article 8 of this Regulation to take a decision pursuant to Article 40 thereof.</i>		(d) review the internal rules and measures adopted by the Management Governing Board on the basis of Decision 2005/681/JHA so as to allow the Management Board established pursuant to Article 8 of this Regulation to take a decision pursuant to Article 40 thereof.	<i>Compromise text following the technical meeting on 01/04/2015:</i> (d) review the internal rules and measures adopted by the Management Governing Board on the basis of Decision 2005/681/JHA so as to allow the Management Board established pursuant to Article 8 of this Regulation to take a decision pursuant to Article 40 thereof.
		²⁹ <i>NB: If this Regulation enters into application in the course of 2015, the following provision will have to be added here:</i> "3. The Governing Board established on the basis of Article 10 of Decision 2005/681/JHA shall for the programming of 2016 adopt the multiannual staff policy plan, after taking into account the opinion of the Commission."	<i>This provision is moved here from Article 9(1)(i): as the obligation for separate adoption of the MSPP exists only up to programming for 2016, it would only be relevant if this Regulation enters into application in the course of 2015 (which is rather unlikely).</i>
<i>Article 37</i>			
Transitional arrangements concerning the Executive Director and staff			

<p>1. The Director of CEPOL appointed on the basis of Article 11(1) of Decision 2005/681/JHA shall, for the remaining periods of his/her term of office be assigned to the responsibilities of the Executive Director as provided for in Article 14 of this Regulation. The other conditions of his/her contract shall remain unchanged. If the term of office ends after ... [the date of entry into force of this Regulation] but before ... [the date of application of this Regulation], it shall be extended automatically until one year after ... [the date of application of this Regulation].</p>		<p>1. The Director of CEPOL appointed on the basis of Article 11(1) of Decision 2005/681/JHA shall, for the remaining periods of his/her term of office be assigned to the responsibilities of the Executive Director as provided for in Article 14 of this Regulation. The other conditions of his/her contract shall remain unchanged. If the term of office ends after ... [the date of entry into force of this Regulation] but before ... [the date of application of this Regulation], it shall be extended automatically until one year after ... [the date of application of this Regulation].</p>	<p><i>Compromise text following the technical meeting on 01/04/2015:</i></p> <p>1. The Director of CEPOL appointed on the basis of Article 11(1) of Decision 2005/681/JHA shall, for the remaining periods of his/her term of office be assigned to the responsibilities of the Executive Director as provided for in Article 14 of this Regulation. The other conditions of his/her contract shall remain unchanged. If the term of office ends after ... [the date of entry into force of this Regulation] but before ... [the date of application of this Regulation], it shall be extended automatically until one year after ... [the date of application of this Regulation].</p>
<p>2. Should the Executive Director be unwilling or unable to act in accordance with paragraph 1, the Management Board shall designate an interim Executive Director to exercise the duties assigned to the Executive Director for a period not exceeding 18 months, pending the appointments provided for in Article 22.</p>		<p>2. Should the Executive Director of CEPOL appointed on the basis of Article 11(1) of Decision 2005/681/JHA be unwilling or unable to act in accordance with paragraph 1, the Management Board shall designate an interim Executive Director to exercise the duties assigned to the Executive Director for a period not exceeding 18 months, pending the appointments provided for in Article 22.</p>	<p><i>Compromise text following the technical meeting on 01/04/2015:</i></p> <p>2. Should the Executive Director of CEPOL appointed on the basis of Article 11(1) of Decision 2005/681/JHA be unwilling or unable to act in accordance with paragraph 1, the Management Board shall designate an interim Executive Director to exercise the duties assigned to the Executive Director for a period not exceeding 18 months, pending the appointments provided for in Article 22.</p>

3. This Regulation shall not affect the rights and obligations of staff engaged under Decision 2005/681/JHA.			
4. The employment contracts of staff referred to in the third paragraph may be renewed under this Regulation in accordance with the Staff Regulations and the Conditions of Employment.			
<i>Article 38</i>			
Transitional budgetary provisions			
The discharge procedure in respect of the budgets approved on the basis of Article 25 of Decision 2005/681/JHA shall be carried out in accordance with the rules established by the Decision 2005/681/JHA.			

		³⁰ NB: A transitional provision might be added here at a later stage depending on the date of application of this Regulation as the new rules on programming in the Framework Financial Regulation Art. 32-33, reflected in the revised Articles 9-10 of this Regulation, will only enter into force on 1 January 2016.	
CHAPTER VIII			
FINAL PROVISIONS			
<i>Article 39</i>			
Repeal		Repeal Replacement	<i>Compromise text based on the outcome on discussions between the Legal Services of the Council, the EP and the Commission:</i> <u>Replacement and Repeal</u>
This Regulation replaces the Decision 2005/681/ as of the date of application of this Regulation.		1. This Regulation replaces the Decision 2005/681/ as of the date of application of this Regulation. Decision 2005/681/JHA, as amended by Regulation (EU) No 543/2015, is hereby replaced for the Member States bound by this Regulation with effect from ... [date of application of this Regulation].	<i>Compromise text based on the outcome on discussions between the Legal Services of the Council, the EP and the Commission:</i> 1. This Regulation replaces the Decision 2005/681/ as of the date of application of this Regulation. Decision 2005/681/JHA, as amended by Regulation (EU) No 543/2015, is hereby replaced for the Member States bound by this Regulation with effect from ... [date of application of

			<i>this Regulation].</i> <u>Therefore, Decision 2005/681/JHA is repealed.</u>
		2. For the Member States bound by this Regulation, references to the acts referred to in paragraph 1 shall be construed as references to this Regulation.	<i>Compromise text based on the outcome on discussions between the Legal Services of the Council, the EP and the Commission:</i> 2. For the Member States bound by this Regulation, references to the acts referred to in paragraph 1 shall be construed as references to this Regulation.
<i>Article 40</i>			
Maintenance in force of the internal rules adopted by the Management Board		Maintenance in force of the internal rules adopted by the Management Governing Board	<i>Compromise text following the technical meeting on 01/04/2015:</i> Maintenance in force of the internal rules adopted by the Management Governing Board
Internal rules and measures adopted by the Management Board on the basis of Decision 2005/681/JHA shall remain in force after [date of application of this Regulation], unless otherwise decided by the Management Board in the application of this Regulation.		Internal rules and measures adopted by the Management Governing Board on the basis of Decision 2005/681/JHA shall remain in force after ... [date of application of this Regulation], unless otherwise decided by the Management Board in the application of this Regulation.	<i>Compromise text following the technical meeting on 01/04/2015:</i> Internal rules and measures adopted by the Management Governing Board on the basis of Decision 2005/681/JHA shall remain in force after ... [date of application of this Regulation], unless otherwise decided by the Management Board in the application of this Regulation.

<i>Article 41</i>			
Entry into force			
1. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.			
2. It shall apply from [date of application].		2. It shall apply from ... [date of application of this Regulation].	<i>Compromise text following the technical meeting on 01/04/2015:</i> 2. It shall apply from ... [date of application of this Regulation].
However, Articles 36, 37 and 38 shall apply from ... [the date of entry into force of this Regulation].		However, Articles 36, 37 and 38 shall apply from ... [the date of entry into force of this Regulation].	<i>Compromise text following the technical meeting on 01/04/2015:</i> However, Articles 36, 37 and 38 shall apply from ... [the date of entry into force of this Regulation].
This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.			
Done at Brussels,			
<i>For the European Parliament</i>			
<i>The President</i>			