

Der Generalsekretär

D 312622 31.07.2017

REGISTERED LETTER
WITH ACKNOWLEDGEMENT OF RECEIPT

Andreas Pavlou
Calle Cava de San Miguel 8, 4c
E - 28005 Madrid

Subject: Your request for public access to documents
Our ref.: **A (2017) 8791** (to be quoted in future correspondence)

Dear Mr Pavlou,

On 12 July 2017, the European Parliament received your application for access, under Regulation (EC) N° 1049/2001, to:

- The current list of expenses which may be defrayed under the General Expenditure Allowance (GEA));
- The note of the Secretary-General to the Bureau mentioned on page 13/44 of the Bureau minutes of 12/06/2017;
- Any agendas or minutes of meetings of the Parliament Bureau's ad hoc Working Group on the General Expenditure Allowance, since it was set up;
- Any documents presented to the ad hoc group Working Group.

Parliament identified the following documents as the documents relevant to your request:

- A X - A note of the Secretary-General dated 5 May 2017, which received the reference PE 602.267/BUR and its annex;
- ① - The draft agenda of the constitutive meeting of the Working Group, which took place on 4 July 2017 in Strasbourg;
- ② - A document outlining the composition and mandate of the Working Group;
- ③ - A document containing extracts of EP resolutions referring to the General Expenditure Allowance;
- B X - A list of questions and items to be discussed by the ad hoc Working Group;
- ④ - The current list of expenses which may be defrayed from the general expenditure allowance.

The institution assessed your application and each requested document in light of Regulation (EC) N° 1049/2001 regarding public access to European Parliament, Council and Commission documents.

It found that the draft agenda of the constitutive meeting of the Working Group, which took place on 4 July 2017 in Strasbourg, the document outlining the composition and mandate of the Working Group, the document containing extracts of EP Resolutions and the current list of expenses which may be defrayed from the General Expenditure Allowance, may be disclosed. You will find a copy of each of these documents attached to this decision.

A The note of 5 May 2017 was submitted to the Bureau in response to an invitation by the Parliament to the Secretary General to do so. The note discusses the rules on the expenses which may be defrayed by Members from the General Expenditure Allowance, and it was submitted in the context of ongoing discussions on changes to be made to those rules. The note contains background information, advice and decision proposals on the matter at stake. It was drafted by the Secretary General under his duty to assist the Bureau in the performance of its tasks.

Since the decision on the list of expenses is not yet taken and since it may diverge from the points of view set out in the note, Parliament found that the disclosure of the document would seriously undermine the institution's decision-making process within the meaning of Article 4(3) of Regulation (EC) N° 1049/2001.

B Similarly, the "list of questions and items to be discussed by the ad hoc group" is a document of a group set up by the Bureau with the specific task of discussing and exploring the possibilities to change the rules on expenses defrayable from the General Expenditure Allowance. The document sets out preliminary views and opinions the disclosure of which would seriously undermine the institution's decision-making process.

In view of that background, Parliament came to the conclusion that access to the note dated 5 May 2017 and the list of questions has to be refused on the basis of Article 4(3) of Regulation (EC) N° 1049/2001.

Your attention is drawn to the fact that, pursuant to Article 7(2) of Regulation (EC) N° 1049/2001, you are entitled to submit, within 15 working days of receipt of this letter, a confirmatory application with a reasoned request (in the light of the abovementioned considerations) for Parliament's position to be reconsidered.

Yours sincerely,



Klaus WELLE

Annexes

1



Европейски парламент Parlamento Europeo Evropský parlament Europa-Parlamentet Europäisches Parlament
Euroopa Parlament Ευρωπαϊκό Κοινοβούλιο European Parliament Parlement européen Parlaimint na hEorpa
Europski parlament Parlamento europeo Eiropas Parlaments Europos Parlamentas Európai Parlament
Parlament Ewropew Europees Parlement Parlament Europejski Parlamento Europeu Parlamentul European
Európsky parlament Evropski parlament Euroopan parlamentti Europaparlamentet

Bureau ad-hoc Working Group on the revision of the list of expenses which may be defrayed from the General Expenditure Allowance (GEA)

Secretariat of the Bureau and the Quaestors

PE-8/WG-GEA /OJ/2017-01

Constitutive Meeting

Tuesday, 4 July, from 13.30 to 15.00

Room R5.1 Building - Strasbourg

DRAFT AGENDA

1. Adoption of draft agenda
2. Chair's announcements
 - Establishment of the Working Group
 - Working methods
 - Calendar of meetings
3. First exchange of views
4. Any other business
5. Date and place of next meeting



2

Bureau ad-hoc Working Group on the revision of the list of expenses which may be defrayed from the General Expenditure Allowance (GEA)

1. Composition

- Co-Chairs:

- David-Maria SASSOLI (S&D, Vice-President, primary responsibility on budget)
- Rainer WIELAND (EPP, Vice-President, secondary responsibility on budget)

- Members:

- Ryszard CZARNECKI (ECR, Vice-President)
- Pavel TELIČKA (ALDE, Vice-President)
- Dimitrios PAPADIMOULIS (GUE, Vice-President)
- Ulrike LUNACEK (Greens, Vice-President)
- Elisabeth MORIN-CHARTIER (EPP, Quaestor)
- Vladimír MAŇKA (S&D, Quaestor)

2. Mandate

As announced by the President at the Bureau meeting on 12 June 2017, the ad-hoc Working Group is tasked, on the basis of the Note and Annex presented from the Secretary-General at the Bureau meeting of 15 May 2017, with revising the list of expenses which may be defrayed from the General Expenditure Allowance (GEA), with a view to clarifying and strengthening the existing rules and good practices.

In this exercise, the ad-hoc Working Group shall take duly into account the requests of the plenary of the Parliament in this regard as well as the principle of the independence of the parliamentary mandate.

In its resolution of 5 April 2017 on the European Parliament's estimates of revenue and expenditure for the financial year 2018, the plenary called "*on the Secretary-General to submit to the Bureau a more precise list of expenses defrayable under the General Expenditure Allowance (GEA)*". Similarly, in its resolution of 27 April 2017 on discharge in respect of the budget of the European Parliament for 2015, the plenary called "*on the Bureau to define and publish the rules concerning the use of the general expenditure allowance (GEA)*".

The revised list should be submitted for adoption to the Bureau by the end of the year. It should be accompanied by additional recommendations for the next term. An interim report on the progress done by the Working Group should be presented to the Bureau at its meeting of October 2017. The meetings of the ad-hoc Working Group will be held *in camera*.



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Bureau ad-hoc Working Group on the revision of the list of expenses which may be defrayed from the General Expenditure Allowance (GEA)

Secretariat of the Bureau and the Quaestors

Extract from the European Parliament resolution of 5 April 2017 on Parliament's estimates of revenue and expenditure for the financial year 2018¹

Member-related issues

38. *In preparation for the ninth legislature, calls on the Secretary-General to submit to the Bureau a more precise list of expenses defrayable under the General Expenditure Allowance (GEA); recalls the principle of the independence of the mandate; underlines that it is possible for Members who wish to do so to publish their spending record of the GEA on their personal webpages; reiterates the appeal for greater transparency regarding the GEA, building on cases of best practice from national delegations in Parliament and Member States; believes that Members should also be able to provide links on Parliament's website to places where they currently publish their spending records; reiterates that the improved transparency of the GEA should not require additional staff in Parliament's administration.*

Extract from the European Parliament decision of 27 April 2017 on discharge in respect of the implementation of the general budget of the European Union for the financial year 2015²

Transparency register and conflict of interest

45. *Calls on the Bureau to define and publish the rules concerning the use of the general expenditure allowance (GEA);*
46. *Notes the low level of awareness, among Members, of the possibility of returning general expenditure allowance surpluses; reminds Members that the GEA does not constitute an additional personal salary; asks the Secretary-General to publicise this possibility as a priority; urges Members to return surpluses at the end of their mandate;*

¹ Source: <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P8-TA-2017-0114&language=EN>

² Source: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2017-0146+0+DOC+XML+V0//EN&language=EN>

47. *Similarly, calls on the Secretary-General to provide Members who would like to publish on their own websites details of payments to them of any other Parliament allowances, with appropriate data records that can be easily reprocessed;*
48. *Calls, further, on the Secretary-General to assist interested political groups in the same way.*

List of expenses which may be defrayed from the General Expenditure Allowance (GEA)

The list below is non-exhaustive. The General Expenditure Allowance (GEA) is intended to cover expenses that are directly linked to the exercise of a Member's parliamentary mandate and which are not covered by other allowances except where the amounts provided by way of those allowances have been exhausted.

1. Office running and office maintenance costs

1.1 costs relating to office space

- rent and related charges (heating, lighting, insurance, water, electricity, and cleaning)¹
- maintenance and repair of rented premises²

1.2 working costs

- postal charges
- phone bills
- internet subscription
- subscription to databases
- costs relating to hosting or domain names of Members' websites

2. Office supplies and documentation

- office supplies, stationery and materials
- purchase of or subscription to books, periodicals, newspapers and electronic newsletters
- cost of materials and supplies relating to graphic design, formatting, printing, publication or distribution of any printable or publishable material, such as research and position papers, reports, opinions, greeting cards, business cards, etc
- cost of foodstuffs and beverages for staff

3. Office equipment costs

Purchase, renting, installation, running, maintenance and repair of:

- office equipment, including furniture
- IT equipment
- telephones, mobile phones, fax machines
- standard software

¹ The premises must be used solely for the parliamentary activities of the Member.

² *Ibid.*

4. Representational activities

- hotel and restaurant bills within a Member's Member State of election
- costs relating to the logistical organisation of events, conferences, seminars, exhibitions or any public meeting organised by the Member, such as the renting of rooms, transport, travel expenses, accommodation, audiovisual equipment, documentation, supplies and catering costs
- volunteers' travel expenses

5. Administrative costs

- accounting and office bookkeeping not relating to the Parliamentary Assistance Allowance

6. Principles applicable to the use of the GEA

The use of the GEA is subject to the general principles applicable to Parliament's budget, such as:

- a) Principle of sound financial management, Articles 3, 5(3), 27, 28a and 109(2) of the Financial Regulation³, Article 21 of its Implementing Rules⁴ and Article 62 IMMS⁵,
- b) Principle of specification, Articles 3 and 21 Financial Regulation,
- c) Principles of the funding of political parties, Articles 7 and 8 of the Regulation governing political parties at European level⁶.

Members are kindly advised to consult the relevant parliamentary services if uncertain as to the admissibility of any item(s) of expenditure under the GEA before committing to any expense.

³ Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities

⁴ Commission Regulation (EC, Euratom) n° 2342/2002 of 23 December 2002

⁵ Implementing Measures for the Statute of Members of the European Parliament

⁶ Regulation (EC) N° 2004/2003 of 4 November 2003 on the regulations governing political parties at European level and the rules regarding their funding; see also Court of Justice, case 294/83 and Declaration n° 11 on Article 191 of the Treaty establishing the European Communities annexed to the Final Act of the Treaty of Nice