

Regulation (EC) No 1638/2006 of the European Parliament and of  
the Council of 24 October 2006 laying down general provisions  
establishing a European Neighbourhood and Partnership Instrument

TITLE V

**FINAL PROVISIONS**

*Article 25*

**Annual report**

The Commission shall examine the progress made on implementing the measures taken under this Regulation and shall submit to the European Parliament and the Council an annual report on the implementation of Community assistance. This report shall also be submitted to the European Economic and Social Committee and to the Committee of the Regions. It shall contain information relating to the previous year on the measures financed, the results of monitoring and evaluation exercises, and the implementation of budget commitments and payments broken down by country, region and cooperation sector.

*Article 26*

**Committee**

- 1 The Commission shall be assisted by a committee.
- 2 Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.  
The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at 30 days.
- 3 The committee shall adopt its rules of procedure.
- 4 An observer from the EIB shall take part in the committee's proceedings with regard to questions concerning the EIB.
- 5 In order to facilitate the dialogue with the European Parliament, the Commission shall regularly inform the European Parliament of the committee proceedings and provide the relevant documents including agenda, draft measures and summary records of the meetings in accordance with Article 7(3) of Decision 1999/468/EC.

*Article 27*

**Participation by a third country not listed in the Annex**

- 1 To ensure the coherence and effectiveness of Community assistance, the Commission may decide, when adopting action programmes of the type referred to in Article 12 or the special measures referred to in Article 13, that countries, territories and regions eligible for assistance under other Community external assistance instruments and the European Development Fund

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*Changes to legislation:* There are currently no known outstanding effects for the Regulation (EC) No 1638/2006 of the European Parliament and of the Council, TITLE V. (See end of Document for details)

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are eligible for measures under this Regulation where the project or programme implemented is of a global, regional or cross-border nature.

2 Provision may be made for this method of financing possibility in the strategy papers referred to in Article 7.

3 The provisions of Article 14 concerning eligibility and the provisions of Article 21 concerning participation in procurement procedures shall be adapted to allow the countries, territories or regions concerned to take part.

4 In the case of programmes financed under the provisions of different Community external assistance instruments, participation in procurement procedures may be open to all natural and legal persons of the countries eligible under the different instruments.

#### *Article 28*

### **Suspension of Community assistance**

1 Without prejudice to the provisions on the suspension of aid in partnership and cooperation agreements and association agreements with partner countries and regions, where a partner country fails to observe the principles referred to in Article 1, the Council, acting by a qualified majority on a proposal from the Commission, may take appropriate steps in respect of any Community assistance granted to the partner country under this Regulation.

2 In such cases, Community assistance shall primarily be used to support non-state actors for measures aimed at promoting human rights and fundamental freedoms and supporting the democratisation process in partner countries.

#### *Article 29*

### **Financial envelope**

1 The financial envelope for implementation of this Regulation over the period 2007 to 2013 shall be EUR 11 181 000 000, broken down as follows:

- a a minimum of 95 % of the financial envelope shall be allocated to the country and multi-country programmes referred to in Article 6(1)(a)(i);
- b up to 5 % of the financial envelope shall be allocated to the cross-border cooperation programmes referred to in Article 6(1)(a)(ii).

2 Annual appropriations shall be authorised by the budgetary authority within the limits of the financial framework.

#### *Article 30*

### **Review**

The Commission shall submit to the European Parliament and the Council by 31 December 2010 a report evaluating the implementation of this Regulation in the first three years with, if appropriate, a legislative proposal introducing the necessary modifications to it, including to the financial breakdown referred to in Article 29(1).

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EC) No 1638/2006 of the European Parliament and of the Council, TITLE V. (See end of Document for details)

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### *Article 31*

#### **Repeal**

1 As from 1 January 2007, Regulations (EEC) No 1762/92, (EC) No 1734/94 and (EC) No 1488/96 shall be repealed.

2 The repealed Regulations shall continue to apply for legal acts and commitments of pre-2007 budget years.

### *Article 32*

#### **Entry into force**

This Regulation shall enter into force 20 days after its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2007 to 31 December 2013.

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EC) No 1638/2006 of the European Parliament and of the Council, TITLE V.