



Plenary sitting

A8-0476/2018

19.12.2018

REPORT

on the proposal for a Council decision amending the Statute of the European Investment Bank
(13166/2018 – C8-0464/2018 – 2018/0811(CNS))

Committee on Constitutional Affairs

Rapporteur: Danuta Maria Hübner

(Simplified procedure – Rule 50(1) of the Rules of Procedure)

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the **■** symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a Council decision amending the Statute of the European Investment Bank (13166/2018 – C8-0464/2018 – 2018/0811(CNS))

(Special legislative procedure – consultation)

The European Parliament,

- having regard to the proposal of the European Investment Bank to the Council to amend the Statute of the European Investment Bank (13166/2018),
 - having regard to Article 308 of the Treaty on the Functioning of the European Union, pursuant to which the Council consulted the European Parliament (C8-0464/2018),
 - having regard to Rule 78c of its Rules of Procedure,
 - having regard to the report of the Committee on Constitutional Affairs and the opinion of the Committee on Budgets (A8-0476/2018),
1. Approves the proposal;
 2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 3. Asks the Council to consult Parliament again if it intends to substantially amend the text approved by Parliament;
 4. Instructs its President to forward its position to the Council, the Commission, the European Investment Bank and the national parliaments.

EXPLANATORY STATEMENT

On 15 October 2018, the EIB submitted to the Council a request to amend Article 4, 7, 9 and 11 of its Statute.

This follows the procedure laid down in Article 308 TFEU according to which “The Council acting unanimously in accordance with a special legislative procedure, at the request of the European Investment Bank and after consulting the European Parliament and the Commission [...] may amend the Statute of the Bank.”

The aim of the targeted amendments proposed by the EIB is to adapt the statute of the Bank to the new situation created by the withdrawal of the UK from the European Union.

The proposal reflects the future departure of the United Kingdom in the EIB statute by reducing the number of directors by one, from twenty-nine to twenty-eight, taking the United Kingdom out of the list of EIB shareholders and reducing the capital of the EIB by the amount of the share of the United Kingdom. This automatic adjustment is the immediate solution to the new situation created by the departure of the United Kingdom while in parallel discussions are ongoing on a replacement of UK share and a future increase of the EIB’s capital, which will require a decision of the Board of Governors of the EIB.

The amendments to the Statute proposed would also increase the number of alternate Directors of the EIB. Currently, there are nineteen alternate directors, some of whom are appointed jointly by groups of Member States. The EIB proposes to increase the number of alternate directors so that their number is at least equal to the number of Member States, with large member States appointing two alternate directors. This change is intended to ensure a sufficient number of alternate directors so that directors could be more effectively substituted in their absence.

Finally, the EIB proposes to extend qualified majority voting in the Board of Directors and the Board of Governors to three areas: the decision on the EIB’s Operational Plan, the appointment of members of the Management Committee and the approval of the Rules of Procedure.

Decisions need, in the Board of Governors, a majority of members representing at least 50% of the subscribed capital and, in the Board of Directors, a majority of at least one third of the members entitled to vote representing at least 50% of the subscribed capital.

A qualified majority will require, in all three areas of the decision on the EIB’s Operational Plan, the appointment of members of the Management Committee and the approval of the Rules of Procedure, eighteen votes in favour and 68% of the subscribed capital. This higher threshold is intended to counterbalance the larger weight of large Member States created by the departure of the United Kingdom.

Your rapporteur welcomes the proposal made by the EIB, which will enable to adjust the governance of the EIB to the withdrawal of the United Kingdom from the Union and enhance its efficiency and effectiveness.

She expects a swift agreement on the amendments to the EIB statute in the Council, so that adjustments can enter into force on time for the withdrawal of the United Kingdom from the Union.

11.12.2018

OPINION OF THE COMMITTEE ON BUDGETS

for the Committee on Constitutional Affairs

on the draft Council decision amending the Statute of the European Investment Bank
(13166/2018 – C8-0464/2018 – 2018/0811(CNS))

Rapporteur for opinion: Eider Gardiazabal Rubial

(Simplified procedure – Rule 50(1) and (3) of the Rules of Procedure)

SHORT JUSTIFICATION

On 15 October 2018, the EIB submitted to the Council a request to amend Articles 4, 7, 9 and 11 of its Statute.

This follows the procedure laid down in Article 308 TFEU according to which “The Council acting unanimously in accordance with a special legislative procedure, at the request of the European Investment Bank and after consulting the European Parliament and the Commission [...] may amend the Statute of the Bank.”

The aim of the targeted amendments proposed by the EIB is to adapt the statute of the Bank to the new situation created by the withdrawal of the UK from the European Union.

The proposal reflects the future departure of the United Kingdom in the EIB statute by, inter alia, reducing the capital of the EIB by the amount of the share of the United Kingdom. This automatic adjustment is the immediate solution to the new situation created by the departure of the United Kingdom. The Budget Committee notes that discussions are ongoing on a future increase of the EIB’s capital, which will require a decision of the Board of Governors of the EIB, so as to preserve the EIB’s ability to achieve its policy objectives.

The Committee on Budgets calls on the Committee on Constitutional Affairs, as the

committee responsible, to propose approval of the Council draft.

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Amendment of the EIB Statute
References	13166/2018 – C8-0464/2018 – 2018/0811(CNS)
Committee responsible Date announced in plenary	AFCD 12.11.2018
Opinion by Date announced in plenary	BUDG 12.11.2018
Rapporteur Date appointed	Eider Gardiazabal Rubial 21.11.2018
Simplified procedure - date of decision	21.11.2018
Date adopted	10.12.2018

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Amendment of the EIB Statute	
References	13166/2018 – C8-0464/2018 – 2018/0811(CNS)	
Date of consulting Parliament	25.10.2018	
Committee responsible Date announced in plenary	AFCO 12.11.2018	
Committees asked for opinions Date announced in plenary	BUDG 12.11.2018	ECON 12.11.2018
Not delivering opinions Date of decision	ECON 21.11.2018	
Rapporteurs Date appointed	Danuta Maria Hübner 12.11.2018	
Simplified procedure - date of decision	12.11.2018	
Date adopted	6.12.2018	
Date tabled	19.12.2018	