Understanding, the Loan Agreement and the Grant Agreement shall also provide for controls, including on-the-spot checks and inspections, to be carried out by the Commission, including the European Anti-Fraud Office. Those documents shall also provide for audits, including where appropriate on-the-spot audits, by the Court of Auditors.

Article 6

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, ***Article 4*** of Regulation (EU) No 182/2011 shall apply. ~~Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.~~

Article 7

1. By 30 June of each year, the Commission shall submit to the European Parliament and to the Council a report on the implementation of this Decision in the preceding year, including an evaluation thereof. The report shall indicate the connection between the economic policy and financial conditions laid down in the Memorandum of Understanding, Georgia's on-going economic and fiscal performance and the Commission's decisions to release the instalments of the Union's macro-financial assistance.

2. No later than two years after the expiry of the availability period referred to in Article 1(4), the Commission shall submit to the European Parliament and to the Council an *ex post* evaluation report.

Article 8

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Done at…,

*For the European Parliament*
*The President*

*For the Council*
*The President*

**[Am. 1]**

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P7_TA(2012)0473

## European Maritime Safety Agency ***II

**European Parliament legislative resolution of 11 December 2012 on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council amending Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency (10090/2/2012 — C7-0329/2012 — 2010/0303 (COD))**

**(Ordinary legislative procedure: second reading)**

(2015/C 434/25)

*The European Parliament,*

— having regard to the Council position at first reading (10090/2/2012 — C7-0329/2012),

— having regard to the opinion of the European Economic and Social Committee of 16 February 2011 ([1]),

— after consulting the Committee of the Regions,

([1]) OJ C 107, 6.4.2011, p. 68.

**Tuesday 11 December 2012**

— having regard to its position at first reading ([1]) on the Commission proposal to Parliament and the Council (COM(2010) 0611),

— having regard to Article 294(7) of the Treaty on the Functioning of the European Union,

— having regard to Rule 72 of its Rules of Procedure,

— having regard to the recommendation for second reading of the Committee on Transport and Tourism (A7-0387/2012),

1. Approves the Council position at first reading;

2. Notes that the act is adopted in accordance with the Council position;

3. Instructs its President to sign the act with the President of the Council, in accordance with Article 297(1) of the Treaty on the Functioning of the European Union;

4. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed, and, in agreement with the Secretary-General of the Council, to arrange for its publication in the *Official Journal of the European Union*;

5. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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P7_TA(2012)0474

## Creation of unitary patent protection ***I

**European Parliament legislative resolution of 11 December 2012 on the proposal for a regulation of the European Parliament and of the Council implementing enhanced cooperation in the area of the creation of unitary patent protection (COM(2011)0215 — C7-0099/2011 — 2011/0093(COD))**

**(Ordinary legislative procedure: first reading)**

(2015/C 434/26)

*The European Parliament*,

— having regard to the Commission proposal to Parliament and the Council (COM(2011)0215),

— having regard to Article 294(2) and the first paragraph of Article 118 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0099/2011),

— having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

— having regard to the reasoned opinions submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Spanish Congress of Deputies and the Spanish Senate and by the Italian Chamber of Deputies, asserting that the draft legislative act does not comply with the principle of subsidiarity,

— having regard to the undertaking given by the Council representative by letter of 19 November 2012 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,

— having regard to Rule 55 of its Rules of Procedure,

— having regard to the report of the Committee on Legal Affairs and the opinion of the Committee on Industry, Research and Energy (A7-0001/2012),

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([1]) Texts adopted of 15.12.2011, P7_TA(2011)0581.