

## I. GENERAL PROVISIONS

### MINISTRY OF FINANCE AND PUBLIC ADMINISTRATION

**3372** *Royal Decree 215/2014, of 28 March, approving the Organic Statute of the Independent Authority for Fiscal Responsibility.*

Safeguarding budgetary stability has become one of the main objectives of the economic policy of the Government, since it is a key element to achieve a sustainable and sustained growth and to encourage job creation, while at the same time increasing confidence in the Spanish economy and promoting an adequate funding of the public sector and public services.

As a result, the Government has carried out a substantial reform of the Spanish budgetary framework, which has taken place simultaneously to the reform of the economic governance system in the European Union. Thus, this process shows the commitment of Spain not only to fiscal consolidation and budgetary stability but also to the new coordination and definition needs within the common stability framework of the European Union.

The definition of the new framework began with the reform of article 135 of the Spanish Constitution back in September 2011. As a consequence, structural balance was consolidated in the Constitution as the guiding principle for budgetary policies and a limit was established for the level of indebtedness of Public Administrations, which is the reference value established by the Treaty on the Functioning of the European Union.

In furtherance of this principle, Organic Law 2/2012, of 27 April, on Budgetary Stability and Financial Sustainability was passed, with two main goals: to guarantee the sustainability of all Public Administrations and to strengthen the confidence in the stability of Spanish economy. In order to attain such goals, budgetary sustainability was introduced as a permanent guiding principle, and not a temporary one, for the actions of every Public Administration Institution, based on the belief that this is a key element to encourage economic growth and job creation.

In spite of the great progress brought by this Organic Law to Spanish budgetary regulations, the Government deemed necessary to keep on with the reform process, in order to further encourage the attainment of the objectives of fiscal consolidation and strengthening of confidence in the stability of Spanish economy, and particularly in order to keep reinforcing the commitment of Spain to the European Union in terms of budgetary stability.

Thus, it was suggested to create an Independent Authority for Fiscal Responsibility, in line with the rest of European countries, to help the Government fulfil its objectives as the ultimate responsible authority for the attainment of budgetary stability. Creating such an Authority would also meet the specific recommendations issued for Spain by the Economic and Financial Affairs Council and to the provisions of the Governance, Coordination and Stability Treaty within the Economic and Monetary Union, given in Brussels on 2 March 2012, Council Directive 2011/85/EU, of 8 November 2011, on requirements for budgetary frameworks of the Member States and Regulation (EU) 473/2013 of the European Parliament and Council, of 21 May 2013, on common provisions for monitoring and assessing draft budgetary plans and ensuring the correction of excessive deficit of the Member States in the euro area.

All these elements resulted in the approval of Organic Law 6/2013, of 14 November, for the establishment of an Independent Authority for Fiscal Responsibility, partially transposing the aforementioned Directive 2011/85/EU. Therefore, by virtue of this Organic Law 6/2013 of 14 November, an autonomous and functionally independent body was created with the ultimate purpose of contributing to the effective fulfilment by Public Administrations of the budgetary stability principle set forth in article 135 of the Spanish Constitution through a continuous monitoring of the budgetary cycle and public indebtedness and the analysis of economic forecasts.

Article 8.2 of this Organic Law establishes that the Council of Ministers will approve –by virtue of a royal decree and after consultation with the President of the Independent Authority for Fiscal Responsibility–, the organic Statute of the Independent Authority for Fiscal Responsibility implementing the relevant organisation and internal functioning rules. Equally, final Provision four of the implementation rules of the aforementioned Law determines that the Council of Ministers will pass a Royal Decree approving the organic Statute of the Independent Authority for Fiscal Responsibility.

These requirements are met through this royal decree approving the organic Statute of the Independent Authority for Fiscal Responsibility, which is based on the objectives and principles of Organic Law 6/2013 of 14 November.

The Organic Statute is divided into six chapters, the first of which, "General Provisions", is focused on the nature and legal status of the Independent Authority for Fiscal Responsibility. This is a Public Law institution with legal personality and full public and private capacity, autonomous and functionally independent from other Public Administrations.

As regards its legal status, it shall be governed, among others, by Organic Law 6/2013 of 14 November, Organic Law 2/2012 of 27 April and its implementation rules as well as its Organic Statute.

The Authority will be subject to parliamentary control pursuant to Organic Law 6/2013 of 14 November. As for judicial supervision, such control will not affect the studies, opinions or reports issued by the Authority, but the resolutions adopted regarding labour, equity and recruitment matters might be contested.

Its functional autonomy in the execution of its duties is officially recognised, having the obligation to act always in a fully independent way from the Government, Public Administrations and any other public or private organisation. Furthermore, the personnel and members of this Authority may not receive or accept instructions from any public or private entity.

The purpose of the Authority is defined as a contribution to the fulfilment by Public Administrations of the budgetary stability principle through the monitoring of the budgetary cycle and public indebtedness and the analysis of economic forecasts.

As for its duties, the Authority will perform them in all of the Spanish territory, only and exclusively, and as regards every subject of the public sector according to the terms foreseen in article 2 of Organic Law 2/2012 of 27 April. Among others, the duties of the Authority include preparing and issuing reports, opinions and studies.

It is generally established that an Action Plan will be prepared during the first quarter of each year including all the actions foreseen to be carried out by the Authority.

The Authority will have access to all the economic-financial information of Public Administrations under its scope, through the Information Central, although it might also request it directly to the relevant administration.

Lastly, the international relations of the Authority are also regulated, always in cooperation with the Ministry of Finance and Public Administration.

Chapter II regulates the preparation and issuance of reports and opinions as well as the execution of studies by the Authority.

This Chapter includes provisions on the issuance of reports on macroeconomic forecasts; on the methodology to calculate trend patterns of income and expenditure and the growth reference rate; on the Stability Programme draft; the analysis of budget implementation, public debt and the debt-ceiling rule; on the determination of individual

objectives for Autonomous Regions; on economic-financial plans and re-balancing plans for Central Administration and Autonomous Regions; and on the projects and main budgetary aspects of Public Administrations. Likewise, this Chapter also envisages the possibility that the Independent Authority may inform about the desirability of applying any of the preventive, corrective and coercive measures foreseen in Chapter IV of Organic Law 2/2012 of 27 April, and about the occurrence of the exceptional circumstances referred to in article 11.3 of the aforesaid Organic Law.

Opinions will be issued at the Authority's own initiative, at the President's discretion.

The Authority will also perform studies at the request of the Government, the Fiscal and Financial Policy Council, the National Local Administration Commission and the Financial Commission of Social Security. It may perform studies at the request of Autonomous Regions and Local Entities, provided they refer to matters under its competence and that they do not affect any other Administration.

Chapter III "Structure of the Independent Authority for Fiscal Responsibility" determines its internal organisation. To this end, the figure of the President is regulated, which is a full-time high-ranking post, appointed for a term of six non-renewable years. According to the provisions of this Chapter, the appointment procedure will be carried out among experts of recognised standing and with a minimum experience of ten years in the relevant field and must be approved by the Spanish Parliament. The reasons for dismissal are also determined here. Lastly, the duties to be carried out in an independent and objective manner are also defined.

The President will be in charge of three divisions, each of which will have its relevant Division Director. Division Directors are considered managerial professional staff and are recruited according to the principles of merit and skills established in Act 7/2007 of 12 April, containing the Basic Statute of Public Employment.

Chapter IV "Personnel of the Independent Authority for Fiscal Responsibility" establishes that the personnel will generally be made up of career civil servants [*funcionarios de carrera*] or, as the case may be, non-established civil servants [*personal laboral*] coming from national or international organisations with economic, fiscal, budgetary or financial monitoring or analysis duties.

The selection, recruitment procedure, remuneration and disciplinary regime will be compliant with the provisions of this organic Statute, the Basic Statute of Public Employment and the state laws in force regarding public employment.

In any case, the Authority will have a list of posts that must be occupied exclusively by civil servants and a list of posts that may be occupied by non-established civil servants.

Chapter V regulates the procurement, equity and financing system. The contractual activity of the Authority will be governed by the provisions of the recast text of the Public Sector Contracts Act and the relevant implementation rules, its President being the person who holds the contracting authority.

For the performance of its duties, the Authority will have its own equity, independent from that of the General State Administration, which will be managed according to the provisions of this organic Statute and Act 33/2003, of 3 November, on the Equity of Public Administrations.

Finally, Chapter VI regulates the budgetary, accounting and control regime of the Independent Authority for Fiscal Responsibility. The Authority will prepare and approve a preliminary draft budget that will be sent to the Ministry of Finance and Public Administration to be subsequently processed. The budget will have a restrictive nature as far as the overall amount is concerned and an estimative nature as regards the distribution of the various economic categories, except for the relevant personnel expenses, which will have a restrictive nature too.

The Authority must apply public accounting principles and implement an analytical accounting system. It will be subject to the control of the Central Government Comptroller's Office as regards its economic-financial management.

This Statute was previously subject to consultation with the President of the Independent Authority for Fiscal Responsibility, according to the provisions of article 8.2 of Organic Law 6/2013 of 14 November.

By virtue thereof, at the request of the Minister of Finance and Public Administration, in agreement with the Council of State and following deliberation by the Council of Ministers during the meeting held on 28 March 2014,

I HEREBY DECREE:

Sole Article. *Approval of the Organic Statute of the Independent Authority for Fiscal Responsibility.*

Pursuant to the provisions of article 8.2 and final provision four of Organic Law 6/2013, of 14 November, on the establishment of the Independent Authority for Fiscal Responsibility, the Organic Statute of the Independent Authority for Fiscal Responsibility is hereby approved with the wording included below.

Sole Additional Provision. *Remuneration.*

The remuneration of the President and managerial personnel of the Independent Authority for Fiscal Responsibility shall be subject to the limits established by Royal Decree 451/2012 of 5 March, regulating the remuneration system of senior officers and managers of the Public Corporate Sector and other entities.

Sole Final Provision. *Entry into Force.*

This royal decree shall enter into force the day after being published in the "Official State Gazette".

Given in Madrid, on 28 March 2014.

JUAN CARLOS R.

The Minister of Finance and Public Administration,  
CRISTÓBAL MONTORO ROMERO

ORGANIC STATUTE OF THE INDEPENDENT FISCAL  
RESPONSIBILITY AUTHORITY

CHAPTER I

General Provisions

Article 1. *Nature and Legal Status.*

1. The Independent Authority for Fiscal Responsibility, created by virtue of article 1 of Organic Law 6/2013 of 14 November on the establishment of the Independent Authority for Fiscal Responsibility, is a Public Law institution, with legal personality and full public and private capacity, which performs its duties autonomously and independently from Public Administrations and acts in an objective, accountable and impartial manner.

2. The Independent Authority for Fiscal Responsibility is attached, for organisational and budgetary purposes, to the Ministry of Finance and Public Administration through the Minister of Finance and Public Administration, such attachment having absolutely no effect on its autonomy and independence.

3. The Independent Authority for Fiscal Responsibility shall be governed by the provisions of Organic Law 6/2013 of 14 November, by Organic Law 2/2012 of 27 April on Budgetary Stability and Financial Sustainability, and their relevant implementation rules, by this Statute and by the internal rules and regulations which might be approved, as applicable, to regulate, among other matters, the internal distribution of duties among divisions, the substitution scheme and the procedures of the executive committee, all of which must be duly publicised.

In a supplementary manner, the Authority shall be governed by Act 6/1997 of 15 April on the Organisation and Functioning of the General State Administration, Act 30/1992 of 26 November on the Legal Status of Public Administrations and the Common Administrative Procedure, General Budgetary Act 47/2003 of 26 November, and by Act 33/2003 of 3 November on the Equity of Public Administrations as well as other applicable regulations.

4. The parliamentary control of the Independent Authority for Fiscal Responsibility shall be performed under the terms of article 24.8 of Organic Law 6/2013 of 14 November and article 25 of this Statute.

5. The studies, opinions and reports issued by the Independent Authority for Fiscal Responsibility shall not be subject to judicial supervision, without prejudice to the appeal that might be applicable against the resolutions, acts, facts or administrative actions resulting from the procedures in which the former were issued.

Article 2. *Autonomy and Independence.*

1. In the performance of its duties and for the attainment of the objectives entrusted to it, the Independent Authority for Fiscal Responsibility has organic and functional autonomy and the obligation to act at all times with full independence from the Government, Public Administrations and any other public or private organisation.

2. The President, personnel or members of the Independent Authority for Fiscal Responsibility may not request or accept instructions from Public Administrations or any other public or private entity.

Article 3. *Purpose.*

1. The purpose of the Independent Authority for Fiscal Responsibility is to ensure effective compliance by Public Administrations of the budgetary stability principle set forth in article 135 of the Spanish Constitution, under the terms of Organic Law 2/2012 of 27 April.

2. To this end, it shall perform a continuous monitoring of the budgetary cycle and public indebtedness as well as analyses of economic forecasts.

Article 4. *Performance of the Duties Entrusted to the Independent Authority for Fiscal Responsibility.*

1. The Independent Authority for Fiscal Responsibility shall perform its duties in all of the Spanish territory, only and exclusively, and as regards every subject of the public sector according to article 2 of Organic Law 2/2012 of 27 April.

2. In the performance of its duties, the Independent Authority for Fiscal Responsibility shall issue reports, opinions and studies, under the terms of Organic Law 6/2013 of 14 November, Organic Law 2/2012 of 27 April and this Organic Statute.

3. Extraordinarily, for the performance of activities that entail issuing a report, opinion or study, the Authority might execute service contracts for the execution of material, technical or service-related activities. In case this entailed accessing non-public information, the provisions of article 6.9 shall apply.

4. In furtherance of the accountability principle, the reports and opinions of the Authority must be published on its web page without delay and, in any case, within the two days following the date of signature thereof.

Article 5. *Schedule.*

1. During the first quarter of each year, the Independent Authority for Fiscal Responsibility shall prepare and publicly release an Action Plan including all the studies requested, along with mandatory ones.

2. This Action Plan must be approved by the President, following deliberation by the Executive Committee, and shall be published on the website.

3. The Authority shall also publish a calendar on the website indicating the deadline for submission by Public Administrations of all the information available and necessary to issue the Authority's reports.

4. In order to prepare this schedule, the Independent Authority for Fiscal Responsibility may address its inquiries during the last quarter of the previous year to the Government, Fiscal and Financial Policy Council, National Local Administration Commission and to the Financial Commission of Social Security.

5. Without prejudice to the foregoing, this schedule shall not hinder the issuance of necessary reports, opinions and studies, although they were not initially foreseen.

Article 6. *Powers and Obligation to Cooperate in the Submission of Information.*

1. For an appropriate performance of its duties, the Independent Authority for Fiscal Responsibility shall have access to economic-financial information regarding any of the subjects referred to in article 2 of Organic Law 2/2012 of 27 April, and prepared in compliance with said Law or other legal or regulatory provisions. Said access shall not include information of an ancillary or supplementary nature such as the one contained in notes, drafts, opinions, summaries, internal communications and reports or those exchanged between administrative bodies and entities.

2. The submission of documents and data to the Independent Authority for Fiscal Responsibility shall be made in Spanish and by telematic means, unless otherwise authorised by the Authority based on extraordinary and justified reasons.

3. To this end, the Agency for Economic and Financial Information Dissemination of the General Government shall grant the Authority access to every available information, with the possibility of setting in place channels and simplified procedures that allow for the availability of such information in a flexible, fast and comprehensive manner.

4. By virtue of an Order of the Minister of Finance and Public Administration, a prior report of the Independent Authority for Fiscal Responsibility shall determine which data, documents and submission procedures –including telematic ones– shall be made available to the Authority by the Ministry of Finance and Public Administration on a permanent basis. This should be without prejudice to the need for any additional information not explicitly referred to in the Order above, but required by the Authority in order to ensure proper performance of its duties.

5. The President of the Independent Authority for Fiscal Responsibility may request information to any Public Administration Institution, among the ones mentioned in article 2.1 of Organic Law 2/2012 of 27 April, depending on the field of the information needed, or to the Fiscal and Financial Policy Council and the National Local Administration Commission, to which end the necessary information and the term for submission must be previously determined, which –unless for justified cause– may not be shorter than five days or longer than fifteen.

In case the aforementioned information refers to any of the entities included under article 2.2 of Organic Law 2/2012 of 27 April, the request shall be addressed to the Public Administration Institution in charge of it.

6. Failure to provide the documents requested in due time and form might be considered a breach of the obligation to cooperate, pursuant to the provisions of article 4 of Organic Law 6/2013 of 14 November, and this Statute, in which case the Independent Authority for Fiscal Responsibility shall release a public notice in this regard on its website.

It is the duty of the President of the Independent Authority for Fiscal Responsibility to appraise if the case at hand is a gross or repeated breach and, if so, he/she shall report it to the National Government and the Spanish Parliament.

7. The Independent Authority for Fiscal Responsibility may set in place, in agreement with the subjects mentioned in this article, simplified procedures to access or submit information, as well as approve liaison units with the relevant Public Administrations. Equally, the Authority, in agreement with the Ministry of Finance and Public Administration, might define and demand that the information requested is submitted in a specific format to make its processing and analysis easier.

In order to attain a better coordination for an adequate performance of their respective tasks, the Authority and the Ministry of Finance and Public Administration shall share the information provided upon request.

8. All entities included under the scope of the Independent Authority for Fiscal Responsibility must offer their support, assistance, help and cooperation as needed, submitting the necessary documents for an appropriate performance of the Authority's duties.

9. The Independent Authority for Fiscal Responsibility, by virtue of a Resolution of its President, may approve, for each of the reports to be issued, an Official List of Information Required including the list of documents and information that must be necessarily submitted or made specifically available in order to issue the relevant report, without prejudice to any other complementary information that might be subsequently requested during the execution of the task.

10. The Independent Authority for Fiscal Responsibility may only assign to third parties non-public information provided by the subjects regarding which it performs its duties, with the prior consent of the entity that had provided such information.

#### Article 7. *International Relations.*

1. The President of the Independent Authority for Fiscal Responsibility shall be in charge of managing the actions of the Authority regarding international relations matters, in cooperation with the Ministry of Finance and Public Administration, within the framework set forth by article 6 of Organic Law 6/2013, of 14 November.

Every quarter, the Authority shall inform the Ministry on the communications and information exchanges carried out with European Union institutions and organisations, particularly with the European Commission.

2. The cooperation of the Independent Authority for Fiscal Responsibility with independent fiscal authorities of other Member States shall be focused on its duties, without the need to inform the Ministry in this regard.

3. The annual report of activities of the Independent Authority for Fiscal Responsibility must show the actions carried out in the field of international relations.

## CHAPTER II

### Reports, Opinions and Studies of the Independent Authority for Fiscal Responsibility

#### *Section 1. Issuing of Reports by the Independent Authority for Fiscal Responsibility*

#### Article 8. *Preparation and Issuing of Reports by the Independent Authority for Fiscal Responsibility.*

1. The Independent Authority for Fiscal Responsibility shall prepare, issue and publish all the reports provided for by law. Pursuant to Organic Law 6/2013 of 14 November, the Authority shall determine the methodology, objective criteria and specific aspects to be considered in the different reports, and they must be duly accounted for.

2. The following reports will require prior submission of relevant documents:

- a) Report on macroeconomic forecasts.
- b) Report on the methodology to calculate trend patterns of income and expenditure and the growth reference rate.
- c) Report on the Stability Programme draft.
- d) Report on the projects and main budgetary aspects of Public Administrations.
- e) Report on economic-financial and re-balancing plans for Central Administration and Autonomous Regions.
- f) Report on the occurrence of the exceptional circumstances referred to in article 11.3 of Organic Law 2/2012, of 27 April, on Budgetary Stability and Financial Sustainability.

#### Article 9. *Deadlines for Issuing Reports.*

1. Reports that require document submission must be issued within the deadline set forth by law and, in the absence thereof, within 10 days from the submission of documents. Nevertheless, the term of 10 days may be reduced for urgency reasons, which must be specified upon submission of the documents.

The Administration should submit the documentation needed for the preparation of the report within a reasonable term, considering the complexity and preparation processes of the documents, in compliance with the provisions of the above paragraph.

2. The reports issued ex officio without a specific deadline established by law may be issued by the Authority whenever it considers appropriate.

3. When a report by the Independent Authority for Fiscal Responsibility is needed to continue with a procedure subject to legal and statutory time limits and said report has not been issued before the completion of the relevant term, the Administration involved may continue with the procedure until completing it, publicly stating this circumstance. In these cases, the report of the Authority may be added to the documents of the procedure if the Authority issues it subsequently, without this circumstance affecting the validity of the procedures concluded by the relevant Administration.

Article 10. *Contents of Reports.*

1. The reports should, at least, make express reference to the regulation establishing the issuance thereof and, as the case may be, other appropriate recommendations.

2. The adoption of any agreement, programme or project informed by the Authority must expressly include such circumstance in the text itself, indicating whether or not it was approved by the Authority, as well as a specific mention of the mandatory and non-binding nature of the reports. If the Administration or the institution receiving a report resolves to ignore its advice, detailed reasons for such decision shall be provided and the report shall be included in the appropriate file.

Article 11. *Submission of the Report Proposal.*

1. Provided the deadline established for issuing the report makes it possible, the Authority may submit a report proposal to the relevant recipient Administration in order to check for potential mistakes, ambiguities or inaccuracies in the contents of the report or by comparison with other sources, and which may not be referred to assessments, opinions or recommendations. For these purposes, an Administration will be considered as the recipient of a report if:

- a) It requested the report to be issued.
- b) It had the obligation to follow the recommendations or explain the reasons why it did otherwise.
- c) It is in charge of the economic-financial and budgetary supervision or monitoring of an Administration that falls under any of the above cases.

2. The Independent Authority for Fiscal Responsibility shall indicate the deadline for the submission of comments, corrections or clarification of mistakes, ambiguities or inaccuracies in the report proposal, provided the term to issue the report is not extended under any circumstances. The Authority may take into account the matters highlighted by the recipient Administration.

Article 12. *Report on Macroeconomic Forecasts.*

1. Macroeconomic forecasts included in the draft budgets of all Public Administrations, as well as the Stability Programme draft, shall be accompanied by a report issued by the Independent Authority for Fiscal Responsibility also stating if such forecasts have been endorsed by the Authority.

2. In case any Public Administration Institution incorporates or applies to the relevant budget a set of forecasts identical to the forecasts incorporated by another Public Administration Institution in whose territorial scope the former is included, and provided such forecasts were endorsed by the Authority, the issuance of a specific report will not be necessary. This circumstance shall be expressly set on record on the draft budget.

Article 13. *Report on the Methodology to Calculate Trend Patterns of Income and Expenditure and the Growth Reference Rate.*

1. Any amendments to the Ministerial Order governing the methodology used to calculate trend patterns of income and expenditure and the growth reference rate as referred to in articles 12.3 and 21.2. b) of Organic Law 2/2012 of 27 April shall be reported by the Independent Authority for Fiscal Responsibility prior to their approval.

2. The draft Ministerial Order shall be submitted to the Independent Authority for Fiscal Responsibility, along with every report and background records taken into account.

3. The preamble of the Order shall expressly mention the compliance with the criteria of the Authority or, if such Order was approved against the recommendations of the Authority, the reasons why those recommendations were not followed.

Article 14. *Report on the Occurrence of the Exceptional Circumstances referred to in Article 11.3 of Organic Law 2/2012, of 27 April, on Budgetary Stability and Financial Sustainability.*

The submission of the documents required for the preparation of this report shall be made by the Government before the commencement of parliamentary proceedings provided for in article 11.3 of Organic Law 2/2012 of 27 April. Said submission must be accompanied by the indication of the specific cause under article 11.3 adduced for applying the principle, the criteria indicated in such principle and the justification of the economic circumstances or facts in which it is to be grounded.

Article 15. *Report on the Stability Programme Draft.*

1. Before 15 April, the Independent Authority for Fiscal Responsibility shall issue the report on the Stability Programme Draft. To this end, the Authority will be provided with the aforementioned draft Programme with sufficient time in advance, along with the relevant medium-term budgetary forecasts, as well as any other information or document to support the forecasts and data included.

2. Pursuant to article 16.2 of Organic Law 6/2013 of 14 November, if any changes occurred to the budgetary stability objective, the debt limit and the debt-ceiling rule that affect the Stability Programme, the Independent Authority for Fiscal Responsibility must newly report them under the terms of this article.

Article 16. *Reports on the Determination of Individual Objectives for Autonomous Regions.*

1. Once the budgetary stability and public debt objectives are approved for all Public Administrations, pursuant to article 15 of Organic Law 2/2012 of 27 April, the Ministry of Finance and Public Administration shall communicate them to the Independent Authority for Fiscal Responsibility and shall provide it with the relevant base documents and background records, along with a preliminary analysis with a proposal for the determination of individual objectives for each Autonomous Regions.

2. For the preparation of this report, the specific situation of each Administration must be taken into account, among other elements, according to the provisions of Organic Law 2/2012 of 27 April, and particularly the existence of a re-balancing or economic-financial plan, as well as the current situation of indebtedness.

3. This report must be attached to the file submitted to the Fiscal and Financial Policy Council, by virtue of article 16 of Organic Law 2/2012 of 27 April.

Article 17. *Report on the Projects and Main Budgetary Aspects of Public Administrations.*

1. Prior to 15 October each year, the Independent Authority for Fiscal Responsibility shall prepare the report referred to in article 17.1 of Organic Law 2/2012 of 27 April.

2. Before that, and in any case before 1 October each year, the Ministry of Finance and Public Administration shall make available to the Independent Authority for Fiscal Responsibility all the official information available regarding the Draft of the General State Budget Act for the following year. Furthermore, the Ministry of Finance and Public Administration shall make the documentation regarding Autonomous Regions and Municipal Corporations –under its custody by virtue of article 27.2 of Organic Law 2/2012 of 27 April– available to the Independent Authority for Fiscal Responsibility.

Article 18. *Report on the Preliminary Budget of Public Administrations, provided for in article 17.2 of Organic Law 2/2012, of 27 April.*

1. Prior to 1 April each year, the Independent Authority for Fiscal Responsibility shall submit a report based on the documents referred to in paragraph 3 of article 27 of Organic Law 2/2012 of 27 April.

2. This report shall be prepared taking into account the variations identified in the documents compared to any other previous documents, particularly compared to the documents analysed for issuing the report provided for in article 17.

Article 19. *Reports on the Analysis of Budget Implementation, Public Debt and Debt-Ceiling Rule.*

1. Prior to 15 July each year, the Independent Authority for Fiscal Responsibility shall issue a report assessing:

a) The attainment of budgetary stability and public debt objectives for the current fiscal year and the fulfilment of the debt-ceiling rule by all Public Administrations, considering budget implementation and the measures foreseen for the current year and the previous one.

b) The risk of non-compliance with the above budget stability and public debt objectives in overall terms or by the individual sub-sectors, and the risk of breach of the debt-ceiling rule.

2. If the report concludes that there are specific risks derived from the situation of a specific Autonomous Region or Local Entity according to the provisions of paragraph 1 of this article, the Authority shall submit the report to the entity or region involved and to the Ministry of Finance and Public Administration.

Article 20. *Report on the Application of Correction Mechanisms foreseen in Organic Law 2012 of 27 April on Budgetary Stability and Financial Sustainability.*

1. This report is to be issued:

a) When, upon quarterly publication of non-financial operations for all Public Administrations in national accounts terms or upon publication of the monitoring reports for economic-financial plans, the analysis of such informations reveals that a Public Administration Institution is in a situation that entails or might entail a deviation from the attainment of the goals established regarding budgetary stability or financial sustainability, or a breach of the debt-ceiling rule.

b) When, during the preparation of any of the reports foreseen in this statute, such a risk is identified. This circumstance shall be reported as an independent section in the relevant reports, pursuant to the terms of article 21 of Organic Law 6/2013 of 14 November.

2. This report shall be submitted to the Administration or authority in charge of activating the relevant mechanisms and measures, according to applicable regulations, as well as to the Ministry of Finance and Public Administration.

*Article 21. Report on Economic-Financial and Re-Balancing Plans for Central Administration and Autonomous Regions.*

1. Whenever the Central Administration or an Autonomous Region, due to the occurrence of the circumstances established under articles 21 or 22 of Organic Law 2/2012 of 27 April, prepares the relevant economic-financial or re-balancing plans according to the provisions of said articles, they must request a report from the Independent Authority for Fiscal Responsibility before submitting the plan to the Spanish Parliament or to the approval of the Fiscal and Financial Policy Council, respectively.

2. In order to prepare this report, at least the following elements will have to be considered: level of compliance of economic-financial plans or re-balancing plans from previous fiscal years, implementation circumstances thereof, existence of contingent risks and, if applicable, monitoring reports executed by the Ministry of Finance and Public Administration and other co-ordination activities related to the global fiscal consolidation strategy within the framework of the Stability Programme.

*Section 2. Issuing of Opinions by the Independent Authority for Fiscal Responsibility*

*Article 22. Preparation and Issuing of Opinions by the Independent Authority for Fiscal Responsibility.*

1. The Independent Authority for Fiscal Responsibility may prepare, issue and publish technical value judgements or appraisals –that will be called opinions– on any matter among the ones regulated under article 23 of Organic Law 6/2013, of 14 November. Pursuant to the aforementioned Organic Law and these Statute, the Authority shall determine the methodology, objective criteria and specific aspects to be considered regarding these opinions, and these aspects must be duly accounted for.

2. The President of the Authority shall decide upon the issuance of opinions, at its own initiative under the terms of article 5.2 of Organic Law 6/2013 of 14 November.

3. During the development process of the opinions, the Authority may use all the reports and documents considered fit that have been prepared in compliance with applicable legal and regulatory provisions under the terms of article 4 of Organic Law 6/2013 of 14 November or this Statute. Said access shall not include information of an ancillary or supplementary nature such as the one contained in notes, drafts, opinions, summaries, internal communications and reports or those exchanged between administrative bodies and entities.

4. Before issuing an opinion, the Authority shall send an opinion proposal to any of the recipient Administrations or entities to verify that it contains no mistakes, ambiguities or inaccuracies derived from the contents of the opinion or by contrast with other sources, within a term of ten days.

5. In furtherance of additional provision four of Act 23/2013, of 23 December, regulating the Sustainability Factor and the Index for Revaluation of the Social Security Pension Scheme, the Independent Authority for Fiscal Responsibility shall issue an opinion regarding the values calculated by the Ministry of Employment and Social Security to determine the revaluation index of pensions applicable for each fiscal year as well as the sustainability factor.

6. In case, in compliance with the provisions of article 11.5 of Organic Law 2/2012 of 27 April, the Administrations of Social Security were expected to incur a structural deficit, the

Independent Authority for Fiscal Responsibility may issue an opinion to be sent within one month from the date such a situation was observed.

*Section 3. Preparation of Studies by the Independent Authority for Fiscal Responsibility*

*Article 23. Preparation of Studies by the Independent Authority for Fiscal Responsibility.*

1. The Independent Authority for Fiscal Responsibility shall perform studies at the request of the Government, the Fiscal and Financial Policy Council, the National Local Administration Commission and the Financial Commission of Social Security.

2. It may perform studies at the request of Autonomous Regions and Local Entities too, provided they refer to matters under its competence and that they do not affect any other Administration, whether from the same or a different level. When the matters might affect another Administration, the request must be made by the Fiscal and Financial Policy Council or by the National Local Administration Commission.

3. Pursuant to Organic Law 6/2013 of 14 November, the Authority shall determine the methodology, objective criteria and specific aspects to be considered in the different studies, and they must be duly accounted for.

4. Before the preparation of the study, a budget and progress schedule must be established, which must be submitted to the interested party for approval.

5. Once the preparation of the study has been agreed, the applicant may withdraw the request with prior notice, but the amounts due for work units already executed must be paid, as well as 10 per cent of the remaining amount.

6. The outcome of the study shall be submitted to the interested party against payment of the amount agreed to the Authority. Said party must expressly authorise the Authority before publishing the study on its website.

7. All the knowledge acquired by the Authority in the course of executing the studies may be used by the Authority for any other purpose, such as intermediate elements of other studies, reports or opinions.

CHAPTER III

**Structure of the Independent Authority for Fiscal Responsibility**

*Section 1. Presidency of the the Independent Authority for Fiscal Responsibility*

*Article 24. President of the Independent Authority for Fiscal Responsibility.*

1. The Independent Authority for Fiscal Responsibility shall be managed by its President, who shall hold the representation power thereof.

2. The President shall be considered a senior member with status of Assistant Secretary.

3. The position of President shall be full-time and subject to the incompatibility scheme for senior members of the State General Administration. Also, it shall be incompatible with the performance of any other professional activities whatsoever, whether public or private, paid or unpaid, unless those are inherent in his/her position as President of the Independent Authority for Fiscal Responsibility.

4. The President shall be appointed for a non-renewable term of six years.

5. Upon expiration of his/her mandate and during two years after that, the President shall not perform any professional activities in connection with the monitoring functions attributed to the Independent Authority for Fiscal Responsibility.

6. The President of the Independent Authority for Fiscal Responsibility shall appear, at least once a year, before the appropriate Commissions of the Congress of Deputies and the Senate.

7. The President shall attend the Fiscal and Financial Policy Council, the National Local Administration Commission and the Financial Commission of Social Security as an ex officio member without voting rights.

8. The President shall be directly in charge of a Cabinet, as his/her immediate assistance body, made up of the advisors referred to in article 38.

9. The CV of the President of the Authority shall be available on the website.

Article 25. *Duties of the President.*

Below follow the duties to be performed by the President of the Authority with full independence and objectivity and without taking any instructions:

a) To hold the legal representation of the Independent Authority for Fiscal Responsibility.

b) To appear before the competent Commission of the Congress of Deputies and the Senate.

c) To propose the appointment and dismissal of Division Directors to the Council of Ministers.

d) To call and chair the Executive Committee, requesting, if necessary, the assistance of other Authority personnel or external experts deemed necessary.

e) To sign reports, opinions and studies.

f) To decide upon the execution or not of studies requested to the Authority pursuant to the terms of Organic Law 6/2013 of 14 November and this Statute. The President may delegate the execution of agreements to perform these studies to the relevant Division Director based on the subject matter.

g) To agree upon the appointment and dismissal of the rest of the personnel working for the Authority.

h) To approve the preliminary draft budget of the organisation and submit it to the Ministry of Finance and Public Administration to be included in the General State Budget.

i) To agree upon the variations in the budget credits of the organisation.

j) To approve expenses, order payments and agree upon the remaining budget management tasks, except for those reserved by law to the Government.

k) To prepare, approve and show the accounts of the Authority.

l) To answer to information requests from the subject members of the public sector pursuant to the terms of article 3 of Organic Law 6/2013 of 14 November.

m) To decide upon the appropriateness of public notices regarding a breach of the duty of cooperation on the website of the Authority.

n) To approve the disclosure of gross or repeated breaches, and reporting thereof to the Spanish Government, Parliament and the Administration found in breach.

o) To approve the annual report of the activities of the Authority, following deliberation with the Executive Committee.

p) To act as the contracting authority, although this duty may be delegated for contracts with an estimated value below 120,000 Euros. The President shall also sign all labour contracts.

q) To agree upon actions related to the management of the equity of the organisation.

r) To determine, based on service needs, the re-distribution of resources among Divisions.

s) To sign agreements, without prejudice to the provisions of paragraph f, within the scope of competence of the Independent Authority for Fiscal Responsibility, with public and private entities.

t) To manage the actions of the Authority as regards international relations, in cooperation with the Ministry of Finance and Public Administration.

u) To propose the staff list at the Authority.

v) To propose any change to this Statute to the Minister of Finance and Public Administration.

w) To submit a report on the changes to the structure of the Authority considered necessary for a better performance of its duties to the Minister of Finance and Public Administration.

x) The remaining powers that are not expressly attributed to any other body of the Authority.

Article 26. *Delegation of duties.*

The President may delegate the duties considered appropriate from among the ones established in the preceding article to the relevant Division Director, except for those under letters b), c) and k).

Article 27. *Appointment and Dismissal of the President.*

1. The President of the Authority shall be appointed pursuant to the procedure established in article 24 of Organic Law 6/2013 of 14 November.

2. The President of the Independent Authority for Fiscal Responsibility may only be dismissed for the following causes:

a) Due to expiration of the term of office for which he/she was appointed.

b) At his/her own request.

c) For falling under any incompatibility.

d) Due to unforeseeable incapacity to perform his/her functions.

e) Due to conviction for an intentional offence, from the moment the judgement becomes final.

f) Due to a gross breach of his/her obligations.

3. In the cases foreseen under letters a) and b) of the above paragraph, the President shall be automatically dismissed on the last day of his/her mandate or on the day of filing his/her request before the Council of Ministers through the Minister of Finance and Public Administration, as the case may be.

In the cases under letters c), d), e) and f), the severance shall be agreed by the Government, regardless of the applicable penalty regime, following an investigation of the case by the Minister of Finance and Public Administration where both the President and the remaining members of the Executive Committee shall be heard. The severance resolution shall be adopted after hearing the relevant Commissions of the Congress of Deputies and the Senate.

*Section 2. Divisions of the Independent Authority for Fiscal Responsibility*

Article 28. *Divisional Structure.*

1. For the sake of a better performance of the duties attributed to the Independent Authority for Fiscal Responsibility, there will be three Divisions reporting directly to the President:

- a) Economic Analysis Division.
  - b) Budget Analysis Division.
  - c) Legal and General Administration Division
2. Each of these Divisions shall be under the control of the relevant Division Director.
  3. Divisions shall act in a coordinated manner and shall cooperate in the performance of their duties.

Article 29. *Division Directors.*

1. Division Directors shall be appointed and dismissed by the Council of Ministers at the proposal of the President of the Independent Authority for Fiscal Responsibility.
2. The recruitment of Division Directors shall be performed according to principles of equality, merit, skills and publicity, among persons with an experience of at least ten years in the relevant fields related to the Division in question.
3. The CV of Division Directors shall be available on the website of the Independent Authority for Fiscal Responsibility.
4. Division Directors are considered managerial professional staff in accordance with the provisions set forth in Act 7/2007 of 12 April on the Basic Statute of Public Employment.

Article 30. *Economic Analysis Division.*

The Economic Analysis Division is divided into two different areas, the heads of which shall have the status of assistant director-general:

- a) Macroeconomic forecasts.
- b) Public indebtedness.

Article 31. *Budget Analysis Division.*

The Budget Analysis Division is divided into two different areas, the heads of which shall have the status of assistant director-general:

- a) State and Social Security.
- b) Autonomous Regions and Local Entities.

Article 32. *Legal and General Administration Division.*

The Legal and General Administration Division comprises a single area, the head of which shall have the status of assistant director-general:

*Section 3. The Executive Committee*

Article 33. *Executive Committee.*

1. The Executive Committee –integrated by Division Directors– shall provide assistance to the President in the performance of his/her duties.
2. The following matters shall be subject to deliberation by the Executive Committee, among others:
  - a) The reports and opinions prepared by the Authority, before being signed by the President.
  - b) The decision to perform studies requested to the Authority by Autonomous Regions and Local Entities.

- c) The annual Action Plan.
- d) The annual report of activities, to be published on the website of the Authority.
- e) The internal organisation and workload distribution rules such as the management and planning of the human resources of the Authority.

Article 34. *Assistance of experts to the Executive Committee.*

The President of the Independent Authority for Fiscal Responsibility may request the attendance to the meetings of the Executive Committee of experts of national and international renown in the fields related to the duties of the Authority and to the matters to be discussed.

The assistance of experts to the meetings of the Executive Committee shall not entail the right to receive any remuneration whatsoever.

CHAPTER IV

**Personnel of the Independent Authority for Fiscal Responsibility.**

Article 35. *Special Personnel Scheme.*

1. Personnel of the Independent Authority for Fiscal Responsibility will generally be made up of career civil servants [*funcionarios de carrera*] of Public Administrations or, as the case may be, non-established civil servants [*personal laboral*] coming from national or international organisations with economic, fiscal, budgetary or financial monitoring or analysis duties.

2. In any case, the performance of the duties that require a direct or indirect involvement in the performance of public powers or in the safeguard of general State interests or Public Administrations correspond exclusively to public employees.

3. The selection, training, recruitment procedure, mobility, remuneration and disciplinary scheme of its personnel shall be compliant with the provisions of this Statute, the Basic Statute of Public Employment and the State laws in force regarding public employment.

4. The President of the Independent Authority for Fiscal Responsibility shall submit a proposal of Public Employment Offer for the Authority once a year to the Ministry of Finance and Public Administration for approval and inclusion in the Public Employment Offer of the General State Administration. Said proposal shall consider the human resource needs of the Authority for an appropriate performance of its duties.

5. The President of the Authority may also sign agreements to organise, on a temporary basis, exchanges or placements of personnel coming from the Bank of Spain or other national and international Administrations or organisations with economic, fiscal, budgetary or financial monitoring or analysis duties. The relevant non-established civil servants from the Bank of Spain and other Administrations or national or international organisations may receive their remuneration from their organisation of origin, without prejudice to the compensations they are entitled to for the duties performed at the Independent Authority for Fiscal Responsibility, under the terms of Royal Decree 462/2002, of 24 May, on compensations for services; or otherwise receive their remuneration from the Independent Authority for Fiscal Responsibility, in which case said personnel must have been, in all cases, recruited by the Authority pursuant to legally established procedures, in full compliance with the principles of equality, merit, and skills set out in article 1.3.b) of Act 7/2007 of 12 April on the Basic Statute of Public Employment.

6. Regardless of the form under which this personnel provides services to the Independent Authority for Fiscal Responsibility and of the organisation paying their remuneration, all personnel referred to in this chapter shall be subject to the relevant incompatibility and confidentiality rules for public employees, which shall be duly set on record in any agreement signed, not being authorised to provide the information received in the

performance of their duties for the Authority to their organisations of origin or to any other organisation.

Article 36. *Civil Servants.*

1. Pursuant to article 9 of Organic Law 6/2013 of 14 November, the civil servants working for the Independent Authority for Fiscal Responsibility shall be subject to the regulations applicable to the civil servants of the General State Administration.

2. The President of the Independent Authority for Fiscal Responsibility shall call for and resolve upon the selection and recruitment procedures, without prejudice to an eventual delegation of this duty, according to legally established procedures, in full compliance with the principles of equality, merit, and skills set out in article 1.3.b) of Act 7/2007 of 12 April. Said calls and resolutions shall be published in the Official State Gazette and on the website of the Authority.

Article 37. *Non-Established Civil Servants.*

1. Pursuant to article 9 of Organic Law 6/2013 of 14 November, only non-established civil servants coming from national or international organisations with economic, fiscal, budgetary or financial monitoring or analysis duties may be hired to carry out this type of duties on a temporary basis.

Particularly, according to the provisions of article 35, personnel coming from other organisations may provide services to the Independent Authority for Fiscal Responsibility on the grounds of:

a) Having been hired as temporary non-established civil servants of the Authority, which shall pay for their relevant remuneration.

b) Being temporarily providing services to the Authority, their remuneration being paid by the Bank of Spain or other national or international organisations with economic, fiscal, budgetary or financial monitoring or analysis duties, pursuant to the regulatory provisions and without prejudice to the compensations that, when applicable, they might be entitled to from the budget of the Authority, according to the provisions of Royal Decree 462/2002, of 24 May, on compensations for services.

2. The President shall be in charge of executing the employment contracts of non-established civil servants who shall be recruited, pursuant to the Public Employment Offer of the Authority provided for in article 35, through a public call which, besides being compliant with the staff list of the relevant organisation, it shall be subject to the principles of equality, merit and skills set out in article 1.3.b) of Act 7/2007 of 12 April. Said calls and resolutions shall be published in the Official State Gazette and on the website of the Authority.

Article 38. *Training Programmes.*

1. The Independent Authority for Fiscal Responsibility may implement its own internship programme in order to receive students who wish to complete their training at the Authority, during a limited time and pursuant to applicable regulations.

2. Likewise, the Authority may sign agreements with Universities and other education or professional centres with the aim of contributing to the training of new professionals in the fields of expertise related to the duties of the Authority, all of it pursuant to applicable regulations.

3. Interns shall not be considered to be providing services to the Authority or to have a contractual relationship with the Authority under any circumstances.

Article 39. *Staff List.*

The President of the Independent Authority for Fiscal Responsibility shall propose a staff list to the competent bodies, including:

a) The posts to be occupied exclusively by civil servants, name of the post, type and recruitment procedure, requirements for the performance of the duties, and the level of income supplements attached to their additional salary.

b) The posts that may be occupied by non-established personnel, permanent or temporary, name of the post, professional qualification groups under which they are classified, and salary and recruitment scheme.

Article 40. *Incompatibility Cases for the Personnel of the Independent Authority for Fiscal Responsibility.*

The Independent Authority for Fiscal Responsibility shall be subject to Act 53/1984 of 26 December on Incompatibilities of the Personnel of Public Administrations.

Article 41. *Duty of Confidentiality.*

1. Pursuant to article 4.4 of Organic Law 6/2013 of 14 November, and article 35.5 of this Statute, confidential information that the personnel of the Independent Authority for Fiscal Responsibility may be aware of or obtain in the performance of their duties or in virtue of any relation with the Authority must be processed in observance of the limits and according to the legal provisions that govern access thereto and disclosure thereof.

2. To this end, the Independent Authority for Fiscal Responsibility shall prepare a specific policy to guarantee confidentiality of non-public information, including a Code of Conduct for the personnel of the Authority, which shall be published on the website.

CHAPTER V

**Procurement, Equity and Financing Regime of the Independent Authority for Fiscal Responsibility**

Article 42. *Procurement Regime.*

1. The contractual activity of the Independent Authority for Fiscal Responsibility is subject to the recast text of the Public Sector Contracts Act, approved by Royal Legislative Decree 3/2011 of 14 November, and to its relevant implementation rules.

2. For the above purposes, the provisions of the above regulations for Public Administrations shall apply.

3. The President is the contracting authority of the Independent Authority for Fiscal Responsibility and may delegate this power, except for contracts with an estimated value equal to or above 120,000 Euros.

4. The Authority may determine its accession to centralised procurement systems or to the joint co-financing of contracts along with the Ministry of Finance and Public Administration in case the latter was a more efficient way to allocate resources.

5. The Independent Authority shall receive the electronic invoices issued by its suppliers through the general entry point of electronic invoices addressed to the General State Administration, under the terms of Act 25/2013, of 27 December, on the promotion of electronic invoices and creation of an accounting registry of invoices for the Public Sector.

Article 43. *Equity and Financing Regime.*

1. For the attainment of its objectives, the Independent Authority for Fiscal Responsibility shall have its own equity, independent from that of the General State Administration, comprised of the goods and rights under its ownership.

2. The management and administration of own goods and rights, as well as of those included under State property and allocated to the attainment of its objectives, shall be performed pursuant to this Statute and to the provisions applicable to public organisations of Act 33/2003, of 3 November, on the Equity of Public Administrations.

3. The President of the Independent Authority for Fiscal Responsibility is entrusted with the task of approving the acquisition by any legal means of real estate properties and rights necessary for the purposes of the Institution, as well as the use and leasing thereof, according to the procedure set out in Act 33/2003 of 3 November.

4. The Independent Authority for Fiscal Responsibility shall create and update an inventory of goods and rights, including both its own and State property allocated to this body, which shall be annually revised before 31 December and be subject to the approval of the President of the Independent Authority for Fiscal Responsibility. The inventory and modifications thereof shall be submitted to the Ministry of Finance and Public Administration during the first month of each calendar year.

5. The Independent Authority for Fiscal Responsibility shall have enough economic resources for the performance of its duties and shall be financed through the following sources:

a) Fees for supervision analysis, counselling and monitoring of fiscal policy received in connection with services provided to Public Administrations under Chapter II of Organic Law 6/2013 of 14 November.

b) Income resulting from public prices received for the performance of studies provided for under article 5.3 of Organic Law 6/2013 of 14 November.

c) Funds allocated on an annual basis as established in the General State Budget.

d) Products and income derived from the goods and rights that make up its equity.

e) Any others that may be legally allocated to the Authority.

CHAPTER VI

**Budget, Accounting and Monitoring System of the Independent Authority for  
Fiscal Responsibility**

Article 44. *Budget.*

1. The Independent Authority for Fiscal Responsibility shall prepare and pass an annual preliminary draft budget according to the structure established by the Ministry of Finance and Public Administration, and shall submit it to the Ministry of Finance and Public Administration for subsequent incorporation into the General State Budget as provided for by the General Budget Act 47/2003 of 26 November.

2. The budget shall be of a restrictive nature in terms of the overall amount and of an estimative nature in terms of the allocation of credits into the different economic categories, except for personnel expenses that shall also have a restrictive and binding nature as regards their final amount, and the nominative subsidies and protocol and representation costs, which shall be restrictive and binding regardless of the level of economic classification at which they are established.

3. The authorisation of variations entailing an overall increase of the initially approved credits, shall be granted according to the following:

a) The President of the Independent Authority for Fiscal Responsibility is in charge of authorising virements provided that the credits allocated to personnel expenses are not increased nor financed with contributions from the General State Budget.

b) The Minister of Finance and Public Administration is in charge of authorising virements the entail an increase of the credit allocated to personnel expenses.

c) If the virements were related to the state contributions included under the General State Budget, the power to authorise both virements above shall correspond to the body authorised to modify the State Budget.

4. Virements that do not entail increasing the overall amount of the budget are to be approved by the President of the Independent Authority for Fiscal Responsibility, unless said variations affect the credits allocated to personnel expenses in which case the authorisation thereof shall fall under the competence of the Minister of Finance and Public Administration.

5. Once approved by the Independent Authority for Fiscal Responsibility, virements must be reported to the Directorate General for Budgets of the Ministry of Finance and Public Administration.

*Article 45. Accounting Principles of the Independent Authority for Fiscal Responsibility.*

1. The Independent Authority for Fiscal Responsibility must apply the public accounting principles provided for in article 122 of the General Budget Act 47/2003 of 26 November, as well as the principles and rules established in the General Public Accounting Plan.

In furtherance of the provisions of the above paragraph, the Independent Authority for Fiscal Responsibility shall implement an accounting information system that provides, through statements and reports, a true and fair image of the equity, financial situation and results, as well as of the implementation of the budget.

This information system shall be interconnected with the accounting registry of invoices, which must be managed under the terms of Act 25/2013, of 27 December, on the promotion of electronic invoices and creation of an accounting registry of invoices for the Public Sector.

2. The Independent Authority for Fiscal Responsibility, in cooperation with the Central Government Comptroller's Office, shall implement an analytical accounting system that provides sufficient information on the costs of its activities in order to take correct and efficient decisions and to determine the relevant public fees and prices. This resulting information shall be included in the annual report of activities executed by the Authority.

3. The Central Government Comptroller's Office shall establish the functional requirements and, if applicable, the computing procedures related to the accounting information system, pursuant to article 125 of the General Budget Act 47/2003 of 26 November.

*Article 46. Annual Accounts.*

1. The President of the Independent Authority for Fiscal Responsibility shall prepare the annual accounts within the three months following the end of the financial period. Once audited by the Central Government Comptroller's Office, the accounts shall be submitted to the President for approval.

2. Once approved, the President shall report the annual accounts, through the Central Government Comptroller's Office, to the Court of Auditors for appropriate control. The submission to the Central Government Comptroller's Office must be made within the seven months following the end of the financial period.

Article 47. *Economic and Financial Monitoring.*

Notwithstanding the jurisdiction of the Court of Auditors by virtue of its Organic Law, the economic-financial management of the Independent Authority for Fiscal Responsibility shall be subject to monitoring by the Central Government Comptroller's Office in accordance with the terms foreseen in the General Budget Act 47/2003 of 26 November. The ongoing financial monitoring shall be entrusted to the Delegation of the Comptroller's Office at the Independent Authority for Fiscal Responsibility, under the control of the Central Government Comptroller's Office.

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Certificación/ Certificate

Don Pablo Flores Ezcurra, Intérprete Jurado de inglés certifica que la que antecede es una traducción fiel y completa al inglés de un documento redactado en lengua castellana.

En Madrid, a catorce de mayo de dos mil catorce.

Pablo Flores Ezcurra, Sworn Translator of English does hereby certify: That the preceding translation is a complete and faithful rendering in English of the original in Spanish.

In Madrid, this Fourteenth day of May of the year two thousand and fourteen.