

TARN Information Sheet

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Types of EU Agencies & Functions

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EU Agencies may be categorised in line with their legal basis, functions, size, nature of their powers and the instruments they may adopt as well as to what extent they may exercise their powers independently. Depending on the purpose of analysis, it is useful to distinguish agencies following a *functional*, *numerical* and *legal* typology.

Functional Typology

Functionally five main types of EU agencies may be distinguished although most agencies have a plurality of functions:

- ❖ EU agencies providing expertise
- ❖ Information and cooperation based EU agencies
- ❖ EU agencies in charge of provision of services
- ❖ EU agencies conducting supervision, inspection, enforcement
- ❖ EU agencies responsible for the execution of EU programmes
- ❖ EU agencies responsible for facilitating, coordinated or setting up operational cooperation

Numerical Typology

From a *numerical* perspective, agencies are different and vary in size (in staff and consequently in budget) enormously. Today, the smallest agency is the European Agency European Institute for Gender Equality (EIGE) that employs approximately 48 staff, with an annual budget of 7,6 million euro. The biggest agency is the Office for Harmonization in the Internal Market (Trade Marks and Designs) (OHIM), recently rebaptised into European Union Intellectual Property Office (EUIPO), employing over 1,000 staff, having an annual budget of around 400 million euro and entirely self-financed.

Legal Typology

From a *legal* perspective we can distinguish agencies on the basis of three aspects, legal basis, nature of powers and instruments and autonomy in decision making. As regards *their legal basis*, we can distinguish agencies, created by

- ❖ Commission act
- ❖ Council joint action or other act
- ❖ European Parliament and Council act

According to the *nature of their powers and the instruments* they have at their disposal, agencies can be divided into agencies with and without binding decision-making powers. Only a few agencies have been allotted formal and binding decision-making powers, although it is noteworthy that increasingly binding decision-making powers are conferred upon agencies. Such powers are, following the *Meroni* doctrine, strictly circumscribed executive powers.

Looking at *the agencies' autonomy to adopt specific acts*, agencies may be divided into agencies that need prior approval for the conclusion of an act, agencies that need prior consultation with the Commission or agencies that can autonomously adopt acts. This typology is for example particularly relevant for the operation of agencies in the external relations policy of the EU.