2009 discharge: EU general budget, European Data Protection Supervisor

2010/2150(DEC) - 22/03/2011

The Committee on Budgetary Control adopted the report by Crescenzio RIVELLINI (EPP, IT) recommending the European Parliament to grant the European Data Protection Supervisor (EDPS) discharge in respect of the implementation of the budget for the financial year 2009.

The committee cites that, in 2009, the EDPS had commitment appropriations available amounting to a total of **EUR 7 million** (2008: EUR 5.3 million), with a utilisation rate of 81.44%, lower than the average of the other institutions (97.69%).

Members note that the Court of Auditors performed an in-depth assessment of supervisory and control systems in the Court of Justice, the European Ombudsman and the European Data Protection Supervisor which included the examination of an additional sample of transactions involving payments relating to human resources and to other administrative expenditure. As far as the EDPS is concerned, the Court of Auditors found that, in four cases out of ten, the information available to the EDPS was not sufficiently up-to-date to ensure that allowances provided for by the Staff Regulations were paid to staff in compliance with relevant Community regulations and national legislation.

Members endorse the suggestion of the Court of Auditors that EDPS staff should be requested to submit at appropriate intervals documents proving their personal situation, and that the EDPS should improve its system for the timely monitoring and control of those documents.

They note that the Office for the Administration and Payment of Individual Entitlements (PMO) handles the social allowances files, on behalf of the EDPS.

Members note that due to the limited size of the EDPS, it cooperates administratively with a number of other institutions, in particular with the Commission services (ADMIN, BUDG, EAC, IAS), the Publications Office, Parliament's services (buildings and infrastructure, security, IT, printshop, communications, etc.), as well as the Council's translation service. They recall that on the basis of the Administrative Cooperation Agreement between the Secretaries-General of the Commission, Parliament and the Council, the administrative handling of all EDPS missions is ensured by the Paymaster's Office of the Commission, and that the evaluation (effectively performed by the Commission's internal auditor, acting as EDPS Internal Audit Service on the basis of the Administrative Cooperation Agreement) had stated that the functionality and efficiency of the internal control system was adequate and that it provided reasonable assurance for the achievement of the EDPS' objectives.

Members note that the Court of Auditors did not make any significant observations regarding the EDPS. Lastly, they welcome the annual publication of declarations of financial interests of the elected Members of the institution (EDPS and Assistant Supervisor).