2009 discharge: EU general budget, European Data Protection Supervisor

2010/2150(DEC) - 10/05/2011 - Text adopted by Parliament, single reading

The European Parliament adopted by 490 votes to 60, with 17 abstentions a decision to grant the European Data Protection Supervisor (EDPS) discharge in respect of the implementation of the budget for the financial year 2009.

Furthermore, Parliament adopted a resolution with observations which are an integral part of the decision to grant discharge. The resolution recalls 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%).

Parliament notes 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.

Parliament endorses the position 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. It notes that the Office for the Administration and Payment of Individual Entitlements (PMO) handles the social allowances files, on behalf of the EDPS.

As regards the rest, Parliament accepts to consider given that the EDPS as a small institution. In this regard, the management of an important number of files is shared with other institutions by means of cooperation agreements with the Commission, the Parliament and the Council.

Parliament notes that the evaluation (which was, in fact, 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. It also noted that the Court of Auditors did not make any significant remarks regarding the EDPS.