2010 discharge: Euratom Supply Agency (ESA)

2011/2236(DEC) - 06/09/2011 - Court of Auditors: opinion, report

PURPOSE: presentation of the EU Court of Auditors' report on the annual accounts of the

Euratom Supply Agency, together with the Agency's reply.

CONTENT: in accordance with the tasks conferred on the Court of Auditors by the Treaty on the Functioning of the European Union, the Court presents to the European Parliament and to the Council, in the context of the discharge procedure, a Statement of Assurance as to the reliability of the annual accounts of each institution, body or agency of the EU, and the legality and regularity of the transactions underlying them, on the basis of an independent external audit.

This audit concerned, amongst others, the annual accounts of the Euratom Supply Agency.

In the Court's opinion, the **Agency's Annual Accounts fairly present, in all material respects, its financial position as of 31 December 2010** and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of its Financial Regulation.

The Court also considers that the **transactions underlying the annual accounts** of the Agency for the financial year ended 31 December 2010 are, in all material respects, **legal and regular.**

The report confirms that in 2010, as in 2009 and 2008, the Agency did not receive any subsidy to cover its operations. The Commission bore the costs incurred by the Agency for implementing the 2010 activities.

The report also makes a series of observations on the budgetary and financial management of the Agency, accompanied by the latter's response. The main observations may be summarised as follows:

The Court's observations:

- **issue of the Agency's financial autonomy**: the Court wishes to draw attention to the same issue as last year: Article 54 of the Treaty Establishing the European Atomic Energy Community provides that the Agency shall have financial autonomy. In fact, the Agency has not, since 2008, received a budget. That being the case, the European Commission has directly discharged the Agency's expenses. In the Court's view, this situation is at odds with the Statutes of the Agency and the Court considers that the Agency and the Commission should, together with all interested parties, consider measures to eliminate this situation.

The Agency's reply:

- the Agency states that in order to resolve this situation, it has been agreed to propose to re-establish the specific budget line for the Euratom Supply Agency in the General budget of the EU for 2012. Once adopted, this would represent a major achievement in addressing the current concerns. On 20 April 2011, the Commission adopted a proposal containing a budget line for the Agency credited of 98 000 euro. This proposal has since been submitted to the EU budget authorities for adoption. In line with the provisions of Article 4 of the Agency Statutes, staff expenditure is and will remain in the budget of the Commission. This Article stipulates that 'staff of the Agency shall be officials of the European Communities' and 'their salaries shall be paid by the Commission'. On the basis of the experience gained in 2012, the Agency will evaluate whether the amount of the requested subsidy would have to be adapted in the future.