2011 discharge: European Securities and Markets Authority (ESMA)

2012/2209(DEC) - 17/04/2013 - Text adopted by Parliament, single reading

The European Parliament adopted a decision on discharge to be granted to the Director of the European Securities and Markets Authority for the financial year 2011. The vote on the decision to grant discharge covers the closure of the accounts (in accordance with Annex VI, Article 5(1) of the European Parliament' s Rules of Procedure).

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts of the Authority for the financial year 2011 are reliable and that the underlying transactions are legal and regular, Parliament adopted a resolution containing a number of recommendations that need to be taken into account when the discharge is granted, in addition to the general recommendations that appear in the draft resolution on performance, financial management and control of EU agencies.

- **Financing, budget and financial management:** in accordance with its Founding Regulation, 60% of the 2011 budget was financed by contributions from the Member States and the European Free Trade Association (EFTA) countries, and 40% was financed by the Union budget. Parliament notes that at the end of 2011, the Authority recorded a positive budget outturn of EUR 4 457 244,822, which was then recorded in the accounts as a liability towards the Commission. The Commission is called upon to explore all the options for a new long term sustainable financing of the Authority that safeguards its independence. Given that the Authority is an integral part of the European System of Financial Supervisors and works in close cooperation with its sister authorities, the European Banking Authority and the European Insurance and Occupational Pensions Authority, within a Joint Committee, and with the European Systemic Risks Board, Parliament calls on the Commission to evaluate the possibility of coming up with a proposal ensuring that the **budgets of the three European Supervisory Authorities (ESAs) are fully funded by the Union budget,** in the interests of safeguarding their independence.
- **Implementation rate of appropriations:** Parliament recalls that according to the Court, the Authority registered a budget execution ratio of 75.7% for commitments and 62.5% for payments at the end of 2011. Parliament calls on the Authority to inform the discharge authority of the actions taken to improve that ratio, as the low execution ratio shows difficulties in budget planning and implementation. Noting that the Authority was still in its launch period, Parliament highlights these problems of budgetary planning and the justification of certain expenses.
- **Recruitment procedures:** Parliament calls on the Authority to inform the discharge authority of which further actions it has taken to improve the recruitment procedures. It also encourages the Commission to allow for a certain degree of simplification of the Staff Regulations.

Lastly, Parliament makes a series of observations as regards the accounting and control systems of this Agency.