

# 2015 discharge: European Securities and Markets Authority (ESMA)

2016/2188(DEC) - 30/03/2017 - Committee report tabled for plenary, single reading

The Committee on Budgetary Control adopted the report by Inés AYALA SENDER (S&D, ES) on discharge in respect of the implementation of the budget of the European Securities and Markets Authority (ESMA) for the financial year 2015.

The committee called on the European Parliament to grant the Executive Director of the Authority discharge in respect of the implementation of the Authority's budget for the financial year 2015.

Noting that the Court of Auditors stated that it had obtained reasonable assurance that the annual accounts of the Authority for the financial year 2015 were reliable and that the underlying transactions were legal and regular, Members called on Parliament to approve the closure of the Authority's accounts. They made, however, a number of recommendations that needed 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](#):

- **Agency's financial statements:** Members noted that the final budget of the Agency for the financial year 2015 was EUR 34 031 603, representing an increase of 2.3 % compared to 2014, which can be explained by the new tasks given to the Agency.
- **Budget and financial management:** Members acknowledged that the budget monitoring efforts during the financial year 2015 resulted in a budget implementation rate of 99.64 %, representing an increase of 0.08 % compared to 2014, and that the payment appropriations execution rate was at 84.54 %, representing an increase of 3.38 % compared to 2014. They also noted the reduction in the 2015 budget through two subsequent budget amendments, thereby using Union funds rationally. They suggested that, as the Authority's workload is increasingly shifting from legislative tasks to supervisory convergence and enforcement, the Authority's budget and manpower should be allocated accordingly.
- **Commitments and carry-overs:** Members stated that the carry-overs were mainly related to the multiannual nature of the Authority's large IT projects, as well as to mission expenses that could only be reimbursed in 2016. They noted that the carry-overs were not always at odds with the budgetary principle of annularity.

Members also made a series of observations regarding transfers, procurement, recruitment procedures and the prevention and management of conflicts of interests and internal audits.

Lastly, they stated that the Authority does not exercise all the prerogatives established in its legal framework. They underlined that it should ensure that resources are maximised in order to fully fulfil its legal mandate and that a closer focus on the mandate given to it by the European Parliament and the Council could result in a more efficient use of its resources and a more effective achievement of its objectives. When **drafting implementing legislation**, the Authority needs to inform the European Parliament and the Council about its activities in a timely, regular and comprehensive manner.