Basic information

2002/2104(DEC) DEC - Discharge procedure	Procedure completed
2001 discharge: EC general budget, Court of Justice **Subject** 8.70.03.07 Previous discharges	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	CONT Budgetary Control	AVILÉS PEREA María Antonia (PPE-DE)	10/09/2002
European Commission	**Commission DG**	**Commissioner**	
	Budget		

Key events

Date	Event	Reference	Summary
30/04/2002	Non-legislative basic document published	SEC(2002)0405	
10/06/2002	Committee referral announced in Parliament		
24/03/2003	Vote in committee		
24/03/2003	Committee report tabled for plenary	A5-0101/2003	
08/04/2003	Decision by Parliament	T5-0152/2003	Summary
08/04/2003	Debate in Parliament		
08/04/2003	End of procedure in Parliament		
12/03/2004	Final act published in Official Journal		

Technical information

Procedure reference	2002/2104(DEC)
Procedure type	DEC - Discharge procedure
Legal basis	Rules of Procedure EP 102
Stage reached in procedure	Procedure completed

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A5-0101/2003	24/03/2003	
Text adopted by Parliament, single reading		T5-0152/2003 OJ C 064 12.03.2004, p. 0027-0218 E	08/04/2003	Summary

Council of the EU

Document type	Reference	Date	Summary
Supplementary non-legislative basic document	01375/2003	07/03/2003	
Supplementary non-legislative basic document	01376/2003	07/03/2003	

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	SEC(2002)0405	30/04/2002	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofA	Court of Auditors: opinion, report	N5-0538/2002 OJ C 295 28.11.2002, p. 0001-0288	10/10/2002	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Budget 2003/0411
OJ L 148 16.06.2003, p. 0045-0045 Summary

2001 discharge: EC general budget, Court of Justice

2002/2104(DEC) - 10/10/2002

PURPOSE : to present the Court of Auditor's Annual report on the implementation of the budget and other Community institutions for the financial year 2001 (Court of Justice). CONTENT : the annual report from the Court of Auditors relating to the financial year 2001 concentrates on the entire Community budget, including the operational appropriations for the other institutions. These appropriations are managed directly by these authorities

and are used primarily to pay the salaries, allowances and pensions of persons working for the Community Institutions, as well as rent, property, purchases and miscellaneous administrative expenditure. The Court has reviewed the information presented in Volumes I to IV of the revenue and expenditure account published by the Commission. Volumes I and III provide a commentary on budgetary management for the year and, in particular, explanations of variations between the approved budget and the appropriations finally available, as well as between the appropriations finally available and those utilised. This review sought to identify any significant variations for which explanations are not provided and to identify any explanation that might be considered misleading. The review did not reveal any such case. It should be noted that in response to the Court's observations of the Annual Report concerning the financial year 2000, the Commission and the Parliament have improved the presentation and user-friendliness of their analysis of budgetary management. In particular, the Commission has provided some global analysis and has introduced a more logical and consistent presentation between chapters and the Parliament has given factual information about the results achieved with the budgetary appropriation used. However, institutions other than the Commission continue to focus on describing changes in levels of appropriations during the year and on commitment made and not on the differences between sums committed and sums paid. It is still the Court's opinion that it would be desirable for all the institutions to provide a more global analysis of their budgetary management which highlights and explains trends over time in expenditure and the funding of major capital items, and which offers key measures of economy and efficiency. As far as the Court of Justice is concerned, the report states that no observations arose from the audit of the audit of the Court of Justice's balance sheet. However, the reports outlines the remarks relating to heading (Weightings) in the budget sections of the Commission and the Court of Justice which states that appropriations are available to cover weightings applied to the transfer of part of the emoluments of Members of the Institutions to a country other than the country of employment. The suspension, which was decided on a provisional basis and pending receipt of clarification, was intended to enable the Administrative Committee to examine in depth the arguments which had prompted the Court of Auditors to contest the regularity of such transfers, in particular the contention that there was no specific legal basis for that practice in the absence of an express provision in the rules laid down by the Council governing the emoluments of Members and that the mere entry of the appropriations relating thereto could not constitute a sufficient basis for that item of expenditure, whichwould, moreover, necessitate the adoption of a basic act by the legislative authority. The Administrative Committee consequently took the view that the legal basis of the practice in question was to be found in the provisions of Article 17 of Annex VII of the Staff Regulations of Officials, which are applicable by analogy to Members, and that the institution was obliged to discontinue the suspension decided upon on 12 June 2002 and to resume the transfers in respect of Members on the same conditions, and in accordance with the same arrangements, as those applicable to officials. As indicated, the Court actually ceased to apply these weightings on 1 July 2002.

2001 discharge: EC general budget, Court of Justice

2002/2104(DEC) - 08/04/2003 - Final act

PURPOSE : to grant discharge to the Court of Justice on the implementation of the European Union general budget for the financial year 2001. COMMUNITY MEASURE : Decision 2003/411/EC of the European Parliament concerning discharge in respect of the implementation of the general budget of the European Union for the financial year 2001 (Section IV - Court of Justice). CONTENT : with the present decision, the European Parliament grants discharge to the Registrar of the Court of Justice in respect of the implementation of the budget for the 2001 financial year. This decision is accompanied by a series of comments which complete the discharge decision. These comments are included in the Parliament's opinion (please refer to the summary of the European Parliament's resolution dated 8 April 2003).

2001 discharge: EC general budget, Court of Justice

2002/2104(DEC) - 30/04/2002

PURPOSE : to present the balance sheets and the revenue and expenditure accounts relating to the implementation of the 2001 budget : Section IV - Court of Justice. CONTENT : this document presents the amount of expenditure and the balance sheets of the other institutions of the Union (except the Commission) for 2001. It highlights, in particular, that the expenditure of the Court of Justice has gained 8,8% in comparison with the year 2000. The 2001 budget of the Court is set at EUR 141.888.600 incurring a height of 99,15% and is marked by the following elements: 1) personnel costs : an increase of 8,9% compared to 2000; 2) inter-institutional co-operation : an increase of 15,6% compared to 2000 : this covers staff training and redeployment of personnel but also restaurant and canteen costs, which like in 2000, were in deficit. It should be noted that as from 2002, the Court will conclude a new contract as regards catering which will lead to the suppression of any financial participation from the Court in the running of this sector; 3) real estate : an increase of 19,4% due to the strengthening of the "Costs of purchase-rental" expense for an amount of nearly EUR 3 million : this amount made it possible for the Court to make, at the end of 2001, a repayment before the due date of the rental-purchase agreement concluded between the Court and the Luxembourg authorities for annex buildings of the Palais.

2001 discharge: EC general budget, Court of Justice

2002/2104(DEC) - 08/04/2003 - Text adopted by Parliament, single reading

The Parliament adopted the report by María Antonia AVILES PEREA (EPP-ED, Spain) and grants discharge to the Registrar of the Court of Justice in respect of the implementation of the budget for the 2001 financial year. With regard to the Court's current building projects involving the renovation of the "Palais", a ring-shaped building around the "Palais" and two towers containing offices, Parliament asks the Court to provide a report on the way in which it manages its existing buildings, new building projects, maintenance and infrastructures generally. It notes that in 2001 the Court of Justice made an advance payment of EUR 2 884 849 to the Luxembourg authorities in respect of the lease/purchase of the annexes to the "Palais" with the aim of reducing the amount payable under the 2003 budget. It notes the Court's assessment that, with a number of pre-enlargement staff commencing already in late 2003 and the accession date set for 1 May 2004, additional office space will be required in order to accommodate the new Members of the Institution (up to 10 judges each for the Court of Justice and the Court of First Instance), the staff of their respective chambers ("cabinets"), the staff of the translation service and many other accession-related staff. It further notes that the administration of the Court, with the help of the Luxembourg Ministry of Public Works, is currently undertaking a search for suitable office accommodation. The House notes, as regards the workload of the Court

of First Instance, that while the number of cases disposed of has increased in recent years, it has invariably remained lower than the number of cases brought, so that the backlog of pending cases has continued to grow (2001 - cases brought: 345; cases disposed of: 275; cases pending: 589). Parliament asks that the discharge authority be kept informed of the evolution of the Court's workload and translation backlog. Parliament notes with concern that the European Union's reputation, as well as the rights of EU citizens, suffer owing to the length of time it takes the Court of Justice to deal with its current case load. Therefore, it requests the Court to provide Parliament with a report explaining how it currently organises its work, and to detail the problems which preclude the Court from giving an efficient service. It equally notes that enlargement will increase the severity of the problems faced by the Court. The Court is also asked to provide suggestions on how to address these problems, indicating where structural changes are necessary, and giving a full breakdown of the additional resources that would be necessary to carry out these improvements. Parliament expects the Members of the Institutions to repay the costs incurred if they use the official cars with which they are provided for non-official purposes. It asks the Court of Justice to forward to Parliament by 30 June 2003 a report on the rules it has issued in this respect and on the amounts paid by Members in 2001 and 2002.