Basic information

2003/2213(DEC) DEC - Discharge procedure	Procedure completed
2002 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	STAUNER Gabriele (PPE-DE)	10/09/2002
European Commission	**Commission DG**	**Commissioner**	
	Budget		

Key events

Date	Event	Reference	Summary
13/05/2003	Non-legislative basic document published	N5-0034/2003	
25/02/2004	Committee referral announced in Parliament		
29/03/2004	Vote in committee		
29/03/2004	Committee report tabled for plenary	A5-0228/2004	
21/04/2004	Decision by Parliament	T5-0340/2004	Summary
21/04/2004	End of procedure in Parliament		
21/04/2004	Final act published in Official Journal		

Technical information

Procedure reference	2003/2213(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		A5-0228/2004	29/03/2004	
Text adopted by Parliament, single reading		T5-0340/2004 OJ C 104 30.04.2004, p. 0424-0690 E	21/04/2004	Summary

Council of the EU

Document type	Reference	Date	Summary
Non-legislative basic document	N5-0034/2003	13/05/2003	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofA	Court of Auditors: opinion, report	N5-0019/2003 OJ C 286 28.11.2003, p. 0325-0361	08/10/2003	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Budget 2004/0724
OJ L 330 04.11.2004, p. 0140-0140 Summary

2002 discharge: EC general budget, Court of Justice

2003/2213(DEC) - 08/10/2003

PURPOSE : to present the Annual Report from Court of Auditors on the implementation of the budget of the other institutions for the year 2002 (Court of Justice). CONTENT : the 2002 Annual Report from the Court of Auditors concerning the financial year 2002 concentrates on the Community budget as a whole and contains the institutions' and other bodies' administrative appropriations. These appropriations are managed directly by each institution or body 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. In the Commission's case, these appropriations also enable subsidies to be given to associations and organisations that assist in the implementation of various aspects of the European Union's activities. The Court carried out an audit of the European institutions' Invalidity Pensions Scheme in order to assess the cost of invalidity pensions, identify potential savings, determine whether invalidity pensions are only granted where a real invalidity has been duly recognised, and evaluate whether the institutions have set up the management systems required for adequate monitoring of, and effective control over, the operation of the scheme (3/2003). The Court's audit revealed a complex picture. On the one hand the rate of invalidity retirement has remained stable over the last 15 years, and, in the opinion of the Court's medical adviser, invalidity pensions are awarded in a justified way. On the other hand, retirement on invalidity grounds is more common in some grades than normal retirement, and there is evidence that frustration in the working environment is a significant element in demotivating some staff who are eventually retired on ill-health grounds. A part of invalidity retirements could, moreover, be avoided if adequate administrative measures for prevention and early treatment of medical problems and the associated employment problems were taken in good time. The result is frequent and costly delays in the opening and progress of the invalidity procedure, with the length of the process itself associated with deteriorating health and consequently with extremely low rates of reinstatement, especially in the 50 % of cases involving psychological disorders. The Court states that the total net actuarial cost of the invalidity pensions awarded each year has been estimated by the Court at about EUR 74 million. The audit found scope

for financial savings through the adoption of adequate administrative measures for prevention and early treatment, particularly in cases where the grounds for invalidity are psychological. Such measures should include the development by the institutions of an overall policy on absences due to illness and on invalidity, with performance indicators, strong support from senior management, clearly allocated roles and responsibilities, strong medical and administrative synergy, and with careful and resource-intensive attention given to the needs of those members of staff who need support. This policy should focus both on actions to be taken in the early stages through preventative measures that consider the organisation of work and working conditions, and on those actions required at a subsequent stageto help rehabilitation and encourage members of staff who are in poorer health to continue to work under reasonable conditions. Lastly, the Court's audit found no important failures of the systems or other material errors affecting the legality and regularity of administrative expenditure. The Court recommends that, in the framework of the enforcement of the new Financial Regulation, attention be specifically paid to the reinforcement of the supervisory systems and controls.

2002 discharge: EC general budget, Court of Justice

2003/2213(DEC) - 21/04/2004 - Final act

PURPOSE : to grant discharge to the Court of Justice for the financial year 2002.

LEGISLATIVE ACT : Decision 2004/724/EC of the European Parliament concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year - Section IV- Court of Justice.

CONTENT : with this present Decision, the European Parliament gives discharge to the Registrar of the Court of Justice in respect of the implementation of the budget for the 2002 financial year.

This Decision is in conformity with the European Parliament's resolution approved on 21 April 2004 and which is accompanied by a series of which complete the discharge decision (please refer to the summary of the opinion).

2002 discharge: EC general budget, Court of Justice

2003/2213(DEC) - 21/04/2004 - Text adopted by Parliament, single reading

In adopting the report by Gabriele STAUNER (EPP-ED, D), the European Parliament voted to grant the Registrar of the Court of Justice discharge in respect of the implementation of the budget for the 2002 financial year. In an accompanying resolution, the Parliament notes the replies given by the Court of Justice on 17 December 2003 to the questionnaire sent by the Committee on Budgetary Control on 26 November 2003. It also states that as from next year the Court of Justice will forward to the European Parliament a report summarising the number and type of internal audits carried out, the recommendations made and the action taken on those recommendations. On the issue of non-official use of official cars, the Parliament notes that the Court of Justice, in addition to the official journeys authorised by it or by its President, defrays the cost of the use of official cars by its Members up to a ceiling of 30 000 km a year (Members of the Court of First Instance: 25 000 km; President of the Court of First Instance: 30 000 km). It notes that the Members of the Court thus enjoy benefits in kind although no corresponding decision has been taken by the EU Council of Ministers, which is responsible for their emoluments. The Court of Justice is called upon to amend its rules by 1 July 2004 to require its Members themselves to bear in full the cost of non-official use of official cars. On the issue of increases in remuneration as a result of weightings, Parliament notes that on the basis of an internal administrative ruling the Members of the Court of Justice have the possibility of benefiting from increases in remuneration by having it transferred in part to other EU Member States, and taking advantage of 'weightings' in the process, rather than receiving a transfer to accounts in their country of employment, Luxembourg. It points out that the decision is an internal administrative ruling by the Court of Justice and can under no circumstances be regarded as a ruling in its judicial capacity. It is pointed out that a decision by the Court of Justice's Administrative Committee was taken on 25 September 2002, but that, on a proposal by the Council, Parliament and the Council subsequently deleted a remark from the Court of Justice's 2003 preliminary draft budget (Item A-1090) which provided for weightings to be applied 'by analogy' with the provisions of the Staff Regulations of Officials to the Members of the Court of Justice too. Parliament notes that, in doing so, the budgetary authority made it perfectly clear that it expected an end to be put to the practice, which, since 1 January 2003, has not been authorised either by provisions in the relevant regulations on the remuneration of Members of the Institutions or by corresponding remarks in the budget. It also points out that the Members of the Commission no longer claim weightings and calls on the Members of the Court of Justice to follow that example. Parliament requests in this connection what progress the Court has made in establishing a specific legal basis for the application of weightings, as insisted on by Parliament. Parliament is pleased that the Court of Justice adheres to the same 'whistleblower's doctrine' as the Commission. It notes that such a doctrine is only truly effective if staff members are aware of it and encourages the Court of Justice to ensure thatthis information is freely available to its staff. Lastly, Parliament invites its Committee on Budgets to place part of the 2005 administrative appropriations for the Court of Justice in reserve if there is no satisfactory response to the concerns raised in this resolution over non-official car use and the system of salary weightings.

2002 discharge: EC general budget, Court of Justice

2003/2213(DEC) - 13/05/2003

PURPOSE : to present the revenue and expenditure accounts and the balance sheet concerning the activities of the budget for the financial year 2002 : Section IV - Court of Justice. CONTENT : this document sets out the amount of revenue and expenditure and the balance sheet for the other institutions (except the Commission) for the financial year 2002. It analyses in particular the rise in the Court's expenditure from 2001 (increase of 2.6%). The Court's 2002 budget was EUR 145.626.626 committed to a total of 99,12%. It is marked by the following elements: 1) costs associated with missions brought about an increase of 25,8% compared to 2001. An increase of 130% was noted in comparison with 2001 concerning the expenses of receptions. The Court states that the increase related to the enlargement preparations. In addition, the Court's 50 year celebrations caused an increase in its budget; 2) inter-institutional co-operation saw an increase of 5,3% compared to 2001 due to the training of jurists and linguists from the accession

countries; 3) building expenditure which, on the other hand, has been reduced by approximately 15%; 4) expenditure relating to title 3 of the Court's budget which shows an increase from EUR 6.510 in 2001 to EUR 29.181 in 2002 to cover the lawyers fees in the context of free legal aid.