Basic information

2004/2057(DEC) DEC - Discharge procedure	Procedure completed
2003 discharge: European Maritime Safety Agency **Subject** 8.70.03.07 Previous discharges	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	AYALA SENDER Inés (PSE)	22/09/2004
	AYALA SENDER Inés (PSE)	26/07/2004
	SCHLYTER Carl (Verts/ALE)	22/09/2004

Committee for opinion	Rapporteur for opinion	Appointed
TRAN Transport and Tourism	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	2646	2005-03-08

Key events

Date	Event	Reference	Summary
01/03/2004	Non-legislative basic document published	N6-0218/2004	Summary
10/01/2005	Committee referral announced in Parliament		
16/03/2005	Vote in committee		
16/03/2005	Additional information		Summary
23/03/2005	Committee report tabled for plenary	A6-0074/2005	
12/04/2005	Decision by Parliament	T6-0112/2005	Summary
12/04/2005	Debate in Parliament		
12/04/2005	End of procedure in Parliament		
27/07/2005	Final act published in Official Journal		

Technical information	
Procedure reference	2004/2057(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		A6-0074/2005	23/03/2005	
Text adopted by Parliament, single reading		T6-0112/2005 OJ C 033 09.02.2006, p. 0029-0292 E	12/04/2005	Summary

Council of the EU

Document type	Reference	Date	Summary
Supplementary non-legislative basic document	06855/2005	08/03/2005	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
OS	Non-legislative basic document	N6-0218/2004	01/03/2004	Summary
CofA	Court of Auditors: opinion, report	C324/2004 OJ C 324 30.12.2004, p. 0001	30/12/2004	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Budget 2005/0550
OJ L 196 27.07.2005, p. 0138-0138 Summary

2003 discharge: European Maritime Safety Agency

2004/2057(DEC) - 01/03/2004 - Non-legislative basic document

PURPOSE : presentation of the financial statements and the balance sheets for the European Maritime

Safety Agency for the financial year 2003.

CONTENT : this report presented by the European Maritime Safety Agency presents the financial statements and balance sheets of its activities in 2003.

The European Maritime Safety Agency was established by Regulation 1406/2002/EC of 27 June 2002 therefore the year 2003 was the first in which the Agency actually began to carry out its operational activities.

The final budget of the Agency amounts to EUR 4.5 million in 2003 with a 100% Community contribution.

As regards the staffing policy, the Agency, whose temporary headquarters is in Brussels but planned relocation to Lisbon, Portugal, has not provided data concerning this issue.

The main objective of the European Maritime Safety Agency is to ensure a high, uniform and effective level of maritime safety and prevention of pollution by ships. It should provide the Member States and the Commission with technical and scientific assistance and it should monitor the implementation of the relevant Community legislation and evaluate the effectiveness of the measures in place. To date, the Agency has delivered 2 opinions and 4 inspections.

2003 discharge: European Maritime Safety Agency

2004/2057(DEC) - 30/12/2004

This report from the Court of Auditors concerns the results of the audit carried out by the Court on the annual accounts of the the European Maritime Safety Agency for the financial year ended 31 December 2003. The European Maritime Safety Agency was established by Regulation 1406/2002/EC of 27 June 2002 therefore the year 2003 was the first in which the Agency actually began to carry out its operational activities.

The Court has obtained reasonable assurance that the annual accounts for the financial year ended 31 December 2003 were reliable and that the underlying transactions, taken as a whole, were legal and regular.

The report states that the revenue entered in the final budget of the Agency amount to EUR 4.5 million. However, the final budget appropriations entered amounted only to EUR 2. 6 million with EUR 1.4 million committed and EUR 898 000 paid. EUR 536 000 was carried over to the 2004 financial year and EUR 1.2 million was cancelled.

In its report, the Court states that the Executive Director, who is the authorising officer, is also empowered to sign banking instructions, which is contrary to Article 37 of the Agency's financial regulation.

The Court also notes the lack of consistency of the accounting officer to validate systems or justify accounting information. The Agency should also carry out systematic checks on salary payments made to its employees. An analysis of the computer system control environment showed that it requires strengthening in view of the forecast increase in the Agency's activities.

The Agency responds point by point to the observations made by the Court. It states that it was not possible to ensure the separation of duties due to the Agency's insufficient human resources. Since January 2004, following the recruitment of other members of staff, internal controls have been strengthened and the separation of duties ensured. Further to the Court's observations, the accounting officer validated the accounting and budgetary systems in March 2004.

The Commission's Paymaster's Office (PMO) is in charge of calculating EMSA employee salaries. Following an increase in staff numbers in the Human Resources department, checks on payments have been strengthened. The Agency has strengthened its IT team considerably, and staff numbers should increase from one (end 2003) to five (end 2004). This will allow for a better division of tasks and

responsibilities and thus improve control of the computer system.

2003 discharge: European Maritime Safety Agency

2004/2057(DEC) - 08/03/2005 - Supplementary non-legislative basic document

Having examined the revenue and expenditure account for the financial year 2003 and the balance sheet of revenue and expenditure at 31 December 2003 of the European Maritime Safety Agency and the Court of Auditors' report on the annual accounts of the Agency, the Council recommends that the European Parliament give a discharge to the Executive Director of the Agency in respect of the implementation of the budget for the financial year 2003.

To recall, EUR 0.5 million in appropriations have been carried forward from the financial year 2003 to the financial year 2004 and EUR 1.2 million have been cancelled.

Observations in the Court of Auditors' report in relation to the financial year 2003 call for certain comments by the Council, which are annexed to this Recommendation.

The Council welcomes the fact that the Court of Auditors has been able to obtain reasonable assurance that the Agency's annual accounts for the financial year ended 31 December 2003 are reliable and that the underlying transactions, taken as a whole, are legal and regular. However, some observations need to be made.

The Council invites the Agency to follow the Court's remarks regarding the duties of the authorizing officer and the accounting officer, in order to ensure that the Agency's financial regulation is respected. The Agency should also improve the checks on salary payments made to its employees and strengthen its computer system to deal with the increase of the Agency's activities.

2003 discharge: European Maritime Safety Agency

2004/2057(DEC) - 12/04/2005 - Text adopted by Parliament, single reading

The European Parliament adopted the report by Inés AYALA SENDER (PES, ES) and Carl SCHLYTER (Greens/EFA, SE) by 563 votes for, 49 against and 26 abstentions giving discharge to the Director of the European Maritime Safety Authority for the 2003 financial year.

Parliament notes the observations of the ECA in relation to problems encountered as regards compliance with the Financial Regulation (for example, on the lack of segregation of duties between financial actors or on delays in systems' validation for supplying accounting information). It also notes the ECA's findings with regard to deficiencies in the application of the rules concerning the determination of remuneration and entitlements of recruited staff. It takes the view that such deficiencies largely related to the fact that the Agency was in its start-up phase and it invites the Agency to take further remedial action, where appropriate, so as to fully comply with the Court's observations. Parliament regrets the absence of an equality plan and expects the Agency to develop a plan shortly in order to become an equal opportunities employer.

In its accompanying comments, the committee made a number of general points addressed to the Commission, the Agencies and the Court of Auditors (ECA):

General points addressed to the Commission and the Agencies: Parliament notes the Commission's position with regard to delegating responsibility for the execution of tasks to bodies, including agencies, other than the Commission's core administration and it takes the view that this does not answer Parliament's call for in-depth consideration at inter-institutional level of the structure of existing agencies. It therefore invites the Commission to provide clarification on this point and on the future overall inter-institutional agreement related to the new arrangements to be set up within or in parallel with the Financial Perspective and invites the Commission to organise and perform in the medium term, e.g. on a standard three-year cycle, a cross-cutting analysis of the evaluations carried out on individual Agencies in order to:

- reach conclusions with regard to the coherence of Agency activity with EU policies in general and as regards the synergies existing or to be developed between the agencies and Commission departments and the avoidance of overlapping between them;

- make an assessment of the broader European added value of the Agencies' outputs in their respective area of activity and of the relevance, efficiency and effectiveness of the Agency model in implementing or contributing to EU policies;

- determine and enhance the impact of the Agencies" actions in terms of the proximity, accessibility and visibility of the EU to its citizens.

In addition, Parliament calls on the Commission, in parallel with this exercise, to present by the end of 2005 at the latest, proposals for changes to be made in the existing Agencies" Constituent Acts with a view, inter alia, to optimising its relationship with the Agencies.

General points addressed to the Agencies: Parliament expects to receive from now on, from each of the Agencies, the report summarising information on the audits carried out by the Internal Auditor. It invites the Agencies to make further efforts to apply correctly the staff regulations and rules applicable to other civil servants with regard to their staff (recruitment procedures and relevant decisions taken, personal files, calculation of remuneration and other entitlements, promotions policy, percentage of vacant posts, quotas for respecting gender equality, etc.). Moreover, the Parliament expects the Agencies, in response to the relevant observations of the ECA, to comply fully with the budgetary principles as set out in the Financial Regulation, in particular those of unity and budgetary accuracy.

Parliament invites the Agencies to develop a comprehensive strategy of communication addressing the need to make available, in the appropriate form, the results of their work to the general public beyond the presentation of such results to the Institutions, Member States" competent services, specialists, partners or specific beneficiaries.

General points addressed to the ECA and the Agencies: Parliament welcomes the ECA's initiative to add a table to its specific reports on the Agencies presenting summary information on the competences, governance, resources available and products/output of the particular agency.

2003 discharge: European Maritime Safety Agency

2004/2057(DEC) - 12/04/2005 - Final act

OBJECTIVE: granting of discharge for implementing the EU’s general budget for 2003 - European Maritime Safety Agency.

LEGISLATIVE ACT: Decision 2005/550/EC of the European Parliament concerning the discharge for implementing the general budget of the EU for the 2003 financial year – European Maritime Safety Agency.

CONTENT: With this Decision, the European Parliament grants discharge to the Director of the European Maritime Safety Agency for the implementation of the budget for the 2003 financial year.

This decision is in line with the European Parliament’s resolution adopted on 12 April 2005 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 12/04/2005).