Basic information

2004/2061(DEC) DEC - Discharge procedure	Procedure completed
2003 discharge: European Agency for Safety and Health at Work **Subject** 8.70.03.07 Previous discharges	

Key players

European Parliament

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

Committee for opinion	Rapporteur for opinion	Appointed
EMPL Employment and Social Affairs	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
14/09/2004	Non-legislative basic document published	N6-0213/2004	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	T6-0104/2005	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	2004/2061(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		T6-0104/2005 OJ C 033 09.02.2006, p. 0029-0245 E	12/04/2005	Summary

Council of the EU

Document type	Reference	Date	Summary
Supplementary non-legislative basic document	06851/2005	08/03/2005	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
OS	Non-legislative basic document	N6-0213/2004	14/09/2004	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 2005/0542
OJ L 196 27.07.2005, p. 0086-0086 Summary

2003 discharge: European Agency for Safety and Health at Work

2004/2061(DEC) - 12/04/2005 - Final act

OBJECTIVE: granting of discharge for implementing the EU's general budget for 2003 – European Agency for Safety and Health at Work.

LEGISLATIVE ACT: Decision 2005/542/EC of the European Parliament concerning the discharge for implementing the general budget of the EU for the 2003 financial year – European Agency for Safety and Health at Work.

CONTENT: With this Decision, the European Parliament grants discharge to the Director of the European Agency for Safety and Health at Work 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).

2003 discharge: European Agency for Safety and Health at Work

2004/2061(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 Agency for Safety and Health at Work and the Court of Auditors' report on the annual accounts of the Agency, the Council recommends that the European Parliament gives a discharge to the Director of the Agency in respect of the implementation of the budget for the financial year 2003.

To recall, EUR 5.5 million (89%) of the EUR 6.2 million in appropriations carried forward from the financial year 2002 to the financial year 2003 have been utilized. EUR 6.6 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.

Although there has been a significant reduction in comparison to the previous year, the amount of the appropriations relating to operational activities carried-over remains high. The Agency must continue to improve the monitoring of its activities.

As regards a programme of subsidies for the collation and dissemination of good practices to reduce the risks to health and safety in small and medium enterprises, the Council regrets the fact that a number of payments have been made without adequate supporting documents and urges the Agency to redress this situation, in particular by carrying out checks at project holder level.

Finally, the Council shares the Court's opinion that the Agency should improve its system for checking expenditure declared by topic centres.

2003 discharge: European Agency for Safety and Health at Work

2004/2061(DEC) - 14/09/2004 - Non-legislative basic document

PURPOSE : presentation of the financial statements and the balance sheets for the European Agency for Safety and Health at Work for the financial year 2003.

CONTENT : this report presented by the European Agency for Safety and Health at Work in Bilbao presents the financial statements and balance sheets of its activities in 2003.

The final budget of the Agency amounts to EUR 14.6 million including:

- Community subsidy, Employment DG: 91, 58 %;

- Community subsidy, Enlargement DG: 7, 19 %;

- miscellaneous revenue: 1, 23 %.

As regards staffing at the Agency, 33 posts have been established of which 29 were filled and 25 other posts (auxiliary contracts, seconded national experts, local staff, temporary staff). The total amount of staff is 54. Of these, number carrying out operational tasks: 34, administrative tasks: 12 and assorted tasks: 8.

The main objective of the Agency is to provide the Community bodies, the Member States and those involved in the field with information of use in the field of safety and health at work in order to encourage improvements, especially in the working environment, as regards the protection of the safety and health of workers.

The report states that approximately 600 partners associated with national focal points, nine expert groups, three topic centres, participation of PHARE and EFTA countries.

As far as the dissemination of information is concerned, the Agency set up the European Week for Safety and Health at work: 'dangerous substances' including:

- participation in 58 exhibitions and conferences;

- Electronic media: twice-weekly newsletter to 20 000 subscribers, website;

- Publications: 9 information reports and working documents, 11 fact sheets, 1 issue of the 'Forum' magazine, 3 newsletters - paper version, 19 press releases 3rd programme for SMEs (2003-2004):

- 40 projects selected 2nd programme for SMEs (2002-2003): 51 projects finalized.

2003 discharge: European Agency for Safety and Health at Work

2004/2061(DEC) - 12/04/2005 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution drafted by co-rapporteurs Inés AYALA SENDER (PES, ES) and Carl SCHLYTER (Greens/EFA, SE) giving discharge to the Director of the European Agency for Safety and Health at Work in respect of the implementation of its budget for the financial year 2003. (Please see the summary of 16/03/05.)

Parliament's resolution is in two parts: the first concerns the discharge itself and the second part deals with an accompanying resolution on the management and implementation of the budget. The accompanying resolution also carries general points addressed to the Commission and the Agencies.

Parliament recorded with satisfaction the efforts made by the Agency which resulted in a significant reduction of carry-overs of its operating appropriations, but stated that the carry-over rate for those appropriations is still high, and it asked the Agency to put in place a plan to reduce them. Parliament also asked the Agency to indicate clearly which among its operational activities could be best served through financing by differentiated appropriations. The Agency must apply a tighter programming and improve monitoring of its operational activities.

With regard to topic centres, Parliament asked the Agency to explain the advantages and shortcomings of this model of co-operation, and to highlight in its report the added value of the results so far obtained, as well as to further strengthen control of costs declared by topic centres.

Parliament regretted the absence of an equality plan and expected the Agency to work proactively to promote gender equality. Finally, it commended the Agency's commitment to communicate information on its activities to citizens.

Parliament went on to make some general observations common to all the agencies. The principal points may be summarized as follows:

General points addressed to the Commission and the Agencies: Parliament supported the Commission's efforts to establish a limited number of models, at least for future 'regulatory' agencies. It took the view that the structure of current and future agencies merited in-depth consideration at inter-institutional level. Before the Commission defines the framework conditions for the use of regulatory agencies, an inter-institutional agreement should spell out common guidelines. Parliament invited the Commission to perform by the end of 2005 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 and effectiveness of the Agency model in implementing or contributing to EU policies;

- determine the impact of the Agencies' actions in terms of the proximity and visibility of the EU to its citizens.

In parallel with this exercise, the Commission should present proposals for changes to be made in the existing Agencies' Constituent Acts with a view to optimising its relationship with the Agencies. Before any decision is taken to propose the creation of a new agency, the Commission must undertake a strict evaluation of the added value of the function of this agency, bearing in mind existing structures, the principles of subsidiarity, budgetary austerity and the simplification of procedures.

General points addressed to the Agencies:

Parliament wanted to receive from each of the Agencies, the report summarizing information on the audits carried out by the Internal Auditor, the recommendations made and the action taken on these recommendations in accordance with Regulation 2343/2002/EC. Agencies should also make further efforts to apply correctly the staff regulations and rules applicable to other civil servants with regard to their staff. Parliament made some remarks on the imbalance between men and women in high-grade positions in the agencies, and stated that relevant provisions on equal opportunities must be observed.

In response to the relevant observations of the Court of Auditors, the Agencies must comply fully with the budgetary principles as set out in the Financial Regulation, in particular those of unity and budgetary accuracy.

Parliament went on to encourage the Agencies to strengthen their co-operation, thus opening up opportunities for developing synergies, and avoiding duplication of work. Parliament expected to be informed regularly on this issue.

It called on the Agencies to pay special attention to procedures for the award and management of contracts, and to strengthen their internal control procedures. Parliament suggested the setting-up of specialised units entrusted with the task of advising, on the basis of risk analysis, on how best to prepare contract award procedures.

General points addressed to the European Court of Auditors and the Agencies:

Parliament asked Court of Auditors and the Agencies to strengthen their co-operation in order to enhance the procedures and technical tools to improve the sound management of all the budgetary and finance issues. They should do this in order to establish a methodology that prepares the ground for a positive budget discharge from the start of the process.

2003 discharge: European Agency for Safety and Health at Work

2004/2061(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 European Agency for Safety and Health at Work for the financial year ended 31 December 2003.

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 highlights that the appropriations entered into the final budget for the Agency amount to EUR 14.6 million which EUR 14.1 was committed but only EUR 7.5 million was paid. Of this amount, EUR 6.6 million was carried over to 2004 and EUR 500 000 have been cancelled.

The carry-overs of appropriations mainly concern the operational activities of the budget and, despite a significant reduction, represent more than 45 % of the commitments entered into (against 60% in 2002).

In its report concerning the financial year 2002, the Court noted shortcomings in checks on a programme of subsidies for the collation and dissemination of good practices to reduce the risks to health and safety in small and medium-sized enterprises. In 2003, the Agency paid 3, 1 million euro on the basis of an analysis of the activity reports and financial reports concerning 53 projects under this programme. The declarations of expenditure of 20 of these projects were audited by the Court.

As the date of the end of the programme approached, the Agency reduced its demands in terms of financial documentation in support of requests for final payment. The result was that, in the case

of five of the 20 files examined, payments had been made to the extent of 348 000 euro on the basis of nothing more than a declaration of expenditure, without adequate supporting documents and in some cases with none. In its reply to the Court's report concerning the financial year 2002, the Agency was examining the possibility of carrying out checks at project holder level. No such check was carried out in 2003.

As the Court pointed out in its opinion on the financial year 2002, the audit of the budgetary accounts again revealed shortcomings in the definition of ex ante financial checks and the relevant formal procedures.

The Agency responds point by point to the observations made by the Court. The Agency confirms its continuous commitment towards reducing the amount of carry-overs in line with the principle of annuality of the budget. Compared with 2002, the Agency has significantly reduced carry-overs in 2003 (from 60 to 45 %). As in 2002 carry-overs are mainly due to the proper implementation of the SME funding scheme, which has a clear two-year implementation cycle.

Lastly, the Agency wishes to note that, in order to reinforce the control of expenditures, all contracts signed from September 2003 onwards with the Topic Centres include a clause by which the beneficiary will carry out an external audit of the use of the funds made available by the grant agreement. The auditors shall produce their professional opinion, the purpose of the audit being to certify that the financial documents submitted to the Agency by the beneficiary comply with the financial provisions of the agreement, that the costs declared are the actual costs and that all receipts have been declared.