Basic information

2006/2170(DEC) DEC - Discharge procedure	Procedure completed
2005 discharge: EC general budget, European Data-protection Supervisor **Subject** 8.70.03.07 Previous discharges	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	CASPARY Daniel (PPE-DE)	20/04/2006

Committee for opinion	Rapporteur for opinion	Appointed
JURI Legal Affairs	The committee decided not to give an opinion.	
LIBE Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	2787	2007-02-27

European Commission

Commission DG	Commissioner
Budget	KALLAS Siim

Key events

Date	Event	Reference	Summary
26/07/2006	Non-legislative basic document published	SEC(2006)0915	Summary
14/12/2006	Committee referral announced in Parliament		
27/03/2007	Vote in committee		Summary
30/03/2007	Committee report tabled for plenary	A6-0111/2007	
24/04/2007	Decision by Parliament	T6-0111/2007	Summary

24/04/2007	Results of vote in Parliament		
24/04/2007	Debate in Parliament		
24/04/2007	End of procedure in Parliament		
15/07/2008	Final act published in Official Journal		

Technical information

Procedure reference	2006/2170(DEC)
Procedure type	DEC - Discharge procedure
Legal basis	Rules of Procedure EP 102
Stage reached in procedure	Procedure completed
Committee dossier	CONT/6/43592

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE382.617	10/01/2007	
Committee report tabled for plenary, single reading		A6-0111/2007	30/03/2007	
Text adopted by Parliament, single reading		T6-0111/2007	24/04/2007	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	SEC(2006)0915 OJ C 263 31.10.2006, p. 0001	26/07/2006	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofA	Court of Auditors: opinion, report	N6-0039/2006 OJ C 263 31.10.2006, p. 0001	31/10/2006	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Budget 2008/0506
OJ L 187 15.07.2008, p. 0075 Summary

2005 discharge: EC general budget, European Data-protection Supervisor

2006/2170(DEC) - 26/07/2006 - Non-legislative basic document

PURPOSE: presentation of the final annual accounts of the European Community for the financial year 2005 – Other institutions : Section VIII (B) - European Data Protection Supervisor (EDPS).

CONTENT: this document sets out the amount of expenditure and the financial statement of the EDPS for 2005 and presents an analysis of its financial management. The available appropriations set out in the Supervisor's 2005 budget amounted to EUR 2.84 million (following AB 2/2005), with an 82.77% utilisation rate.

Main axes of 2005 expenditure: the institution's 2nd budget: while 2004 was the first year of activity, during which a new institution was literally built up (including finding appropriate office space and the first phases of recruitment), the second annual report covers a year of consolidation. Major attention has been given to the development of human resources. The EDPS called for the creation of just four posts in 2005. This request was authorised by the budgetary authority, with the number of staff increasing from 15 in 2004 to 19 in 2005.

The main issues of the 2005 budget implementation can be summarised as follows:

- in 2005, interinstitutional cooperation continued in areas where the EDPS is assisted by the other institutions, by virtue of the administrative cooperation agreement with the Secretaries-General of the Commission, the Parliament and the Council, concluded on 24 June 2004. The general infrastructure has been improved upon during 2005. However, with the increased number of staff and further increase expected in 2006, the EDPS is experiencing office space problems, which are hoped to be resolved by acquiring additional space in 2006;
- on the basis of the interinstitutional agreement of 24 June 2004, the Internal Auditor at the Commission was appointed as the Auditor at the EDPS.

Other salient issues of the EDPS's budget implementation can be summarised as follows:

Title I (Staff costs): the budget implementation was marked by a budget transfer of EUR 35 000 from item "Staff in activity" towards "Members of the Institution" to cover initial operating costs of the EDPS in 2005. A weak rate of implementation for traineeships and missions can be noted.

Title II (Operational expenditure): this heading was characterised by a transfer to finance building investment costs with a view to paying the EP charges relating to the renovations to the EDPS which is situated with the Parliament itself.

There is also a weak rate of utilisation of the "studies" item (barely 10%) : this is linked to the fact that in 2005 the EURODAC audit was supposed to have been carried out. However, this will not happen until 2006. Information costs have been limited because the EPDS's information campaign started relatively late.

For further details concerning the Supervisor's expenditure in 2005, please refer to the annexed detailed analysis of expenditure.

2005 discharge: EC general budget, European Data-protection Supervisor

2006/2170(DEC) - 27/02/2007

The Council, on the basis of intensive preparatory work, approved a recommendation on the discharge to be given to the European Data-protection Supervisor for implementation of its budget for 2005. The recommendation will be submitted to the European Parliament, in accordance with the budgetary discharge procedure.

The Council makes reference to the **Court of Auditors report on translation expenditure** (see summary of the document annexed to the Commission's discharge procedure DEC/2006/2070 dated 8 February 2007 06162/2007). It adopted the following conclusions:

Firstly, it states that it welcomes the Court's special report on translation expenditure - which amounted to EUR 511 million in 2005 - incurred by three institutions in particular as it covers the period of the accession of 10 new Member States, increasing the number of official and working languages to 21. In this context, it underlines the importance of the translation of documents in a European Union **multilingual environment** with equal treatment of the languages of its Member States.

It emphasises that translation demands are to be met in time and in adequate quality, as an essential part of the legislative process keeping the cost under control as well as having adequate procedures to give priority to essential translations which implies efficient and effective management of translation resources. It regrets, however, that in some cases politically important information which should be translated has been included in non translated annexes of documents.

The Council notes with satisfaction that the Court of Auditors stated that the institutions have generally met translation needs in the EU-15 languages in required quality inter alia by recourse to freelance translators. It regrets that all three institutions have faced structural difficulties in providing a sufficient volume and acceptable quality into the EU-10 languages. It expects the institutions to further enhance the degree of multilingualism as regards the information provided on their websites.

Moreover, the Council regrets the fact that the institutions, with the exception of the Commission for 2002, have not calculated their total costs or the average cost per page translated and invites them to do so from now on and inform the budgetary authority on a regular basis.

It notes with concern the fact that the productivity of the EU translation services is much lower than in the private sector, partly due to more effective use of IT tools in the private sector, although the quality of internal translation is recognised to be higher. It notes the long term action plan by the Council General Secretariat to increase its productivity by reducing the number of "full-time equivalent" in the EU-15 language units.

Inter-institutional cooperation: the Council advocates inter-institutional cooperation being reinforced to all institutions in order to improve the efficiency and the procedures and to reduce the costs in the field of translations. It urges the institutions to set up proper forecasting system and improve the system of workload balancing in order to make better use of spare capacity and to avoid unnecessary outsourcing. In 2005, according to the Court, EUR 11 million of freelance translation costs could have been saved by the Commission and by the Parliament by giving the non-urgent documents to be translated for other institutions. It regrets that it was not possible for the institutions to recruit enough translators in EU-10 languages which has resulted in quality and deadline problems in the EU-10 translations and it recommends that sufficient EU-10 translator resources should be ensured by measures increasing awareness and fostering interest in the Community's translation activity in the EU-10 Member States and other Candidate Countries. It recommends that similar measures be taken for Bulgaria and Romania.

The Council emphasises that future measures are to be taken by the institutions to contain the volume translated including control of the size of documents, without prejudice of equal treatment of EU official and working languages taking into account the operational effectiveness, and adoption of a fit-for-purpose approach for authorised texts for translation and encourages the institutions to improve their work planning and comply with the deadlines for requesting translations.

Lastly, the Council requests the institutions to improve the efficiency of the translation process in particular by intensifying the recourse to IT tools, reduction of secretarial support, working methods based on best practices and teleworking. It also invites the Court to examine also the translation expenditure of the other institutions and bodies.

2005 discharge: EC general budget, European Data-protection Supervisor

2006/2170(DEC) - 31/10/2006 - Court of Auditors: opinion, report

PURPOSE : to present the Court of Auditors' report on the implementation of the 2005 budget (other institutions – European Data-Protection Supervisor).

CONTENT : in its 29th Annual Report on the implementation of the general budget of the European Union, the Court highlights that 2005 was the first full year in which the European Union had 25 Members. The Court's audit did not reveal any material errors concerning the legality and regularity of underlying transactions.

Supervisory and control systems: in 2005 all the Institutions had supervisory and control systems complying with the requirements of the new Financial Regulation. However, some Institutions had not fully implemented all their Internal Control Standards (in particular the Council).

Also in 2005, the NAP (Nouvelle Application Paie), a computer application for calculating staff remunerations created in 2003 and managed by the Commission Paymaster Office (PMO), was being used by all the Institutions. The technical weaknesses noted in 2004 were overcome, minimising the risk of erroneous calculation of the various elements of staff remuneration. However, the institutions did not systematically use the reporting facilities of NAP in order to verify, before the final pay run, all the data concerning situations specific to individual members of staff. Although not mandatory pursuant to the Financial Regulation, ex-post controls would increase the reliability of the administrative procedures for managing staff remunerations and help to uncover possible weaknesses and errors in the system.

Staff Regulations: the amended Staff Regulations, which entered into force on 1 May 2004, state that accommodation costs incurred on mission are reimbursed up to a maximum fixed for each country. Contrary to this rule, all the Institutions, except the Court of Justice, the Court of Auditors and the Ombudsman, provided in their internal rules for the payment of a flat-rate sum, ranging from 30 to 60 % of the maximum allowable amount, to staff who do not produce any evidence of having incurred accommodation costs. After the publication of the European Court of Auditors' Annual Report concerning the financial year 2004, the European Economic and Social Committee amended its internal rules in December 2005 in order to ensure compliance with the Staff Regulations.

Specific remarks concerning the Supervisor: to recall, the Supervisor's administrative expenditure totalled EUR 2 million in 2005. The Court states that the audit did not give rise to any material observations.

General conclusions: the Court states that improvements have been made by all the Institutions in order to adapt their supervisory and control systems to the requirements of the new Financial Regulation. The Court's audit found that, notwithstanding the weaknesses mentioned in the previous paragraphs, the supervisory and control systems were adequate to manage the risk as regards legality and regularity of the transactions underlying the accounts of the Institutions' administrative expenditure. The Court's audit did not reveal material errors affecting the legality and regularity of the administrative expenditure.

2005 discharge: EC general budget, European Data-protection Supervisor

2006/2170(DEC) - 24/04/2007 - Text adopted by Parliament, single reading

The Parliament adopted the report by Daniel CASPARY (EPP-ED, DE) granting discharge to the European Data Protection Supervisor for 2005.

The Parliament makes a number of recommendations which should be taken into account when granting the discharge.

It notes that in 2005 the European Data Protection Supervisor (EDPS) had available commitment appropriations amounting to a total of **EUR 2 840 733** with a utilisation rate of **82.77 %.** It notes that following the introduction of accrual accounting with effect from 1 January 2005 the EDPS's 2005 financial statements disclose a positive economic out-turn of EUR 211 631 and an excess of liabilities over assets of EUR 202 504.

2005 was the first year in which the EDPS was fully operational.

The EDPS submitted a budget for 2007 of EUR 5 080 699 representing an increase of 23 % over the 2006 final budget (EUR 4 147 378), reflecting a request for five new posts, an expansion in office space and an increase in translation costs;

The Parliament recalls that in June 2004 the Secretaries-General of the Commission, the European Parliament and the Council signed, together with the EDPS, an administrative cooperation agreement to assist the EDPS for a start-up period of three years under which: the Commission's Accounting Officer and Internal Auditor have been appointed as the EDPS's Accounting Officer and Auditor; Commission departments provide assistance for all tasks concerning the management of persons linked to the institution (determination of entitlements, payment of salaries, reimbursement of medical costs, mission payments, etc.); Commission departments also help the EDPS in establishing and implementing the budget; the EDPS is installed in the premises of the European Parliament; the European Parliament's departments assist the EDPS as regards material facilities and know-how relating to his installation in the premises (security of the buildings, mail, computers, telephones, offices and supplies); the Council provides translation facilities.

On 7 December 2006 the administrative cooperation agreement was renewed for a further period of 3 years with effect from 16 January 2007. Further, in November 2006 the EDPS decided to set up an internal control structure appropriate to the Institution's activities and requirements.

The Parliament welcomes the decision by the EDPS and the assistant supervisor to publish, every year, a declaration of their economic and financial interests as soon as their new website is completed in early 2007; notes that in the meantime they have forwarded written statements concerning their financial interests for the years 2005 and 2006.

Lastly, the Parliament welcomes the readiness of the EDPS to join the interinstitutional agreement on OLAF and encourages him to take all necessary steps as soon as possible.

2005 discharge: EC general budget, European Data-protection Supervisor

2006/2170(DEC) - 24/04/2007 - Final act

PURPOSE: to grant discharge to the European Data Protection Supervisor for the 2005 financial year.

LEGISLATIVE ACT: Decision 2008/506/EC of the European Parliament on the discharge for implementation of the European Union general budget for the financial year 2005, Section VIII B - European Data Protection Supervisor.

CONTENT: with the present decision, the European Parliament grants the European Data Protection Supervisor discharge in respect of the implementation of the budget for the financial year 2005.

This decision is in line with the European Parliament’s resolution adopted on 24 April 2007 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 24/04/2007).