## Basic information

| | |
|---|---|
| **2007/2044(DEC)**<br>DEC - Discharge procedure | Procedure completed |
| 2006 discharge: EC general budget, European Data Protection Supervisor<br>**Subject**<br>8.70.03.07 Previous discharges | |

## Key players

### European Parliament

| Committee responsible | Rapporteur | Appointed |
|---|---|---|
| CONT Budgetary Control | LUNDGREN Nils (IND/DEM) | 27/03/2007 |

| 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 | 2847 | 2008-02-12 |

### European Commission

| Commission DG | Commissioner |
|---|---|
| Budget | KALLAS Siim |

## Key events

| Date | Event | Reference | Summary |
|---|---|---|---|
| 30/03/2007 | Non-legislative basic document published | SEC(2007)1055 | Summary |
| 25/10/2007 | Committee referral announced in Parliament | | |
| 26/03/2008 | Vote in committee | | Summary |
| 01/04/2008 | Committee report tabled for plenary | A6-0094/2008 | |
| 22/04/2008 | Decision by Parliament | T6-0141/2008 | Summary |

| | | | |
|---|---|---|---|
| 22/04/2008 | Results of vote in Parliament | | |
| 22/04/2008 | Debate in Parliament | | |
| 22/04/2008 | End of procedure in Parliament | | |
| 31/03/2009 | Final act published in Official Journal | | |

## Technical information

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|---|---|
| **Procedure reference** | 2007/2044(DEC) |
| **Procedure type** | DEC - Discharge procedure |
| **Legal basis** | Rules of Procedure EP 102 |
| **Stage reached in procedure** | Procedure completed |
| **Committee dossier** | CONT/6/54035 |

## Documentation gateway

**European Parliament**

| Document type | Committee | Reference | Date | Summary |
|---|---|---|---|---|
| Committee draft report | | PE400.410 | 05/02/2008 | |
| Committee report tabled for plenary, single reading | | A6-0094/2008 | 01/04/2008 | |
| Text adopted by Parliament, single reading | | T6-0141/2008 | 22/04/2008 | Summary |

**European Commission**

| Document type | Reference | Date | Summary |
|---|---|---|---|
| Non-legislative basic document | SEC(2007)1055 | 30/03/2007 | Summary |

**Other institutions and bodies**

| Institution/body | Document type | Reference | Date | Summary |
|---|---|---|---|---|
| CofA | Court of Auditors: opinion, report | N6-0005/2008<br>OJ C 273 15.11.2007, p. 0001 | 15/11/2007 | Summary |

## Additional information

| Source | Document | Date |
|---|---|---|
| European Commission | EUR-Lex | |

## Final act

Budget 2009/0196
OJ L 088 31.03.2009, p. 0090 Summary

# 2006 discharge: EC general budget, European Data Protection Supervisor

2007/2044(DEC) - 15/11/2007 - Court of Auditors: opinion, report

PURPOSE: presentation of the report by the Court of Auditors on the implementation of the budget concerning the financial year 2006 (other institutions - European Data-Protection Supervisor).

CONTENT: in its 2006 annual report, the Court examines the legality and regularity of the administrative expenditure of the institutions. Although, on the whole, all the institutions put in place a satisfactory monitoring and control framework in 2006, the Court notes a certain number of weaknesses concerning respecting procurement procedures by the institutions (in particular, a lack of competitive tendering in the case of negotiated procedures).

For the rest, the Court notes that the level of error in the expenditure samples selected for scrutiny by the Court was not significant. However, it expects the weaknesses identified to be addressed in the future.

**European Data-Protection Supervisor Audit**: the audit of the areas presenting a specific risk showed that the shortcomings were affecting the monitoring and control systems relating to the payment of allowances to members of certain institutions. However, the European Data-Protection Supervisor audit did not yield any significant findings.

# 2006 discharge: EC general budget, European Data Protection Supervisor

2007/2044(DEC) - 22/04/2008 - Text adopted by Parliament, single reading

The European Parliament adopted, by 631 votes in favour to 15 against, with 35 abstentions, a decision to grant the European Data Protection Supervisor (EDPS) discharge in respect of the implementation of its budget for the financial year 2006. The decision to grant discharge shall also constitute closure of the accounts for this institution.

The Parliament also adopted, by 603 votes in favour to 16 against with 36 abstentions, a resolution containing observations forming an integral part of the decision on the discharge. The report had been tabled for consideration in plenary by Nils **LUNDGREN** (ID, SE), on behalf of the Committee on Budgetary Control.

The resolution recalls that the European Data Protection Supervisor had available commitment appropriations amounting to EUR 4 138 378 (compared to EUR 2 840 733 in 2005), with a utilisation rate of 93.3%. Moreover, the Parliament notes that the audit of the EDPS did not give rise to any material observations.

Furthermore, the Parliament notes that, on 7 December 2006, the administrative cooperation agreement between the Secretaries-General of the Commission, Parliament and the Council, signed together with the EDPS, was renewed for a further period of 3 years with effect from 16 January 2007. Based on this agreement, the administrative handling of all EDPS missions is ensured by the Paymaster's Office of the Commission and the same internal rules apply to the reimbursement of accommodation costs incurred on mission for its two Members and staff.

The Parliament notes, once again, that this institution’s internal control structure is appropriate to its activities and requirements.

Lastly, it welcomes the initiative taken by the EDPS and by the Assistant EDPS to publish an annual declaration of their financial interests, in a form similar to that filled in by Members of the European Parliament.

# 2006 discharge: EC general budget, European Data Protection Supervisor

2007/2044(DEC) - 22/04/2008 - Final act

PURPOSE: to grant discharge to the European Data Protection Supervisor for the 2006 financial year.

LEGISLATIVE ACT: Decision 2009/196/EC of the European Parliament on the discharge for implementation of the European Union general budget for the financial year 2006, 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 2006.

This decision is in line with the European Parliament’s resolution adopted on 22 April 2008 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 22/04/2008).

# 2006 discharge: EC general budget, European Data Protection Supervisor

2007/2044(DEC) - 30/03/2007 - Non-legislative basic document

PURPOSE: to present the final annual accounts of the European Communities for the financial year 2006 – Other institutions: section VIII-B – European Data-Protection Supervisor (EDPS).

CONTENT: this document establishes the amount of expenditure and the balance sheet of the European Data-Protection Supervisor for the financial year 2006 and presents an analysis of its financial management.

**The figures**: the following figures are taken from the provisional annual accounts for the financial year 2006 for the European Data-Protection Supervisor. They may be subject to amendment after consolidation:

- **Authorised appropriations for 2006**: EUR 4 138 378;
- **Committed appropriations amount to**: EUR 3 861 774.58, a utilisation rate of 93.32%;
- **Paid appropriations amount to**: EUR 2 627 302.54.

**Main axes of expenditure for 2006**: the implementation of the EDPS budget is in line with the two previous budgets, namely further establishment of the Institution. The establishment of the EDPS was therefore carried out on the basis of 2004 and 2005 with a view to consolidating the good start made by the Institution. In 2006, the EDPS had access to additional resources both in terms of the budget (an increase from EUR 2.8 million in 2005 to EUR 4.1 million in 2006) and personnel (an increase from 19 to 24 people).

2006 was also the first year in which the EDPS established its own provisional budget (set in March 2005 at EUR 3 583 833), followed by an amending budget (due to additional translation costs) setting the total budget for the EDPS at EUR 4 138 378.

The budgetary year was also marked by:

- **The consolidation of administrative cooperation**: this refers to cooperation with the relevant services of the Parliament, the Commission and the Council in areas where duplication of jobs can be avoided. In December 2006, the agreement concluded with the institutions was extended for a further 3 year period (at the end of this 3-year period the agreement can be extended again). As a reminder, this agreement enables the EDPS to rely on the expertise of the other institutions in areas of budgetary and technical assistance, among others, and creates large economies of scale (for example, cooperation with the European Parliament creates savings in terms of information technology, fitting out of the occupied areas, the security of buildings, the post, telephone services and supplies…; as for cooperation with the Council, this refers mainly to translation services). Note that cooperation with the Commission is subject to guidelines, in order to set the terms for assistance provided by the Commission regarding the budget and personnel. On this note, the report indicates that certain difficulties were identified during the year in terms of the implementation of certain tasks, due to the shared assistance provided by the different institutions; these difficulties were mostly related to access to financial systems software and the management of human resources used in the other institutions. In this context, the EDPS independently took over some of the tasks for which it had received assistance in the beginning;
- **Recruitment**: as a new institution, the EDPS is still in its development phase. The EDPS therefore chose to limit the increase in the number of tasks and staff so that there would be a controlled progression of tasks to be dealt with and of newly integrated personnel. That is why the EDPS created 5 additional posts in 2006.

The other highlights of the implementation of the EDPS budget may be summarised as follows:

- **Title I**: (Expenditure relating to persons working with the Institution): this budgetary Title is mainly marked by the low rate of implementation of appropriations entered into chapter 17 “entertainment and representation expenses”, which only amounted to 53%. The other main chapters and budget items were implemented at almost 100%;
- **Title II**: (Buildings, equipment and miscellaneous operating expenditure): there was no significant impact on this budgetary Title in 2006.