Basic information

2008/2265(DEC) DEC - Discharge procedure	Procedure completed
2007 discharge: European Maritime Safety Agency EMSA **Subject** 8.70.03.07 Previous discharges	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	FJELLNER Christofer (PPE-DE)	26/03/2008

Committee for opinion	Rapporteur for opinion	Appointed
TRAN Transport and Tourism	CRAMER Michael (Verts /ALE)	07/10/2008

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	2922	2009-02-10

European Commission

Commission DG	Commissioner
Budget	KALLAS Siim

Key events

Date	Event	Reference	Summary
23/07/2008	Non-legislative basic document published	SEC(2008)2359	Summary
20/11/2008	Committee referral announced in Parliament		
16/03/2009	Vote in committee		Summary
20/03/2009	Committee report tabled for plenary	A6-0167/2009	
21/04/2009	Debate in Parliament		
23/04/2009	Decision by Parliament	T6-0298/2009	Summary
23/04/2009	Results of vote in Parliament		

23/04/2009	End of procedure in Parliament		
26/09/2009	Final act published in Official Journal		

Technical information

Procedure reference	2008/2265(DEC)
Procedure type	DEC - Discharge procedure
Legal basis	Rules of Procedure EP 102
Stage reached in procedure	Procedure completed
Committee dossier	CONT/6/67279

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE416.338	29/01/2009	
Committee opinion	TRAN	PE416.339	18/02/2009	
Committee report tabled for plenary, single reading		A6-0167/2009	20/03/2009	
Text adopted by Parliament, single reading		T6-0298/2009	23/04/2009	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	05588/2009	23/01/2009	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	SEC(2008)2359	23/07/2008	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofA	Court of Auditors: opinion, report	N6-0004/2009 OJ C 311 05.12.2008, p. 0001	05/12/2008	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act
Budget 2009/0669 OJ L 255 26.09.2009, p. 0172 Summary

2007 discharge: European Maritime Safety Agency EMSA

2008/2265(DEC) - 23/04/2009 - Text adopted by Parliament, single reading

The European Parliament adopted a decision concerning the discharge to be granted to the Director of the European Maritime Safety Agency in respect of the implementation of the Agency's budget for the financial year 2007. The decision to grant discharge is also an approval of the closure of the accounts of this EU agency.

In parallel, the European Parliament adopted by 424 votes to 15, with 10 abstentions, a resolution with observations which are an integral part of the decision to grant discharge.

Parliament states that:

- as in 2006, the European Court of Auditors (ECA) found that the Agency's procedures for establishing the budget were not sufficiently rigorous;
- between mid-June and December 2007, EUR 25 million for anti-pollution measures, authorised by the Budgetary Authority as normal appropriations, were unduly moved to assigned revenue.

Moreover, Parliament calls on the Agency to step up its training and communication efforts. It requests that action taken in this respect be reported in the Agency's annual activity report for 2008.

Parliament also notes that the ECA found weaknesses with regard to recruitment procedures and note the Agency's replies on this issue. It calls on the Agency to see to it that its recruitment procedures are transparent and non-discriminatory.

Parliament welcomes the fact that the Agency closely cooperates with the European Monitoring Centre for Drugs and Drug Addiction, also based in Lisbon, in order to share buildings and make joint use of infrastructure and services.

Lastly, noting that the Agency's annual accounts for the financial year 2007 are reliable, and the underlying transactions are legal and regular, the Parliament approves the closure of its accounts and refers, for other observations accompanying its decision on discharge, to its resolution on financial management and control of EU agencies - see 2008/2207(INI) - adopted in parallel.

2007 discharge: European Maritime Safety Agency EMSA

2008/2265(DEC) - 23/07/2008 - Non-legislative basic document

PURPOSE: to present the final accounts of the European Maritime Agency for the financial year 2007.

CONTENT: this document sets out a detailed account of the implementation of the European Maritime Agency's 2007 budget. It notes that the final budget amounted to EUR 48.249 million (compared to EUR 44.738 million in 2006).

As regards the staffing policy, the Agency, whose head office is now based in Lisbon (Portugal) set out 153 posts in the establishment plan and 26 other posts (auxiliary contracts, seconded national experts, contract agents).

In 2007, the Agency's main activities focused on the following:

- Preparations of a draft methodology related to a new visits programme to Member States;
- Preparation of the technical specifications of the new THETIS project;
- Design of the interface between STIRES/SSN and CleanSeaNet;
- Add additional oil recovery capacity in the Atlantic, Aegean Sea, West Mediterranean and Strait of Gibraltar;
- Establishment of the CleanSeaNet service;
- Start of the Activity of the Maritime Support Services.

The complete version of the final accounts may be found at the following address: https://extranet.emsa.europa.eu/

2007 discharge: European Maritime Safety Agency EMSA

2008/2265(DEC) - 23/01/2009

Based on the observations contained in the revenue and expenditure account and the balance sheet of the European Maritime Safety Agency for the financial year 2007, as well as on the Court of Auditor's report and the Agency's replies to the Court's observations, the Council recommends that the Parliament grant the Director of the Agency discharge in respect of the implementation of the budget for the financial year 2007.

In doing so, the Council confirms that EUR 0.8 million (60%) of the appropriations carried over from 2006 to 2007 (EUR 1.3 million) were used, that the appropriations carried over from 2007 to 2008 amount to EUR 1.6 million and that a total of EUR 13.8 million was cancelled.

Recalling that the Court of Auditors was able to obtain reasonable assurance that the Agency's annual accounts were, in all material aspects, reliable, the Council believes that there is a certain number of observations that must be taken into consideration when granting discharge in respect of the implementation of the 2007 budget, particularly regarding the following points:

- **Cancellation of appropriations**: the Council emphasises that certain practices, namely a high cancellation rate for payment appropriations, in particular for the operating activities, a high number of transfers, an incorrect budget presentation and an irregular modification of the funding source for anti-pollution appropriations, require further improvements in the Agency's financial, budgetary and human resources planning and management. The Council calls on the Agency to remedy this situation as soon as possible;
- **Financial management**: the Council notes with concern the Court's observations regarding some cases of legal commitments being entered into before the corresponding budgetary commitments and urges the Agency to avoid such practice in the future thus complying fully with the provisions of the Financial regulation. The Council also asks the Agency to further strengthen the measures aimed at improving its financial management, especially by providing guidelines and training to financial actors;
- **Recruitment**: while noting that measures have been taken to ensure that selection criteria and threshold scores are defined at an earlier stage in the selection procedures, the Council stresses the importance of thoroughly respecting the applicable rules in order to ensure transparent and non-discriminatory procedures.

2007 discharge: European Maritime Safety Agency EMSA

2008/2265(DEC) - 05/12/2008

PURPOSE: to present the report of the Court of Auditors on the 2007 accounts of the European Maritime Safety Agency (EMSA).

CONTENT: the Court of Auditor's report includes a detailed section on the European Maritime Safety Agency's expenditure and an analysis of the expenditure, as well as the Agency's replies.

- **Analysis of the accounts by the Court**: in its report, the Court makes a number of observations, particularly with regard to the presentation of the budget. The Agency's budget is mainly financed by subsidies from the European Commission. The procedures for establishing the budget were not sufficiently rigorous, which led to a high number of budgetary transfers, incorrect budget presentation and irregular modification of the funding source for anti-pollution appropriations. With regard to recruitment procedures, the selection criteria were not applied sufficiently. The Staff Committee was never invited by the Appointing Authority to participate in the recruitment procedures. This situation did not ensure transparent and non-discriminatory procedures;
- **The Agency's replies**: the Agency takes note of the Court's observation and notes that it will continue its efforts to limit budgetary transfers. Following the observations made by the Court, measures have been taken to ensure that selection criteria and threshold scores are defined at an earlier stage in the selection procedure.

2007 discharge: European Maritime Safety Agency EMSA

2008/2265(DEC) - 23/04/2009 - Final act

PURPOSE: to grant discharge to the European Maritime Safety Agency for the financial year 2007.

LEGISLATIVE ACT: Decision 2009/669/EC of the European Parliament on the discharge for the implementation of the budget of the European Maritime Safety Agency for the financial year 2007.

CONTENT: with the present decision, the European Parliament grants discharge to the Executive Director of the European Maritime Safety Agency for the implementation of the Agency's budget for the financial year 2007.

This decision is in line with the European Parliament's resolution adopted on 23 April 2009 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 23/04/2009). The decision to grant discharge is also an approval of the closure of the accounts of this EU agency.