Basic information

2008/2269(DEC) DEC - Discharge procedure	Procedure completed
2007 discharge: European Network and Information Security Agency ENISA **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
ITRE Industry, Research and Energy	The committee decided not to give an opinion.	

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	A6-0158/2009	
21/04/2009	Debate in Parliament		
23/04/2009	Decision by Parliament	T6-0294/2009	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	2008/2269(DEC)
Procedure type	DEC - Discharge procedure
Legal basis	Rules of Procedure EP 102
Stage reached in procedure	Procedure completed
Committee dossier	CONT/6/67287

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE416.334	29/01/2009	
Amendments tabled in committee		PE420.239	23/02/2009	
Committee report tabled for plenary, single reading		A6-0158/2009	20/03/2009	
Text adopted by Parliament, single reading		T6-0294/2009	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 2009/0661
OJ L 255 26.09.2009, p. 0153 Summary

2007 discharge: European Network and Information Security Agency ENISA

2008/2269(DEC) - 05/12/2008

PURPOSE: presentation of the report by the Court of Auditors on the 2007 annual accounts of the European Network and Information Security Agency (ENISA).

CONTENT: the Court of Auditor's report includes a detailed section on the 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 series of observations, in particular as regards budget management. It notes that the appropriations carried over did not always correspond to legal commitments in four cases. Moreover, more accurate financial information needs to be prepared by the operational departments to minimise the risks of errors in the accounts. The inventory of fixed assets was managed using a spreadsheet, which did not guarantee the integrity of the data, and no exhaustive physical inventory was made. Recurrent weaknesses were noted in the procurement procedures: the pre-selections of bids were not justified, the evaluation documents were not signed by the evaluation committee, and the files were not structured and were incomplete. In one case relevant information could not be found. This situation was at odds with the principle of transparency.
- **Agency' replies**: the Agency notes that indeed external factors such as the late release of funds partially affected the implementation of operational activities. It states that in the meantime the Agency has closely planned and follows up the execution of 2008 budget. In certain cases with a significant number of variables, the appropriations carried over were calculated with some degree of approximation. The Agency is aware of this risk and strives to ensure to the highest degree possible the accuracy of appropriations carried over. Fixed assets are managed in the accounting software of the Agency. The administrative inventory is managed in spreadsheets due to the limited number of items. The Agency recognises some shortcomings in three procurement files.

2007 discharge: European Network and Information Security Agency ENISA

2008/2269(DEC) - 23/04/2009 - Final act

PURPOSE: to grant discharge to the European Network and Information Security Agency for the financial year 2007.

LEGISLATIVE ACT: Decision 2009/661/EC of the European Parliament on the discharge for the implementation of the budget of the European Network and Information Security Agency for the financial year 2007.

CONTENT: with the present decision, the European Parliament grants discharge to the Executive Director of the European Network and Information Security Agency for the implementation of the Authority'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.

2007 discharge: European Network and Information Security Agency ENISA

2008/2269(DEC) - 23/04/2009 - Text adopted by Parliament, single reading

The European Parliament adopted a decision on discharge in respect of the implementation of the budget of the European Network and Information Security Agency for the financial year 2007. The decision to grant discharge is also an approval of the closure of the accounts of this EU agency.

Moreover, the Parliament adopted by 423 votes to 18, with 11 abstentions, a resolution with observations which form an integral part of the decision to grant discharge.

The Parliament stresses that the European Court of Auditors (ECA) noted a number of weaknesses:

- the implementation of operational activities was concentrated in the last quarter of 2007, (with about 40% of commitments and more than 50% of payments being executed in November and December 2007);
- in terms of carry-overs, in four cases, (representing a total value of EUR 121 500), appropriations carried over did not correspond to legal commitments;
- in terms of the inventory, fixed assets were managed using a spreadsheet, which did not guarantee the integrity of the data; moreover, no exhaustive physical inventory was made.

Satisfied with the majority of the responses given by the Agency to each of its criticisms, the Parliament notes its concern about the fact that the Court of Auditors found weaknesses in procurement procedures. It calls on the Agency to report on measures taken in order to remedy shortcomings in the field of procurement in its annual activity report for 2008.

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 the Agency's 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 Network and Information Security Agency ENISA

2008/2269(DEC) - 23/07/2008 - Non-legislative basic document

PURPOSE: presentation of the final accounts of the European Network and Information Security Agency for the financial year 2007 (ENISA).

CONTENT: this document sets out a detailed account of the implementation of the Agency's budget for 2007. It indicates that the Agency's final budget amounted to EUR 8.3 million (compared to EUR 6.9 million the previous year) representing a 100% Community subsidy.

As regards the staffing policy, the Agency set out 44 posts in the establishment plan. 42 posts are currently occupied + 15 other posts (contract agents, seconded national experts, trainees) totalling 56 posts assigned to operational and administrative tasks.

In 2007, the Agency produced 22 reports on various NIS topics including:

- security awareness initiatives and measurement of effectiveness Security policies;
- certification and accreditation schemes;
- security measures implemented by service providers;
- internal market of eCommunications;
- inventory of risk management methods;
- business continuity methods;
- governance;
- emerging risks;
- technological developments;
- applications and technologies;
- good practice;
- contacts directory;
- authentication levels;
- CSIRT cooperation.

The Agency organised 8 Workshops on various NIS topics including awareness raising, technological developments, authentication, CSIRT. It updated its web site as well as issuing a newsletter on a quarterly basis. It delivered over 40 presentations in various NIS events and conferences. It dealt with seven requests for advice and assistance: five by Member States (two from Austria, two from Greece and one from Bulgaria) and two requests from the Commission.

The Agency developed contacts with specialised organs of OECD and International Telecommunication Union in order to identify possible synergies and to report on their activities to the Agency's stakeholders.

The complete version of the final accounts may be found at the following address: www.enisa.europa.eu

2007 discharge: European Network and Information Security Agency ENISA

2008/2269(DEC) - 23/01/2009

Based on the observations contained in the revenue and expenditure account and the balance sheet of the European Network and Information Security Agency (ENISA) 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 the Parliament to provide the discharge on the implementation of the 2007 budget to the Director of the Agency.

In doing so, the Council confirms that EUR 860 000 (93.8%) of the EUR 920 000 in appropriations carried forward from the financial year 2006 to the financial year 2007 were used and EUR 2 million in appropriations were carried forward from the financial year 2007 to the financial year 2008 and EUR 200 000 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 providing the discharge on the implementation of the 2007 budget, particularly regarding the following points:

- **carry-overs**: the Council notes with concern the Court's observation on several cases of the appropriations carried over not corresponding to the legal commitments and calls on the agency to make every effort to ensure the accuracy of financial information. The Council also draws the attention of the Agency on the concentration of transactions in the last quarter of the year which jeopardises the implementation of operational activities and asks it to remedy this situation as soon as possible;
- **administrative inventory**:regarding the Court's observations on the deficiencies in the Agency's accounting, the Council encourages the Agency to act thereupon as early as possible and to apply the Commission's accounting software where appropriate;
- **procurement**: the Council is concerned by the Court's findings on the recurrent weaknesses in the procurement procedures and urges the Agency to take all the appropriate measures to eliminate these weaknesses already in the short term.