Basic information

2009/2076(DEC) DEC - Discharge procedure	Procedure completed
2008 discharge: EU general budget, European Data Protection Supervisor **Subject** 8.70.03.07 Previous discharges	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	CZARNECKI Ryszard (ECR)	01/10/2009

Committee for opinion	Rapporteur for opinion	Appointed
JURI Legal Affairs	The committee decided not to give an opinion.	02/09/2009
LIBE Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	

European Commission

Commission DG	Commissioner
Budget	ŠEMETA Algirdas

Key events

Date	Event	Reference	Summary
23/07/2009	Non-legislative basic document published	SEC(2009)1089	Summary
07/10/2009	Committee referral announced in Parliament		
23/03/2010	Vote in committee		Summary
26/03/2010	Committee report tabled for plenary	A7-0098/2010	
21/04/2010	Debate in Parliament		
05/05/2010	Decision by Parliament	T7-0097/2010	Summary
05/05/2010	Results of vote in Parliament		

05/05/2010	End of procedure in Parliament		
25/09/2010	Final act published in Official Journal		

Technical information

Procedure reference	2009/2076(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/00706

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE430.319	02/02/2010	
Committee report tabled for plenary, single reading		A7-0098/2010	26/03/2010	
Text adopted by Parliament, single reading		T7-0097/2010	05/05/2010	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	SEC(2009)1089	23/07/2009	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofA	Document attached to the procedure	N7-0036/2009 OJ C 269 10.11.2009, p. 0001	10/11/2009	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2010/0505
OJ L 252 25.09.2010, p. 0104 Summary

2008 discharge: EU general budget, European Data Protection Supervisor

2009/2076(DEC) - 10/11/2009

PURPOSE: to present the report of the Court of Auditors on the implementation of the budget for the financial year 2008 (other institutions - European Data Protection Supervisor).

CONTENT: in its annual report for the financial year 2008, the Court focuses on the legality and regularity of the operating expenditure of the institutions. In 2008, the Court carried out audits in all the institutions on the following selected topics (procurement contracts, late payment penalties, payments on carried-over appropriations, transfers of acquired pension rights, etc…). In addition, the Court assessed the compliance of the supervisory and control systems applied by each institution with the requirements of the Financial Regulation

In 2008, the Court notes that **all the institutions operated satisfactorily the supervisory and control systems** required by the Financial Regulation and the **transactions tested were free from material error of legality and regularity**.

Although the legality and regularity of the transactions underlying the accounts have been confirmed by the Court of Auditors, it does however draw attention to a number of findings which should be taken into consideration by the institutions concerned.

Nevertheless, in the specific case of the audit of the **European Data Protection Supervisor**, the audit did not give rise to any significant observations.

2008 discharge: EU general budget, European Data Protection Supervisor

2009/2076(DEC) - 05/05/2010 - Text adopted by Parliament, single reading

The European Parliament adopted a decision on discharge to be granted to the European Data Protection Supervisor in respect of the implementation of its budget for the financial year 2008.

Furthermore, Parliament adopted a resolution with observations which are an integral part of the decision to grant discharge.

Parliament notes that in 2008 the European Data Protection Supervisor (EDPS) had commitment appropriations available amounting to a total of **EUR 5.3 million** (2007: EUR 5 million), with a utilisation rate of 86.14%, below the average of the other institutions (95.67%).

Parliament notes the continuous increase in permanent posts allocated to the EDPS. However, it also points out that the expenditure under article "Other staff" demonstrates the implementation rate below the average (51.98%).

Noting that the Court of Auditors indicated in its annual report that the audit did not give rise to any significant observations as regards the EDPS, Parliament recalls the evaluation performed by the EDPS Internal Audit Service (that is, the Commission's internal auditor on the basis of the Administrative Cooperation Agreement) had demonstrated the functionality and efficiency of the internal control system and its ability to provide reasonable assurance for the achievement of the institution’s objectives.

Parliament welcomes the annual publication of declarations of financial interests of the elected Members of the institution (EDPS and Assistant Supervisor). It requests that the EDPS includes in its next activity report (financial year 2009) a chapter providing a detailed account of the follow-up during the year to Parliament's earlier discharge decisions.

2008 discharge: EU general budget, European Data Protection Supervisor

2009/2076(DEC) - 05/05/2010 - Final act

PURPOSE: to grant discharge to the European Data Protection Supervisor for the 2008 financial year.

LEGISLATIVE ACT: Decision 2010/505/EU of the European Parliament on the discharge for implementation of the European Union general budget for the financial year 2008, Section IX - 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 2008.

This decision is in line with the European Parliament’s resolution adopted on 5 May 2010 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 5 May 2010).

2008 discharge: EU general budget, European Data Protection Supervisor

2009/2076(DEC) - 23/07/2009 - Non-legislative basic document

PURPOSE: to present the final annual accounts of the European Communities for the financial year 2008 - Other institutions: section IX - European Data Protection Supervisor.

CONTENT: this document sets out the amount of expenditure and the financial statement of the European Data Protection Supervisor (EDPS) for 2008. It presents an analysis of the institution's financial management as well as its main axes of expenditure.

The figures mentioned hereafter are taken from the following document "Report on budgetary and financial management for 2008".

Commitment appropriations:

- commitment appropriations authorised: EUR 5 307 753
- commitments made in 2008: EUR 4 571 930 million (86.14% of available commitments).

Payment appropriations:

- payment appropriations authorised: EUR 6 322 458
- payments made in 2008: EUR 4 306 781 (68.12% of payments).

Main axes of expenditure for 2008: the budget of this institution increased by roughly 7.1% compared to 2007. This was due to two main factors: (1) the adjustment to living costs and the indexation of salaries; (2) taking into consideration the considerable increase in activities (the budget increased from EUR 5 million in 2007 to EUR 5.3 million in 2008 and personnel increased from 29 to 33 people).

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. The Agreement concluded in June 2004 with these institutions was extended for a new period of 3 years starting from 16 January 2007. 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. Interinstitutional cooperation was continued with different Commission DGs, the Publications Office of the European Union, the European Parliament (notably for building security, website, inventory of assets, mail, telephone, supplies, etc) and the Council's translation service;
- **continued 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 4 additional posts in 2008. Given the increased workload, it was necessary to create the position for a coordinator (7 coordinators were nominated). In addition, 4 trainees were welcomed as well as 3 seconded national experts from Spain, Hungary and Greece.

The other main points concerning the implementation of the EDPS budget can be summarised as follows:

Title I (*Expenditure relating to persons working with the Institution*): this budgetary Title was not characterised by any notable observation (the expenditure for most of the items was in accordance with the budgetary forecasts): for the Title as a whole, the rate of implementation for appropriations recorded in the budget is 80.54% (EUR 3 028 355). The weak implementation of Article 111 relating to payments to "other agents" – seconded national experts, trainees, contractual agents and agency staff.

Title II (*Buildings, equipment and miscellaneous operating expenditure*): the utilisation rate for this Title amounts to 100%. Therefore, no specific remarks have been made as regards the budget (total amount of Title II: EUR 1 543 575).