Basic information

2009/2130(DEC) DEC - Discharge procedure	Procedure completed
2008 discharge: Community Fisheries Control Agency CFCA **Subject** 8.70.03.07 Previous discharges	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	MATHIEU HOUILLON Véronique (PPE)	01/10/2009
	Shadow rapporteur STAVRAKAKIS Georgios (S&D) GERBRANDY Gerben-Jan (ALDE) STAES Bart (Verts/ALE)	

Committee for opinion	Rapporteur for opinion	Appointed
PECH Fisheries	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	2994	2010-02-16

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	A7-0105/2010	
21/04/2010	Debate in Parliament		
05/05/2010	Decision by Parliament	T7-0100/2010	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	2009/2130(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/01120

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE430.462	02/02/2010	
Committee report tabled for plenary, single reading		A7-0105/2010	26/03/2010	
Text adopted by Parliament, single reading		T7-0100/2010	05/05/2010	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	05827/2010	01/02/2010	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	Court of Auditors: opinion, report	N7-0012/2010 OJ C 304 15.12.2009, p. 0001	08/10/2009	Summary

CofA	Document attached to the procedure	N7-0036/2009 OJ C 269 10.11.2009, p. 0001	10/11/2009	

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Decision 2010/0512 OJ L 252 25.09.2010, p. 0128	Summary

2008 discharge: Community Fisheries Control Agency CFCA

2009/2130(DEC) - 23/07/2009 - Non-legislative basic document

PURPOSE: to present the final accounts of the Community Fisheries Control Agency (CFCA) for the financial year 2008.

CONTENT: this document sets out a detailed account of the implementation of the Community Fisheries Control Agency's budget for the financial year 2008. It notes that the final budget amounts to EUR 8.5 million (compared to EUR 5 million in 2007 which was the Agency's first year) including EUR 1.2 million of assigned revenue.

As regards the staffing policy, the Agency, whose head office is in Vigo (Spain), employed, on 31.12.2007, 25 staff members increasing steadily to 48 staff members by the end of 2008 (40 temporary agents and 8 contract agents).

In 2008, the Agency concentrated on the following activities:

Joint Deployment Plans (JDP), to organise the operational coordination of the fisheries control activities of Member States, were executed in the following Community fisheries:

- Cod fishery in the North Sea,
- Cod Fishery in the Baltic Sea,
- Bluefin tuna fishery in the Mediterranean Sea and Eastern Atlantic,
- Fishing of regulated resources in the North West Atlantic International waters (NAFO).

Training to Member State inspectors was provided linked to the operational activities, to improve the effective and uniform application of the common fisheries policy in all areas covered by a JDP.

The complete version of the final accounts may be found at the following address: http://cfca.europa.eu

2008 discharge: Community Fisheries Control Agency CFCA

2009/2130(DEC) - 05/05/2010 - Text adopted by Parliament, single reading

The European Parliament adopted by 546 votes to 29, with 56 abstentions, a decision on discharge to be granted to the Executive Director of the Community Fisheries Control Agency 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.

The main points are as follows:

- **performance:** Parliament underlines the importance of drawing up a multiannual work programme so that the Agency can make effective organisational arrangements to implement its strategy and achieve its goals. It also calls on the Agency to consider making a Gantt diagram part of the programming for each of its operational activities, with a view to indicating in concise form the amount of time spent by each staff member on a project and encouraging an approach geared towards achieving results;
- **budgetary and financial management:** Parliament draws attention to the need for the Agency to remedy the shortcomings in the programming of its activities so that in future the procedures for drafting the budget are sufficiently rigorous and obviate any need to increase and/or

decrease the appropriations against its budget headings. It also welcomes the fact that the Agency has undertaken to improve its budgetary planning and monitoring and, consequently, to reduce the number of budgetary modifications required;

- **internal audit:** Parliament acknowledges that the Internal Audit Service (IAS) has identified 15 recommendations for the Agency, nine of which have been rated as 'very important' and call for the development a set of indicators covering all activities of the Agency and its internal organisation;
- **human resources:** Parliament notes that, in 2008, the rate of recruitment was so much faster than originally planned that the volume of appropriations required to pay salaries was underestimated by more than 35% (roughly EUR 1 300 000). It, therefore, calls on the Agency to improve the monitoring of the implementation of its budget.

Noting that the Agency's annual accounts for the financial year 2008 are reliable, and the underlying transactions are legal and regular, Parliament approves the closure of the Agency's accounts. However, it makes a number of recommendations that need to be taken into account when the discharge is granted, in addition to the general recommendations that appear in the draft resolution on financial management and control of EU agencies (see 2010/2007(INI) adopted in parallel).

2008 discharge: Community Fisheries Control Agency CFCA

2009/2130(DEC) - 08/10/2009

PURPOSE: to present the report by the Court of Auditors on the 2008 annual accounts of the Community Fisheries Control Agency (CFCA).

CONTENT: in the Court's opinion, the Agency's Annual Accounts fairly present, in all material respects, its financial position as of 31 December 2008 and the results of its operations and its cash flows for the year then ended. The transactions underlying the Agency's annual accounts for the financial year ended are, in all material respects, legal and regular.

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.

- **The Court's analysis of the accounts**: in its report, the Court makes a number of observations in particular as regards the financial and budgetary management. The Court states that the procedures for drawing up the budget were not sufficiently rigorous and led to a significant number of budgetary transfers. Some of these transfers led to successive increases and decreases in the same budgetary lines. This situation indicates weaknesses in the programming of the Agency's activities and was at odds with the principle of specification. Contrary to the rules in force, the Administrative Board was not requested to authorise the transfers when required or informed about them. The Court states that in four cases, the legal commitments were made before the corresponding budgetary commitments and at the year end EUR 200 000 relating to lapsed operations were carried forward without justification. In seven cases, legal commitments were not covered by budgetary commitments. In addition, the Court notes that the Agency does not prepare a multi-annual work programme. A multiannual programming document is necessary to organise the implementation of the Agency's strategy and its goals. The introduction of an activity-based budgeting system would make it easier to establish a clear link between the work programme and the financial forecasts. Lastly, staff recruitment was made at a more rapid pace than initially expected. As this situation was not taken into account in the forecasts for the 2009 budget, this latter underestimated by more than 35% (approximately EUR 1.3 million) appropriations necessary for salary expenditure. The monitoring of the budget execution should be improved
- **The Agency's replies**: the Agency states that it will continue its effort to improve its budgetary planning and monitoring and consequently to reduce the number of budgetary modifications. It stresses that due to the relocation to CFCA's final location, 2008 has been a particular difficult year for budgetary planning. The Agency also implemented in January 2009 a structured reporting method which allows better monitoring of the budget. The Agency will take additional measures to reinforce the control over the budgetary commitments. Moreover, it states that it will decentralise the financial workflow, provide additional training to the project managers and other relevant staff and will organise regular budget planning and monitoring meetings. The annual Work Programme and multi-annual programming will be further developed in accordance with the Administrative Board Mid-Term strategy and considering the outcome of the debate on the Control regulation at Council level. Also, CFCA is developing an evaluation system for its activities based upon Key Performance Indicators that were for the first time introduced in the 2009 Work Programme. Lastly, the Agency has further strengthened the planning and monitoring of its budget. In this respect new/management reports which allow continuous monitoring of budgetary execution have been introduced in 2009.

2008 discharge: Community Fisheries Control Agency CFCA

2009/2130(DEC) - 05/05/2010 - Final act

PURPOSE: to grant discharge to the Community Fisheries Control Agency for the financial year 2008.

LEGISLATIVE ACT: Decision 2010/512/EU of the European Parliament on the discharge for the implementation of the budget of the Community Fisheries Control Agency for the financial year 2008.

CONTENT: with the present decision, the European Parliament grants discharge to the Executive Director of the Community Fisheries Control Agency for the implementation of its 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).

A parallel Decision, adopted on the same day, approves the closure of the accounts of this EU agency.

2008 discharge: Community Fisheries Control Agency CFCA

2009/2130(DEC) - 01/02/2010

Based on the observations contained in the revenue and expenditure account and the balance sheet of the Community Fisheries Control Agency for the financial year 2008, as well as on the Court of Auditor’s report and the Authority’s replies to the Court’s observations, the Council recommends that the Parliament grant the Executive Director of the Agency discharge in respect of the implementation of the budget for the financial year 2008.

The Council welcomes the Court's opinion that, on the one hand, the Agency's annual accounts present fairly, in all material aspects, the financial position as at 31 December 2008 and the results of operations and cash-flows for the year then ended, in accordance with the provisions of the Agency's Financial Regulation, and that, on the other hand, the underlying transactions for the financial year ended on 31 December 2008 are, in all material respects, legal and regular.

However, the Council considers that observations made in the Court of Auditor’s report call for a certain number of observations to be taken into account when granting discharge, particularly on the following points:

- **budget programming**: while taking into account that the Agency is recently established and that it acquired its financial independence from the Commission on 11 November 2007, the Council calls on the Agency to comply with the financial provisions in force. In this context, the Council notes with concern the weakness in the programming of the Agency's activities and calls on the Agency to elaborate its budget in compliance with the principle of specification;
- **legal commitments without budgetary commitments**: the Council considers that due attention should be paid to the respect of existing rules concerning legal and budgetary commitments, and carry-overs;
- **budget monitoring**: the Council invites the Agency to take duly into account the remarks and recommendations made by the Court concerning identified weaknesses in programming procedures and monitoring of the budget implementation.