Basic information

2010/2180(DEC) DEC - Discharge procedure	Procedure completed
2009 discharge: European Railway Agency ERA **Subject** 8.70.03.07 Previous discharges	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	STAVRAKAKIS Georgios (S&D)	23/03/2010
	Shadow rapporteur MACOVEI Monica (PPE) GERBRANDY Gerben-Jan (ALDE) STAES Bart (Verts/ALE) SØNDERGAARD Søren Bo (GUE/NGL)	

Committee for opinion	Rapporteur for opinion	Appointed
TRAN Transport and Tourism	UGGIAS Giommaria (ALDE)	26/10/2010

European Commission

Commission DG	Commissioner
Budget	ŠEMETA Algirdas

Key events

Date	Event	Reference	Summary
20/07/2010	Non-legislative basic document published	SEC(2010)0963	Summary
07/10/2010	Committee referral announced in Parliament		
21/03/2011	Vote in committee		Summary
06/04/2011	Committee report tabled for plenary	A7-0125/2011	
10/05/2011	Decision by Parliament	T7-0176/2011	Summary

10/05/2011	Results of vote in Parliament		
10/05/2011	Debate in Parliament		
10/05/2011	End of procedure in Parliament		
27/09/2011	Final act published in Official Journal		

Technical information

Procedure reference	2010/2180(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/04059

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE450.708	01/02/2011	
Committee opinion	TRAN	PE454.408	01/03/2011	
Committee report tabled for plenary, single reading		A7-0125/2011	06/04/2011	
Text adopted by Parliament, single reading		T7-0176/2011	10/05/2011	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	05892/2011	03/02/2011	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	SEC(2010)0963	20/07/2010	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofA	Court of Auditors: opinion, report	N7-0018/2011 OJ C 338 14.12.2010, p. 0103	16/09/2010	Summary

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

Final act	
Decision 2011/0590 OJ L 250 27.09.2011, p. 0191	Summary

2009 discharge: European Railway Agency ERA

2010/2180(DEC) - 10/05/2011 - Final act

PURPOSE: to grant discharge to the European Railway Agency in respect of the implementation of the Agency's budget for the financial year 2009.

NON-LEGISLATIVE ACT: Decision 2011/590/EU of the European Parliament on discharge in respect of the implementation of the budget of the European Railway Agency for the financial year 2009.

CONTENT: with the present decision, the European Parliament grants discharge to the Director of the European Railway Agency for the implementation of its budget for the financial year 2009.

This decision is in line with the European Parliament's resolution adopted on 10 May 2011 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 10/05/2011).

A parallel decision, adopted on the same day, approves the closure of this Agency's accounts.

2009 discharge: European Railway Agency ERA

2010/2180(DEC) - 16/09/2010 - Court of Auditors: opinion, report

PURPOSE: presentation by the Court of Auditors of its report on the annual accounts of the European Railway Agency (ERA) for the financial year 2009, together with the Agency’s replies

CONTENT: in accordance with the tasks and objectives conferred on it by the Treaty on the Functioning of the European Union (TFEU), the Court of Auditors, in the context of the discharge procedure, addresses to the European Parliament and the Council a Statement of Assurance on the reliability of the annual accounts, as well as of the legality and regularity of the transactions underlying them of each EU institution, body or agency, on the basis of an external, independent audit.

This audit also covered the annual accounts of the European Railway Agency (ERA).

In the Court’s opinion, **the Agency's annual accounts presented "fairly, in all material respects", its financial position as of 31 December 2009** and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of its Financial Regulation.

The Court also stated that the **transactions underlying the annual accounts** of the Agency for the financial year ended 31 December 2009 were, “in all material respects, **legal and regular**”.

The report again confirmed that the Agency’s 2009 final budget amounted to EUR 21 million and that it employed 127 agents during the financial year.

The report also included comments on the Agency’s budgetary and financial management, together with the Agency’s replies.

The main comments are as follows:

The Court's comments:

- the transfer and carry-over of a large amount of appropriations: in 2009, the volume of appropriations carried forward was considerable (61% of operational expenditure);
- significant changes made to the annual work programme during the year resulted in delays in the implementation of the activities and was at odds with the budgetary principle of annuality;
- shortcomings in the system for registering incoming invoices;
- shortcomings in the management of the fixed assets inventory between the Agency’s two locations in Lille and Valenciennes.

The Agency's replies:

- important carry-overs were due to delays in the execution of payments and to the late conclusion of procurement procedures;
- continued efforts to improve and respect the procurement planning and to decrease the payment delays with the limited resources allocated.;
- the establishment of a system for the central registration of commercial invoices as of 1 September 2010;
- use of the ABAC ASSETS since 1 January 2010 for the physical inventory.

Lastly, the Court of Auditor's report contained a summary of the **Agency's activities in 2009** in the following areas:

- series of recommendations relating to rail transport safety;
- recommendations regarding technical specifications in relation to interoperability;
- publication of a report on interoperability;
- compilation of technical opinions
- other actions designed to i) set up and maintain a series of registers for interoperability; ii) act as the System Authority and Change Control Manager for ERTMS; iii) define and compile the Reference Document of national rules for vehicle authorisation.

2009 discharge: European Railway Agency ERA

2010/2180(DEC) - 10/05/2011 - Text adopted by Parliament, single reading

The European Parliament adopted by 517 votes to 78, with 41 abstentions a decision to grant discharge to the Executive Director of the European Railway Agency for implementation of the Agency's budget for the financial year 2009.

Noting that the Agency's annual accounts for the financial year 2009 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 resolution on financial management and control of EU agencies - see DEC/2010/2271):

- **performance:** Parliament considers, once again, that the fact that the Agency carries out its activities at two locations (Valenciennes and Lille) exposes it to additional costs. It notes that this observation has been made since 2006 and that no measures have been taken by the Council to amend the Decision of 13 December 2003 requiring the Agency to have a dual headquarters;
- **carryover of appropriations:** Parliament regrets that the Agency has yet again failed to address the problem of appropriations being carried forward from one year to the next. The carryover of 41% of Title II credits (property, data processing and other administrative costs) and 61% of Title III (operational expenditure) represent a serious breach of the budgetary principle of annuality and demonstrate delays in the implementation of the Agency's activities. Parliament calls on the Agency to deal with this issue, as well as for an improvement in the situation as regards cancellations and delays in procurement procedures (given that this situation has also persisted since 2006);
- **shortcomings in the management of the fixed assets:** Parliament regrets the shortcomings in the management of the fixed assets' inventory identified by the Court of Auditors but notes the Agency's assurance that this will be remedied. It considers that uncertainty about the location of fixed assets is another illustration of the problems and additional costs arising from using two sites;
- **human resources:** Parliament notes that the Agency's Annual Activity Report (AAR) provides only limited information on the planning, allocation and use of human resources and considers that this deficiency could affect the stakeholders' view on the Agency's use of its staff. It also notes that the Agency does not have a consolidated manual on different rules, instructions and guidelines governing staff recruitment. This deficiency could lead to differences in the processing and managing of individual recruitments, thus compromising the principle of equal treatment of candidates.

2009 discharge: European Railway Agency ERA

2010/2180(DEC) - 03/02/2011

Based on the observations contained in the revenue and expenditure account and the balance sheet of the European Railway Agency for the financial year 2009, 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 Executive Director of the Agency discharge in respect of the implementation of the budget for the financial year 2009.

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 2009 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 2009 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:

- **carry-overs**: the Council regrets that, as in previous years, the volume of appropriations carried over was again considerably high, due to recurrent delays in the execution of payments, cancellation or late conclusion of procurement procedures and slow implementation of operational activities. The Council strongly reiterates its call on the Agency to remedy this critical situation without further delay and expects it to take all necessary measures to ensure an effective implementation of its tasks and a sound management of its budgetary and financial resources;

- **absence of a centralised system for registering incoming invoices**: with respect to the Court's observations on the absence of a centralised system for registering incoming invoices, and on the shortcomings in the management of the fixed assets inventory, the Council takes note that the Agency has taken measures in the recommended direction;
- **staff entitlements**: lastly, the Council takes note that the Agency reviewed the entitlements of its staff with a view to make necessary corrections. The outcome of these measures will be followed attentively.

2009 discharge: European Railway Agency ERA

2010/2180(DEC) - 20/07/2010 - Non-legislative basic document

PURPOSE: presentation by the Commission of the consolidated annual accounts of the European Union for the financial year 2009, as part of the 2009 discharge procedure.

Analysis of the accounts of the **European Railway Agency (ERA)**

CONTENT: this Commission document sets out the consolidated annual accounts of the European Union for the financial year 2009 as prepared on the basis of the information presented by the institutions, organisations and bodies of the EU, in accordance with Article 129 (2) of the Financial Regulation applicable to the EU's General Budget, including the European Railway Agency (ERA).

In 2009, the tasks and budget of this agency were as follows:

- **description of ERA's tasks**: ERA, which is located in Lille-Valenciennes, was created by Regulation (EC) No 881/2004 of the European Parliament and of the Council of 29 April 2004. The Agency's aim is to enhance the level of interoperability of railway systems and to develop a common approach to safety in order to contribute to creating a more competitive European railway sector with a high level of safety;
- **ERA's budget for the 2009 financial year:** the Agency's 2009 budget amounted to EUR 21 million, compared with EUR 18 million the previous year. The number of staff employed by the Agency at the end of the year was 127, compared with 113 the previous year.

The complete version of ERA's final accounts may be found at the following address: http://www.era.europa.eu