Basic information

2010/2185(DEC) DEC - Discharge procedure	Procedure completed
2009 discharge: European Chemicals Agency ECHA **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
ENVI Environment, Public Health and Food Safety	HAUG Jutta (S&D)	05/10/2010

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	A7-0127/2011	
10/05/2011	Decision by Parliament	T7-0170/2011	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	2010/2185(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/04069

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE450.710	03/02/2011	
Committee opinion	ENVI	PE454.730	16/03/2011	
Committee report tabled for plenary, single reading		A7-0127/2011	06/04/2011	
Text adopted by Parliament, single reading		T7-0170/2011	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	N7-0013/2011 OJ C 338 14.12.2010, p. 0034	16/09/2010	Summary

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

Final act	
Decision 2011/0576 OJ L 250 27.09.2011, p. 0150	Summary

2009 discharge: European Chemicals Agency ECHA

2010/2185(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 Chemicals Agency (ECHA).**

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 Chemicals Agency (ECHA).

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

- **description of ECHA's tasks:** ECHA, located in Helsinki, was set up by Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006. Its main tasks are to ensure a high level of protection of human health and the environment, as well as the free movement of substances, on their own, in preparations and in articles, while enhancing competitiveness and innovation. The Agency also promotes the development of alternative methods for the assessment of hazards of substances;
- **ECHA's budget for the 2009 financial year:** the Agency's 2009 budget amounted to EUR 70.4 million, compared with EUR 66.4 million the previous year. The number of staff employed by the Agency at the end of the year was 355, as compared with 244 the previous year.

The complete version of ECHA's final accounts may be found at the following address:

http://echa.europa.eu/publications/annual_accounts_en.asp

2009 discharge: European Chemicals Agency ECHA

2010/2185(DEC) - 03/02/2011

Based on the observations contained in the revenue and expenditure account and the balance sheet of the European Chemicals 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 notes with concern the high level of carry-overs and calls on the Agency to intensify its efforts to improve budgetary planning and implementation of the budget, thus complying strictly with the budgetary principle of annuality.

2009 discharge: European Chemicals Agency ECHA

2010/2185(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 Chemicals Agency (ECHA).

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 Chemicals Agency (ECHA).

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 70.4 million, EUR 66.6 million of which were a direct contribution from the EU. It employed 355 agents during the 2009 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:

- carry-over and cancellation of a large number of appropriations: EUR 20 million (29% of appropriations) were carried forward to 2010 and EUR 3.3 million (5%) were cancelled. EUR 17.6 million euro (88 % of the appropriations carried forward) correspond to activities not yet implemented (or, in some cases, goods not received) at the year end. This situation indicated delays in the implementation of the activities of the Agency and was at odds with the budgetary principle of annuality.

The Agency's reply:

- the Agency was faced with unforeseen delays in the implementation of some of its activities and contracting, resulting in the carry-over of the funds. It will continue to further develop the planning and monitoring of its procurement and budget execution in 2010.

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

- preparatory work on the establishment of the Agency;
- capacity-building in the areas of registration, evaluation, authorisations and restrictions, classification and labelling of substances;
- set up of committees;
- development of REACH-IT and other IT systems;
- set-up of administrative and management systems.

2009 discharge: European Chemicals Agency ECHA

2010/2185(DEC) - 10/05/2011 - Final act

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

NON-LEGISLATIVE ACT: Decision 2011/576/EU of the European Parliament on discharge in respect of the implementation of the budget of the European Chemicals Agency for the financial year 2009.

CONTENT: with the present decision, the European Parliament grants discharge to the Executive Director of the European Chemicals 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 Chemicals Agency ECHA

2010/2185(DEC) - 10/05/2011 - Text adopted by Parliament, single reading

The European Parliament adopted by 510 votes to 80, with 27 abstentions a decision to grant discharge to the Executive Director of the European Chemicals Agency in respect of the 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 notes that the Agency has increased the number of completed registration dossiers (500 in 2009 and 70 in 2008), the number of enquiries (1000 in 2009 and 250 in 2008). It welcomes the progress of this agency and the smooth and relatively rapid

establishment of its activities. It also congratulates the Agency for enhancing its customer focus and feedback procedures and for having increased assistance activities for industry (such as offering a phone advice service for lead-registrants, workshops, network meetings, public consultations, etc);

- **carryover appropriations:** Parliament notes that the Agency carried forward 29% of its appropriations (i.e. EUR 20 million) because certain contracts could not be concluded before the end of 2009. It also notes that 5% of the appropriations (EUR 3 million) were cancelled. It welcomes the Agency's commitment to reduce for 2010 the carryover of commitment appropriations to below 20% and limit the cancelled appropriations to a considerably lower level as compared to 2008;
- **human resources:** Parliament notes that the total number of posts in the establishment plan has increased by 47% compared to 2008 and that at the end of the year the Agency had achieved 90% execution of the establishment plan. It recalls, nevertheless, the importance for the Agency to keep monitoring the implementation of its budget and recruitment plan.