Basic information

2012/2198(DEC) DEC - Discharge procedure	Procedure completed
2011 discharge: European Railway Agency (ERA) **Subject** 8.70.03.07 Previous discharges	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	GERBRANDY Gerben-Jan (ALDE)	29/02/2012
	Shadow rapporteur SARVAMAA Petri (PPE) AYALA SENDER Inés (S&D) STAES Bart (Verts/ALE) BRADBOURN Philip (ECR) SØNDERGAARD Søren Bo (GUE/NGL) ANDREASEN Marta (EFD) EHRENHAUSER Martin (NI)	

Committee for opinion	Rapporteur for opinion	Appointed
TRAN Transport and Tourism	MEISSNER Gesine (ALDE)	26/10/2012

European Commission

Commission DG	Commissioner
Budget	ŠEMETA Algirdas

Key events

Date	Event	Reference	Summary
25/07/2012	Non-legislative basic document published	COM(2012)0436	Summary
13/09/2012	Committee referral announced in Parliament		

19/03/2013	Vote in committee		
22/03/2013	Committee report tabled for plenary	A7-0103/2013	Summary
16/04/2013	Debate in Parliament		
17/04/2013	Decision by Parliament	T7-0154/2013	Summary
17/04/2013	Results of vote in Parliament		
17/04/2013	End of procedure in Parliament		
16/11/2013	Final act published in Official Journal		

Technical information

Procedure reference	2012/2198(DEC)
Procedure type	DEC - Discharge procedure
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/10537

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	TRAN	PE500.417	24/01/2013	
Committee draft report		PE497.835	28/01/2013	
Amendments tabled in committee		PE497.883	27/02/2013	
Committee report tabled for plenary, single reading		A7-0103/2013	22/03/2013	Summary
Text adopted by Parliament, single reading		T7-0154/2013	17/04/2013	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	05753/2013	01/02/2013	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2012)0436	25/07/2012	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofA	Court of Auditors: opinion, report	N7-0026/2013 OJ C 388 15.12.2012, p. 0145	11/09/2012	Summary

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

Final act	
Decision 2013/0592 OJ L 308 16.11.2013, p. 0277	Summary

2011 discharge: European Railway Agency (ERA)

2012/2198(DEC) - 25/07/2012 - Non-legislative basic document

PURPOSE: presentation by the Commission of the consolidated annual accounts of the European Union for the financial year 2011, as part of the 2011 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 2011 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 2011, 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 and its 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 2011 financial year**: the Agency's budget for 2011, as presented in the Commission document on the consolidated annual accounts of the European Union, gives the following figures:
  - forecasted income budget: EUR 26 million;
  - entitlements established: EUR 25 million;
  - amounts received: EUR 25 million;
  - outstanding: EUR 0 million.

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

http://www.era.europa.eu/The-Agency/BudgetandAccounts/Pages/home.aspx

2011 discharge: European Railway Agency (ERA)

2012/2198(DEC) - 11/09/2012 - Court of Auditors: opinion, report

PURPOSE: presentation of the EU Court of Auditors' report on the annual accounts of the European Railway Agency, together with the Agency's replies.

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

This audit concerned, amongst others, the annual accounts of the European Railway Agency (ERA).

In the Court's opinion, the **Agency's Annual Accounts fairly present, in all material respects, its financial position as of 31 December 2011** 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 considers that the **transactions underlying the annual accounts** of the Authority for the financial year ended 31 December 2011 are, in all material respects, **legal and regular**.

The report confirms that the Agency's 2011 budget amounted to EUR 26 million. The number of staff employed by the Authority at the end of the year was 154.

The report also makes a series of observations on the budgetary and financial management of the Authority, accompanied by the latter's response. The main observations may be summarised as follows:

Court's comments:

- implementation rate: the Court states that the level of payments against budget appropriations remained low, which is at odds with the budgetary principle of annuality;
- recruitment: the Court considers that the Agency's vacancy notices did not provide information on the required minimum number of years of post-secondary or university studies which, however, was used as a selection criterion.

Agency's replies:

- the Agency states that a major effort was made to reduce payment times in order to better respect the principle of annuality;
- it states that it shall, for future vacancy notices, provide information on required minimum years of post-secondary or university studies. However, the Agency thinks that the other elements brought by the Court do not jeopardize the impartiality of the selection procedure.

Lastly, the Court of Auditors' report contains a summary of the **Agency's activities in 2011**. This is focused on the following:

- series of recommendations in several areas including on Safety Certification ;
- reports on railway safety and interoperability ;
- technical Opinions on national rules and monitor the work of Notified Bodies ;
- set up and maintenance of a series of registers for safety and interoperability ;
- act as the System Authority and Change Control Manager for ERTMS (European Railway Traffic Management System) assisting the Commission in evaluating ERTMS projects;
- definition and compilation of the Reference Document of national rules for vehicle authorisation.

2011 discharge: European Railway Agency (ERA)

2012/2198(DEC) - 01/02/2013

Having examined the revenue and expenditure accounts for the financial year 2011 and the balance sheet at 31 December 2011 of the European Railway Agency, as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2011, accompanied by the Agency's replies to the Court's observations, the Council recommends the European Parliament to give a discharge to the Executive Director of the Agency in respect of the implementation of the budget for the financial year 2011.

The observations in the Court of Auditors' report in relation to the financial year 2011 call for some comments by the Council, which may be summarised as follows:

- the Council welcomes the Court's opinion that, in all material respects, the Agency's annual accounts present fairly its financial position as at 31 December 2011 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Agency's Financial Regulation, and that the underlying transactions for that financial year are legal and regular;
- it welcomes the improved rate of budget implementation and the low level of carry-overs. However, it notes with concern that the level of unused payment appropriations for operational expenditure is still high and requests the Agency to respect more rigorously the budgetary principle of annuality;
- the Council also invites the Agency to take appropriate measures to ensure full transparency and equal treatment of candidates during recruitment procedures and to take preventive steps in the management of its **short-term staff contracts** in order to avoid disruptions in the Agency's activities.

2011 discharge: European Railway Agency (ERA)

2012/2198(DEC) - 22/03/2013 - Committee report tabled for plenary, single reading

The Committee on Budgetary Control adopted the report by Gerben-Jan GERBRANDY (ADLE, NL) on discharge to be granted to the Director of the European Railway Agency (ERA) in respect of the implementation of the Agency's budget for the financial year 2011.

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts of the Agency for the financial year 2011 are reliable and that the underlying transactions are legal and regular, Members approve the closure of the Agency's accounts. However, they make 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 performance, financial management and control of EU agencies:

- **Financing, budget and financial management**: Members recall that the budget for the Agency for the year 2011 was EUR 25 988 665, compared to EUR 24 147 240 in 2010, which accounts for an increase of 7,62 % compared to the previous year.

- **Implementation rate of appropriations**: Members note that 95% of appropriations were committed and 81% have been used for payments. They acknowledge that the level of payments against budget appropriations improved for all titles, but remained low for Title III with 47% and demand that the Agency takes further actions to address this deficiency and report back to the budgetary authority forthwith. Members acknowledge that the appropriations carried forward to 2012 amounted to EUR 3 617 887 and they call on the Agency to take further action to address this deficiency as the situation is at odds with the budgetary principle of annuality.
- **Conflicts of interest**: the report calls on the Agency to scrutinise and prohibit possible conflicts of interest when hiring experts and staff from the sector it supervises.

Lastly, Members made a series of observations concerning the internal audit system, staff, the seat (the use of two locations leads to inefficiencies and additional costs) and the recruitment procedures of this Agency.

2011 discharge: European Railway Agency (ERA)

2012/2198(DEC) - 17/04/2013 - Text adopted by Parliament, single reading

The European Parliament adopted a decision on discharge to be granted to the Director of the European Railway Agency (ERA) in respect of the implementation of the Agency's budget for the financial year 2011. The vote on the decision to grant discharge covers the closure of the accounts (in accordance with Annex VI, Article 5(1) of the European Parliament’s Rules of Procedure).

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts of the Agency for the financial year 2011 are reliable and that the underlying transactions are legal and regular, Parliament adopted a resolution containing 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 performance, financial management and control of EU agencies:

- **Financing, budget and financial management**: Parliament recalls that the budget for the Agency for the year 2011 was EUR 25 988 665, compared to EUR 24 147 240 in 2010, which accounts for an increase of 7.62% compared to the previous year.
- **Implementation rate of appropriations**: It notes that 95% of appropriations were committed and 81% have been used for payments. It acknowledges that the level of payments against budget appropriations improved for all titles, but remained low for Title III with 47% and demands that the Agency take further actions to address this deficiency and report back to the budgetary authority forthwith. Members acknowledge that the appropriations carried forward to 2012 amounted to EUR 3 617 887 and they call on the Agency to take further action to address this deficiency as the situation is at odds with the budgetary principle of annuality.
- **Seat**: Parliament takes note that the Agency recognises that the use of two locations leads to inefficiencies and additional costs. It notes, moreover, that all efforts are made by the Agency to minimise the negative impact of the decision on the Agency's seat. It acknowledges that the preparatory phase of the project to increase the capacity of headquarters in Valenciennes was completed.
- **Conflicts of interest**: Parliament calls on the Agency to scrutinise and prohibit possible conflicts of interest when hiring experts and staff from the sector it supervises.

Lastly, Parliament made a series of observations concerning the internal audit system, staff and the recruitment procedures of this Agency.

2011 discharge: European Railway Agency (ERA)

2012/2198(DEC) - 17/04/2013 - Final act

PURPOSE: to grant discharge to the European Railways Agency for the financial year 2011.

NON-LEGISLATIVE ACT: Decision 2013/592/EU of the European Parliament on discharge in respect of the implementation of the budget of the European Railways Agency for the financial year 2011.

CONTENT: with the present decision, and in accordance with Article 319 of the Treaty on the Functioning of the European Union (TFEU), the European Parliament grants discharge to the Executive Director of the European Railways Agency for the implementation of its budget for the financial year 2011.

This decision is in line with the European Parliament's resolution adopted on 17 April 2013 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 17 April 2013).

A parallel decision, 2013/593/EU, adopted on the same day, approves the closure of this Agency's accounts for the 2011 financial year.