Basic information

2013/2234(DEC) DEC - Discharge procedure	Procedure completed
2012 discharge: Euratom Supply Agency (ESA) **Subject** 8.70.03.07 Previous discharges	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	SARVAMAA Petri (PPE)	10/10/2013
	Shadow rapporteur KADENBACH Karin (S&D) GERBRANDY Gerben-Jan (ALDE) STAES Bart (Verts/ALE) ANDREASEN Marta (ECR) DE JONG Dennis (GUE/NGL) VANHECKE Frank (EFD) EHRENHAUSER Martin (NI)	

Committee for opinion	Rapporteur for opinion	Appointed
ITRE Industry, Research and Energy	The committee decided not to give an opinion.	

European Commission

Commission DG	Commissioner
Budget	ŠEMETA Algirdas

Key events

Date	Event	Reference	Summary
26/07/2013	Non-legislative basic document published	COM(2013)0570	Summary
22/10/2013	Committee referral announced in Parliament		

17/03/2014	Vote in committee		
20/03/2014	Committee report tabled for plenary	A7-0180/2014	Summary
02/04/2014	Debate in Parliament		
03/04/2014	Decision by Parliament	T7-0324/2014	Summary
03/04/2014	Results of vote in Parliament		
03/04/2014	End of procedure in Parliament		
05/09/2014	Final act published in Official Journal		

Technical information

Procedure reference	2013/2234(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/14208

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE521.670	23/01/2014	
Amendments tabled in committee		PE521.817	25/02/2014	
Committee report tabled for plenary, single reading		A7-0180/2014	20/03/2014	Summary
Text adopted by Parliament, single reading		T7-0324/2014	03/04/2014	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	05849/2014	05/02/2014	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2013)0570	26/07/2013	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofA	Court of Auditors: opinion, report	N7-0034/2014 OJ C 365 13.12.2013, p. 0213	10/09/2013	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act	
Budget 2014/0607 OJ L 266 05.09.2014, p. 0277	Summary

2012 discharge: Euratom Supply Agency (ESA)

2013/2234(DEC) - 03/04/2014 - Final act

PURPOSE: to grant discharge to the Euratom Supply Agency for the financial year 2012.

NON-LEGISLATIVE ACT: Decision 2014/607/EU of the European Parliament on discharge in respect of the implementation of the budget of the Euratom Supply Agency for the financial year 2012.

CONTENT: with the present decision, the European Parliament grants discharge to the Director-General of the Euratom Supply Agency for the implementation of its budget for the financial year 2012.

This decision is in line with the European Parliament's resolution adopted on 3 April 2014 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 3 April 2014).

Amongst the main observations made, Parliament recalled that **between 2008 and 2011, the Agency did not receive its own budget** and the Commission directly financed and discharged all expenditure, a situation which the Court of Auditors considered to be at odds with the Statutes of the Agency.

2012 discharge: Euratom Supply Agency (ESA)

2013/2234(DEC) - 26/07/2013 - Non-legislative basic document

PURPOSE: presentation by the Commission of the consolidated annual accounts of the European Union for the financial year 2012, as part of the 2012 discharge procedure.

Analysis of the accounts of the **Euratom Supply Agency (ESA)**.

CONTENT: this Commission document sets out the consolidated annual accounts of the European Union for the financial year 2012 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 Euratom Supply Agency (ESA).

In 2012, the tasks and budget of this agency were as follows:

- **description of ESA's tasks**: the ESA, which is located in Luxembourg, was established by Council Decision 2008/114/EC, Euratom. Its main tasks are to: (i) provide expertise, information and advice to the EU on the market in nuclear materials and services and; (ii) monitor the market in this area.
- **ESA's budget for the 2012 financial year**: the final annual accounts may be found in the document entitled "Annual Accounts 2012 and Report on Budgetary and Financial Management".

N.B. The European Parliament decided in its vote on the 2012 Budget to restore, after four years, the Budget heading 32.01.06 “Euratom contribution for operation of the Supply Agency”. As a result, for 2012, the Agency was granted a subsidy of EUR 98 000 by the Commission, with a total budget of EUR 140 000 (including financial revenues) for 2012.

2012 discharge: Euratom Supply Agency (ESA)

2013/2234(DEC) - 05/02/2014

Having examined the revenue and expenditure account for the financial year 2012 and the balance sheet at 31 December 2012 of the Euratom Supply Agency, as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2012, accompanied by the Agency's replies to the Court's observations, the Council recommends the European Parliament to give a discharge to the Director General of the Agency in respect of the implementation of the budget for the financial year 2012.

The observations in the Court of Auditors' report in relation to the financial year 2012 call for some comments by the Council, which may be summarised as follows:

- in general, 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 2012 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 the accounting rules adopted by the Commission's accounting officer, and that the underlying transactions for that financial year are legal and regular.
- **Agency's financing**: the Council notes with concern that, although in 2012 the Agency was granted its own budget, most of the Agency's expenditure is still financed by the Commission. The Council recalls that, according to the Treaty Establishing the European Atomic Energy Community and the Agency's Statutes, the Agency should be financially autonomous. The Council urges the Commission and the Agency to ensure the Agency's full financial autonomy.

2012 discharge: Euratom Supply Agency (ESA)

2013/2234(DEC) - 20/03/2014 - Committee report tabled for plenary, single reading

The Committee on Budgetary Control adopted the report by Petri SARVAMAA (EPP, FI) on discharge in respect of the implementation of the budget of the Euratom Supply Agency for the financial year 2012.

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts of the Agency for the financial year 2012 are reliable and that the underlying transactions are legal and regular, Members approve the closure of the Office’s accounts. However, they made a number of recommendations that needed 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.

Recalling that, according to its financial statements, the final budget of the Euratom Supply Agency for the financial year 2012 was EUR 104 000, Members reminded the Commission of the Court of Auditors' observation that between 2008 and 2011, the Agency did not receive its own budget and the Commission directly financed and discharged all expenditure, a situation which the Court of Auditors considered to be at odds with the Statutes of the Agency.

They also noted with concern that for 2012, although the Commission granted the Agency its own budget amounting to EUR 98 000 (EUR 104 000 including financial revenue from its own investments), nevertheless, most of the Agency’s expenditure was still financed directly by the Commission. Members called the Commission to provide an explanation for this situation.

2012 discharge: Euratom Supply Agency (ESA)

2013/2234(DEC) - 10/09/2013 - Court of Auditors: opinion, report

PURPOSE: presentation of the EU Court of Auditors’ report on the annual accounts of the Euratom Supply Agency (ESA) for the year 2012, together with the Agency’s reply.

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 ESA.

In the Court’s opinion, the Euratom Supply Agency’s **Annual Accounts fairly present, in all material respects, its financial position as of 31 December 2012** and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of its Financial Regulation and the accounting rules adopted by the Commission’s accounting officer.

The Court also considers that the **transactions underlying the annual accounts** of the Agency for the financial year ended 31 December 2012 are, in all material respects, **legal and regular.**

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

The Court’s observations:

- the Court wishes to draw attention to the fact that between 2008 and 2011, the Agency did not receive its own budget and the European Commission directly financed and discharged all expenditure. The Court had considered this situation to be at odds with the Statutes of the Agency. Following the Court’s comments, the Commission granted the Agency its own budget amounting to EUR 98 000. Although Article

54 of the Treaty Establishing the European Atomic Energy Community and Article 6 of the Agency's Statutes provide that it shall have financial autonomy, most of the Agency's expenditure (staff, office space and IT systems) is still financed directly by the Commission. These provisions are contradictory and go against the financial autonomy required of the Agency.

The Agency's reply: the Agency agrees with the Court of Auditors that the amount of the subsidy allows it to pay only a minor part of its administrative expenditure, while the main part still needs to be directly financed by the Commission. It does not see a contradiction between the provisions of its Statutes.

The Court of Auditors' report contains **a summary of the Agency's activities in 2012**. This consisted of about 270 transactions, including contracts, amendments and notifications of the front-end activities. The Agency also provided input to the procedure regarding its budget for 2013. The ESA published several reports and the six-monthly Nuclear News Digests.

2012 discharge: Euratom Supply Agency (ESA)

2013/2234(DEC) - 03/04/2014 - Text adopted by Parliament, single reading

The European Parliament adopted a decision concerning the discharge to be granted to the Director-General of the Euratom Supply Agency in respect of the implementation of the Agency's budget for the financial year 2012. The vote on the discharge decision approved the closure of the accounts (in accordance with Annex VI, Article 5(1) of the Rules of Procedure of the European Parliament.

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts of the Agency for the financial year 2012 are reliable, and that the underlying transactions are legal and regular, Parliament adopted by 481 votes to 62, with 27 abstentions, a resolution containing a series of recommendations that form an integral part of the discharge decision and as well as the general recommendations that appear in the draft resolution on performance, financial management and control of EU agencies.

These recommendations are summarised as follows:

- **Financial statements**: recalling that the final budget of the Euratom Supply Agency for the financial year 2012 was EUR 104 000, Parliament reminded the Commission of the Court of Auditors' observation that between 2008 and 2011, the Agency did not receive its own budget and the **Commission directly financed and discharged all expenditure**, a situation which the Court of Auditors considered to be at odds with the Statutes of the Agency. It noted with concern that for 2012, although the Commission granted the Agency its own budget amounting to EUR 104 000 including financial revenue from its own investments, most of the Agency's expenditure was still financed directly by the Commission. The Commission is called upon to provide an explanation for this situation.
- **Budget and financial management**: Parliament noted that budget monitoring efforts during the financial year 2012 resulted in a budget implementation rate of 98.51%.