Basic information

2017/2152(DEC) DEC - Discharge procedure	Procedure completed
2016 discharge: European Agency for Safety and Health at Work (EU-OSHA) **Subject** 8.70.03.06 2016 discharge	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	STAES Bart (Verts/ALE)	14/09/2017
	Shadow rapporteur SARVAMAA Petri (PPE) LIBERADZKI Bogusław (S&D) MARIAS Notis (ECR) ALI Nedzhmi (ALDE) DE JONG Dennis (GUE/NGL) VALLI Marco (EFDD) KAPPEL Barbara (ENF)	

Committee for opinion	Rapporteur for opinion	Appointed
EMPL Employment and Social Affairs	ROLIN Claude (PPE)	03/10/2017

European Commission

Commission DG	Commissioner
Budget	OETTINGER Günther

Key events

Date	Event	Reference	Summary
26/06/2017	Non-legislative basic document published	COM(2017)0365	Summary

13/09/2017	Committee referral announced in Parliament		
20/03/2018	Vote in committee		
23/03/2018	Committee report tabled for plenary	A8-0084/2018	Summary
18/04/2018	Decision by Parliament	T8-0158/2018	Summary
18/04/2018	Results of vote in Parliament		
18/04/2018	Debate in Parliament		
18/04/2018	End of procedure in Parliament		
03/10/2018	Final act published in Official Journal		

Technical information

Procedure reference	2017/2152(DEC)
Procedure type	DEC - Discharge procedure
Stage reached in procedure	Procedure completed
Committee dossier	CONT/8/10784

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	EMPL	PE612.089	24/01/2018	
Committee draft report		PE613.444	24/01/2018	
Amendments tabled in committee		PE618.264	02/03/2018	
Committee report tabled for plenary, single reading		A8-0084/2018	23/03/2018	Summary
Text adopted by Parliament, single reading		T8-0158/2018	18/04/2018	Summary

Council of the EU

Document type	Reference	Date	Summary
Supplementary non-legislative basic document	05941/2018	09/02/2018	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2017)0365	26/06/2017	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary

CofA	Court of Auditors: opinion, report	N8-0036/2018 OJ C 417 06.12.2017, p. 0201	12/09/2017	Summary

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

Final act	
Budget 2018/1412 OJ L 248 03.10.2018, p. 0306	Summary

2016 discharge: European Agency for Safety and Health at Work (EU-OSHA)

2017/2152(DEC) - 03/10/2018 - Final act

PURPOSE: to grant discharge to the European Agency for Safety and Health at Work (EU-OSHA) for the financial year 2016.

NON-LEGISLATIVE ACT: Decision (EU) 2018/1412 of the European Parliament on discharge in respect of the implementation of the budget of the European Agency for Safety and Health at Work for the financial year 2016.

CONTENT: the European Parliament decided to **grant discharge** to the Director of the European Agency for Safety and Health at Work for the implementation of the latter's budget for the financial year 2016.

This decision is accompanied by a resolution of the European Parliament containing the observations which form an integral part of the discharge decision in respect of the implementation of the general budget of the European Union for the financial year 2016 (*please refer to the summary dated 18.4.2018*).

In this resolution, Parliament strongly regretted the fact that the Agency has yet to implement internal rules on whistleblowing. The Agency is awaiting guidelines from the Commission. The Agency is urged to report to the discharge authority when its whistleblowing rules have been established and implemented.

2016 discharge: European Agency for Safety and Health at Work (EU-OSHA)

2017/2152(DEC) - 23/03/2018 - Committee report tabled for plenary, single reading

The Committee on Budgetary Control adopted the report by Bart STAES (Greens/EFA, BE) on discharge in respect of the implementation of the budget of the European Agency for Safety and Health at Work (EU-OSHA) for the financial year 2016.

The committee called on the European Parliament to grant the Director of the Agency discharge in respect of the implementation of the agency's budget for the financial year 2016.

Noting that the Court of Auditors stated that it had obtained reasonable assurance that the annual accounts of the Agency for the financial year 2016 were reliable and that the underlying transactions were legal and regular, Members called on Parliament to approve the closure of the Agency's accounts.

They made, however, 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:

- **Agency's financial statements**: Members stated that the final budget of the Agency for the financial year 2016 was EUR 16 673 153.98, representing a decrease of 1.06 % compared to 2015.

- **Budget and financial management**: budget monitoring efforts during the financial year 2016 resulted in a **budget implementation rate of 96.31 %,** representing a decrease of 1.22 % compared to the previous year (97.53 %). The Agency rapidly heeded to the Court's advice regarding ICT and consultancy framework contracts as an area to improve in the discharge for 2016.
- **Commitments and carryovers**: the level of committed appropriations carried over to 2017 was high for administrative expenditure at EUR 417 279, i.e. 30 % (2015: EUR 364 740, i.e. 26 %). Those carry-overs mainly concern IT services which had not been fully delivered or invoiced by the end of the year. Members proposed that the Agency should consider introducing differentiated budget appropriations to better reflect the multi-annual nature of operations and unavoidable delays between the signature of contracts, deliveries and payments.

Members also made a series of observations regarding transfers, internal controls and audits, the prevention and management of conflicts of interests, procurement and staff policy.

They strongly regretted the fact that the Agency has yet to implement internal rules on whistleblowing and expressed the need to establish an independent disclosure, advice and referral body with sufficient budgetary resources, in order to help whistleblowers use the right channels to disclose their information on possible irregularities affecting the financial interests of the Union.

Lastly, Members recalled the on-going work packages on supporting medium, small and micro enterprises (MSEs), with MSE-specific tools and guidelines to address knowledge gaps and facilitate better occupational safety and health compliance.

2016 discharge: European Agency for Safety and Health at Work (EU-OSHA)

2017/2152(DEC) - 26/06/2017 - Non-legislative basic document

PURPOSE: presentation by the Commission of the consolidated annual accounts of the European Union for the financial year 2016, as part of the 2016 discharge procedure.

Analysis of the accounts of the **European Agency for Safety and Health at Work (EU-OSHA)**.

CONTENT: the organisational governance of the EU consists of institutions, agencies and other EU bodies whose expenditure is included in the general budget of the Union.

This Commission document concerns the EU's consolidated accounts for the year 2016 and details how spending by the EU institutions and bodies was carried out. The consolidated annual accounts of the EU provide financial information on the activities of the institutions, agencies and other bodies of the EU from an accrual accounting and budgetary perspective.

It is the responsibility of the Commission's Accounting Officer to prepare the EU's consolidated annual accounts and ensure that they present fairly, in all material aspects, the financial position, the result of the operations and the cashflows of the EU institutions and bodies, including the **European Agency for Safety and Health at Work** (EU-OSHA), with a view to granting discharge.

Discharge procedure: the final step of a budget lifecycle is the discharge of the budget for a given financial year. It represents the political aspect of the external control of budget implementation and is the decision by which the European Parliament, acting on a Council recommendation, "**releases**" the Commission (and other EU bodies) from its responsibility for management of a given budget by marking the end of that budget's existence. The European Parliament is the discharge authority within the EU.

The discharge procedure may produce three outcomes: (i) the granting; (ii) postponement or; (iii) the refusal of the discharge.

The final discharge report including specific recommendations to the Commission for action is adopted in plenary by the European Parliament and are subject to an annual follow up report in which the Commission outlines the concrete actions it has taken to implement the recommendations made.

Each agency is subject to its own discharge procedure, including the **European Agency for Safety and Health at Work (EU-OSHA)**.

The European Agency for Safety and Health at Work: the Agency, which is located in Bilbao (ES), was established by Council Regulation (EC) No 2062 /94. Its main aim is to contribute to the improvement of working life in the EU by developing, analysing and disseminating information on occupational safety and health (OSH).

As regards Agency's accounts, these are presented in detail in the document on the consolidated annual accounts of the European Union for 2016. The high implementation rate of the 96.3% of the budget was welcomed.

Commitment appropriations:

- available: EUR 17 million;
- made: EUR 16 million.

Payment appropriations:

- available: EUR 21 million;
- made: EUR 15 million.

For further details on expenditure, please refer to the final accounts of the EU-OSHA.

2016 discharge: European Agency for Safety and Health at Work (EU-OSHA)

2017/2152(DEC) - 18/04/2018 - Text adopted by Parliament, single reading

The European Parliament decided to **grant discharge** to the Director of the European Agency for Safety and Health at Work (EU-OSHA) in regard to the implementation of the agency's budget for the 2016 financial year and to approve the closure of the accounts for the financial year in question.

Noting that the Court of Auditors has stated that it has obtained reasonable assurances that the agency's annual accounts for the financial year 2016 are reliable and that the underlying transactions are **legal and regular**, Parliament adopted by 564 votes to 126 with 7 abstentions, a resolution containing a series of recommendations, which form an integral part of the decision on discharge and which add to the general recommendations set out in the resolution on performance, financial management and control of EU agencies:

- **Agency's financial statements:** the final budget of the agency for the financial year 2016 was EUR 16 673 153.98, representing a decrease of 1.06 % compared to 2015.
- **Budget and financial management:** budget monitoring efforts during the financial year 2016 resulted in a budget implementation rate of 96.31 %, representing a decrease of 1.22 % compared to the previous year (97.53 %). The agency rapidly heeded to the Court's advice regarding ICT and consultancy framework contracts as an area to improve in the discharge for 2016.
- **Commitments and carryovers:** the level of committed appropriations carried over to 2017 was high for administrative expenditure at EUR 417 279, i.e. 30 % (2015: EUR 364 740, i.e. 26 %). Those carry-overs mainly concern IT services which had not been fully delivered or invoiced by the end of the year. Members proposed that the agency should consider introducing **differentiated budget appropriations** to better reflect the multi-annual nature of operations and unavoidable delays between the signature of contracts, deliveries and payments.

Members also made a series of observations regarding transfers, internal controls and audits, the prevention and management of conflicts of interests, procurement and staff policy.

They noted with satisfaction that a **procurement team** has been established to ensure harmonisation across the agency concerning all procurement procedures carried out at the agency – from conception to conclusion - which are subject to supervisory measures and mitigating controls.

Members regretted that among the number of posts occupied on 31 December 2016 **gender balance** has not been achieved, with a ratio of 72 % female to 28 % male.

With regard to preventing conflicts of interest, Members emphasised the need to establish an independent body with sufficient budgetary resources to support **whistleblowers** wishing to disclose information on possible irregularities negatively impacting on the Union's financial interests, while ensuring their confidentiality is protected.

Lastly, Parliament recalled the on-going work packages on supporting **medium, small and micro enterprises (MSEs),** with MSE-specific tools and guidelines to address knowledge gaps and facilitate better occupational safety and health compliance.

2016 discharge: European Agency for Safety and Health at Work (EU-OSHA)

2017/2152(DEC) - 12/09/2017 - Court of Auditors: opinion, report

PURPOSE: presentation of the EU Court of Auditors' report on the annual accounts of the European Agency for Safety and Health at Work (EU-OSHA) for the financial year 2016, 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 European Agency for Safety and Health at Work (**EU-OSHA**). In brief, the Agency's task is to collect and disseminate information on national and Union priorities in the field of health and safety at work, to support national and Union organisations involved in policymaking and implementation and provide information on preventive measures.

Statement of Assurance: pursuant to the provisions of Article 287 of the Treaty on the Functioning of the European Union (TFEU), the Court has audited:

- the annual accounts of the Agency, which comprise the financial statements and the reports on the implementation of the budget for the financial year ended 31 December 2016;
- the legality and regularity of the transactions underlying those accounts.

Opinion on the reliability of the accounts: in the Court's opinion, the Agency's annual accounts present fairly, in all material respects, its financial position as at 31 December 2016 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.

Opinion on the legality and regularity of the transactions underlying the accounts: the Court considered that the transactions underlying the annual accounts for the year ended 31 December 2016 are legal and regular in all material respects.

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

The Court's observations:

- **budgetary management**: the Court noted that the level of committed appropriations carried over for administrative expenditure remains high. These carry-overs mainly concern IT services which had not yet been fully delivered or been invoiced by the end of the year. The Agency may consider introducing differentiated budget appropriations to better reflect the multi-annual nature of operations and unavoidable delays between the signature of contracts, deliveries and payments.

The Agency's replies:

- **budgetary management**: the Agency stated that it will study the possibility of introducing differentiated appropriations in order to see if the budget management can be improved.

Lastly, the Court of Auditors' report contains a **summary of the Agency's key figures in 2016**:

- **Budget**: EUR 16.7 million.
- **Staff**: 65 including officials, temporary and contract staff and seconded national experts.

2016 discharge: European Agency for Safety and Health at Work (EU-OSHA)

2017/2152(DEC) - 09/02/2018 - Supplementary non-legislative basic document

Having examined the revenue and expenditure accounts for the financial year 2016 and the balance sheet as at 31 December 2016 of the European Agency for Safety and Health at Work (EU-OSHA), as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2016, accompanied by the Agency's replies to the Court's observations, the Council recommended the European Parliament to give a discharge to the Director of the Agency in respect of the implementation of the budget for the financial year 2016.

The Council welcomed the Court's opinion that the Agency's annual accounts present fairly its financial position as at 31 December 2016 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 2016 are legal and regular in all material respects.

Nevertheless, the following observations were made:

- **carry-overs**: once again, the Council regretted that a high level of commitment appropriations was carried over to 2017. The Council called on the Agency to continue improving its financial programming and monitoring of the budget implementation in order to reduce the level of commitments carried over to the following financial year to the minimum strictly necessary, in line with the budgetary principle of annuality;
- **controls**: the Council invited the Agency to improve its control means to monitor the efficient implementation of the contracts, especially in the field of IT consultancy.