Basic information

2018/2175(DEC) DEC - Discharge procedure	Procedure completed
2017 discharge: EU general budget, European Data Protection Supervisor **Subject** 8.70.03.02 2017 discharge	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	KOHN Arndt (S&D)	27/07/2018
	Shadow rapporteur SALAFRANCA SÁNCHEZ-NEYRA José Ignacio (PPE) FITTO Raffaele (ECR) KLINZ Wolf (ALDE) DE JONG Dennis (GUE/NGL) JÁVOR Benedek (Verts/ALE) VALLI Marco (EFDD) JALKH Jean-François (ENF)	

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs	The committee decided not to give an opinion.	
DEVE Development	The committee decided not to give an opinion.	
INTA International Trade	The committee decided not to give an opinion.	
BUDG Budgets	The committee decided not to give an opinion.	
ECON Economic and Monetary Affairs	The committee decided not to give an opinion.	

EMPL	Employment and Social Affairs	The committee decided not to give an opinion.	
ENVI	Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
ITRE	Industry, Research and Energy	The committee decided not to give an opinion.	
IMCO	Internal Market and Consumer Protection	The committee decided not to give an opinion.	
TRAN	Transport and Tourism	The committee decided not to give an opinion.	
REGI	Regional Development	The committee decided not to give an opinion.	
AGRI	Agriculture and Rural Development	The committee decided not to give an opinion.	
PECH	Fisheries	The committee decided not to give an opinion.	
CULT	Culture and Education	The committee decided not to give an opinion.	
JURI	Legal Affairs	The committee decided not to give an opinion.	
LIBE	Civil Liberties, Justice and Home Affairs	FRANZ Romeo (Verts/ALE)	18/10/2018
AFCO	Constitutional Affairs	The committee decided not to give an opinion.	
FEMM	Women's Rights and Gender Equality	The committee decided not to give an opinion.	
PETI	Petitions	The committee decided not to give an opinion.	

European Commission

Commission DG	Commissioner
Budget	OETTINGER Günther

Key events

Date	Event	Reference	Summary
28/06/2018	Non-legislative basic document published	COM(2018)0521	Summary
11/09/2018	Committee referral announced in Parliament		
20/02/2019	Vote in committee		
28/02/2019	Committee report tabled for plenary	A8-0116/2019	Summary
26/03/2019	Decision by Parliament	T8-0253/2019	Summary
26/03/2019	Results of vote in Parliament		
26/03/2019	Debate in Parliament		
26/03/2019	End of procedure in Parliament		
27/09/2019	Final act published in Official Journal		

Technical information

Procedure reference	2018/2175(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	CONT/8/14243

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE626.824	13/12/2018	
Committee opinion	LIBE	PE630.605	17/01/2019	
Amendments tabled in committee		PE634.537	12/02/2019	
Committee report tabled for plenary, single reading		A8-0116/2019	28/02/2019	Summary
Text adopted by Parliament, single reading		T8-0253/2019	26/03/2019	Summary

Council of the EU

Document type	Reference	Date	Summary
Supplementary non-legislative basic document	05824/2019	11/02/2019	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2018)0521	28/06/2018	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofA	Court of Auditors: opinion, report	N8-0013/2019 OJ C 357 04.10.2018, p. 0001	12/07/2018	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Budget 2019/1432
OJ L 249 27.09.2019, p. 0131

2017 discharge: EU general budget, European Data Protection Supervisor

2018/2175(DEC) - 28/02/2019 - Committee report tabled for plenary, single reading

The Committee on Budgetary Control adopted the report by Arndt KOHN (S&D, DE) calling on the European Parliament to grant discharge to the European Data Protection Supervisor discharge in respect of the implementation of the budget for the financial year 2017.

Members welcomed the conclusion of the Court of Auditors, according to which the payments as a whole for the year ended on 31 December 2017 for administrative and other expenditure of the European Data Protection Supervisor were free from material error and that the examined supervisory and control systems for administrative and other expenditure were effective.

Budgetary and financial management

Members regretted, however, that according to the EDPS annual activity report only a single payment was examined in 2017 by the Court. They stated that even if the EDPS is not a decentralised Union agency and its budget represents a very small percentage of the Union budget, the legality and regularity of EDPS transactions should nevertheless be properly examined by the Court, as from 2018, as transparency is vital for the appropriate functioning of this Union body.

The Court should therefore issue separate annual activity reports on the annual accounts of this important Union body.

In 2017, the EDPS had a total allocated budget of EUR 11 324 735, which represented a 21.93 % increase compared to the 2016 budget, and that the budget implementation in terms of commitment appropriations for 2017 amounted to EUR 10 075 534.

The implementation rate continued decreasing from 94.66 % in 2015 and 91.93 % in 2016 to 89 % of the available appropriations in 2017. The budget implementation in terms of payment appropriations amounted to EUR 9 368 686.15, corresponding to 77 % of the available appropriations. The EDPS should step up its efforts and to define the budget estimates prudently.

The EDPS's budget was strongly influenced by two major legislative changes (General Data Protection Regulation and the Directive for Data Protection in the Police and Justice Sectors). Most of the additional resources were allocated to the EDPS for the establishment of the secretariat of the newly created European Data Protection Board (EDPB).

Staff

Members welcomed the high proportion of women in management positions and the measures to ensure gender balance in the institution. Only 32 % of total staff were men. Measures to promote gender balance and equal opportunities should benefit all genders according to Members.

The 80 members of staff came from 16 different Member States in total. The EDPS is called on to strive for a proportionate representation of all Member States among the population of the staff.

Brexit

Lastly, Members noted that the United Kingdom's decision to withdraw from the European Union would not have any direct impact on the financial, human or structural organisation of the EDPS. They welcomed the decision of the EDPS to maintain all of its four British members of staff.

2017 discharge: EU general budget, European Data Protection Supervisor

2018/2175(DEC) - 28/06/2018 - Non-legislative basic document

PURPOSE: presentation by the Commission of the consolidated annual accounts of the European Union for the financial year 2017, as part of the 2017 discharge procedure.

Analysis of the accounts of the EU Institutions: **European Data Protection Supervisor.**

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 2017** 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 cash flows of the EU institutions and bodies with a view to granting discharge.

Discharge procedure: **the final step of a budget lifecycle is the discharge**. It is the decision by which the European Parliament '**releases**' the Commission from its responsibility for management of a given budget by marking the end of that budget's existence. It is granted by the European Parliament on the recommendation of the Council.

The decision is based in particular on the European Court of Auditors reports, in particular its annual report, in which the Court provides a Statement of Assurance (DAS) on the legality and regularity of transactions (payments and commitments).

The procedure results in the granting, postponement or refusal of 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.

All EU institutions and other agencies, bodies and joint undertakings are subject to their own discharge procedures.

(2) Implementation of the EDPS's appropriations for the financial year 2017: the EDPS was allocated a budget of EUR 11 324 735. This represents an increase of 20.9% compared to the 2016 budget. The 2017 budget was heavily influenced by two major legislative changes, the new General Data Protection Regulation (GDPR) and the Europol Regulation, both of which require increased human and financial resources.

As regards the budget implementation of the EDPS, the Annual Report 2017 stated that the 2017 was characterised by the following:

- preparing for the new legislative framework: General Data Protection Regulation which shall apply from **25 May 2018**;
- dealing with its new **supervisory role with Europol** in carrying out various supervision tasks, including complaint handling, consultations, requests for information, inquiries and inspections. The aim being to ensure that Europol strikes the right balance between security and privacy when processing data for the purpose of law enforcement;
- the launch of the **Digital Clearinghouse**. A project which aims to bring together agencies from the areas of competition and consumer and data protection who are willing to share information and discuss how to enforce rules that support the interests of the individual in the digital space.

2017 discharge: EU general budget, European Data Protection Supervisor

2018/2175(DEC) - 12/07/2018

PURPOSE: presentation of the Annual report of the Court of Auditors on the implementation of the budget concerning the financial year 2017.

CONTENT: the Court of Auditors published its 41th annual report on the implementation of the general budget of the Union for the year 2017. This report follows a five-part structure:

- the statement of assurance (DAS) and a summary of the results of the audit on the reliability of accounts and the regularity of transactions;

- the analysis of budgetary and financial management;

- the Commission’s performance reporting framework;

- the findings on EU revenue;

- the presentation of the main headings of the current multiannual financial framework (MFF), the results of the testing of the regularity of transactions.

The Court concludes that payments for 2017 are legal and regular, with the expenditure recorded in 2017 covering spending on a reimbursement basis. It believes that the EU accounts present a true and fair view of the EU’s financial position.

The report also assessed the potential impact on the 2017 accounts of the United Kingdom’s withdrawal from the European Union. On 29 March 2017, the United Kingdom (UK) formally notified the European Council of its intention to leave the European Union (EU). On 22 May 2017, the negotiations started for the withdrawal agreement between the EU and the UK.

Part Five (Financial Provisions) of the draft withdrawal agreement of 19 March 2018 concerning the financial settlement states that the UK will pay all its obligations under the current and previous Multiannual Financial Frameworks as if it were still a Member State.

Based on this, the Court concluded that the accounts as at 31 December 2017 correctly reflect the withdrawal process.

The audit also focuses on the budget implementation of the ***European Data Protection Supervisor***.

The overall audit evidence indicates that the level of error in spending on ‘Administration’ was not material. For this MFF heading, the testing of transactions produced an estimated overall level of error of 0.5 %

The Court did not detect any specific problem regarding the European Data Protection Supervisor.

2017 discharge: EU general budget, European Data Protection Supervisor

2018/2175(DEC) - 26/03/2019 - Text adopted by Parliament, single reading

The European Parliament decided by 508 votes to 126, with 2 abstentions, to grant discharge to the European Data Protection Supervisor discharge in respect of the implementation of the budget for the financial year 2017.

Members welcomed the conclusion of the Court of Auditors, according to which the payments as a whole for the year ended on 31 December 2017 for administrative and other expenditure of the European Data Protection Supervisor were free from material error and that the examined supervisory and control systems for administrative and other expenditure were effective.

Budgetary and financial management

Parliament regretted, however, that according to the EDPS annual activity report only a single payment was examined in 2017 by the Court. It stated that even if the EDPS is not a decentralised Union agency and its budget represents a very small percentage of the Union budget, the legality and regularity of EDPS transactions should nevertheless be properly examined by the Court, as from 2018, as transparency is vital for the appropriate functioning of this Union body.

The Court should therefore issue separate annual activity reports on the annual accounts of this important Union body.

In 2017, the EDPS had a total allocated budget of EUR 11 324 735, which represented a 21.93 % increase compared to the 2016 budget, and that the budget implementation in terms of commitment appropriations for 2017 amounted to EUR 10 075 534.

The implementation rate continued decreasing from 94.66 % in 2015 and 91.93 % in 2016 to 89 % of the available appropriations in 2017. The budget implementation in terms of payment appropriations amounted to EUR 9 368 686.15, corresponding to 77 % of the available appropriations. The EDPS should step up its efforts and to define the budget estimates prudently.

The EDPS’s budget was strongly influenced by two major legislative changes (General Data Protection Regulation and the Directive for Data Protection in the Police and Justice Sectors). Most of the additional resources were allocated to the EDPS for the establishment of the secretariat of the newly created European Data Protection Board (EDPB).

Staff

Members welcomed the high proportion of women in management positions and the measures to ensure gender balance in the institution. Only 32 % of total staff were men. Measures to promote gender balance and equal opportunities should benefit all genders according to Members.

The 80 members of staff came from 16 different Member States in total. The EDPS is called on to strive for a proportionate representation of all Member States among the population of the staff. Parliament noted that the issue of ‘revolving doors’ has been dealt with in the Code of Conduct of the Members of the EDPS. It welcomed the fact that CVs and declarations of interests of the members of the EDPS are available on the institution’s website.

Brexit

Lastly, Members noted that the United Kingdom’s decision to withdraw from the European Union would not have any direct impact on the financial, human or structural organisation of the EDPS. They welcomed the decision of the EDPS to maintain all of its four British members of staff.

2017 discharge: EU general budget, European Data Protection Supervisor

2018/2175(DEC) - 11/02/2019 - Supplementary non-legislative basic document

Based on the observations contained in the report by the Court of Auditors, the Council called on the European Parliament to grant discharge to all of the EU institutions in respect of the implementation of their respective budgets for the financial year 2017.

However, it considered that budget implementation required a series of comments from the Council which should be fully taken into account by the Commission.

The Council welcomed the fact that the administrative and related expenditure of the EU institutions remained, as in previous years, free from material error with an estimated level of error of 0.5 %, which while being well below the materiality threshold is higher by 0.3 % compared to the Court's findings for 2016 (0.2 %). It noted with satisfaction that no serious weaknesses were identified by the Court in the supervisory and control systems and in the examined annual activity reports.

The Council took note that, as in previous years, there was a small number of errors relating to staff costs and some weaknesses in the Office for Administration and Payment of individual entitlements' (PMO) management of family allowances. It called on the Commission to improve its procedures to avoid errors related to staff expenditure.

The Court did not identify any specific problems concerning the European Data Protection Supervisor.