Basic information

2018/2183(DEC) DEC - Discharge procedure	Procedure completed
2017 discharge: European Agency for Safety and Health at Work (EU-OSHA) **Subject** 8.70.03.02 2017 discharge	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	SARVAMAA Petri (PPE)	26/07/2018
	Shadow rapporteur KADENBACH Karin (S&D) CZARNECKI Ryszard (ECR) ALI Nedzhmi (ALDE) DE JONG Dennis (GUE/NGL) STAES Bart (Verts/ALE) KAPPEL Barbara (ENF)	

Committee for opinion	Rapporteur for opinion	Appointed
EMPL Employment and Social Affairs	HARKIN Marian (ALDE)	09/10/2018

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		

01/03/2019	Committee report tabled for plenary	A8-0138/2019	Summary
26/03/2019	Decision by Parliament	T8-0279/2019	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	2018/2183(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	CONT/8/14283

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE626.807	10/12/2018	
Committee opinion	EMPL	PE629.762	25/01/2019	
Amendments tabled in committee		PE634.513	31/01/2019	
Committee report tabled for plenary, single reading		A8-0138/2019	01/03/2019	Summary
Text adopted by Parliament, single reading		T8-0279/2019	26/03/2019	Summary

Council of the EU

Document type	Reference	Date	Summary
Supplementary non-legislative basic document	05825/2019	31/01/2019	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	N8-0012/2019 OJ C 434 30.11.2018, p. 0001	18/09/2018	Summary

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

Final act
Budget 2019/1509 OJ L 249 27.09.2019, p. 0276

2017 discharge: European Agency for Safety and Health at Work (EU-OSHA)

2018/2183(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 **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 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.

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 2017.

Commitment appropriations:

- available: EUR 16 million;
- made: EUR 15 million.

Payment appropriations:

- available: EUR 20 million;
- made: EUR 15 million.

For further details, please refer to the 2017 annual report of the EU-OSHA.

2017 discharge: European Agency for Safety and Health at Work (EU-OSHA)

2018/2183(DEC) - 26/03/2019 - Text adopted by Parliament, single reading

The European Parliament decided to grant discharge to the Executive Director of the European Agency for Safety and Health at Work (EU-OSHA) for the financial year 2017 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 2017 are reliable and that the underlying transactions are legal and regular, Parliament adopted by 501 votes to 127 with 5 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 draft resolution on performance, financial management and control of EU agencies:

Agency's financial statements

The final budget of the Agency for the financial year 2017 was EUR 15 656 308, representing a decrease of 6.10 % compared to 2016.

Budget and financial management

The budget monitoring efforts during the financial year 2017 resulted in a budget implementation rate of 96.03 %, representing a slight decrease of 0.28 % compared to 2016. The payment appropriations execution rate was at 72.23 %, representing only a slight increase of 1.88 % compared to the previous year. The cancellations of carryovers from 2016 to 2017 amounted to EUR 194 467.98 representing 4.93 % of the total amount carried over.

Members also made a series of observations regarding performance, staff, procurement and conflicts of interest.

In particular, they noted that:

- the Agency plans to introduce a revised performance management framework in 2018, which aims to provide more meaningful performance indicators to better assess the added value provided by the Agency's activities;

- the Agency needed adequate staff and financial resources in order to implement its tasks;

- on 31 December 2017, the establishment plan was 97.5 % filled, with 39 temporary agents appointed out of 40 authorised under the Union budget;

- the Agency is making ongoing efforts to secure transparency and the prevention and management of conflict of interest. It plans to adopt the model decision on whistle-blowing for which the Commission has given an *ex ante* agreement;

- the Agency was not yet using any of the tools launched by the Commission aimed to introduce a single solution for the electronic exchange of information with third parties participating in public procurement procedures (e-procurement); - the Agency carried out an analysis of the likely impact of the United Kingdom's decision to withdraw from the Union on its organisation, operations and accounts.

2017 discharge: European Agency for Safety and Health at Work (EU-OSHA)

2018/2183(DEC) - 31/01/2019 - 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 2017 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 2017, 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 2017.

The Council welcomed the Court's opinion that the Agency's annual accounts present fairly its financial position as at 31 December 2017 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 2017 are legal and regular in all material respects.

Nevertheless, the following observations were made:

- ***accounting***: the Council regretted the deficiencies found by the Court in the Agency's accounting environment. It called on the Agency to take appropriate actions mainly to ensure the accounting officer's independence;

- ***carry-overs***: the Council also regretted that, again, high level of commitment appropriations was carried over to 2018. The Council urged the Agency to continue improving its financial programming and monitoring of budget implementation in order to reduce the unjustified level of commitments carried over and the amounts cancelled at the end of the following year to the strict minimum, in line with the budgetary principle of annuality;

- ***procurement***: the Agency is called on to ensure the full implementation without unjustified delay of electronic public procurement.

2017 discharge: European Agency for Safety and Health at Work (EU-OSHA)

2018/2183(DEC) - 01/03/2019 - 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 European Agency for Safety and Health at Work (EU-OSHA) for the financial year 2017.

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 2017.

Noting that the Court of Auditors stated that it had obtained reasonable assurance that the annual accounts of the Agency for the financial year 2017 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

The final budget of the Agency for the financial year 2017 was EUR 15 656 308, representing a decrease of 6.10 % compared to 2016.

Budget and financial management

The budget monitoring efforts during the financial year 2017 resulted in a budget implementation rate of 96.03 %, representing a slight decrease of 0.28 % compared to 2016. The payment appropriations execution rate was at 72.23 %, representing only a slight increase of 1.88 % compared to the previous year.

The cancellations of carryovers from 2016 to 2017 amounted to EUR 194 467.98 representing 4.93 % of the total amount carried over.

Members also made a series of observations regarding performance, staff, procurement and conflicts of interest.

In particular, they noted that:

- the Agency needed adequate staff and financial resources in order to implement its tasks;

- on 31 December 2017, the establishment plan was 97.5 % filled, with 39 temporary agents appointed out of 40 authorised under the Union budget;

- the Agency is making ongoing efforts to secure transparency and the prevention and management of conflict of interest. It plans to adopt the model decision on whistle-blowing for which the Commission has given an *ex ante* agreement;

- the Agency was not yet using any of the tools launched by the Commission aimed to introduce a single solution for the electronic exchange of information with third parties participating in public procurement procedures (e-procurement); - the Agency carried out an analysis of the likely impact of the United Kingdom's decision to withdraw from the Union on its organisation, operations and accounts.

2017 discharge: European Agency for Safety and Health at Work (EU-OSHA)

2018/2183(DEC) - 18/09/2018

PURPOSE: presentation of the EU Court of Auditors' report on the annual accounts of the European Agency for Safety and Health at Work for the financial year 2017, together with the Agency's replies.

CONTENT: the Court of Auditors carried out the audit on 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 and reliability of the accounts

The Court considered that:

- the Agency's annual accounts present fairly, in all material respects, its financial position as at 31 December 2017 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 transactions underlying the annual accounts for the year ended 31 December 2017 are legal and regular in all material respects.

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

Budgetary management

Carry-overs for Title II (administrative expenditure) and Title III (operational expenditure) were high with 40 % for each title or EUR 3.5 million in total, which is in contradiction with the budgetary principle of annuality. There is no evidence that these carry-overs are related to expenditure planned during the budgeting process.

Financial management and performance

Agencies should introduce a single solution for the electronic exchange and storage of information with third parties participating in public procurement procedures (e-procurement). As the same requirement exists for all EU Institutions, the Commission is developing a comprehensive IT solution covering all phases of public procurement procedures. The Commission launched tools for electronic invoicing (e-invoicing), for the electronic publication of documents related to contract notices (e-tendering) and for the electronic submission of tenders (e-submission). By the end of 2017, the Agency had not introduced any of these tools.

On 29 March 2017, the United Kingdom notified the European Council of its decision to withdraw from the European Union (Brexit). Unlike most other agencies, the Agency did not carry out a comprehensive analysis of the likely Brexit impact on its organisation, operations and accounts.

The Agency's replies

Budgetary management

Carry-overs for Title III mainly concern large scale research projects with a duration of more than one year and are related to the 2017 annual work programme. In respect of Title II, carry-overs mainly concern services that are contracted for a period covering two calendar years.

Financial management and performance

The Agency stated that since the end of 2016, the Agency has been giving electronic access via its website to all the procedures launched (*ex ante* publicity for low and medium value contracts and contract notice publication), providing additionally specific email addresses for procurement.

In 2018, target date October, the Agency will introduce e-tendering for the phase of publication and management of information requests until the date of submission of tenders.

In the meantime, the Agency has carried out an analysis of the likely Brexit impact on its organisation, operations and accounts.

Lastly, the Court of Auditors' report contains a summary of the Agency's key figures in 2017:

Budget

EUR 15 million.

Staff

64 including officials, temporary and contract staff and seconded national experts.