Basic information

2018/2188(DEC) DEC - Discharge procedure	Procedure completed
2017 discharge: European Maritime Safety Agency (EMSA) **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
TRAN Transport and Tourism	LEONTINI Innocenzo (PPE)	15/10/2018

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	A8-0130/2019	Summary
26/03/2019	Decision by Parliament	T8-0273/2019	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	2018/2188(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	CONT/8/14293

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE626.801	10/12/2018	
Committee opinion	TRAN	PE630.379	22/01/2019	
Amendments tabled in committee		PE634.507	31/01/2019	
Committee report tabled for plenary, single reading		A8-0130/2019	01/03/2019	Summary
Text adopted by Parliament, single reading		T8-0273/2019	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 2019/1491 OJ L 249 27.09.2019, p. 0243

2017 discharge: European Maritime Safety Agency (EMSA)

2018/2188(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 Maritime Safety Agency (EMSA)**.

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 Maritime Safety Agency: the Agency, which is located in Lisbon (PT), was established by was set up by Regulation (EC) No 1406/2002 of the European Parliament and of the Council. The Agency's tasks are to prevent pollution by ships and provide the Commission and Member States with appropriate technical assistance.

As regards the 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 101 million;
- made: EUR 91 million.

Payment appropriations:

- available: EUR 94 million;
- made: EUR 72 million.

For further details on expenditure, please refer to the final accounts of the EMSA.

2017 discharge: European Maritime Safety Agency (EMSA)

2018/2188(DEC) - 26/03/2019 - Text adopted by Parliament, single reading

The European Parliament decided to grant discharge to the Executive Director of the European Maritime Safety Agency (EMSA) 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 495 votes to 120 with 11 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 86 276 654.33 representing an increase of 22.87 % compared to 2016. This increase was mainly related to the enhanced mandate of the Agency.

Budget and financial management

The budget monitoring efforts during the financial year 2017 resulted in a budget implementation rate of 98.04 %, representing a slight decrease of 0.03 % compared to 2016 and a payment appropriations execution rate of 96.25 %, representing a decrease of 1.55 %. Parliament deeply regretted the high level of cancellations of carryovers from 2016 to 2017 amounting to EUR 792 182 and representing 23.30 % of the total amount carried over, showing a considerable increase of 12.12 % in comparison to 2016.

Members also made a series of observations regarding performance, staff policy, procurement and internal controls.

In particular, they noted that:

- the Agency succeeded in the operations related to the extension of its mandate and that its quality system for visits and inspections were consolidated;

- the high quality of information systems and databases developed by the Agency have resulted in an increasing interest expressed by third countries in exploring the potential for exporting the Agency's knowledge;

- the Agency should intensify its efforts to overcome organisational, technical, legal and contractual problems linked to the deployment of Remote Piloted Aircraft Services operations;

- on 31 December 2017, the establishment plan was 98.58 % executed, with 205 temporary agents appointed out of 212 temporary agents authorised under the Union budget;

- the gender imbalance within the Agency's Administrative board members should be addressed;

- the Agency did not systematically check prices with the suppliers' quotes and invoices issued to the framework contractor for the acquisition of software licences;

- no cases of conflict of interest were reported in 2017.

2017 discharge: European Maritime Safety Agency (EMSA)

2018/2188(DEC) - 31/01/2019 - Supplementary non-legislative basic document

Having examined the revenue and expenditure accounts for the financial year 2017 and the balance sheet as at 31 December 2017 of the European Maritime Safety Agency (EMSA), 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 Executive 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, in all material respects, 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:

- ***internal controls***: the Council regretted the Court's observation that the Agency has not systematically checked prices and uplifts charged with the suppliers' quotes and invoices issued to the framework contractor. The Agency should improve its internal control procedures and mechanisms, and introduce systematic and sufficient checks for these financial transactions;

- ***procurement***: whilst taking note of the Agency's reply and actions taken, the Council called on the Agency to ensure the full implementation without unjustified delay of electronic public procurement.

2017 discharge: European Maritime Safety Agency (EMSA)

2018/2188(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 Maritime Safety Agency (EMSA) for the financial year 2017.

The committee called on the European Parliament to grant the Executive 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 86 276 654.33 representing an increase of 22.87 % compared to 2016. This increase was mainly related to the enhanced mandate of the Agency.

Budget and financial management

Members noted that the budget monitoring efforts during the financial year 2017 resulted in a budget implementation rate of 98.04 %, representing a slight decrease of 0.03 % compared to 2016 and a payment appropriations execution rate of 96.25 %, representing a decrease of 1.55 %.

They deeply regretted the high level of cancellations of carryovers from 2016 to 2017 amounting to EUR 792 182 and representing 23.30 % of the total amount carried over, showing a considerable increase of 12.12 % in comparison to 2016.

Members also made a series of observations regarding performance, staff policy, procurement and internal controls.

In particular, they noted that:

- the Agency succeeded in the operations related to the extension of its mandate and that its quality system for visits and inspections were consolidated;

- the high quality of information systems and databases developed by the Agency have resulted in an increasing interest expressed by third countries in exploring the potential for exporting the Agency's knowledge;

- delays in the Remote Piloted Aircraft Services (RPAS) operations resulted in a budget amendment which included a reduction of Union subsidy corresponding to the amount not used in 2017 and that related to the European cooperation on coast guard functions;

- on 31 December 2017, the establishment plan was 98.58 % executed, with 205 temporary agents appointed out of 212 temporary agents authorised under the Union budget;

- the gender imbalance within the Agency's Administrative board members should be addressed;

- the Agency did not systematically check prices with the suppliers' quotes and invoices issued to the framework contractor for the acquisition of software licences.

2017 discharge: European Maritime Safety Agency (EMSA)

2018/2188(DEC) - 18/09/2018

PURPOSE: presentation of the EU Court of Auditors' report on the annual accounts of the European Maritime Safety Agency for the year 2017, together with the Agency's reply.

CONTENT: the Court of Auditors carried out the audit on the annual accounts of the European Maritime Safety Agency (EMSA).

In brief, the Agency's tasks are to ensure a high level of maritime safety and to prevent pollution by ships, provide the Commission and the Member States with technical assistance, and monitor the implementation of Union legislation, as well as to evaluate its effectiveness.

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

Internal controls

The Agency did not systematically check prices and uplifts charged with the suppliers’ quotes and invoices issued to a framework contractor for a framework contract concerning the acquisition of software licences and the provision of maintenance and support.

Financial management

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 introduced e-invoicing and e-submission for certain procedures, but not e-tendering.

The Agency’s reply

Financial management

In 2017, EMSA carried out comprehensive preparation in order to adjust all relevant internal procedures to use e-procurement. EMSA can confirm that — as from the beginning of 2018 — the Agency introduced the e-procurement modules. The deadline for EU bodies to use the e-procurement is October 2018.

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

Budget

EUR 79 million.

Staff

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