Basic information

2019/2092(DEC) DEC - Discharge procedure	Procedure completed
2018 discharge: European Securities and Markets Authority (ESMA) **Subject** 8.70.03.08 2018 discharge	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	CZARNECKI Ryszard (ECR)	07/10/2019
	Shadow rapporteur NOVAKOV Andrey (EPP) WOLTERS Lara (S&D) BOYER Gilles (Renew) EICKHOUT Bas (Greens/EFA) KUHS Joachim (ID) OMARJEE Younous (GUE/NGL)	

Committee for opinion	Rapporteur for opinion	Appointed
ECON Economic and Monetary Affairs	EPPINK Derk Jan (ECR)	16/09/2019

European Commission

Commission DG	Commissioner
Budget	OETTINGER Günther

Key events

Date	Event	Reference	Summary
27/06/2019	Non-legislative basic document published	COM(2019)0316	
18/09/2019	Committee referral announced in Parliament		
19/02/2020	Vote in committee		

03/03/2020	Committee report tabled for plenary	A9-0059/2020	
13/05/2020	Decision by Parliament	T9-0107/2020	Summary
13/05/2020	Results of vote in Parliament		
13/05/2020	End of procedure in Parliament		
14/05/2020	Results of vote in Parliament		
15/05/2020	Results of vote in Parliament		
11/12/2020	Final act published in Official Journal		

Technical information

Procedure reference	2019/2092(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	CONT/9/00793

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE639.870	13/12/2019	
Committee opinion	ECON	PE643.134	27/01/2020	
Amendments tabled in committee		PE645.011	31/01/2020	
Committee report tabled for plenary, single reading		A9-0059/2020	03/03/2020	
Text adopted by Parliament, single reading		T9-0107/2020	13/05/2020	Summary

Council of the EU

Document type	Reference	Date	Summary
Supplementary non-legislative basic document	05761/2020	06/02/2020	

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2019)0316	27/06/2019	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act
Budget 2020/1940 OJ L 417 11.12.2020, p. 0313

2018 discharge: European Securities and Markets Authority (ESMA)

2019/2092(DEC) - 13/05/2020 - Text adopted by Parliament, single reading

The European Parliament decided to **grant discharge** to the Executive Director of the European Securities and Markets Authority (ESMA) for the financial year 2018 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 Authority's annual accounts for the financial year 2018 are reliable and that the underlying transactions are legal and regular, Parliament adopted by 605 votes to 58 with 30 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:

Authority's financial statements

The final budget of the Authority for the financial year 2018 was EUR 44 191 067, representing an increase of 5.02 % compared to 2017. The Authority is financed by a contribution from the Union (26.59 %), contributions from

national supervisory authorities of the Member States (46.44 %) and fees received from supervised entities (25.78 %).

Budget and financial management

The budget monitoring efforts during the financial year 2018 resulted in a budget implementation rate of 99.99 %, representing a slight decrease of 0.01 % compared to 2017. The payment appropriations execution rate was 88.87 %, representing a decrease of 0.89 % compared to the previous year.

Other observations

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

In particular, they noted that:

- the Authority completed 90 % of the activities included in its annual work programme;

- the implementation of MiFID II was the biggest project the Authority delivered in 2018;

- one of the Authority's main challenges and objectives was the preparation for an orderly process to deal with the withdrawal of the United Kingdom from the Union without a deal, where higher efforts were needed in the context of uncertainty;

- on 31 December 2018, the establishment plan was 95.51 % executed, with 149 temporary agents appointed out of 156 temporary agents authorised under the Union budget;

- the Authority reported an even gender balance within senior management;

- in 2018, the Authority launched the procurement procedure for the renting of new office space in Paris;

- 28 % of the Authority's budget came from fees charged to the entities it supervises. Measures have been implemented in order to mitigate any conflicts of interests and that those measures have been audited;

- the expected withdrawal of the United Kingdom from the Union had a significant impact on the Authority's planned work and deliverables, and generated a lot of preparatory work, particularly in the areas of supervisory convergence, prevention of fragmentation and regulatory arbitrage and direct supervision and risk assessment. The Authority analysed in detail what operational impact the expected withdrawal of the United Kingdom from the Union would have on its organisation, and that it has allocated dedicated staff to provide advice and regularly report on those issues.