

Procedure file

Basic information		
DEC - Discharge procedure	2003/2213(DEC)	Procedure completed
2002 discharge: EC general budget, Court of Justice		
Subject 8.70.03.07 Previous discharges		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	CONT Budgetary Control	PPE-DE STAUNER Gabriele	10/09/2002
European Commission	Commission DG Budget	Commissioner	

Key events			
13/05/2003	Non-legislative basic document published	N5-0034/2003	Summary
25/02/2004	Committee referral announced in Parliament		
29/03/2004	Vote in committee		Summary
29/03/2004	Committee report tabled for plenary	A5-0228/2004	
21/04/2004	Decision by Parliament	T5-0340/2004	Summary
21/04/2004	End of procedure in Parliament		
21/04/2004	Final act published in Official Journal		

Technical information	
Procedure reference	2003/2213(DEC)
Procedure type	DEC - Discharge procedure
Legal basis	Rules of Procedure EP 100
Stage reached in procedure	Procedure completed

Documentation gateway					
Non-legislative basic document		N5-0034/2003	13/05/2003	CSL	Summary
Court of Auditors: opinion, report		N5-0019/2003	08/10/2003	CofA	Summary

		OJ C 286 28.11.2003, p. 0325-0361			
Committee report tabled for plenary, single reading		A5-0228/2004	29/03/2004	EP	
Text adopted by Parliament, single reading		T5-0340/2004 OJ C 104 30.04.2004, p. 0424-0690 E	21/04/2004	EP	Summary

Final act

[Budget 2004/724](#)
[OJ L 330 04.11.2004, p. 0140-0140](#) Summary

2002 discharge: EC general budget, Court of Justice

In adopting the report by Gabriele STAUNER (EPP-ED, D), the European Parliament voted to grant the Registrar of the Court of Justice discharge in respect of the implementation of the budget for the 2002 financial year. In an accompanying resolution, the Parliament notes the replies given by the Court of Justice on 17 December 2003 to the questionnaire sent by the Committee on Budgetary Control on 26 November 2003. It also states that as from next year the Court of Justice will forward to the European Parliament a report summarising the number and type of internal audits carried out, the recommendations made and the action taken on those recommendations. On the issue of non-official use of official cars, the Parliament notes that the Court of Justice, in addition to the official journeys authorised by it or by its President, defrays the cost of the use of official cars by its Members up to a ceiling of 30 000 km a year (Members of the Court of First Instance: 25 000 km; President of the Court of First Instance: 30 000 km). It notes that the Members of the Court thus enjoy benefits in kind although no corresponding decision has been taken by the EU Council of Ministers, which is responsible for their emoluments. The Court of Justice is called upon to amend its rules by 1 July 2004 to require its Members themselves to bear in full the cost of non-official use of official cars. On the issue of increases in remuneration as a result of weightings, Parliament notes that on the basis of an internal administrative ruling the Members of the Court of Justice have the possibility of benefiting from increases in remuneration by having it transferred in part to other EU Member States, and taking advantage of 'weightings' in the process, rather than receiving a transfer to accounts in their country of employment, Luxembourg. It points out that the decision is an internal administrative ruling by the Court of Justice and can under no circumstances be regarded as a ruling in its judicial capacity. It is pointed out that a decision by the Court of Justice's Administrative Committee was taken on 25 September 2002, but that, on a proposal by the Council, Parliament and the Council subsequently deleted a remark from the Court of Justice's 2003 preliminary draft budget (Item A-1090) which provided for weightings to be applied 'by analogy' with the provisions of the Staff Regulations of Officials to the Members of the Court of Justice too. Parliament notes that, in doing so, the budgetary authority made it perfectly clear that it expected an end to be put to the practice, which, since 1 January 2003, has not been authorised either by provisions in the relevant regulations on the remuneration of Members of the Institutions or by corresponding remarks in the budget. It also points out that the Members of the Commission no longer claim weightings and calls on the Members of the Court of Justice to follow that example. Parliament requests in this connection what progress the Court has made in establishing a specific legal basis for the application of weightings, as insisted on by Parliament. Parliament is pleased that the Court of Justice adheres to the same 'whistleblower's doctrine' as the Commission. It notes that such a doctrine is only truly effective if staff members are aware of it and encourages the Court of Justice to ensure that this information is freely available to its staff. Lastly, Parliament invites its Committee on Budgets to place part of the 2005 administrative appropriations for the Court of Justice in reserve if there is no satisfactory response to the concerns raised in this resolution over non-official car use and the system of salary weightings.?

2002 discharge: EC general budget, Court of Justice

PURPOSE : to grant discharge to the Court of Justice for the financial year 2002.

LEGISLATIVE ACT : Decision 2004/724/EC of the European Parliament concerning discharge in respect of the implementation of the general budget of the European Union for the 2002 financial year - Section IV- Court of Justice.

CONTENT : with this present Decision, the European Parliament gives discharge to the Registrar of the Court of Justice in respect of the implementation of the budget for the 2002 financial year.

This Decision is in conformity with the European Parliament's resolution approved on 21 April 2004 and which is accompanied by a series of which complete the discharge decision (please refer to the summary of the opinion).