



# Procedure file

Basic information		
DEC - Discharge procedure	<a href="#">2006/2164(DEC)</a>	Procedure completed
2005 discharge: European Maritime Safety Agency		
Subject 8.70.03.07 Previous discharges		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>CONT</b> Budgetary Control		20/04/2006
		PSE <a href="#">HERCZOG Edit</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>TRAN</b> Transport and Tourism		21/11/2006
		Vers/ALE <a href="#">CRAMER Michael</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Economic and Financial Affairs ECOFIN</a>	<a href="#">2787</a>	27/02/2007
European Commission	Commission DG	Commissioner	
	<a href="#">Budget</a>	KALLAS Siim	

Key events			
31/10/2006	Non-legislative basic document published	<a href="#">N6-0032/2006</a>	Summary
29/11/2006	Committee referral announced in Parliament		
26/03/2007	Vote in committee		Summary
02/04/2007	Committee report tabled for plenary	<a href="#">A6-0114/2007</a>	
24/04/2007	Results of vote in Parliament		
24/04/2007	Debate in Parliament		
24/04/2007	Decision by Parliament	<a href="#">T6-0123/2007</a>	Summary
24/04/2007	End of procedure in Parliament		
15/07/2008	Final act published in Official Journal		

Technical information	
Procedure reference	2006/2164(DEC)

Procedure type	DEC - Discharge procedure
Legal basis	Rules of Procedure EP 100
Stage reached in procedure	Procedure completed
Committee dossier	CONT/6/42419

### Documentation gateway

Non-legislative basic document		<a href="#">N6-0032/2006</a> <a href="#">OJ C 266 31.10.2006, p. 0013</a>	31/10/2006	OS	Summary
Court of Auditors: opinion, report		<a href="#">N6-0001/2007</a> <a href="#">OJ C 312 19.12.2006, p. 0001</a>	19/12/2006	CofA	Summary
Supplementary non-legislative basic document		<a href="#">05711/2007</a>	07/02/2007	CSL	Summary
Committee draft report		<a href="#">PE384.443</a>	09/02/2007	EP	
Committee opinion	TRAN	<a href="#">PE382.458</a>	01/03/2007	EP	
Amendments tabled in committee		<a href="#">PE386.399</a>	08/03/2007	EP	
Committee report tabled for plenary, single reading		<a href="#">A6-0114/2007</a>	02/04/2007	EP	
Text adopted by Parliament, single reading		<a href="#">T6-0123/2007</a>	24/04/2007	EP	Summary
Commission response to text adopted in plenary		SP(2007)2625/2	31/05/2007	EC	

### Final act

[Budget 2008/527](#)  
[OJ L 187 15.07.2008, p. 0149](#) Summary

## 2005 discharge: European Maritime Safety Agency

**PURPOSE:** presentation of the final accounts of the European Maritime Agency for the financial year 2005.

**CONTENT:** this document published in the Official Journal of the EU sets out a detailed account of the implementation of the 2005 budget, including the revenue and expenditure and the balance sheet for the year concerned.

According to this document, the final budget amounted to EUR 35.3 million (against EUR 13.3 million in 2004) consisting of a 100% Community contribution.

As regards the staffing policy, the Agency, whose temporary headquarters are in Brussels but shall be relocated to Lisbon in the future, set out 95 posts in the establishment plan. 80 posts are currently occupied + 20 other posts (auxiliary contracts, seconded national experts, local staff, employment-agency staff) totalling 100 posts assigned to operational, administrative and mixed tasks.

Staff expenditure amounted to EUR 9 788 000.

The Agency aims to ensure a high, uniform and effective level of maritime safety and prevention of pollution by ships as well as providing the Member States and the Commission with technical and scientific assistance. In 2005, it produced 29 specification and guideline documents. It carried out 40 inspections and 10 investigations. In addition, the Agency organised 22 seminars.

The complete version of the final accounts may be found at the following address:

<http://emsa.eu.int>

## 2005 discharge: European Maritime Safety Agency

The committee adopted the report by Edit HERCZOG (PES, HU) granting discharge to the European Maritime Safety Agency for 2005. In its accompanying resolution, it made a number of general points concerning the majority of the EU agencies:

- the ever-growing number of Community Agencies and the activities of some of them do not seem to form part of an overall policy framework,

and "the remits of some Agencies do not always reflect the real needs of the Union or the expectations of its citizens";

- the Commission should therefore define an overall policy framework and should present a cost-benefit study before the setting up of any new Agency, and the Court of Auditors should give its opinion on this study before Parliament takes its decision;
- every 5 years, the Commission should present a study on the added value of every existing Agency; where the evaluation is negative in the case of a particular Agency the latter's mandate should be reformulated or the Agency should be closed;
- the Commission should improve administrative and technical support to the Agencies, given the growing complexity of the Community's administrative rules and technical problems;
- the Agencies should improve their cooperation and benchmarking with actors in the field;
- the Commission should harmonise the format of the annual reporting by the Agencies to develop performance indicators which would allow a comparison of their efficiency.

In its specific remarks on the EMSA, the committee noted that the budget implementation for 2005 was affected by delays in staff recruitment and that this had had repercussions on the utilisation of appropriations for operating activities. It insisted that similar delays should be avoided in future in order for the Agency to be fully operational. It also noted the failure to introduce activity-based management, even though the Agency's financial regulation provides for it, so as to allow better monitoring of performance. Lastly, the report insisted that the system of control should be tightened up and drew attention to shortcomings in a number of procedures.

## 2005 discharge: European Maritime Safety Agency

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The European Parliament adopted a resolution drafted by Edit HERCZOG (PSE, HU), by 587 votes for, 49 against and 22 abstentions, and granted to the executive director of the European Maritime Safety Agency discharge for the implementation of the Agency's budget for the financial year 2005. It then approved the closing of the accounts of the Agency for the financial year 2005.

The Parliamentary resolution is divided into two parts. The first contained general points, and concerned the majority of EU Agencies requiring individual discharge. The second part contained specific points relating to the Agency.

General points: Parliament considers that the ever-growing number of Community Agencies and the activities of certain of them do not seem to form part of an overall policy framework, and that the remits of some Agencies do not always reflect the real needs of the Union. Accordingly, it invites the Commission to define an overall policy framework for the setting up of new Community Agencies and to present a cost-benefit study before the setting up of any new agency, while being careful to avoid any overlap of activities between Agencies or with the remits of other European organisations. Parliament calls on the Court of Auditors to give its opinion on this cost-benefit study before Parliament takes its decision, and it asks the Commission to present every five years a study on the added value of every existing Agency. ; invites all relevant institutions In the case of a negative evaluation of the added value of an Agency, all relevant institutions are asked to take the necessary steps by reformulating the mandate of that Agency or by closing it.

In view of the constantly increasing number of Agencies, Parliament feels that the Directorates-General of the Commission charged with the setting up and monitoring of Agencies must develop a common approach to the Agencies. It also asks the Commission to improve administrative and technical support to the Agencies. Parliament regretted that the negotiations on the draft interinstitutional agreement on the operating framework for the European regulatory agencies have not yet been concluded, and calls on the Commission, in consultation with the Court of Auditors, to do their utmost to ensure that the agreement is brought to a rapid conclusion. Noting that the Commission's budgetary responsibility calls for closer linking of the Agencies to the Commission, Parliament calls on the Commission and the Council to take all necessary steps to give the Commission a blocking minority in the supervisory bodies of the regulatory Agencies by 31 December 2007 and to provide for such a minority from the outset when new Agencies are set up. It invites the Court of Auditors to create an additional chapter in its Annual Report, devoted to all Agencies to be discharged under the Commission's accounts in order to have a much clearer picture of the use of EU funds by Agencies.

Parliament goes on to ask the Commission to come up with a proposal to harmonise the format of the annual reporting by the Agencies and to develop performance indicators which would allow a comparison of their efficiency. The Commission is urged to monitor and direct the management of the Agencies, especially in relation to the proper application of tender procedures, transparency of recruitment procedures, sound financial management and, most importantly, the proper application of the rules concerning the internal control framework.

Specific points concerning the EMSA: Parliament noted that the implementation of the budget for the financial year 2005 was affected by delays in staff recruitment and that this situation had repercussions on the utilisation of appropriations for administrative expenditure. It also noted that activity-based management was not brought in, and that there were problems in its system of internal accounting.

Parliament insisted that the register of liabilities to be entered in the balance sheet should be checked more carefully as liabilities are actually overestimated by at least EUR 92 000 (i.e. almost 10 % of current liabilities), corresponding to goods and services not yet received as at 31 December 2005. It also insisted that the system of control must be tightened up, beginning with the adoption of minimum standards for administrative and control procedures, including the nature and organisation of data. It noted that contract clauses which provide for pre-financing were not standardised with regard to the provision of bank guarantees, and invited the Agency to solve this problem immediately.

Lastly, Parliament noted various shortcomings in public procurement management and insisted that the Agency has to comply with the regulatory requirements.

## 2005 discharge: European Maritime Safety Agency

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PURPOSE: to grant discharge to the European Maritime Safety Agency for the financial year 2005.

LEGISLATIVE ACT: Decision 2008/527/EC of the European Parliament on the discharge for the implementation of the budget of the European

Maritime Safety Agency for the financial year 2005.

CONTENT: with the present decision, the European Parliament grants discharge to the Executive Director of the European Maritime Safety Agency for the implementation of the Agency's budget for the financial year 2005.

This decision is in line with the European Parliament's resolution adopted on 24 April 2007 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 24/04/2007).