



# Procedure file

Basic information		
DEC - Discharge procedure	<a href="#">2008/2283(DEC)</a>	Procedure completed
2007 discharge: EU general budget, European Data Protection Supervisor		
Subject 8.70.03.07 Previous discharges		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>CONT</b> Budgetary Control		
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>JURI</b> Legal Affairs	The committee decided not to give an opinion.	
	<b>LIBE</b> Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Economic and Financial Affairs ECOFIN</a>	<a href="#">2922</a>	10/02/2009
European Commission	Commission DG	Commissioner	
	<a href="#">Budget</a>	KALLAS Siim	

Key events			
23/07/2008	Non-legislative basic document published	<a href="#">SEC(2008)2359</a>	Summary
20/11/2008	Committee referral announced in Parliament		
16/03/2009	Vote in committee		Summary
20/03/2009	Committee report tabled for plenary	<a href="#">A6-0154/2009</a>	
21/04/2009	Debate in Parliament		
23/04/2009	Results of vote in Parliament		
23/04/2009	Decision by Parliament	<a href="#">T6-0264/2009</a>	Summary
23/04/2009	End of procedure in Parliament		
26/09/2009	Final act published in Official Journal		

Technical information	
Procedure reference	2008/2283(DEC)
Procedure type	DEC - Discharge procedure
Legal basis	Rules of Procedure EP 100
Stage reached in procedure	Procedure completed
Committee dossier	CONT/6/67255

Documentation gateway					
Committee draft report		<a href="#">PE416.562</a>	29/01/2008	EP	
Non-legislative basic document		SEC(2008)2359	23/07/2008	EC	Summary
Court of Auditors: opinion, report		N6-0003/2009 <a href="#">OJ C 286 10.11.2008, p. 0001</a>	10/11/2008	CofA	Summary
Amendments tabled in committee		<a href="#">PE421.128</a>	23/02/2009	EP	
Committee report tabled for plenary, single reading		<a href="#">A6-0154/2009</a>	20/03/2009	EP	
Text adopted by Parliament, single reading		<a href="#">T6-0264/2009</a>	23/04/2009	EP	Summary

Final act	
<a href="#">Budget 2009/640</a> <a href="#">OJ L 255 26.09.2009, p. 0093</a>	Summary

## 2007 discharge: EU general budget, European Data Protection Supervisor

**PURPOSE:** to present the final annual accounts of the European Communities for the financial year 2007 - Other institutions: section IX - European Data Protection Supervisor.

**CONTENT:** this document sets out the amount of expenditure and the financial statement of the European Data Protection Supervisor (EDPS) for 2007. It presents an analysis of the institution's financial management as well as its main axes of expenditure.

The figures mentioned hereafter are taken from volume I of the [consolidated annual accounts of the European Communities](#) for the year 2007:

Commitment appropriations:

- commitment appropriations authorised: EUR 5 million;
- commitments made in 2007: EUR 4 million (implementation rate of 86.14%);
- appropriations carried over to 2008: EUR 1 million;
- appropriations lapsing: EUR 1 million (13.86% of the budget).

Payment appropriations:

- payment appropriations authorised: EUR 6 million;
- payments made in 2007: EUR 4 million (implementation rate of 66.73%);
- appropriations carried over to 2008: EUR 1 million (15.96% of total payments);
- appropriations lapsing: EUR 1 million (17.31% of the budget).

Main axes of expenditure for 2007: the implementation of the EDPS budget is in line with the further establishment of the Institution. The establishment of the EDPS was therefore carried out with a view to consolidating the good start made by the Institution. In 2007, the EDPS had access to additional resources both in terms of the budget (an increase from EUR 4.138 million in 2006 to EUR 5 million in 2007) and personnel (an increase to 29 people).

The budgetary year was also marked by:

- the consolidation of administrative cooperation: this refers to cooperation with the relevant services of the Parliament, the Commission and the Council in areas where duplication of jobs can be avoided. In December 2006, the agreement concluded with the institutions was extended for a further 3 year period (at the end of this 3-year period the agreement can be extended again). As a reminder, this agreement enables the EDPS to rely on the expertise of the other institutions in areas of budgetary and technical assistance, among others, and creates large economies of scale;
- recruitment: as a new institution, the EDPS is still in its development phase. The EDPS therefore chose to limit the increase in the number of tasks and staff so that there would be a controlled progression of tasks to be dealt with and of newly integrated personnel. That is why the EDPS created 5 additional posts in 2007. Also note the integration of trainees from countries of Central and Eastern Europe.

The other main points concerning the implementation of the EDPS budget can be summarised as follows:

Title I (Expenditure relating to persons working with the Institution): this budgetary Title was not characterised by any notable observation (the expenditure for most of the items was in accordance with the budgetary forecasts): for the Title as a whole, the rate of implementation for appropriations recorded in the budget is 84.64%.

Title II (Buildings, equipment and miscellaneous operating expenditure): this budgetary Title was only characterised by a low implementation rate for expenditure related to studies, surveys and consultations. The utilisation rate for this Title, however, amounts to 95% of appropriations recorded in the budget.

## 2007 discharge: EU general budget, European Data Protection Supervisor

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**PURPOSE:** to present the report of the Court of Auditors on the implementation of the budget for the financial year 2007 (other institutions - European Data Protection Supervisor).

**CONTENT:** in its annual report for the financial year 2007, the Court focuses on the legality and regularity of the operating expenditure of the institutions. In 2007, the Court notes that all the institutions operated satisfactorily the supervisory and control systems required by the Financial Regulation and the transactions tested were free from material error of legality and regularity.

However, the Court draws attention to a number of findings which should be taken into consideration by the institutions concerned. Nevertheless, in the specific case of the audit of the European Data Protection Supervisor, the audit did not give rise to any significant observations.

## 2007 discharge: EU general budget, European Data Protection Supervisor

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The Committee on Budgetary Control adopted the report drawn up by Søren Bo SØNDERGAARD (GUE/NGL, DK) recommending that the Parliament grant the European Data Protection Supervisor (EDPS) discharge in respect of the implementation of its budget for the financial year 2007.

The committee recalls that, in 2007, the European Data Protection Supervisor (EDPS) had commitment appropriations available amounting to a total of EUR 5 million (compared to EUR 4.1 million in 2006), representing an increase of nearly 20% as compared with 2006, with a utilisation rate of 86.14% (below the average of the other institutions. MEPs also note the increase in permanent posts of the EDPS and welcome, in this context, the EDPS' intention of restricting expansion in both tasks and staff, using controlled growth to ensure that new staff are fully taken on board and adequately integrated and trained.

Noting that the Court of Auditors' audit of the EDPS did not give rise to any significant observations, MEPs welcome the first audit report issued by the Internal Audit Service (IAS), which identified certain issues requiring improvement (including the implementation of IAS recommendations agreed by the EDPS).

Moreover, they recall that that on 7 December 2006 the Administrative Cooperation Agreement between the Secretaries-General of the Commission, Parliament and the Council, signed together with the EDPS, was renewed for a further period of three years with effect from 16 January 2007.

Welcoming the annual publication by the EDPS and the Assistant EDPS of a declaration of their financial interests, MEPs congratulate the EDPS on its decision of 12 September 2007 to accede to the Interinstitutional Agreement of 25 May 1999 between the European Parliament, the Council and the Commission concerning internal investigations by the European Anti-Fraud Office (OLAF).

They also request that the EDPS include in its 2008 activity report a chapter giving a detailed account of the follow-up during the year to Parliament's earlier discharge decisions.

Lastly, MEPs regret the fact that, despite amendments to the Financial Regulation, its rules on procurement are still excessively cumbersome for smaller institutions, such as the EDPS. They therefore call on the Commission to consult extensively with the EDPS in order to ensure that its concerns are fully taken into account in the final draft.

## 2007 discharge: EU general budget, European Data Protection Supervisor

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**PURPOSE:** to grant discharge to the European Data Protection Supervisor for the 2007 financial year.

**LEGISLATIVE ACT:** Decision 2009/640/EC of the European Parliament on the discharge for implementation of the European Union general budget for the financial year 2007, Section IX - European Data Protection Supervisor.

**CONTENT:** with the present decision, the European Parliament grants the European Data Protection Supervisor discharge in respect of the implementation of the budget for the financial year 2007.

This decision is in line with the European Parliament's resolution adopted on 23 April 2009 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 23/04/2009).

## 2007 discharge: EU general budget, European Data Protection Supervisor

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The European Parliament adopted by 577 votes to 11, with 42 abstentions, a decision to grant the European Data Protection Supervisor (EDPS) discharge in respect of the implementation of its budget for the financial year 2007. The decision to grant discharge is also an approval of the closure of the accounts of this institution.

Moreover, the Parliament adopted a resolution with observations which form an integral part of the decision to grant discharge. The resolution points out that in 2007 the European Data Protection Supervisor (EDPS) had commitment appropriations available amounting to a total of EUR 5 million (compared to EUR 4.1 million in 2006), representing an increase of nearly 20% as compared with 2006, with a utilisation rate of 86.14% (below the average of the other institutions. The Parliament also notes the increase in permanent posts of the EDPS and welcomes, in this context, the EDPS' intention of restricting expansion in both tasks and staff, using controlled growth to ensure that new staff are fully taken on board and adequately integrated and trained.

The other main points of the resolution can be summarised as follows:

- Internal audit: noting that the Court of Auditors' audit of the EDPS did not give rise to any significant observations, the Parliament welcomes the first audit report issued by the Internal Audit Service (IAS), which identified certain issues requiring improvement (including the implementation of IAS recommendations agreed by the EDPS);
- Interinstitutional cooperation agreements: the Parliament recalls that that on 7 December 2006 the Administrative Cooperation Agreement between the Secretaries-General of the Commission, Parliament and the Council, signed together with the EDPS, was renewed for a further period of three years with effect from 16 January 2007. Welcoming the annual publication by the EDPS and the Assistant EDPS of a declaration of their financial interests, the Parliament congratulates the EDPS on its decision of 12 September 2007 to accede to the Interinstitutional Agreement of 25 May 1999 between the European Parliament, the Council and the Commission concerning internal investigations by the European Anti-Fraud Office (OLAF).

The Parliament also requests that the EDPS include in its 2008 activity report a chapter giving a detailed account of the follow-up during the year to Parliament's earlier discharge decisions.

Lastly, the Parliament regrets the fact that, despite amendments to the Financial Regulation, its rules on procurement are still excessively cumbersome for smaller institutions, such as the EDPS. It therefore calls on the Commission to consult extensively with the EDPS in order to ensure that its concerns are fully taken into account in the final draft.